2026 CLERY COMPLIANCE

ANNUAL SECURITY & FIRE SAFETY REPORT



COLGATE UNIVERSITY
Dean of the College

Contains Information for
2023, 2024, and 2025
Spring and Fall Semesters

Dear Community Members:

The Colgate University Annual Security and Fire Safety Report is carefully produced in accordance with requirements set forth by the federal Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, also known as the Clery Act. The purpose of this annual report is to provide Colgate community members with information regarding campus crime and fire-related statistics, policies, reporting procedures, and prevention programs. As required by the Clery Act, this report includes crime and fire statistics for the previous three calendar years (2023–2025). Colgate is committed to providing accurate crime and fire-related statistics as well as continuously evaluating and improving the University's safety and security programs. This commitment is perhaps best illustrated by the extensive annual training campus safety employees receive and the weekly review of crime reports by our Clery Review Committee led by the University's Clery Compliance Officer.

Our University's Clery Compliance Officer is responsible for collaborating with the director of Campus Safety and security programs' review and reporting. In addition to reviewing crime reports, the Clery Review Committee makes annual recommendations on crime prevention program improvements, as does the Advisory Committee on Campus Security, and the University's Safety and Security Committee.

Our safety team is committed to promoting campuswide safety in a participatory manner that advances community cooperation and support.
Students, faculty, and staff also share a responsibility for maintaining a safe and secure campus, and we want to take this opportunity to thank them for their contributions toward this important goal. Together, in fervent partnership with the community we serve, we strive to make our campus a safe and secure environment for all to enjoy. With your personal safety and the safety of those around you in mind, campus community members are encouraged to review this report's data to inform their decision-making and behaviors.

Printed copies of this report may be obtained upon request from the Department of Campus Safety located at 88 Hamilton Street, Hamilton, NY 13346. If you have any questions or suggestions about safety and security at Colgate University, you may always contact us at 315-228-7333 or cusafety@colgate.edu.

On behalf of our safety team, we look forward to serving you and working alongside you in pursuit of a safe and secure campus.

Sincerely,

Terri Stewart
Director of Campus Safety
Colgate University

Derek McGork
Assistant Vice President for Emergency Management, Transportation, and University Safety

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Annual Security and Fire Safety Report Overview

This Annual Security and Fire Safety Report (ASFSR) is published by the Dean of the College Division (DoC) as a safety and security resource for Colgate students, staff, faculty, visitors, and prospective students. The report provides useful information and references relating to campus safety and fire safety. It is organized into the following major sections:

- The Safety on Campus section details information about the Campus Safety Department; campus safety officer enforcement status and authority; how to report crimes or other emergencies occurring on campus, including confidential reporting, campus alerts, evacuation, and emergency response; crime prevention and security awareness programs; security of and access to campus facilities; and missing persons procedures.
- The University, Law Enforcement, and Campus Safety Response to Sexual Assault, Domestic Violence, Dating Violence, and Stalking section and the University policy and Procedure Information section provide details of Colgate University policies, New York State (NYS) regulations, and federal laws regarding issues such as hazing, sexual assault, harassment, stalking, and intimate partner violence. It also addresses how to report these types of incidents to the University, to campus safety, and/or to law enforcement. Information about resources, support, and protective measures is provided in this section.
- The Crime Statistics section lists statistics of crimes reported on and near campus in the past three years, followed by definitions for the Clery statistics charts.
- The Annual Fire Safety Report section includes fire statistics for on-campus student housing facilities and a description of fire safety systems in each housing facility, as well as additional fire safety and training information.

COMPILING THE ASFSR

This report is part of the University's commitment to keeping campus community members informed on safety- and security-related policies and procedures, crime prevention programs, crime statistics, victim support services, and student housing fire safety systems and statistics. This report is prepared — in cooperation with key University stakeholders and local law enforcement agencies —by the Clery Act Compliance officer, and the Offices of Campus Safety, Environmental Health and Safety, Emergency Management, and Fire Safety. This report is produced in compliance with the Higher Education Act and the Jeanne Clery Campus Safety Act. Crime statistics included in this report are the product of a Clery Compliance Review Team that meets weekly to review and properly classify crime reports and, based on case study and statistical analysis, make recommendations on crime prevention program improvements.

This report is sent annually via email to all enrolled students, faculty, and staff. Physical copies of this report may also be obtained at the Campus Safety Department at 88 Hamilton Street or by calling 315-228-7333. During the application process, all prospective students and employees are also made aware of the report and provided with a website address where they can access the report: **Annual Security and Fire Safety Report**.

Safety on Campus

CAMPUS SAFETY DEPARTMENT

The Campus Safety Department, located at 88 Hamilton Street, in Hamilton has officers on duty and provides campus safety services 24 hours a day, 7 days a week. The main office is open Monday through Friday from 8 a.m. to 4 p.m. For general information and routine requests, the Campus Safety Department can be reached 24 hours a day by dialing 315-228-7333. To report a crime or emergency occurring on Colgate University property to the Campus Safety Department, dial 911 from a University network phone or 315-228-7333 from a non–University network phone or cell phone.

In addition to the emergency telephone numbers, the University maintains emergency "blue light" phones throughout the campus, which provide direct two-way communication with the campus safety dispatcher. These emergency phones are identified by an overhead blue light. Campus safety can also be contacted through the Colgate Guardian mobile phone application, available for both Android and Apple iOS devices with instructions on how to install the app located on Colgate's website.

The Campus Safety Department is part of the Dean of the College Division and is responsible for providing emergency and nonemergency response on campus. Services provided by the Campus Safety Department include, but are not limited to:

- Facility security patrols
- Initial response to fire alarms
- Medical emergency responses
- Crime investigations
- On-campus, nonemergency medical transports
- Vehicle and traffic enforcement
- Campus parking registration and enforcement
- On-campus motorists' battery jump-starts and vehicle unlocks
- Campus card access management
- Lost and found program management
- New York State–required fire drills support
- University driver authorization program management
- University photo identification card issue/replacement

DAILY CRIME AND FIRE LOG

The Daily Crime and Fire Log (DCFL) is located within the Campus Safety Department building. The DCFL contains information entered by Campus Safety Department staff into the computer-aided dispatch system following receipt of contact to campus safety for service, and includes: the date the information was reported, the date and time the incident occurred, the nature of the incident, the general location where the incident occurred, and the disposition of the complaint, if known. Limited information may be temporarily withheld from the Daily Crime and Fire Log if, in consultation with University officials, campus safety personnel determine that the release of the information would jeopardize an ongoing investigation or safety of an individual; would cause a suspect to flee or evade detection; or would result in the destruction of evidence. The only exceptions to this rule are if the disclosure is prohibited by law, or if the disclosure would jeopardize the confidentiality of the victim. The University's Annual Security & Fire Safety Report is different from the Daily Crime and Fire Log in that the Annual Security & Fire Safety Report reflects crime statistics concerning Clery Act crimes which occurred on defined Clery geography, throughout the calendar year. The Daily Crime and Fire Log reflects all incidents, which occurred on campus, in or on noncampus buildings or property, on public property within the campus or immediately adjacent to and accessible from the campus, or within the patrol jurisdiction of the Campus Safety Department staff that are reported to campus safety within the 60-day period immediately preceding the date on which the DCFL is published.

The Daily Crime and Fire Log is updated by campus safety staff each day with information concerning reports of crime or fires made the prior day. Portions of the Daily Crime and Fire Log older than 60 days will be made available to the public within two business days of a request.

ENFORCEMENT STATUS AND AUTHORITY

The Colgate University Campus Safety Department officers are all NYS-licensed security guards who have received advanced security training by Department of Criminal Justice Services–certified trainers. Officers are trained and certified in numerous other safety-related subject areas such as armed intruder/active shooter response, basic first aid, emergency medical care (e.g.,, cardiopulmonary resuscitation, automatic external defibrillators, Narcan), trauma-informed care, crisis intervention, intoxication assessments, drug trends, suicide prevention, hazing prevention, investigation techniques, and recognizing and responding to stalking, dating/domestic violence, and sexual assault.

Campus safety officers are non-sworn and, therefore, do not possess any law enforcement arrest powers. Campus safety officers do not carry sidearms or any other protective arms. Campus safety officers cannot act outside the authority of a NYS-licensed security guard.* If a situation arises where an officer witnesses a crime being committed or the victim of a crime desires criminal prosecution, the officer must contact a law enforcement agency having jurisdiction in order to start a criminal prosecution process and have the subject(s) arrested. The law enforcement agency makes the final decision to arrest or not arrest based upon the available information.

Campus safety officers only have jurisdiction on Colgate University–owned and –controlled property. Campus safety officers do not have jurisdiction on public or non-Colgate private property. Even though officers do not have jurisdiction off of Colgate University property, they may respond to an incident off of Colgate University property at the request of law enforcement or emergency response agencies to provide assistance and mutual aid.

The Campus Safety Department works in close partnership with area law enforcement and emergency response agencies, including the Hamilton Police Department, Madison County Sheriff's Department, NYS Police, Hamilton Fire Department, Madison County EMS, and Madison County Office of Emergency Management. Campus safety has the ability to utilize the same two-way radio frequencies as all of the aforementioned agencies in the event of an emergency and during major University events requiring interagency coordination. The Campus Safety Department head is part of the Madison County Police Chiefs Association, which meets on a monthly basis. The Campus Safety Department has a written Memorandum of Understanding with the Hamilton Police Department covering missing persons and violent felony offenses. The Campus Safety Department advises all crime victims about their option to have the case reported to and investigated by the appropriate law enforcement agency having jurisdiction.

**A security guard as defined in Article 7A of the NYS General Business Law [§89-f (6)] is a person (other than an active police officer) employed in NYS to principally perform one or more of the following duties, and the person is not performing the functions of a private investigator as defined in Section 71 of Article 7 of the General Business Law: protection of persons and/or property from harm, theft, and/or unlawful activity; deterrence, observation, detection, and/or reporting unlawful or unauthorized activity; street patrol service; response to, but not installation or service of, a security system alarm.*

REPORTING OF CRIMES OR OTHER EMERGENCIES OCCURRING ON CAMPUS

To report a crime or emergency occurring on Colgate University property to the Campus Safety Department, dial 911 from a University network phone or 315-228-7333 from a non–University network phone or cell phone. The Campus Safety Department urges University students, faculty, and staff to report criminal offenses described in the law, as detailed in this report, which may have occurred, for the purpose of determining the need for making timely warning reports and for inclusion in the annual statistical disclosure.

University professional counselors, physicians, and pastoral counselors are also encouraged, if and when they deem it appropriate, to inform the persons they are counseling or treating of the University procedures to report crimes on a voluntary, confidential basis for inclusion in the annual disclosure of crime statistics as described below.

For crimes or other types of emergencies occurring outside of Colgate University property, the Madison County 911 Center should be contacted by dialing 911 from any phone so the appropriate law enforcement or emergency response agency with jurisdiction can be dispatched.

If the Campus Safety Department receives a report of a crime or other emergency occurring on Colgate's main campus or other Colgate property in the Hamilton area, the dispatcher will send campus safety staff to investigate while simultaneously notifying non-University emergency response resources as appropriate with information about the incident and location. For reports of crimes or other emergencies occurring on non-Colgate property, the campus safety dispatcher will immediately transfer that call to the Madison County 911 Center or will immediately relay the information to the 911 center so appropriate law enforcement and/or emergency response resources can be deployed.

CONFIDENTIAL REPORTING

It is important to note that some victims may not want to report crimes to the Campus Safety Department or local law enforcement agencies and instead prefer to report crimes via confidential or anonymous methods. In either case, all of the reported crimes that fall under the Clery Act are included in this annual crime statistics report.

To make a confidential report about a crime or possible crime and/or University policy violation, contact the Campus Safety Department duty chief via 315-228-7333. While retaining confidentiality, the University may decide if an investigation needs to be conducted by campus safety or a timely warning is required to be sent to the campus community.

To make an anonymous report about a crime or possible crime and/or University policy violation, reporting parties can use the anonymous reporting/tip forms available on the campus safety website at **campus safety: report/tip form**. The contents of this form are emailed directly to the Campus Safety Department and the sender appears as "Campus Safety Web Page." Anonymity is ensured if a person chooses not to provide a name or other information. Once the form is completed, click the "Submit" button at the bottom of the page.

CAMPUS ALERTS (TIMELY WARNINGS)

The campus must, in a manner that is timely and will aid in the prevention of similar crimes, provide a timely warning to the campus community on Clery Act crimes that occur on Colgate University Clery geography and are:

a. Reported to campus security authorities (CSAs) or local police agencies; and
b. Considered by the institution to represent a serious or continuing threat to students and employees.

Timely warnings are not limited to violent crimes or crimes against persons. Timely warnings can be issued for threats to persons or to property.

Using the subject header *Campus Alert*, Colgate utilizes the University's email system to issue a timely warning to students, faculty, and staff. All University students and employees are provided with an email account. In order to provide Campus Alert information to guests and visitors, and in the event the email system is not operational, campus safety staff will post Campus Alert flyers in the lobby of all residence halls as well as other key buildings on campus.

Colgate University is not required to provide a timely warning with respect to crimes reported to a pastoral or professional counselor. A pastoral counselor must be functioning within the scope of that recognition as a pastoral counselor. A professional counselor must be a person whose official responsibilities include providing mental health counseling to members of the institution's community and who is functioning within the scope of his or her license or certification.

It is the policy and responsibility of the Colgate University Campus Safety Department to review all Clery Act offenses subject to disclosure in the Annual Security and Fire Safety Report and have been reported to campus security authority or local police authorities to determine if they represent a serious or continuing threat to students or employees.

Timely reporting to the campus community is decided on a case-by-case basis in light of all the facts surrounding a crime, including:

a. The nature of the crime
b. The length of time between occurrence of the crime and the time reported
c. Continuing danger to the campus community
d. Possible risk of compromising law enforcement efforts

All Clery Act reportable crimes are subject to the timely warning requirements. However, there are often concerns raised regarding confidentiality if the information disclosed in the timely warning report would personally identify the individual. Although personally identifiable information is generally precluded from disclosure, such information may be released in an emergency situation.

Timely Warning Procedure:

1. The amount and type of information that the campus discloses in a timely warning report will vary depending on the circumstances of each case, as noted above.
2. Whenever a Clery Act crime is committed within the Colgate University Clery geography, and is reported to a CSA or local law enforcement and is determined by the Campus Safety Department head or designee to represent a serious or ongoing threat to the safety of students and employees, the institution, via the Campus Safety Department, must issue a warning as soon as pertinent information is available.
3. The warnings should include the following details of the crime:
   - A description of the incident.
   - A physical description of the suspect, including gender and race, if known.
   - A composite drawing of the suspect, if available.
   - Apparent connection to previous incidents, if applicable.
   - Race of the victim, but only if there was an apparent bias motive.
   - Sex of the victim, if relevant.
   - Injury sustained by the victim, if one occurred.
   - Date and time the "Campus Alert" was released.
4. The warnings are normally created by the on-call campus safety duty chief and, provided it will not prevent timely release of the warning, reviewed by the Office of Communications and/or the Office of the Dean of the College.
5. The warnings may be sent by campus safety or the communications office.

Numerous efforts are made to advise members of the campus community on a timely basis about campus crime and crime-related problems. These efforts include:

- Annual Report: A comprehensive annual report of crime-related information is compiled, published, and widely distributed. This report is also available at the Campus Safety Department, Human Resources Department, and the Office of Admission.
- Student Newspaper: The student newspaper, the *Colgate Maroon-News*, is communicated with on a regular basis, and articles are published to inform the campus of specific Campus Safety Department concerns. The *Colgate Maroon-News* also publishes the Campus Safety Blotter, a weekly summary of the incidents reported to campus safety.
- Campus Safety Alerts: When circumstances warrant, Campus Safety Alerts are prepared and distributed throughout the campus using the "Campus Alert" email distribution. If the email system is not operational, flyers are posted on all residential buildings by Office of Residential Life staff and on all other buildings by campus safety staff.

EMERGENCY PREPAREDNESS

The Colgate University Office of Emergency Management provides leadership, strategic direction, and professional expertise for the University's emergency management program. The emergency management program is made up of subject matter experts from departments across the University as well as outside agencies, including the Hamilton Fire Department, Hamilton Police Department, Madison County EMS, Community Memorial Hospital, and the Madison County Department of Emergency Management. Colgate University uses the Incident Command System (ICS) for incident management. ICS is a standardized, scalable, flexible, all-hazard approach to incident management. Colgate University is committed to continuously evaluating and improving its emergency management program through training and exercises using the emergency response preparedness cycle.

Upon receiving notification of an emergency situation, campus safety will dispatch appropriate staff to the reported location to determine and confirm that an emergency exists. Once a significant emergency or dangerous situation involving an immediate threat to the health or safety of University community members is confirmed, the University's main method for communicating to the entire campus community is through Colgate Alert, a suite of mass notification system products capable of messaging via text, email, voicemail, Facebook, X, and RSS feeds. The University will, without delay, and taking into account the safety of the campus community, determine the content of the notification and initiate the Colgate Alert system, unless the notification will, in the professional judgment of responsible authorities, compromise efforts to assist victims or to contain, respond to, or otherwise mitigate the emergency.

Initial campuswide emergency alerts are sent by a senior staff member from one of the three safety departments (campus safety, environmental health and safety, or emergency management), who has received advanced training in the University's mass notification system (Colgate Alert). A member of the Emergency Operations Center (EOC) who is assigned as the Colgate Alert officer sends subsequent life safety messages. Non–life safety communications related to the emergency are sent by members of the EOC Operations Section (typically from the University's communications staff).

The Colgate Alert system is capable of delivering messages to Colgate email addresses as well as personal email addresses, landlines, and cell phones, if that information has been provided.

Students, faculty, and staff members are automatically enrolled in the Colgate Alert system. Campus community members are encouraged to log in to the Colgate Alert site via the link on the Colgate portal to confirm their contact information and choose their notification preferences. Campus community members can enter up to three email addresses, three mobile phone numbers, and three voice-only telephone numbers.

The University provides this emergency alerting service free of charge to all members of the Colgate community; however, cellular phone providers may charge a per-text message fee for the delivery of emergency notifications. To manage Colgate Alert accounts, University community members can log in to the portal (**portal.colgate.edu**) using their Colgate username and password. The "Colgate Alert" link is found under "Campus Links" on the portal home page. This link provides access to the Colgate Alert system. Questions or concerns can be directed to campus safety at 315-228-7333 or the Information Technology Services helpdesk at 315-228-7111.

Other campuswide warning systems that can be used alone or in conjunction with Colgate Alert include the outdoor warning system and the University network phone alert system. The outdoor warning system is a series of high-powered speakers located in several locations across campus. The University network phone alert system sends prescripted emergency messages via the campus Internet Protocol phone system.

The Colgate University mass notification systems are tested twice a year to ensure operational readiness. These tests occur at the beginning of each semester.

EVACUATION

In the event an evacuation is needed due to a fire or other emergency, please remain calm. Evacuate the building at the nearest exit. Do not run or use elevators. Once evacuated, get at least 300 feet away from the building and stay together so that an accurate count of building occupants can be made. If someone needs assistance leaving the building and it can be done SAFELY, assist this person out of the building and to an area at least 300 feet away from the building. Stay in this general area until further instructions are received from the emergency alert system(s), campus safety, and/or other authorized emergency services personnel. Evacuation diagrams and/or maps are posted in all Colgate buildings. If an emergency alert system message advises a different course of action other than using the 300-foot standard, immediately comply and initiate that course of action.

EMERGENCY RESPONSE AND EVACUATION PROCEDURES TESTING

Procedures for emergency response and evacuation are tested at least once per calendar year, including publicizing the procedures in conjunction with the annual test and documenting a description of the exercise as well as the date and time of the exercise and whether it was announced or unannounced. Tests may consist of, but are not limited to: regularly scheduled drills, exercises, and appropriate follow-through activities designed for assessment and evaluation of emergency plans and capabilities.

MONITORING AND RECORDING CRIMINAL ACTIVITY AT REPORTABLE NONCAMPUS AND PUBLIC PROPERTY LOCATIONS THROUGH LOCAL POLICE AGENCIES

The Campus Safety Department is notified of crimes occurring at noncampus locations through local law enforcement agencies when those agencies request assistance or when they routinely pass along information that may be of mutual interest. Annually, the Campus Safety Department requests a summary of criminal activity from local law enforcement agencies for:

- On-campus buildings or property owned or controlled by the University
- Noncampus buildings or property owned or controlled by student organizations that are recognized by the University
- Noncampus buildings or property owned or controlled by the University that is used in direct support of, or in relation to, the University's educational purposes; is frequently used by students; and is not in the same reasonably contiguous geographic area of the University
- Public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus or immediately adjacent to and accessible from the campus

The jurisdiction of the Campus Safety Department does not extend to private property; therefore, the Campus Safety Department's role is limited to sharing information with, coordinating, and assisting other law enforcement agency investigations of criminal activity at these locations.

SECURITY OF AND ACCESS TO CAMPUS FACILITIES

Campus buildings and facilities are accessible to members of the University community and to guests and visitors during normal business hours, Monday through Friday, and for designated hours on weekends.

Many, but not all, campus facilities are equipped with a "Card Access" system. Depending on the building, the system may be on a set schedule that regulates the open and closed times of the building. Access authorization for students, faculty, and staff is according to each individual's card settings. The Campus Safety Department manages the "Card Access" system and sets the security authorizations for the campus. Also, each evening, the Campus Safety Department secures all nonresidential facility buildings that have manual locks.

RESIDENTIAL FACILITIES AND POLICIES

Colgate University houses approximately 2,800 students in varied accommodations, including residence halls, community-centered houses, apartment- and townhouse-style complexes, and Greek theme houses. Services and programs intended to enhance the quality of life and the safety and security of our students are a major priority of the Office of Residential Life and the Campus Safety Department. Safety and security policies and procedures, especially regarding locking individual residence rooms and related precautions, are discussed with residents in crime prevention seminars, in routine meetings conducted by the residential life staff, and in printed materials, which are distributed by the staff. Residence halls are locked 24 hours a day with approximately 85 percent controlled by card access.

Security of residential facilities is a very important issue and it requires the efforts of not only the Campus Safety Department, which patrols University-owned and -leased on-campus student housing, but also the partnership of students and staff. Students can do their part by closing and locking their doors when leaving their rooms and by not propping open doors and not letting those they don't know into the facilities.

MAINTENANCE OF CAMPUS FACILITIES

The Facilities Department (buildings and grounds) maintains University buildings and grounds with a concern for safety and security. Facilities maintains a work order system that allows students, faculty, and staff to electronically submit all maintenance or repair issues to the department so that it can be addressed in a timely manner.

Building outdoor lighting and street lighting on campus are surveyed twice per year, in the fall and spring, by facilities and staff to ensure all are in proper working order and to assess the adequacy of existing lighting.

Charged with assessing and responding to safety concerns on campus, the Safety Advisory Committee, which consists of faculty, staff, and administrators, meets regularly.

CRIME PREVENTION AND SECURITY AWARENESS PROGRAMS

The Campus Safety Department promotes community safety and security as a shared responsibility. The Campus Safety Department provides crime prevention and fire safety educational programs and literature to on-campus and off-campus student residents.

Programs provided by campus safety include, but are not limited to, the following:

- Alcohol and Other Drug Awareness Training Programs: Alcohol and other drug awareness training programs, such as the Training for Intervention ProcedureS (TIPS) certification program designed to prevent intoxication, underage drinking, and drunk driving, are offered by campus safety at various times throughout the academic year.
- Community Leader Training: Campus safety officers throughout the year assist the Office of Residential Life with community leader training, from alcohol and drug awareness to personal safety and security.
- Building Security Campaign: This crime prevention program involves leaving door hangers, with reminders to lock doors, on residential hall student rooms that are found unlocked and unattended. This program is conducted at the beginning of each new academic year and whenever student residence room thefts occur on campus.
- Park Smart: This crime prevention program is designed to heighten the awareness of a motor vehicle operator while they are in parking areas. The program provides personal safety tips and recommends all valuables be placed out of sight and vehicles locked. Officers check vehicles and note if valuables are left in plain sight or if a vehicle is left unlocked. The vehicle's owner is then contacted and reminded of the importance of parking lot safety. This program is conducted throughout the year.

Crime Prevention Services offered are:

- Colgate Guardian App: The Colgate Guardian app provides a direct connection to campus safety contacts, anonymous tips, and a safety timer to keep you safe any time of day.
- Personal Safety Escorts: From dusk to dawn, escorts from and to any on-campus location are provided to members of the campus throughout the year.
- Residence Hall Security: Crime prevention presentations, accompanied by brochures, are offered to all resident students throughout the year. All residence halls have door code locks or proximity card access locks installed. For the safety and security of all residents, do not give the door code or loan your ID/access card to anyone.
- Enhanced Telephone System: All calls received by the Campus Safety Department from a University phone, Blue Light phone, or emergency phone are immediately identified by the telephone extension and/or location.
- Blue Light Emergency Telephones: These emergency telephones are distinguished by the overhead blue light, are strategically located throughout the campus, and are linked directly to the campus safety dispatcher.
- Emergency Telephones: Interior emergency telephones are linked directly to the campus safety dispatcher and are located throughout campus.
- Crime Prevention Presentations: Crime prevention presentations are offered to all campus constituents, including resident students, fraternities and sororities, faculty and staff, student government, and recognized student organizations.
- Printed Crime Prevention Materials: Crime prevention publications are distributed during safety fair–type events. They are also available at the Campus Safety Department office.
- Security Surveys: Security surveys are conducted regularly of exterior lighting, perimeter security, doors, locks, and grounds.
- Fire and Security Alarm Systems: A sophisticated computer-enhanced alarm system that monitors a campuswide network of fire, intrusion, and duress alarms exists and is monitored 24 hours a day by campus safety dispatchers.
- Architectural Design: The Campus Safety Department works closely with design engineers regarding physical security systems and fire safety equipment when new construction or major renovations are planned on campus.

STUDENT RESPONSIBILITY

The cooperation, involvement, and support of students in campus safety crime prevention and security awareness programs are crucial to their success. Students must assume responsibility for their own personal safety and security of their personal belongings by taking simple, common-sense precautions. Precautions include always locking residence room doors, engraving valuables and recording the identification numbers, always locking motor vehicles and placing any valuables out of sight, locking bicycles with sturdy locks, utilizing the campus escort service, and reporting any suspicious individuals or situations immediately to the Campus Safety Department.

MISSING PERSONS POLICY

All reports of students believed to be missing are to be reported immediately to the Campus Safety Department. In compliance with Article 129-A of the State of New York Education Law, campus safety maintains a policy and Memorandum of Understanding (MOU) on violent felony crimes and missing students.

Upon receipt of a report of a missing student, campus safety will conduct a thorough and timely preliminary investigation to verify the report, determine existing circumstances, and attempt to locate the missing student. If the student is verified missing, campus safety will contact and coordinate an investigation with the appropriate law enforcement agency with jurisdiction and provide assistance to them as requested.

A student will be considered missing if a roommate, classmate, faculty, staff, or family member or other campus person has not seen the student in a reasonable amount of time. Reasonable time may vary depending on the time of day and information available. Students will also be considered missing immediately if their

absence has occurred under circumstances that are suspicious or cause concern for their safety. For initial reports made to a staff member of a department other than campus safety, it is the responsibility of that staff member to ensure the Campus Safety Department is contacted immediately.

In compliance with HEA Title IV, Section 485(j), students who reside in on-campus housing are provided the option, through the Colgate portal, to identify an individual to be contacted by Colgate University not later than 24 hours in the event the student was to be officially reported as missing. This contact information is confidential and only accessible by authorized campus officials. The Campus Safety Department is authorized to access this information in the event that a student is reported missing and the information may not be disclosed outside of a missing persons investigation.

Students who reside in on-campus housing who are non-emancipated and under 18 years of age are advised that a custodial parent or guardian must be notified within 24 hours after the student is determined missing.

In all missing person cases reported to campus safety, the Hamilton Police Department will be notified within 24 hours of the determination that the student is missing, unless the Hamilton Police Department was the agency that made the determination that the student is missing.

In all cases, the University reserves the right to contact the designated missing person's contact and/or emergency contacts as appropriate.

MISSING PERSONS PROCEDURE

If the Campus Safety Department receives a report of a missing student, and upon investigation determines that a student has been missing for more than 24 hours, within the next 24 hours campus safety will:

a. Notify the individual identified by the student to be contacted in this circumstance; and
b. If the student is under 18 years of age and not emancipated, a parent or guardian must be notified; or
c. In cases where the student is over 18 years of age and has not identified a person to be contacted, the appropriate law enforcement agency with jurisdiction will be notified.

In the event (a) or (b) do not apply to a student determined to be a missing person, the appropriate law enforcement agency with jurisdiction will be notified.

"SUZANNE'S LAW" (MISSING PERSONS)

Signed into law by President George W. Bush as part of the national "Amber Alert" bill, this federal law requires law enforcement to notify the National Crime Information Center (NCIC) anytime a person under age 21 is reported missing. Previously police were only required to report missing persons under the age of 18. The law is named after Suzanne Lyall, a 19-year-old University at Albany-SUNY student who went missing in March 1998. The law is intended to initiate prompt investigations of young persons who have gone missing. The Campus Safety Department at Colgate University complies with this law. For further information, go to: criminaljustice.ny.gov/missing/

WEAPONS VIOLATION

Possession of any weapon is strictly prohibited on the Colgate University Campus. It is a violation of University regulations to possess any of the following on campus or in University housing: rifles, shotguns, revolvers, pistols, replica weapons, spring-powered pellet (or "BB") guns, paintball guns, chemical/biological weapons, knives over six inches in length, brass knuckles, slingshot devices, or any other substance or device designed to harm or incapacitate. This restriction does not apply to law enforcement personnel authorized by law to be in possession of such weapons. Exceptions related to educational programs require written authorization by the director of campus safety. The discharging of weapons on the Colgate campus or in the village of Hamilton is illegal, poses an obvious threat to the lives and safety of residents, and will result in severe disciplinary and/or legal action against those responsible.

POLICY ON ALCOHOL AND OTHER DRUGS

Colgate University complies with federal, state, and local laws, including those which regulate the possession, use, and sale of alcoholic beverages and controlled substances. All Colgate University students and employees are subject to New York State law, local statutes and ordinances, and Colgate's policy on alcohol and other drugs. Students and employees who violate state or local laws or University policies will be subject to University disciplinary and/or criminal action. Ignorance of the law and Colgate's policy is not an excuse for any violations.

The following activities are prohibited on University-owned and controlled propert yand at University-sponsored activities:

- Distribution, possession, or use of any illegal drug or controlled substance.
- Providing alcoholic beverages to individuals less than 21 years of age or possession of alcoholic beverages by individuals less than 21 years of age.
- Illegal possession of an open container of an alcoholic beverage, public intoxication, driving while intoxicated, and drinking alcoholic beverages in an unlicensed public place.

The Student Handbook details a range of sanctions for students found in violation of these prohibitions.

The University's Drug-Free School and Workplace Policy is distributed annually to all institutional employees. Employees should refer to this policy for assistance with drug- or alcohol-related questions or problems. The University's student alcohol and drug policy is listed in the Colgate Student Handbook. The online program for first-year students is Alcohol-Edu for alcohol and Respect Edu for Undergraduates for sexual assault. Ongoing programs for alcohol include TIPS* training. All new Greek life members and anyone who wishes to host a party at which alcohol will be served must be TIPS trained.

Providing resources available to all students, the Colgate University Office of Counseling and Psychological Services and the Student Health Services offer assessment and assistance to students with alcohol and/or drug problems.
*TIPS (Training for Intervention ProcedureS) is a dynamic, skills-based training program designed to prevent intoxication, drunk driving, and underage drinking by enhancing the fundamental "people skills" of servers, sellers, and consumers of alcohol. TIPS provides individuals the knowledge and confidence they need to recognize potential alcohol-related problems and intervene to prevent alcohol-related tragedies.

POLICY ON HAZING

Hazing, in any form, compromises a student's safety and well-being and is counter to Colgate's mission and values. Hazing is prohibited by both Colgate University and New York State.
Colgate University defines hazing as any action or situation that recklessly or intentionally endangers mental, emotional, or physical health or safety of a student in connection with the student's admission into, affiliation with, or as a condition for initial or continued membership in a group, organization, or team. Any situation that creates substantial embarrassment, harassment, or ridicule, or involves the forced, coerced, or implicitly required consumption of food, alcohol, drugs, or other substances in that context, also falls under the definition of hazing.

NEW YORK STATE DEFINITIONS

According to NY State Penal Law, Chapter 716, Section 1: (120.16 and 120.17):

Hazing in the first degree
A person is guilty of hazing in the first degree when, in the course of another person's initiation into or affiliation with any organization, he intentionally or recklessly engages in conduct, including, but not limited to, making physical contact with or requiring physical activity of such other person, which creates a substantial risk of physical injury to such other person or a third person and thereby causes such injury.

Hazing in the second degree
A person is guilty of hazing in the second degree when, in the course of another person's initiation or affiliation with any organization, he intentionally or recklessly engages in conduct, including, but not limited to, making physical contact with or requiring physical activity of such other person, which creates a substantial risk of physical injury to such other person or a third person.

Hazing behavior may also constitute other criminal offenses (e.g.,, assault, harassment, intimidation, or homicide) depending on the nature of the specific activities.

Civil Liability
Members and their parents, group/organization/team leaders/advisers, as well as their organization and national affiliates (as applicable) may be held liable for mental or physical harm that results from hazing.

EXAMPLES OF HAZING

The following are examples of subtle, harassment, and violent types of hazing that constitute violations of this policy. While this is not an exhaustive list, it provides some common examples of hazing traditions.

Subtle Hazing
Subtle hazing is behavior that emphasizes a power imbalance between new members and other members of the group, organization, or team. It is termed "subtle hazing" because these types of hazing are often taken for granted or are accepted as "harmless" or meaningless. Subtle hazing typically involves activities or attitudes that breach reasonable standards of mutual respect and place new members on the receiving end of ridicule, embarrassment, and/or humiliation tactics. New members often feel the need to endure subtle hazing to feel like part of the group, organization, or team. (Some types of subtle hazing may also be considered harassment hazing.)

Examples:

- Deception
- Assigning demerits
- Silence periods with implied threats for violation
- Deprivation of privileges granted to other members
- Requiring new members to perform duties not assigned to other members
- Socially isolating new members
- Lineups and drills/tests on meaningless information
- Name calling
- Requiring new members to refer to other members with titles (e.g., "Mr.," "Ms.") while they are identified with demeaning terms
- Expecting certain items (e.g., cigarettes, condoms) to always be in one's possession

Harassment Hazing
Harassment hazing is behavior that confuses, frustrates, and causes undue stress for new members. (Some types of harassment hazing can also be considered violent hazing.)

Examples:

- Verbal abuse
- Threats or implied threats
- Requiring new members to wear embarrassing or humiliating attire
- Stunt or skit nights with degrading, crude, or humiliating acts
- Expecting new members to perform personal service to other members such as carrying books, errands, cooking, cleaning, etc.
- Sleep deprivation
- Expecting new members to be deprived of maintaining a normal schedule of bodily cleanliness
- An explicit or implied expectation to harass others

Violent Hazing
Violent hazing is behavior that has the potential to cause significant physical, emotional, and/or psychological pain and/or harm.

Examples:

- Forced, coerced, or implicitly required alcohol or other drug consumption
- Beating, paddling, or other forms of assault
- Branding
- Forced, coerced, or implicitly required ingestion of vile substances or concoctions
- Burning
- Water intoxication
- Expecting abuse or mistreatment of animals
- Public nudity
- Expecting illegal activity
- Bondage
- Abduction/kidnapping
- Exposure to cold weather or extreme heat without appropriate protection
- Forced or coerced sexual acts or sexual simulations

Source: www.stophazing.org

INSTRUCTIONS ON REPORTING HAZING

Colgate University strongly urges University students, faculty, and staff to report incidents or allegations of hazing or organizational misconduct. Reports can be directed to campus safety via the Colgate Guardian app or by calling 315-228-7333. Off campus, call 911.

Alternatively, and absent an immediate danger to life or property, reporting can be done through the **University's Online Reporting Form**. If there is an immediate threat to self or others, physical injury or a safety concern, do not use this form; instead, call campus safety immediately at 315-228-7333. Off campus, call 911.

This report may be submitted anonymously if the reporting party does not wish to provide a name or other identifying information. Please note that although Colgate endeavors to investigate all reports, including anonymous reports, the nature of anonymous reports makes investigation, determination, and remediation more difficult and sometimes impossible. As a result, it is helpful if the reporting party provides a name and contact information with the submission of the form. Providing a name and contact information allows a Colgate administrator to follow up directly with the reporting party.

It is important to note that reporting parties may not want to report crimes to the Campus Safety Department or local law enforcement agencies and instead prefer to report any crimes, including hazing, via confidential or anonymous methods. Confidential resources at Colgate include Counseling and Psychological Services, the Office of the Chaplains, Student Health Services, Haven, the Title IX Coordinator, and several Shaw Wellness staff members.

University counselors, physicians, and pastoral counselors are encouraged, if and when these professionals deem it appropriate, to inform the persons they are counseling about the University procedures for reporting crimes on a voluntary, confidential basis. If students are experiencing hazing themselves or witnessing the hazing of another person, they should refuse to participate, intervene to stop the behavior, work to protect themselves and their community, utilize support systems, and subsequently report the incident to a member of the Dean of the College staff.

SELF-REPORTING

Individuals and student groups, organizations, or teams are strongly encouraged to self-report hazing violations. An organization or group can notify Campus Safety, their Administrative Dean, the Dean for Administrative Advising and Student Conduct, or a faculty or staff member whom they trust. Student-athletes can report to any coach or athletic administrator. They should include the names of those individuals responsible for the hazing behaviors and the details of the hazing incident(s).

AFTER SUBMITTING A REPORT

After a report is received, the University will work diligently to review the completed report and determine the appropriate course of action. In appropriate circumstances, the University may initiate an investigation.

Please note that although Colgate works to investigate all reports, including anonymous reports, the nature of anonymous reports makes investigation, determination, and remediation more difficult, and sometimes even impossible. As a result, reporting parties are encouraged to provide their name and contact information.

Efforts will be made to protect the identity of the reporting individual or group of individuals to the extent consistent with the University's need to identify and stop the hazing behavior. All reports are received by professional University staff in the Office of the Dean of the College.

Colgate University strictly prohibits retaliation against any person for good faith reporting of suspected hazing violations, or for cooperating with, or participating in, any investigation, adjudication, or resolution of alleged hazing violations.

SANCTIONS

Violations of this policy will result in referral to the Office of Student Conduct and/or law enforcement, as appropriate to the circumstances. Possible individual and organizational University disciplinary action may include, but not be limited to: suspension or expulsion from the University, suspension or revocation of University recognition and privileges, monetary fines, participation in educational programs or training, reflection activities, and/or participation in alcohol, drug, or other counseling services. Sanctions imposed by the University do not preclude criminal and/or civil penalties available under federal, state, and local laws..

HAZING TRANSPARENCY REPORT

In compliance with the federal Stop Campus Hazing Act, a 2024 amendment to the Clery Act, the transparency report provides information about hazing violations involving student organizations. The report includes any violations of our code of conduct, anti-hazing policies, or state and federal laws regarding hazing. Each report includes the name of the student organization, a general description of the violation that led to a finding of responsibility, a timeline of the investigation from the initial incident to the finding of responsibility, a description of sanctions placed on the organization, and remedial actions taken. The Hazing Transparency Report is updated at least every six months and maintained for a period of seven years starting July 1, 2025. Clery Act statistics on hazing will be included in the Annual Security and Fire Safety Report beginning in 2026. The report can be viewed on the **University's Online Clery Compliance webpage**.

University, Law Enforcement, and Campus Safety Response to Sexual Assault, Domestic Violence, Dating Violence, and Stalking

Colgate University is committed to providing a safe learning, working, and living environment, and does not tolerate violence of any type, including crimes of sexual assault, intimate partner violence, and stalking.

You may report violations to the University, to campus safety, to law enforcement, to just one, all, or any combination, or none. We encourage survivors to report what you have experienced to law enforcement and to participate in the University's internal review process, but you are not obligated to do so. There are resources, support, and protective measures available to you even if you decide not to participate in University or law enforcement processes. Any individual who reports a case of sexual assault, dating violence, domestic violence, or stalking, whether the offense occurred on or off campus, will be provided with a written explanation of their rights and options under the University's Student Non-discrimination, Anti-Harassment, or Sexual Misconduct Policy.

In some cases, if you make an initial report but then decide not to participate further, the University may still need to review and investigate the information provided, and also may be obligated to share the report with law enforcement for possible handling through the criminal justice system. Even in such cases, though, you do not have to participate in the University or law enforcement processes if you do not wish to do so.

OPTIONS FOR REPORTING

Any person may call 911 or campus safety (315-228-7333) for immediate safety assistance. If you or someone else needs help, call for immediate assistance. Campus safety can also assist the individual in making a report of a crime to local law enforcement and/or contacting a "Responsible Administrator" under the University's Student Non-discrimination, Anti-Harassment, or Sexual Misconduct Policy to initiate the University's internal response mechanisms.

A victim of a crime is encouraged to, but is not required to, report the incident to local law enforcement and pursue criminal charges. The criminal process and the University's disciplinary processes are not mutually exclusive or dependent on each other, meaning that a person may pursue either a criminal complaint or University complaint or both. The fact that there is a criminal complaint filed will not prevent the University from taking its own internal investigatory and disciplinary action. Sanctions following disciplinary proceedings regarding rape, or forcible or non-forcible sex offenses, with a finding of responsibility for the respondent may include suspension or expulsion. However, in some cases, the University may delay temporarily the initiation of its internal processes while a law enforcement investigation is ongoing. Such delays will not last more than 10 calendar days except when law enforcement authorities specifically request and justify a longer delay.

Additionally, orders of protection and other forms of legal protection may be available to individuals who have experienced or are threatened with violence by another person. Colgate will reasonably assist such individuals in obtaining available legal protections, provide a copy of any order of protection or similar document it receives to the parties affected by it, explain the order of protection or similar document and the consequences for violating it, call upon and assist local law enforcement in effecting an arrest for violation of the order of protection or similar document, and abide by all legally issued orders of protection or similar documents, including denying the restricted person access to Colgate's property, if necessary.

REPORTING TO LAW ENFORCEMENT

- If the incident occurred on campus, contact the Campus Safety Department at 315-228-7333. If the incident occurred in Hamilton, contact the Hamilton Police Department or the New York State Police by calling 911.
- If you are uncertain where the incident occurred or which agency to contact, campus safety is available to help you determine which agency has jurisdiction and will help you to report the matter to that agency if you wish.

REPORTING TO THE UNIVERSITY

Sexual Assault – The University also provides many avenues for reporting of sexual assault, domestic/dating violence, stalking, harassment, bias, discrimination, or other Title IX concern; hazing or organizational misconduct; disruptive or aggressive behavior; or concern about the welfare of a student.

In all cases, the most direct reporting mechanism is to contact the Office of Equity and Diversity at 315-228-6161 or file a complaint online: **Report of Sexual Harassment, Sexual Assault, Dating/ Domestic Violence, or Stalking**.

Another option in any case is to file a complaint with the Campus Safety Department at 315-228-7333 or use the anonymous tip form: Report to Campus Safety.

PRESERVING EVIDENCE

Sexual Assault – In cases of rape or other forms of sexual assault, the preservation of evidence for a criminal case is critical and must be done properly and promptly. Wanting to wash, shower, and change clothes is a natural impulse after a sexual assault, but wait. If you have not done so already, do not: take a bath or shower, brush your teeth, go to the bathroom, douche, change your clothes, eat or drink anything, or even brush your hair, as physical evidence may be lost. As uncomfortable as you may be, if you can avoid doing any of these things, you will preserve evidence that can help convict the person who raped you. If you have already washed, don't worry — but don't wash any more. If you have taken off the clothes you were wearing when you were assaulted, put them in a clean shopping bag and take them with you to the hospital.

In cases of violence or physical abuse, it is important to document injuries, including by taking photographs. Campus safety or the Hamilton Police Department (315-824-3311, or 911 in an emergency) can assist in filing a criminal complaint and in securing appropriate physical examination, including by a Sexual Assault Nurse Examiner (SANE).

By law, you are not required to report to law enforcement in order to receive a sexual assault forensic exam. New York State Executive Law Section 631(13) provides for direct reimbursement by the Office of Victim Services (OVS) to providers of sexual assault forensic health care examination services. This measure provides for the personal privacy of sexual assault victims, while reimbursing providers when the victim does not have access to private health insurance or chooses not to use private health care insurance for the forensic examination.

All victims of sexual assault have a right to have a forensic medical examination and evidence kit collected. Generally, a forensic exam must be performed within 96 hours of the assault in order to obtain essential evidence. However, the NYS Office of Victim Services will cover the cost of a forensic exam conducted beyond 96 hours for any victim where good cause is shown for the delay.

Colgate University, Community Memorial Hospital, and Liberty Resources began meetings in 2016 to connect passionate and motivated individuals in the community with an interest in providing more resources for local assault survivors. This unprecedented rural community partnership created the SANE program at Community Memorial Hospital to provide sexual assault or abuse victims with critical medical and trauma care in southern Madison County.

The forensic exam will be administered by a Sexual Assault Nurse Examiner. Sexual Assault Nurse Examiners are registered nurses who have completed specialized education and clinical preparation in the medical forensic care of a patient who has experienced sexual abuse. Even if you are not sure that you want to file a police report, it can be helpful to have any available evidence collected in case you decide to file a report with law enforcement at a later date. The nurse also can provide emergency contraception, trauma response, sexually transmitted infection testing and treatment, forensic medical care, referral to further support services, and other needed medical care. Sexual assault forensic exams will not be billed to medical insurance without your consent.

SANE services can be accessed locally by calling the 24-hour hotline at 1-855-966-9723 or in person at the following two medical facilities:

Community Memorial Hospital – Emergency Department
150 Broad St., Hamilton, NY 13346
315-824-6090

Oneida Healthcare – Emergency Department
321 Genesee Street, Oneida, NY 13421
315-363-6000

SANE services are also available through Vera House. A Sexual Assault Nurse Examiner will meet victims of recent sexual assault or rape at most Syracuse hospitals (except Community General and the VA Medical Center).

Vera House provides a 24-hour hotline telephone support for people who have been sexually abused, sexually assaulted, or raped, recently or at any time in the past, and for family members in need of support. The Vera House staff and volunteers are available to talk anytime about a recent assault or something that happened years ago. The hotline can be the first point of contact with a Vera House Victim Advocate. Call 315-468-3260 at any time or Vera's TTY crisis line during regular business hours at 315-484-7263. Victim advocates provide 24-hour support at Onondaga County hospitals or police stations. An advocate will meet victims of sexual abuse, sexual assault, or rape at the hospital or police station and help them get through the medical examination and, if the victim chooses to report the assault to the police, the reporting process. Although we recommend reporting assaults to law enforcement, the decision is yours.

Intimate Partner Violence – Not all experiences of domestic or dating violence cause visible injuries. If visible injuries are present, it can be helpful to document them with photographs, if it is safe to do so. It is also important to seek medical attention if possible and safe to do so.

Stalking – If you have experienced stalking, it can be helpful to an investigation to retain any evidence of that behavior, including documentation of any unwanted communication (whether written, oral, or electronic), postings (such as on social media), gifts, etc.

University Review of Reports – Whenever the University receives a report of sexual assault, intimate partner violence, or stalking, it will review that report consistent with its applicable policies and procedures.

In all cases, the University's policies and procedures seek to provide a prompt, fair, and impartial resolution of the concern reported. To that end, the individuals responsible for handling sexual violence, intimate partner violence, and stalking investigations, sanctioning, and appeals receive annual training on how to properly conduct their investigations of these concerns in a way that promotes accountability as well as the safety of the individuals involved, and of the University community as a whole.

The University investigation processes for reviewing sexual violence, intimate partner violence, and stalking* use a preponderance of the evidence standard. The claimant and respondent are entitled to the same opportunities to have others present during a disciplinary proceeding. Following receipt of notice of a violation or of a complaint, the reporting individual is promptly given the opportunity to select a Prohibited Conduct Response Group (PCRG) member or other individual of their choice to serve as their adviser throughout the process, including during all meetings and hearings related to such process. The reporting individual is also provided a document delineating their rights, resources, and options for reporting, including the right to make a report to campus safety, to local law enforcement, to the state police, or a combination thereof, or to choose not to report, to be protected from retaliation for reporting an incident, and to receive support and resources through Colgate or other community organizations.

The University's processes also provide that the claimant and respondent will receive written notification of the outcome of any disciplinary proceeding relating to the reported concern, including reported incidents of crimes of violence or non-forcible sex offenses, as well as any opportunities to appeal the results of that proceeding, any changes to the results before they are finalized, and an update when the results become final. If the claimant is deceased as a result of such crime or offense, written notification of the proceeding's outcome will be provided to the next of kin. The University also recognizes the importance of maintaining, to the greatest extent possible, the confidentiality of both the claimant and respondent's identities while it reviews the reported concern. To that end, the University will share information internally only as needed to ensure proper handling of the concerns that have been raised, comply with legal obligations, or provide any requested supportive measures, and will share information externally only to the extent legally required to do so. The University does not publish the identities of complainants in its crime alerts or crime logs.

**Stalking is engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for their safety or the safety of others; or suffer substantial emotional distress. Stalking behavior may include, but is not limited to, repeated, intentional following, observing, or lying in wait for another; or using "spyware" or other electronic means to gain impermissible access to a person's private information; repeated, unwanted, intrusive, and frightening communications from the perpetrator by phone, mail, email, text, etc.; making direct or indirect threats to harm an individual or the individual's relatives, friends, or pets; damaging or threatening to damage the property of the targeted individual.*

Acts of sexual harassment, sex offenses, dating violence, domestic violence, and stalking may be committed by any person upon any other person, regardless of the sex, sexual orientation, and/or gender identity of those involved. The issue in any case is not the gender or gender identity of the persons involved but the acts.

UNIVERSITY POLICY INFORMATION ONLINE

NON-DISCRIMINATION/SEXUAL MISCONDUCT RESPONSE POLICY

https://www.colgate.edu/about/offices-centers-institutes/equity-and-diversity/non-discriminationsexual-misconduct-response

These policies and procedures provide a fair and thorough process for accountability to address acts of discrimination, harassment (including sexual harassment), sexual assault, sexual exploitation, domestic violence, dating violence, stalking, and related retaliation.

RESOURCES AND OTHER ASSISTANCE AVAILABLE ONLINE

- Sexual violence support and resources
- Sexual violence student resource guide
- Faculty and staff sexual violence response guide

CONFIDENTIAL SUPPORT RESOURCES

Victims are encouraged to seek support for their emotional and physical needs. A person seeking confidential emotional support or health care may contact the resources below.

Students may contact:
The Office of Counseling and Psychological Services, Conant House, 315-228-7385, or for an after-hours emergency, call the Campus Safety Department at 315-228-7333 and ask to speak with the counselor on call.

- Haven, garden level of Curtis Hall, 315-228-7385
- Office of the Chaplains, garden level of Colgate Memorial Chapel, 315-228-7682
- Student Health Services, 140 Broad Street, 315-228-7750
- Help Restore Hope Center, 24-hour hotline, 855-966-9723

Employees may contact:

- Employee Assistance Program, 315-451-2161
- Help Restore Hope Center, 24-hour hotline, 855-966-9723

A report to a confidential resource listed above is not a report to the University and will not result in remedial action or an investigation or disciplinary action. Information shared with the University's counseling center, Student Health Services, and the University's chaplains will not be shared with the Title IX Coordinator or the Prohibited Conduct Response Group, unless the reporting individual requests this. Confidential resources are there to support emotional, physical, and spiritual needs only; any person who desires for the University to take investigatory/ disciplinary action must make a report to one of the "Responsible Administrators" listed below.

- Amy Gordon, Title IX Coordinator and Equity and Diversity Officer
  Office of Equity and Diversity
  102B Lathrop Hall
  315-228-7014
  agordon@colgate.edu
- Any Prohibited Conduct Response Group member (list of members can be found here).

If a report is made to anyone other than the Responsible Administrators listed above or campus safety, the complainant risks the possibility that the information will not come to the attention of the proper University officials and may, therefore, not be acted upon.

ACADEMIC, HOUSING, TRANSPORTATION, EMPLOYMENT, AND OTHER SUPPORTIVE MEASURES

The University also has resources to help those who have experienced sexual assault, intimate partner violence, or stalking to obtain reasonably available protective measures. These measures are available regardless of whether the person who requests them files a complaint with the University or through the criminal justice system.

Interim actions may be taken by the University to immediately respond to a situation while an investigation or disciplinary action is pending or ongoing. Interim actions may include, but are not limited to:

1. Offering adjustments to academic deadlines and course schedules for students;
2. Altering work arrangements for employees;
3. Initiating a referral to counseling and health services or to the Employee Assistance Program;
4. Providing campus escorts;
5. Altering the housing situation of one or more of the
6. involved students;
7. Implementing no-contact orders directing the accused;
8. or responding individual to have no contact with the reporting individual;
9. Imposing temporary suspensions from housing or the entire campus, pending the outcome of a disciplinary proceeding.

SUPPORTIVE MEASURES

Supportive measures are available regardless of whether the person who requests a measure makes a report to the University or law enforcement, whether the person participates in any investigation, or whether the University or law enforcement investigates a report that has been submitted.

Orders of protection and other forms of legal protection may be available to individuals who have experienced or are threatened with violence by another person. Colgate will reasonably assist such individuals in obtaining available legal protections, provide a copy of any order of protection or similar document it receives to the parties affected by it, explain the order of protection or similar document and the consequences for violating it, call upon and assist local law enforcement in effecting an arrest for violation of the order of protection or similar document, and abide by all legally issued orders of protection or similar documents, including denying the restricted person access to Colgate's property, if necessary.

VISA AND IMMIGRATION ASSISTANCE

Students, faculty, and staff sometimes have questions about how various actions (e.g., a reduction in course load, change in work circumstances) may impact their visa or immigration status..

People who have been victims of certain crimes may qualify for immigration relief such as a U-Visa or be eligible to file an immigration visa petition under the VAWA (Violence Against Women Act) provisions of the Immigration and Nationality Act. Private and confidential information about visa and immigration status is available for students through the Office of International Student Services and through Human Resources for faculty and staff.

University policy and Procedure Information

UNIVERSITY PERSONNEL NON-DISCRIMINATION AND ANTI-HARASSMENT POLICY

I. STATEMENT OF INSTITUTIONAL VALUES

Colgate University values the social and intellectual vibrancy that occurs when students, faculty, and staff with different life experiences, viewpoints, and belief systems come together to share knowledge and foster understanding. We aim to create and maintain a Colgate community whose members can study, live, and work together in an environment characterized by equal opportunity, inclusiveness, safety, and mutual respect. To that end, these policies promote health and safety for pregnancy and related conditions as well as prohibit discrimination (including on the basis of pregnancy or related conditions), harassment (including sex-based harassment), sexual assault, sexual exploitation, domestic violence, dating violence, stalking, and related retaliation (collectively "Prohibited Conduct"). Colgate is committed to maintaining an educational environment and workplace free from Prohibited Conduct. Any and all such acts impede our educational mission and are serious violations of our community values. (See Colgate's Mission Statement and the discussion of community values in Colgate's Statement on Academic Freedom and Freedom of Expression.)

Colgate fully adheres to all federal and state civil rights laws banning discrimination in the context of its programs and activities. These include but are not limited to Title IX and Title VI of the Education Amendments of 1972, Title VII of the Civil Rights Act of 1964, the Americans with Disabilities Act, the Rehabilitation Act, the New York State Human Rights Law, and New York State Education Law Article 129-B. Colgate is committed not only to compliance with these laws but with promoting a community that lives out the values these equal opportunity laws envision. Colgate is committed not only to compliance with these laws but with promoting a community that lives out the values these equal opportunity laws envision.

This policy addresses Prohibited Conduct by individual members of the campus community. However, the University also accepts complaints about discrimination or discriminatory impact caused by a policy, procedure, or practice of the University, or a specific University department, office or operating unit. A complaint about a policy, procedure, or practice should be made to the Office of Equity and Diversity, who will conduct an inquiry into the policy, procedure, or practice, and, if a discriminatory impact is found, will issue recommendations for corrective and remedial action to the appropriate University personnel.

This policy also complies with New York State law that mandates that employers maintain a policy prohibiting workplace sexual harassment.

II. POLICY COVERAGE

This policy sets forth behavioral expectations for all Colgate University personnel. This policy also applies to individuals who are not University employees, but are employees of contractors, subcontractors, vendors, consultants, other affiliated individuals, and other persons who provide services in the University's workplace, such as interns (paid or unpaid) and temporary employees. This policy also applies to volunteers.

This policy applies to conduct that occurs on Colgate's campus or property and to all Colgate programs and sponsored activities. This policy also applies when an employee is off campus performing duties for Colgate. For example, this policy applies when an employee is performing work for Colgate at an off-site location (including remote work or distance instruction), traveling on Colgate business, or attending a professional conference.

Conduct that occurs off campus and at a time when the employee is not performing duties for Colgate may violate certain aspects of this policy if the conduct creates a threatening or hostile environment on campus, or within a Colgate program, or if the incident causes concern for the safety or security of Colgate's campus or if the conduct interferes with Colgate's ability to carry out its mission. The University will not apply this policy to solely private activities that have no nexus to or impact on the Colgate community.

Colgate non-discrimination and anti-harassment policy documents apply as follows:

Parties and Nature of the Complaint	Applicable Policy	Applicable Process
In any case where a student (or student organization) is the complainant or the respondent, and the allegation is sex discrimination, sexual harassment, sexual misconduct, dating violence, domestic violence, stalking, or related acts of retaliation	Student Non-Discrimination, Anti-Harassment, and Sexual Misconduct Policy	Student Sex- or Gender-Based Discrimination and Harassment and Sexual Misconduct Resources and Response Procedures
In any case where a student (or student organization) is the respondent, and the allegation is any other form of harassment or discrimination prohibited by law or related acts of retaliation	Student Non-Discrimination, Anti-Harassment, and Sexual Misconduct Policy	Student Discrimination and Harassment Resources and Response Procedures
In any case where the respondent is a faculty or staff member (regardless of the student, faculty, or staff status of the reporting party) where the University determines that Title IX requires the application of the procedures set forth in the Student Sex- or Gender-Based Discrimination and Harassment and Sexual Misconduct Policy and Resources and Response Procedures	University Personnel Non-Discrimination and Anti-Harassment Policy	Student Sex- or Gender-Based Discrimination and Harassment and Sexual Misconduct Resources and Response Procedures
In all other cases (i.e., other than situations covered above) where a classroom faculty member is the respondent	University Personnel Non-Discrimination and Anti-Harassment Policy	University Personnel Non-Discrimination and Anti-Harassment Response Procedures (Faculty), including Faculty Handbook provisions
In all other cases (i.e., other than situations covered above) where a staff member or non-classroom faculty member is the respondent	University Personnel Non-Discrimination and Anti-Harassment Policy	University Personnel Non-Discrimination and Anti-Harassment Response Procedure (Staff)

In the event a particular situation may be covered by one or more policies, the Discrimination and Harassment Team (DHT) has the authority to determine the policy that will be applied. This team shall include: the Vice President for Equity and Inclusion, Title IX Coordinator, the Associate Provost for Equity and Diversity, the Director for Diversity and Equity, and the Vice President for Administration. However, the Title IX Coordinator and Vice President for Equity and Inclusion have the authority to determine the policy that will be applied in any case involving or potentially involving Title IX.

A complaint against employees of contractors, subcontractors, vendors, consultants, other affiliated individuals, and other persons who provide services in the University's workplace, such as interns (paid or unpaid), temporary employees and volunteers will be handled as deemed prudent by the DHT. If the University concludes that a nonemployee has subjected an individual to conduct in violation of this policy, prompt and effective action will be taken to stop the behavior and deter any future prohibited conduct.

III. DEFINITIONS OF PROHIBITED CONDUCT

A. Discrimination

Colgate University complies with all federal and state civil rights laws banning discrimination in private institutions of higher education. Colgate will not discriminate against, and prohibits discrimination against, any person because of race, color, sex, gender, sexual orientation, gender identity or expression, pregnancy, religion, creed, national origin (including ancestry), citizenship status, physical or mental disability, age, marital status, veteran or military status (including special disabled veteran, Vietnam-era veteran, or recently separated veteran), predisposing genetic characteristics, domestic violence victim status, or any other protected category under applicable local, state, or federal law (collectively, "Protected Characteristics").

The term "discrimination" refers to an act that disadvantages a person and that occurs because of the affected individual's Protected Characteristic(s). Examples of discrimination include but are not limited to denying an individual a raise or promotional opportunity because of their Protected Characteristic(s), or giving a student a lower grade than deserved because of the student's Protected Characteristic.

B. Harassment (other than Sexual harassment).

Harassment is unwelcome, offensive conduct that occurs on the basis of race, color, pregnancy, religion, creed, national origin (including ancestry), citizenship status, physical or mental disability, age, marital status, veteran or military status (including special disabled veteran, Vietnam-era veteran, or recently separated veteran), predisposing genetic characteristics, or domestic violence victim status.

C. Sexual harassment.

Sexual harassment means unwelcome, offensive conduct, which is either of a sexual nature or which is directed at an individual because of that individual's sex, gender, sexual orientation, or gender identity or expression.

A determination as to whether harassment occurred depends on the totality of the circumstances, including the context of a communication or incident, the relationship of the individuals involved in the communication or incident, whether an incident was an isolated incident or part of a broader pattern or course of offensive conduct, the seriousness or severity of the incident, the intent of the individual who engaged in the allegedly offensive conduct, and its effect or impact on the individual or group and the learning community.

A "hostile environment" is created when the offensive behavior interferes with an individual's ability to participate in the University's programs (i.e., to work and to learn) when judged against a reasonable person standard. However, Colgate encourages individuals experiencing or witnessing offensive behavior to make a report as early as possible so as to have the situation corrected before it reaches the level of a hostile environment. Individuals with a concern need not worry about whether the behavior is sufficiently serious to constitute a hostile environment. The University reserves the right to remedy harassment pursuant to this policy even if the behavior in question does not rise to the level of legally recognized or actionable harassment.

New York law provides that workplace harassment on the basis of a Protected Characteristic is unlawful to the extent that it subjects a person to inferior terms, conditions, or privileges of employment and rises above the level of petty slights or trivial inconveniences. However, as a community committed to inclusivity and collegiality, the University will respond to situations that do not rise to a legal violation through supportive, protective, and/or educative measures, as well as minor sanctions, as appropriate.

The fact that a person was personally offended by a statement or incident does not alone constitute a violation of this policy. The determination as to whether this policy has been violated takes into account the totality of the circumstances as described above. In all instances, a key factor is whether the complained-of behavior is based on sex, gender, race, religion, national origin or any of the Protected Characteristics listed above. If not, the behavior is not a violation of this Policy. However, even if the conduct does not constitute Prohibited Conduct under this policy, the University may respond by providing individual and community support and resources to those who have been impacted; if appropriate, education or mentoring to those whose behavior generated the concern; and/or facilitating dialogue between the parties to ensure a future productive working relationship.

Colgate also prohibits "quid pro quo" sexual harassment, which means "this for that" harassment. It is a violation of this policy for any person to condition any benefit on submission to sexual activity.

Harassment (sexual harassment or other forms of harassment) can occur in various forms. As noted above, the determination as to whether a particular incident or situation rises to the level of a violation of this policy depends on the totality of the circumstances, and the following are provided as potential examples only:

- Verbal, such as sexually graphic comments; racial or religious slurs; refusing to use a person's preferred pronouns or name; or jokes or comments that demean a person on the basis of sex, gender, sexual orientation, gender identity or gender expression, or any other of the above-referenced Protected Characteristics.
- Physical, such as unwanted sexual or physical contact, including kissing and hugging; intimidation through physical threats; or pranks that demean or communicate hostility on the basis of a Protected Characteristic.
- Visual, such as pornographic images; or symbols with racially offensive meaning.
- Electronic, such as social media posts or communications via text or other messaging platforms that are offensive based on the above-referenced Protected Characteristics. Caution is urged when using social media as content posted and intended to be private may or may not be or remain private.

Sex stereotyping – which refers to situations where a person is harassed or treated less favorably because their conduct or personality traits do not conform to other people's ideas or perceptions about how individuals of a particular sex should act or look.

D. Sexual Assault.

"Sexual assault" includes any sexual act directed against another person without the consent of the other person, including instances where the victim is incapable of giving affirmative consent. Sexual assault consists of the following specific acts:

- Non-Consensual Sexual Intercourse. Sexual assault of this type includes 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, forcibly or without the affirmative consent of the other person or where the other person is incapable of consent due to mental or physical incapacity. This type of sexual assault also includes non-forcible sexual intercourse with a person who is under the statutory age of consent. In New York, the statutory age of consent is 17 years old.
- Non-Consensual Sexual Contact. This form of sexual assault includes any intentional touching of the clothed or unclothed body parts of another person, directly or with an object, without consent of the other person for the purpose of sexual degradation, sexual gratification, or sexual humiliation; or the forced touching by another person of the actor's clothed or unclothed body parts without consent of other person for the purpose of sexual degradation, sexual gratification, or sexual humiliation.

E. Sexual Exploitation.
Taking nonconsensual or abusive sexual advantage of another for one's own benefit or for the benefit of anyone other than the person being exploited, if the conduct does not otherwise constitute another offense under this policy. Examples of Sexual Exploitation include (a) sexual voyeurism (such as observing or allowing others to observe a person undressing or using the bathroom or engaging in sexual acts, without the consent of the person being observed); (b) taking pictures, video, or audio recording of another in a sexual act, or in any other sexually related activity when there is a reasonable expectation of privacy during the activity, without the consent of all involved in the activity, or exceeding the boundaries of consent (such as allowing another person to hide in a closet and observe sexual activity, or disseminating sexual pictures without the photographed person's consent or beyond the parameters of consent), including the making or posting of revenge pornography; (c) exposing one's genitals in nonconsensual circumstances or nonconsensual disrobing of another person so as to expose the other person's private body parts; (d) prostituting another person; (e) engaging in sexual activity with another person while knowingly infected with a sexually transmitted disease (STD) or infection (STI), without informing the other person of the STD or STI; (f) causing or attempting to cause the incapacitation of another person (through alcohol, drugs, or any other means) for the purpose of compromising that person's ability to give consent to sexual activity, or for the purpose of making that person vulnerable to nonconsensual sexual activity; (g) misappropriation of another person's identity on apps, websites, or other venues designed for dating or sexual connections; (h) forcing a person to take an action against that person's will by threatening to show, post, or share information, video, audio, or an image that depicts the person's nudity or sexual activity; (i) knowingly soliciting a minor for sexual activity.

F. Dating Violence.
Dating violence refers to violence (including but not limited to sexual or physical abuse or the threat of such abuse) committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on a consideration of the following factors: (i) the length of the relationship; (ii) the type of relationship; and (iii) the frequency of interaction between the persons involved in the relationship. Dating violence can include behavior such as coercion, isolation, or other forms of emotional, verbal, or economic abuse if it reflects a threat of sexual or physical abuse as described above. Dating violence does not include acts covered under the definition of domestic violence.

G. Domestic Violence.
Domestic violence refers to 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 where the University is located, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the act of violence occurs. To categorize an incident as Domestic Violence, the relationship between the Respondent and the Complainant must be more than just two people living together as roommates. The people cohabitating must be current or former spouses or have an intimate relationship as described above.

H. Stalking.
Stalking is engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for their safety or the safety of others, or to suffer substantial emotional distress. For the purposes of this definition, (i) a "course of conduct" means two or more acts, including, but not limited to, acts in which the individual directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property; (ii) "reasonable person" means a reasonable person under similar circumstances and with similar identities to the complainant; and (iii) "substantial emotional distress" means significant mental suffering or anguish that may but does not necessarily require medical or other professional treatment or counseling. Stalking behavior may include but is not limited to repeated, intentional following, observing or lying in wait for another; using "spyware" or other electronic means to gain impermissible access to a person's private information; repeated, unwanted, intrusive, and frightening communications by phone, mail, email, text, etc.; making direct or indirect threats to harm an individual or the individual's relatives, friends, or pets; or damaging or threatening to damage the property of the targeted individual.

I. Prohibited Consensual Relationships.
Colgate University employees (including both faculty and staff) need to be especially sensitive to the power/authority relation in their interactions with students. Consensual romantic, sexual or dating relationships between University employees and students contradict both professional ethics and this policy and are prohibited by Colgate. Consensual relationships that begin prior to the date on which the involved parties become student and employee are not prohibited by this policy, but the employee is required to report the existing relationship to their supervisor as of the date the parties are simultaneously enrolled and employed by the University. In such circumstances, the University reserves the right to take such actions as may be necessary to address any resulting conflict of interest (for example, ensuring that the employee does not have responsibility for evaluating work submitted by the student for academic credit).

J. Retaliation.
Retaliation is an adverse act perpetrated to "get back" at a person because the person reported misconduct, filed a complaint, or participated or refused to participate as a complainant, respondent, or witness in an investigation or proceeding conducted in response to reported violation of this policy by the University or by an external agency. Retaliation also includes an adverse act against someone for the purpose of interfering with any right or privilege under this policy or applicable law. Retaliation can take many forms, including, but not limited to, adverse action or violence, threats and/or intimidation that would discourage a reasonable person (under similar circumstances and with similar identities to the targeted individual or group) from engaging in protected activity. A person who acts in good faith is protected from retaliation. The fact that a statement is not determined to be proven or established following investigation and adjudication does not mean that the statement lacked good faith; a person may provide inaccurate information believing it is accurate, which is still good faith. If a person makes a statement knowing that it is false, the person has acted without good faith.

K. Hate Crimes.
For the purpose of this policy, a "hate crime" is defined as violence to a person or damage to property (or a threat to commit either of these) or any other criminal act that is motivated entirely or partly by hostility toward or intolerance of another's Protected Characteristics.

IV. POLICY ENFORCEMENT

A. Internal Oversight.
The DHT oversees implementation of the applicable processes for responding to complaints of Prohibited Conduct. Inquiries may be made to any of the following members of this team:

Renee Madison
Vice President for Equity and Inclusion
The Office of Equity and Diversity
102A Lathrop Hall
Colgate University
13 Oak Drive, Hamilton, NY 13346
315-228-6161

Amy Gordon
Title IX Coordinator
The Office of Equity and Diversity
102B Lathrop Hall
Colgate University
13 Oak Drive Hamilton, NY 13346
315-228-7014

Carolyn L. Hsu
Associate Provost for Equity and Diversity; Charles A. Dana Professor of Sociology
204 Lathrop Hall
Colgate University
13 Oak Drive, Hamilton, NY 13346
315-228-7083

Amari Simpson
Director for Diversity and Equity
The Office of Equity and Diversity
102 Lathrop Hall
Colgate University
13 Oak Drive Hamilton, NY 13346
(315) 228-6161

Christopher Wells
Vice President for Administration
The Office of the President
Colgate University
13 Oak Drive, Hamilton, NY 13346
315-228-6833

B. External Agencies and Remedies.
Harassment based on a Protected Characteristic, including sexual harassment, is not only prohibited by the University; it is also prohibited by state, federal, and, where applicable, local law. Aside from the internal process described herein, individuals may also choose to pursue legal remedies with the following governmental entities at any time.

The New York State Division of Human Rights (DHR) enforces the Human Rights Law (HRL), codified as N.Y. Executive Law, art. 15, § 290 et seq., which applies to employers in New York State and protects employees, paid or unpaid, interns and non-employees providing services in the workplace pursuant to a contract, regardless of immigration status. A complaint alleging a violation of the HRL may be filed either with DHR, subject to a one-year statute of limitations (three years in cases of sexual harassment), or in New York State Supreme Court, subject to a three-year statute of limitations. The DHR will investigate the complaint to determine if unlawful harassment occurred.

If unlawful harassment is found after a hearing, the DHR or the court may award relief, which may include requiring your employer to take action to stop the harassment, and redress the damage caused by paying monetary damages, attorney's fees, and civil fines. DHR's main office contact information is: NYS Division of Human Rights, One Fordham Plaza, Fourth Floor, Bronx, NY 10458, 718-741-8400 www.dhr.ny.gov. The DHR can be contacted at 888-392-3644. More information about filing a complaint is available at dhr.ny.gov/complaint. The website provides a complaint form and contact information for DHR's regional offices across New York State.

The United States Equal Employment Opportunity Commission (EEOC) enforces federal anti-discrimination laws, including Title VII of the 1964 federal Civil Rights Act (codified as 42 U.S.C. § 2000e et seq.). An employee must file a charge with the EEOC within 300 days from the conduct giving rise to the complaint. The EEOC also investigates complaints but does not hold hearings or award relief. The EEOC may take other action including pursuing cases in federal court on behalf of complaining parties or issuing a Right to Sue Letter that allows an individual to pursue his/her claims in federal court. Federal courts may award remedies if discrimination is found to have occurred. The EEOC can be contacted at 1-800-669-4000 (1-800-669-6820 (TTY)), via email at info@eeoc.gov, or by visiting their website at www.eeoc.gov. If an individual filed an administrative complaint with DHR, DHR will file the complaint with the EEOC to preserve the right to proceed in federal court.

V. DISABILITY ACCOMMODATIONS

Colgate University is committed to full compliance with the Americans with Disabilities Act (ADA) and its amendments, Section 504 of the Rehabilitation Act of 1973, and the New York State Human Rights Law, which prohibit discrimination against qualified persons with disabilities, as well as other federal and state laws pertaining to individuals with disabilities.

This policy covers claims of disability-related harassment and discrimination. Disability accommodation requests are handled separately from this policy and may not be grieved or challenged pursuant to this policy. Executive Director Equity, Inclusion and EEO/AA Amari Simpson is designated as the University's ADA Coordinator and is responsible for coordinating efforts to comply with these disability laws, including evaluation of accommodation requests. Individuals with a discrimination and/or harassment complaint based on disability status should raise concerns through any member of the Discrimination and Harassment Team (DHT). When reporting a concern to the DHT, an individual need not worry about whether it is better to raise a concern first with another individual (e.g.,, within the organizational chain, through the DHT, or through another designated individual); the University is committed to a collaborative, flexible response to ensure that situations are addressed at the most appropriate level and in the most appropriate way.

VI. COORDINATION WITH OTHER POLICIES AND PROCEDURES

A particular situation may potentially implicate one or more University policies or processes. The University reserves the right to determine the most applicable policy or process and to utilize that policy or process. Without limiting the foregoing, if determined appropriate by DHT, the processes described in this policy may be used to respond to, investigate, and adjudicate conduct allegedly violating other policies if the alleged conduct is related to or arises out of the same facts, circumstances, or incidents as alleged Prohibited Conduct to be addressed pursuant to this policy.

VII. DELEGATION OF AUTHORITY

Any person assigned a role pursuant to the University Personnel Non-Discrimination and Anti-Harassment Policy or accompanying procedures may delegate their authority, or the DHT may require reassignment of such authority, to another appropriate person to avoid bias or conflicts of interest, or in other circumstances, as deemed necessary. The University may also utilize appropriately trained internal or external personnel for any role under this policy as it may deem necessary or appropriate. In addition, to the extent permitted by applicable law, appropriately trained personnel other than the DHT may oversee cases for reasons including, but not limited to, the need to facilitate efficient and timely administration of such cases.

VIII. DISCRETIONARY AUTHORITY; CHANGE IN APPLICABLE LAW

The DHT shall have discretionary authority to construe and interpret this policy and accompanying procedures, and to determine the meaning of any disputed or uncertain provisions. In any matter that does or may implicate Title IX, the Associate Provost for Equity and Diversity and Title IX Coordinator has such authority. The University may make modifications to this policy or any process upon determining that changes to law or regulation, or interpretations thereof, require policy or procedural alterations not reflected in this policy, or for any other legitimate business reason.

FACULTY NON-DISCRIMINATION AND ANTI-HARASSMENT RESPONSE PROCEDURE

This procedural document applies where a Colgate University classroom[1] faculty member may have engaged in discrimination or harassment based on a Protected Characteristic or any other form of conduct prohibited by the University Personnel Non-Discrimination and Anti-Harassment Policy.[2]

I. INITIATING A RESPONSE TO PROHIBITED CONDUCT

The Faculty Handbook provides for an organizational structure consisting of the department chair or program director; Division Director(s); and the office of the Dean of the Faculty. The Faculty Handbook also states that chairs and program directors are responsible for creating "constructive, welcoming, and intellectually vibrant departmental cultures." Division Directors are the chief administrative officers of their divisions. The Dean of the Faculty oversees all academic divisions and is "the primary academic officer." See Faculty Handbook, Section III.D. Therefore, a concern that a faculty member has engaged or is engaging in conduct prohibited by the University Personnel Non-Discrimination and Anti-Harassment Policy may be raised to any department chair/program director, Division Director, or to the office of the Dean of the Faculty.

If an individual with a concern prefers not to raise the issue through the faculty organizational chain, a report or complaint may be made to any member of the Discrimination and Harassment Team (DHT). This team shall include: the Vice President for Equity and Inclusion, Title IX Coordinator, the Associate Provost for Equity and Diversity, the Director for Diversity and Equity, and the Vice President for Administration. However, the Title IX Coordinator and Vice President for Equity and Inclusion have the authority to determine the policy that will be applied in any case involving or potentially involving Title IX.

An individual with a concern need not worry about whether it is better to raise a concern first within the organizational chain or through the DHT. The University is committed to a collaborative, flexible response to ensure that situations are addressed at the most appropriate level and in the most appropriate way. In some situations, a concern raised within the organizational chain may be referred to the DHT and a concern raised to the DHT may be referred to a department chair, program director, Division Director, Associate Dean of the Faculty, or Dean of the Faculty.[3] The University's focus is on the resolution of workplace issues fairly and promptly, and the precise manner in which that occurs may vary with the circumstances.

Reports may be made verbally or in writing. A form for submission to the DHT is available at colgate.edu/titleixreportform. The use of this form is encouraged but is not required. Reports of workplace harassment or discrimination may be made on behalf of another person but should state clearly that the complaint is being made on another person's behalf. Prompt reporting allows the University to address the conduct and, if necessary, take corrective action.

Information shared with a department chair or program director, Division Director, an Associate Dean, and/or the Dean of the Faculty will be shared with the DHT[4]. Note also that the DHT is not a confidential resource, and information may be shared between the DHT and the Provost and Dean of the Faculty organizational chain (on a strictly as-needed basis). Even when an employee asks that a matter be kept confidential or where the employee does not wish to file a formal complaint, the chair, program director, Division Director, Associate Dean, and/or Dean of the Faculty must report the situation to the DHT. However, in all instances, these matters will be handled with discretion and as much confidentiality as practicable.

II. THE UNIVERSITY'S INVESTIGATION AND RESPONSE

A matter may be handled via the faculty organizational chain or via the DHT. For readability, Colgate policy documents use the term "University administration" to refer to the organizational chain and the DHT individually and collectively.

A. Initial Review

With respect to any report or complaint, the matter may be referred by University administration to a more applicable University process or procedure if the situation and/or conduct complained of is not within the scope of the University Personnel Non-Discrimination and Anti-Harassment Policy.

B. Informal Resolution

The University encourages early disclosure of situations that may constitute harassment, discrimination or other Prohibited Conduct. An individual need not worry about whether the situation currently rises to a level of seriousness sufficient to constitute a violation of University policy, as early reporting is encouraged to avoid situations reaching a more serious level. In order to encourage early reporting, and understanding that many individuals with concerns about their work environment are interested in a resolution with the other person(s) involved that is nonpunitive, University administration will consider whether situations are appropriate for informal resolution.

Generally speaking, informal resolution is a voluntary process with the goal of achieving an arrangement acceptable to the parties to resolve the situation. If a complainant or respondent is unwilling to engage in an informal resolution process, an informal resolution generally may not be pursued. However, in some circumstances, University administration may need to implement an informal resolution despite the preference of the complainant or respondent for a different outcome. This may be the case where the allegations are such that the appropriate outcome would be non-disciplinary (e.g., a mentoring conversation, a warning, a change in committee or other assignment to mitigate a conflict, etc.).

An informal resolution generally does not, but may, include a determination as to whether conduct violated the University Personnel Non-Discrimination and Anti-Harassment Policy.

C. Investigation

Any case that University administration determines is appropriate for investigation will be investigated. Not all situations require a formal investigation, and the scope of any factual inquiry will be tailored to the facts and circumstances. In cases where an investigation is appropriate, the investigation will be prompt and thorough. An investigation will be confidential to the extent possible. However, strict or absolute confidentiality generally is not possible in the course of a thorough investigation.

Broadly speaking, an investigation involves the following: (i) an opportunity for the complainant to present relevant information, including documents and other evidence relevant to the investigation; (ii) an opportunity for the respondent to respond to the allegations and to present relevant information, including documents and other evidence relevant to the investigation; (iii) ensuring that any witnesses to the incident(s) or individuals with relevant information about the situation are interviewed, and (iv) that any relevant documentation or evidence is collected in the course of the investigation. The University reserves the right to adapt and modify its investigatory

procedure(s), in its discretion, based on the nature of the report and the alleged conduct at issue. A less complex set of allegations generally requires a less expansive investigation, and a more complex set of allegations generally requires a more expansive investigation. Internal or external investigators may be used. Generally, advisers are not permitted.[5]

In order to ensure that no discriminatory, harassing, or retaliatory conduct occurs during the investigation, University administration may implement interim measures (e.g.,, instructing the individuals involved to refrain from communicating with one another, and/or addressing any immediate workplace environment issues) as appropriate. University administration may determine that it is appropriate to remove a respondent from the workplace while an investigation is ongoing but any such decision and action will be in accordance with the Faculty Handbook, including but not limited to Section III.C.

At the conclusion of the investigation, University administration will determine the response, which may involve disciplinary and/or other remedial action. A complaint that results in a finding of a violation and for which the sanctions involve suspension from service or dismissal of a faculty member with continuous tenure, or with a special or probationary appointment before the end of the specified term, will, upon request of the accused faculty member, be subject to applicable provisions of the Faculty Handbook, including but not limited to the review by the Faculty Affairs Committee set forth in Section III(C)(9) of the Faculty Handbook.[6]

The complainant and respondent will be given notice, in a timely fashion, of the outcome of the investigation and will be provided with a summary of the information gathered in the investigation and the rationale for the outcome. Information about the University's specific responsive action(s) directly concerning the complainant (such as a change in the respondent's work schedule or work assignments to avoid contact with the complainant) is disclosed to the complainant. Discipline imposed on the respondent is normally not disclosed to the complainant.[7]

III. ROLE OF CHAIRS, DIRECTORS, AND DEANS

In addition to being subject to discipline if they engage in Prohibited Conduct themselves, chairs, directors, and deans will be subject to discipline for failing to report suspected harassment, discrimination, or other Prohibited Conduct, or otherwise knowingly allowing such situations to continue. Individuals in these roles also will be subject to discipline for engaging in any retaliation or knowingly allowing their subordinates to engage in retaliation.

IV. ROLE OF ACADEMIC FREEDOM

Colgate is a vibrant academic environment that encourages discussion of competing ideas both inside and outside the classroom and in both formal and informal settings. Consistent with the University's policy on academic freedom (Section III.B of the Faculty Handbook), and the principles articulated by the University's Task Force on Academic Freedom and Freedom of Expression, this policy is not meant to inhibit or prohibit germane educational content or discussions inside or outside of the classroom that include controversial or sensitive subject matters. The expression of ideas in the course of respectful, responsible teaching, learning, working, and academic debate are not violations of this policy.

FOOTNOTES

[1]. Situations involving employee respondents who are not classroom faculty are handled pursuant to the University Personnel Non-Discrimination and Anti-Harassment Response Procedure (Staff) unless otherwise subject to the process described in footnote two (2) below.

[2]. The Student Sex- or Gender-Based Discrimination and Harassment Resources and Response Procedures apply where a student is the complainant and the alleged conduct concerns sex discrimination, sexual harassment, domestic violence, dating violence, or stalking. Additionally, the University will apply the Student Sex- or Gender-Based Discrimination and Harassment and Sexual Misconduct Resources and Response Procedures (regardless of the faculty, staff, or student status of the parties) in any cases where the University determines that Title IX requires the application of the procedures set forth in those documents.

[3]. The DHT will determine the policy and process applicable to a given situation.

[4]. Primarily (but not exclusively) for recordkeeping purposes.

[5]. If the allegations concern sexual assault, domestic violence, dating violence, or stalking, the complainant and respondent each may have an adviser, and the adviser may be anyone the party selects, including an attorney.

[6]. This does not apply to a case subject to investigation and adjudication via the Student Sex- or Gender-Based Discrimination and Harassment and Sexual Misconduct Response Procedure. Further, the applicable standard of evidence is "preponderance of the evidence" in any case where the complaint asserts conduct constituting "sexual harassment" in violation of Title IX, including with respect to the standard necessary for suspension or dismissal of a faculty member regardless of any other articulated standard in the Faculty Handbook.

[7]. In cases alleging sexual assault, dating violence, domestic violence, or stalking, the complainant is provided with information concerning discipline imposed.

STAFF NON-DISCRIMINATION AND ANTI-HARASSMENT RESPONSE PROCEDURE

This procedural document applies where a Colgate University non-faculty employee[1] may have engaged in discrimination or harassment based on a Protected Characteristic or any other form of conduct prohibited by the University Personnel Non-Discrimination and Anti-Harassment Policy[2].

I. INITIATING A RESPONSE TO PROHIBITED CONDUCT

A report or complaint is to be made to the Discrimination and Harassment Team (DHT). This team shall include: the Vice President for Equity and Inclusion, Title IX Coordinator, the Associate Provost for Equity and Diversity, the Director for Diversity and Equity, and the Vice President for Administration. However, the Title IX Coordinator and Vice President for Equity and Inclusion have the authority to determine the policy that will be applied in any case involving or potentially involving Title IX.

Reports may be made verbally or in writing. A form for submission of a written report is available at colgate.edu/titleixreportform. The use of this form is encouraged but is not required. Reports of workplace harassment or discrimination may be made on behalf of another person but should state clearly that the complaint is being made on another person's behalf. Prompt reporting allows the University to address the conduct and, if necessary, take corrective action.

Any individual with supervisory or managerial authority is required to report all formal and informal complaints that they receive or any harassment, discrimination, or other act of Prohibited Conduct that they observe or become aware of immediately to the DHT. A supervisor or manager is not a confidential resource, and the DHT likewise is not a confidential resource. Even when an employee asks that a matter be kept confidential or where the employee does not wish to file a formal complaint, the supervisor or manager must report the situation to DHT. When a supervisor or manager makes a report to the DHT, a formal investigation may or may not be necessary, but the DHT must be involved in determining the appropriate response.

The University is committed to a collaborative, flexible response to ensure that the situation is addressed at the most appropriate level and in the most appropriate way. The University's focus is on the resolution of workplace issues fairly and promptly, and the precise manner in which that occurs may vary with the circumstances.

The DHT has the ultimate authority to direct the handling of a particular complaint or concern.

II. THE UNIVERSITY'S INVESTIGATION AND RESPONSE

A. Initial Review

The DHT will conduct an initial review of the complaint or report. The DHT will determine if the situation appears to fall within the scope of the University Personnel Non-Discrimination and Anti-Harassment Policy and Response Procedure. The DHT may direct the complaint to a more applicable policy or procedure.

B. Informal Resolution

The University encourages early disclosure of situations that may constitute harassment, discrimination, or other Prohibited Conduct. An individual need not worry about whether the situation currently rises to a level of seriousness sufficient to constitute a violation of University policy, as the University encourages early reporting so as to avoid situations reaching a more serious level. In order to encourage early reporting, and understanding that many individuals with concerns about their work environment are interested in a resolution with the other person(s) involved that is nonpunitive, the University considers whether situations are appropriate for informal resolution.

Generally speaking, informal resolution is a voluntary process with the goal of achieving an arrangement acceptable to the parties to resolve the situation. If a complainant or respondent is unwilling to engage in an informal resolution process, an informal resolution generally will not be pursued. However, in some circumstances, the DHT may implement an informal resolution despite the preference of the complainant or respondent for a different outcome. This may be the case where the allegations are such that the appropriate outcome would be non-disciplinary (e.g.,, an educational mandate, a warning, a separation of the individuals involved, etc.).

An informal resolution generally does not, but may, include a determination as to whether conduct violated the University Personnel Non-Discrimination and Anti-Harassment Policy.

C. Investigation

Any case the DHT determines is appropriate for investigation will be investigated. Not all situations require a formal investigation, and the scope of any factual inquiry will be tailored to the facts and circumstances. In cases where an investigation is appropriate, the investigation will be thorough and as prompt as possible. The University will keep the investigation confidential to the extent possible. However, strict or absolute confidentiality generally is not possible in the course of a thorough investigation.

Broadly speaking, an investigation involves: (i) an opportunity for the complainant to present relevant information, including documents and other evidence relevant to the investigation; (ii) an opportunity for the respondent to respond to the allegations and to present relevant information, including documents and other evidence relevant to the investigation; (iii) ensuring that any witnesses to the incident(s) or individuals with relevant information about the situation are interviewed, and (iv) that any relevant documentation or evidence is collected in the course of the investigation. The University reserves the right to adapt and modify its investigatory procedure(s), in its discretion, based on the nature of the report and the alleged conduct at issue. A less complex set of allegations generally requires a less expansive investigation, and a more complex set of allegations generally requires a more expansive investigation. Usually, the member of the DHT who initially received the complaint will investigate. However, the DHT may assign other internal or external persons to conduct the investigation. Generally, advisers are not permitted.[3]

In order to ensure that no discriminatory, harassing, or retaliatory conduct occurs during the investigation, the University may implement interim measures (e.g., instructing the individuals involved to refrain from communicating with one another, addressing any immediate workplace environment issues) as appropriate. The University may determine that it is appropriate to remove a respondent from the workplace while an investigation is ongoing.

At the conclusion of the investigation, the DHT will determine whether a violation of this policy occurred and, if such a violation did occur, the appropriate disciplinary and/or other remedial action to be taken. The complainant and respondent will be given notice, in a timely fashion, of the outcome of the investigation and will be provided with a summary of the information gathered in the investigation and the rationale for the outcome. Information about the University's specific responsive action(s) directly concerning the complainant (such as a change in the respondent's work schedule or work assignments to avoid contact with the complainant) is disclosed to the complainant. In order to respect the privacy of personnel records, specific discipline actions imposed on the respondent normally are not disclosed to the complainant.[4]

III. ROLE OF SUPERVISORS AND MANAGERS

In addition to being subject to discipline if they engage in Prohibited Conduct themselves, supervisors and managers will be subject to discipline for failing to report suspected harassment, discrimination, or other Prohibited Conduct, or otherwise knowingly allowing such situations to continue. Supervisors and managers will also be subject to discipline for engaging in any retaliation or knowingly allowing their subordinates to engage in retaliation.

FOOTNOTES

[1]. Situations involving employee respondents who are not classroom faculty are handled pursuant to the University Personnel Non-Discrimination and Anti-Harassment Response Procedure (Staff) unless otherwise subject to the process described in footnote two (2) below.

[2]. The Student Sex- or Gender-Based Discrimination and Harassment Resources and Response Procedures apply where a student is the complainant and the alleged conduct concerns sex discrimination, sexual harassment, domestic violence, dating violence, or stalking. Additionally, the University will apply the Student Sex- or Gender-Based Discrimination and Harassment and Sexual Misconduct Resources and Response Procedures (regardless of the faculty, staff or student status of the parties) in any cases where the University determines that Title IX requires the application of the procedures set forth in those documents.

[3]. If the allegations concern sexual assault, domestic violence, dating violence, or stalking, the complainant and respondent each may have an adviser, and the adviser may be anyone the party selects, including an attorney. If the respondent is a member of a bargaining unit, the respondent may select as an adviser a union representative regardless of the nature of the allegations; the selection of a union representative does not entitle the respondent to an additional adviser.

[4]. In cases alleging sexual assault, dating violence, domestic violence, or stalking, the complainant is provided with information concerning discipline imposed.

STUDENT DISCRIMINATION AND HARASSMENT POLICIES

The following section provides an overview of relevant information that is applicable to all policies and procedures contained within the Non-Discrimination and Anti-Harassment, Sexual/Gender-Based Misconduct and Pregnancy and Related Conditions Policies and Procedures. The terms and principles set forth here apply, where relevant, to those policies and procedures.

I. STATEMENT OF INSTITUTIONAL VALUES

Colgate University values the social and intellectual vibrancy that occurs when students, faculty, and staff with different life experiences, viewpoints, and belief systems come together to share knowledge and foster understanding. We aim to create and maintain a Colgate community whose members can study, live, and work together in an environment characterized by equal opportunity, inclusiveness, safety, and mutual respect. To that end, these policies promote health and safety for pregnancy and related conditions as well as prohibit discrimination (including on the basis of pregnancy or related conditions), harassment (including sex-based harassment), sexual assault, sexual exploitation, domestic violence, dating violence, stalking, and related retaliation (collectively "Prohibited Conduct"). Colgate is committed to maintaining an educational environment and workplace free from Prohibited Conduct. Any and all such acts impede our educational mission and are serious violations of our community values. (See Colgate's Mission Statement and the discussion of community values in Colgate's Statement on Academic Freedom and Freedom of Expression.)

Colgate fully subscribes to all federal and state civil rights laws banning discrimination in the context of its programs and activities. These include but are not limited to Title IX and Title VI of the Education Amendments of 1972, Title VII of the Civil Rights Act of 1964, the Americans with Disabilities Act, the Rehabilitation Act, the New York State Human Rights Law, and New York State Education Law Articles 129-A and 129-B. Colgate is committed not only to compliance with these laws but also to promoting a community that lives out the values these equal opportunity laws envision.

Colgate is committed to promptly responding to reports of alleged Prohibited Conduct.

II. CORE PRINCIPLES OF POLICY OVERSIGHT

The Office of Equity and Diversity is responsible for providing oversight of all aspects of these policies, including education, training and response to reported Prohibited Conduct. Upon receiving a report, we are motivated to foster a culture where everyone can thrive and succeed. This involves addressing concerns related to Prohibited Conduct based on Protected Characteristics. In our approach, we prioritize privacy, confidentiality, and neutrality as three of our core principles.

III. ACADEMIC FREEDOM

Colgate is a vibrant academic environment that encourages discussion of competing ideas both inside and outside the classroom and in both formal and informal settings. Consistent with the University's policy on academic freedom, and the principles articulated by the University's Task Force on Academic Freedom and Freedom of Expression, this policy is not meant to inhibit or prohibit germane educational content or discussions inside or outside of the classroom that include controversial or sensitive subject matters. We also recognize that similar terms and language are referenced by both the Statement on Academic Freedom (Statement) and these policies. However, the application of terms (such as "offensive") is different in the context of these policies, as opposed to in the Statement. Thus, a statement or other form of expression does not constitute a violation of these policies merely because it is subjectively offensive; however, rights of academic freedom and freedom of expression are not without boundaries, and speech or other expression that rises to the level of harassment as defined by these policies is prohibited. The expression of ideas offered in the course of respectful, responsible teaching, learning, working, and academic debate are not violations of this policy.

IV. PROHIBITED CONSENSUAL RELATIONSHIPS

Colgate University employees (including both faculty and staff) need to be especially sensitive to the power/authority relation in their interactions with students. Consensual romantic, sexual, or dating relationships between University employees and students contradict both professional ethics and this policy and are prohibited by Colgate. Consensual relationships that begin prior to the date on which the involved parties become student and employee are not prohibited by this policy, but the employee is required to report the existing relationship to their supervisor as of the date the parties are simultaneously enrolled and employed by the University. In such circumstances, the University reserves the right to take such actions as may be necessary to address any resulting conflict of interest (for example, ensuring that the employee does not have responsibility for evaluating work submitted by the student for academic credit).

V. AUTHORITY AND OVERSIGHT

A. Delegation and External Resources

Any person assigned a role pursuant to the following policies and procedures may delegate their authority, or the Director for Diversity and Equity, Associate Provost for Equity and Diversity, or Title IX Coordinator may require reassignment of such authority, to another appropriate person to avoid bias or conflicts of interest, or in other circumstances, as they deem necessary or appropriate. In addition, to the extent permitted by applicable law (including Title IX and New York Education Law Article 129-B, where applicable), other appropriately trained personnel may oversee cases for reasons including, but not limited to, the need to facilitate efficient and timely administration of such cases. The University may also utilize appropriately trained external individuals for any role under these policies and procedures as it may deem necessary or appropriate, and reserves the right to consult with legal counsel at any stage of the processes as it deems necessary or appropriate.

The University also reserves the right to remedy discrimination or harassment pursuant to this policy even if the behavior in question does not rise to the level of legally recognized or actionable discrimination or harassment. The University encourages individuals experiencing or witnessing offensive behavior to make a report as early as possible so as to have the situation corrected before it reaches the level of a policy violation. Individuals with a concern need not worry about whether the behavior is sufficiently serious to constitute a hostile environment.

B. Coordination with other policies and procedures

A particular situation may potentially implicate one or more University policies or processes. The University reserves the right to determine the most applicable policy or process and to utilize that policy or process. Without limiting the foregoing, if determined appropriate by the Title IX Coordinator, Director for Diversity and Equity, and/or the Associate Provost for Equity and Diversity, the processes described in these policies and procedures may be used to respond to, investigate, and adjudicate conduct alleged to violate the University Code of Student Conduct and/or applicable personnel policies if the alleged conduct is related to or arises out of the same facts, circumstances, or incidents as alleged Prohibited Conduct.

Subject to the foregoing, reported conduct that is not within the scope of these policies may constitute a potential violation of the University's Code of Student Conduct or Employee or Faculty Handbooks and, if so, will be referred to the appropriate University officials for response pursuant to the applicable policies and procedures.

1) Discrimination and Harassment Team

In the event a particular situation may be covered by one or more policies, the Discrimination and Harassment Team (DHT) has the authority to determine the policy that will be applied. This team shall include: the Vice President for Equity and Inclusion, Title IX Coordinator, the Associate Provost for Equity and Diversity, the Director for Diversity and Equity, and the Vice President for Administration. However, the Title IX Coordinator and Vice President for Equity and Inclusion have the authority to determine the policy that will be applied in any case involving or potentially involving Title IX.

C. Discretionary Authority; Change in Applicable Law

The Title IX Coordinator, Director for Diversity and Equity and Associate Provost for Equity and Diversity shall have

discretionary authority to interpret these policies and procedures, and to determine the meaning of any disputed or uncertain provisions; or make minor modifications to procedures that do not materially jeopardize the fairness owed to any party. The Title IX Coordinator, Director for Diversity and Equity, and/or the Associate Provost for Equity and Diversity may also vary procedures materially (to be reflected on the University website, with the appropriate effective date identified) upon determining that changes to law or regulation, or interpretations thereof, require policy or procedural alterations.

D. Complaints Against Non-Community Members
A Complaint against an Affiliated Individual or a non-community member for violation of the Non-Discrimination and Anti-Harassment, Sexual/Gender-Based Misconduct, or Pregnancy or Related Condition Policies will be handled and addressed as the Title IX Coordinator, Director for Diversity and Equity, and/or the Associate Provost for Equity and Diversity deems appropriate. However, in all such cases, the Title IX Coordinator, Director for Diversity and Equity, and/or the Associate Provost for Equity and Diversity will ensure that the matter is appropriately investigated to the extent warranted by the circumstances, and that appropriate responsive action is taken, up to and including banning the non-community member from Colgate property if warranted.

E. Oversight
The person responsible for the implementation of these policies internally is:
Renee Madison
Vice President for Equity and Inclusion
The Office of Equity and Diversity
102 Lathrop Hall
Colgate University
13 Oak Drive
Hamilton, NY 13346
315-228-6161

VI. CAMPUS CRIME STATISTICS

Colgate University is committed to providing a safe, supportive, and secure environment for the entire University community, including visitors. The University will provide, upon request, all campus crime statistics as reported to the United States Department of Education and as required under the Clery Act. To obtain a copy, contact campus safety (315-228-7333). You may also view crime statistics for all colleges and universities at the United States Department of Education's website or the University website.

VII. KEY TERMS

In addition to terms defined elsewhere in this procedural document, the following terms have the meanings set forth below:

A. The term Complainant refers to the person who is reported to have experienced or been subjected to Prohibited Conduct. In some cases, the Title IX Coordinator, Director for Diversity and Equity, and/or the Associate Provost for Equity and Diversity may initiate the investigation and adjudication process pursuant to these policies and procedures on behalf of the University. In that instance, the Title IX Coordinator, Director for Diversity and Equity, and/or the Associate Provost for Equity and Diversity is/are not the "Complainant"; the Complainant remains the person who allegedly experienced the Prohibited Conduct. The University can initiate the Complaint, but the University (or University representative) does not have the rights of a Complainant as generally set forth in these policies and procedures.

B. The term Reporting Party or Reporting Individual refers to a person who reports alleged Prohibited Conduct. This may or may not be the same as the Complainant, and may be a witness, a bystander, or someone else with information about the alleged Prohibited Conduct.

C. The term Respondent refers to the student, student organization, Affiliated Individual (see term below), or employee alleged to have committed misconduct.

D. The term Reasonable Person is a standard applied from the perspective of an objective individual in similar circumstances.

E. The term Complaint is an oral or written request to the University that objectively can be understood as a request for the University to take action in response to Prohibited Conduct.

F. The term Confidential Employee is an individual designated by the University who is trained and/or is legally or professionally certified in their role as a Confidential Employee. It also includes employees who have been designated as privileged, such as clergy and mental health counselors, as well as employees who are conducting Institutional Review Board–approved human-subjects research that study sex-based discrimination.

G. The term Nonconfidential Employee (or Mandated Reporter) are all employees who are not designated as a Confidential Employee.

H. The term Affiliated Individual is a volunteer, contractor, subcontractor, vendor, consultant, intern, or other person who provides services in the University's workplace and is not a University employee.

VIII. PROHIBITED CONDUCT RESPONSE GROUP (PCRG)

The Colgate University Prohibited Conduct Response Group (PCRG) consists of members of the campus community dedicated to prevention of and response to Prohibited Conduct, including prevention of and response to discrimination or harassment based upon race, color, pregnancy, religion, creed, national origin (including ancestry), citizenship status, physical or mental disability, age, marital status, veteran or military status (including special disabled veteran, Vietnam-era veteran, or recently separated veteran), predisposing genetic characteristics, sex, sexual orientation, gender identity, gender expression, or domestic violence victim status.

A. Roles and Responsibilities

- To serve as a first point of contact and provide information and resources to a Reporting Individual, Complainant, or Respondent;
- To serve in a facilitation role in informal resolution;
- To investigate complaints, when appropriate;
- To act as advisers to those involved in formal processes;
- To serve on hearing panels to adjudicate allegations of Prohibited Conduct;
- To serve on appellate panels, and,
- To serve in an educational role for the community.

B. Membership and Training
The PCRG membership includes faculty and staff drawn from across the institution. The President appoints the members, who report to the Title IX Coordinator, Director of Equity and Diversity, and/or the Associate Provost for Equity and Diversity. PCRG members receive annual training, which will include a review of Colgate policies and procedures so that they are able to provide accurate information to members of the community. All PCRG members are required to attend this annual training, which includes issues related to harassment or discrimination on the basis of the Protected Characteristics, impartiality, and the rights of Complainants and Respondents (including the right to a presumption that the Respondent is "not responsible" unless and until a finding of responsibility is made pursuant to these policies and procedures), as well as how to conduct a fair and impartial investigation and a hearing process that protect the safety of all parties and promote accountability. All administrative deans, residential life on-call staff, and campus safety officers also undergo training with the PCRG regardless of whether they are formally appointed to the PCRG. Additional advanced training in investigation protocol, the conduct of adjudication hearings, informal resolution processes, and appellate processes is provided annually to subsets of the PCRG members who serve in these roles.

PCRG members are usually appointed to three-year terms. Individuals who are interested in serving on the PCRG are encouraged to contact the Title IX Coordinator, Director for Diversity and Equity, and/or the Associate Provost for Equity and Diversity.

IX. STUDENT AMNESTY

The health and safety of every student at Colgate is of utmost importance. Colgate recognizes that students who have been drinking and/or using drugs (whether such use is voluntary or involuntary) at the time that violence, including but not limited to domestic violence, dating violence, stalking, or sexual assault, occurs may be hesitant to report such incidents due to fear of potential consequences for their own conduct. The University strongly encourages students to report domestic violence, dating violence, stalking, or sexual assault to University officials. A bystander acting or a Reporting Individual acting in good faith that discloses any incident of domestic violence, dating violence, stalking, or sexual assault to University officials or law enforcement will not be subject to Colgate's Code of Student Conduct action for violations of alcohol and/or drug use policies occurring at or near the time of the commission of the domestic violence, dating violence, stalking, or sexual assault.

The University will also extend amnesty on the same basis for other minor violations of policy in the same circumstances, and for violation of alcohol and/or drug use policies or other minor policy violations occurring at or near the time of other Prohibited Conduct. Minor policy violations do not include more serious allegations such as physical abuse, hazing, unlawful sale or distribution of drugs, or other conduct that would typically result in a sanction of suspension or expulsion if the student is found responsible.

STUDENT NON-DISCRIMINATION AND ANTI-HARASSMENT POLICY

The University prohibits discrimination or harassment based on characteristics protected by applicable law, including age, citizenship status, color, creed, domestic violence victim status, marital status, national origin (including ancestry), physical or mental disability, predisposing genetic characteristics, race, religion, veteran or military status, or any other protected category under applicable local, state, or federal law (collectively, "Protected Characteristics").

I. WHO DOES THIS POLICY APPLY TO?

This policy sets forth behavioral expectations for all Colgate University students and student organizations. This policy applies to conduct that occurs on Colgate's campus or property and in any Colgate programs and sponsored activities. This policy applies to off-campus conduct under certain circumstances. For example, certain aspects of the policy apply when students travel off campus as part of a University activity or team. Conduct that occurs off campus and not in connection with Colgate programs or activities may violate certain aspects of this policy if the conduct creates a threatening or hostile environment on campus or within a Colgate program or activity, or if the incident causes concern for the safety or security of Colgate's campus.

A complaint against a non-community member for violation of this policy will be handled and addressed as the Director for Diversity and Equity or the Associate Provost for Equity and Diversity deems appropriate to ensure that appropriate responsive action is taken.

II. WHO PROVIDES OVERSIGHT OF THIS POLICY?

The person responsible for the implementation of this policy is:
Director for Diversity and Equity
The Office of Equity and Diversity
102 Lathrop Hall
Colgate University
13 Oak Drive
Hamilton, NY 13346
315-228-6161

Inquiries may be made to:
Vice President for Equity and Inclusion
The Office of Equity and Diversity
102 Lathrop Hall
Colgate University
13 Oak Drive
Hamilton, NY 13346
315-228-6161

Inquiries and complaints against the University may also be made externally to:
Office for Civil Rights (OCR)
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202-1100
Customer Service Hotline #: 800-421-3481
Facsimile #: 202-453-6012
TDD#: 877-521-2172
Email: OCR@ed.gov
Web: http://www.ed.gov/ocr

III. WHAT CONDUCT IS PROHIBITED? (DEFINITIONS)

The following describes conduct prohibited by this policy (referred to in this policy and its associated procedures as "Prohibited Conduct"):

A. Non-Discrimination and Anti-Harassment Violations

1) Discrimination

The term "discrimination" refers to an act that disadvantages a person and that occurs because of the affected individual's Protected Characteristic(s).

Examples of discrimination include but are not limited to excluding a student from membership in an organization, or denying a student a professional opportunity because of the student's Protected Characteristic.

2) Harassment (other than Sex-based harassment)

Harassment is offensive conduct that is so severe or pervasive that it interferes with an individual's ability to participate in the University's programs or activities when judged against a Reasonable Person standard and that occurs on the basis of an individual's Protected Characteristic(s). Prohibited harassment based on sex, gender, gender identity, gender expression, pregnancy or pregnancy-related conditions, and other forms of sexual misconduct are defined and referenced in the Student Sexual/Gender-Based (Title IX) Misconduct Policy.

Colgate encourages individuals experiencing or witnessing offensive behavior to make a report as early as possible so as to have the situation corrected before it reaches the level of a policy violation. Individuals with a concern need not worry about whether the behavior is sufficiently serious to constitute a policy violation.

Harassing conduct can occur in various forms, including:

- **Verbal** – Conduct such as unwelcome, demeaning, intimidating, or graphic comments; using ethnic, racial, religious, or other slurs to refer to a person or group; or jokes or comments that demean a person or a group on the basis of one of the Protected Characteristics.
- **Physical** – Conduct such as physical threats toward or intimidation of another on the basis of one of the Protected Characteristics.
- **Visual** – Conduct such as creating or displaying racially, ethnically, or religiously offensive pictures, symbols, flags, cartoons, or graffiti that disparages another person or group because of one of the Protected Characteristics.
- **Communication-based** – Conduct such as phone calls, emails, text messages, social media direct messages, chats, blogs, or online communications that demean or intimidate another on the basis of one of the Protected Characteristics. Members of the community are expected to be good digital citizens and to refrain from online misconduct, such as feeding anonymous gossip sites, sharing inappropriate content via social media, unwelcome messaging, or otherwise using the ease of transmission and/or anonymity of the Internet or other technology to harm another member of, or group within, the University community.

The fact that a person was personally offended by a communication or incident does not alone constitute a violation of this policy. The determination as to whether this policy has been violated takes into account the totality of the circumstances, including but not limited to the context of the conduct, the relationship of the individuals involved in the conduct, whether the conduct was an isolated incident or part of a broader pattern or course of offensive conduct, the seriousness or severity of the conduct, the intent of the individual who engaged in the allegedly offensive conduct, and its effect or impact on the individual or group and the learning community. In all instances, a key factor is whether the complained-of behavior occurred because of Protected Characteristics. However, even if the conduct is not based upon a Protected Characteristic and/or does not rise to the level of Prohibited Conduct under this policy, the University may respond by providing individual and community support and resources to those who have been impacted. In addition, such conduct that is not based on Protected Characteristics may constitute a violation of the University's Code of Student Conduct and, if so, will be addressed pursuant to the applicable policies.

3) Stalking

Stalking is engaging in a course of conduct directed at a specific person that would cause a Reasonable Person to fear for their safety or the safety of others or suffer substantial emotional distress.

For the purposes of this definition, (i) a "course of conduct" means two or more acts, including, but not limited to, acts in which the individual directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property and (ii) "substantial emotional distress" means significant mental suffering or anguish that may but does not necessarily require medical or other professional treatment or counseling.

Examples of behavior that may constitute stalking include repeated, intentional following, observing, or lying in wait for another; using "spyware" or other electronic means to gain impermissible access to a person's private information; repeated, unwanted, intrusive, and frightening communications by phone, mail, email, text, etc.; making direct or indirect threats to harm an individual or the individual's relatives, friends, or pets; or damaging or threatening to damage the property of the targeted individual.

4) Hate Crime

A "hate crime" is defined as violence towards or other criminal act(s) against a person, group, or property (or a threat to do so) that is motivated entirely or in part by a belief, perception, or hostility toward another's Protected Characteristic(s), regardless of whether the belief or perception is correct. Proof of a Protected Characteristic, in and of itself, does not constitute evidence of motivation.

The following example demonstrates the difference between a non-hate crime and a hate crime: A student who selects a car at random in a campus parking lot and smashes the windshield has committed criminal mischief. A student who is biased against Muslims and smashes a windshield because they know that the car belongs to a Muslim student has likewise committed criminal mischief. However, this second incident is also a hate crime because the student was motivated by anti-Muslim bias.

Federal and state laws prohibit hate crimes, and hate crimes often result in enhanced criminal penalties. Students who commit hate crimes are subject to criminal prosecution in addition to discipline pursuant to this policy. The criminal process is separate and distinct from this policy. The fact that a criminal complaint has been filed, prosecuted, or dismissed will not prevent Colgate from pursuing disciplinary action.

5) Retaliation

Retaliation is an adverse act or behavior perpetrated to "get back" at a person because the person reported misconduct, filed a Complaint, or participated or refused to participate as a Complainant, Respondent, or witness in an investigation or proceeding conducted in response to reported violation of this policy by the University or by an external agency. Retaliation also includes an adverse act against someone for the purpose of interfering with any right or privilege under this policy or applicable law. Retaliation can take many forms, including, but not limited to, adverse action or violence, threats or intimidation that would discourage a Reasonable Person from engaging in protected activity. A person who acts in good faith is protected from retaliation. The fact that a statement is not determined to be proven or established following investigation and adjudication does not mean that the statement lacked good faith; a person may provide inaccurate information believing it is accurate, which is still good faith. If a person makes a statement knowing that it is false, the person has acted without good faith.

IV. WHO IS REQUIRED TO REPORT NON-DISCRIMINATION AND ANTI-HARASSMENT MISCONDUCT TO THE DIRECTOR FOR DIVERSITY AND EQUITY?

All members of Colgate's community are expected to promote an environment free from discrimination or harassment. Colgate encourages any individual to report incidents of Prohibited Conduct to obtain support and information and to enable Colgate to respond appropriately. Individuals can report concerns about Prohibited Conduct to any member of the Discrimination and Harassment Team.

A. Reporting Requirement of Faculty and Staff

Supervisors must report any complaints or suspected acts of Prohibited Conduct (even if they do not involve direct reports). The Director for Diversity and Equity or the Associate Provost for Equity and Diversity are responsible for providing direction to employees and supervisors about any University-required supportive measures, such as, but not limited to, addressing issues directly with staff, faculty, or students whom they supervise, facilitating informal resolution or mediation of issues, providing information on avenues to address questions of Prohibited Conduct, or pursuing Complaints under the complaint procedures described here. Failure to report Prohibited Conduct in accordance with this section may be considered a violation of University policy.

Any faculty or staff member, unless their status as a Confidential Employee precludes this disclosure, who learns of an incident of Prohibited Conduct as defined in this policy, should report this information to the Director for Diversity and Equity or Associate Provost for Equity and Diversity.

B. Public Awareness/Advocacy Events
If a member of the Colgate community discloses actions believed to constitute Prohibited Conduct through a public awareness event such as a candlelight vigil, a protest, a student organization, or other event or forum, or other public event, Colgate is not obligated to begin an investigation. Colgate may, however, use the information to inform the need for additional education and prevention efforts.

V. WHAT IF I NEED ACCOMMODATIONS OR ADJUSTMENTS FOR MY DISABILITY IN THIS POLICY AND RELATED PROCEDURES?

General disability accommodation or adjustment requests are handled separately from this policy. The Executive Director of Student Disability Services is responsible for coordinating efforts to comply with these disability laws, including evaluation of student accommodation requests for academic and housing adjustments. Procedures for requesting these types of accommodations or adjustments are described in the Student Handbook.

Student requests for accommodations or adjustments while engaging in processes contemplated by the Student Non-Discrimination and Anti-Harassment Policy and/or Procedures should be directed to the Director for Diversity and Equity or Associate Provost for Equity and Diversity. The Director for Diversity and Equity or Associate Provost for Equity and Diversity may consult with the Office of Disability Services in the determination of a disability accommodation or adjustment request.

Complaints regarding disability-related discrimination or harassment should be directed to the Director for Diversity and Equity or Associate Provost for Equity and Diversity.

VI. What if I Need Modification for My Pregnancy or Related Condition?

The Title IX Coordinator is responsible for coordinating efforts to comply with laws governing pregnancy or related conditions. Student requests for modification should be directed to the Title IX Coordinator. For more detail, please see the Pregnancy or Related Conditions Policy.

STUDENT NON-DISCRIMINATION AND ANTI-HARASSMENT PROCEDURES

I. PROCEDURAL SUMMARY

These procedures provide options to resolve concerns or reports made that allege Prohibited Conduct within the scope of the Student Non-Discrimination and Anti-Harassment Policy.

Following the receipt of a reported concern or Complaint, the Director for Diversity and Equity or the Associate Provost for Equity and Diversity will send an outreach email to offer to meet with the Reporting Party and provide them with resources and offer assistance.

Meeting with the Director for Diversity and Equity or the Associate Provost for Equity and Diversity can include a discussion of supportive measures. Supportive measures are intended to provide resources and/or adjustments to an individual who experienced Prohibited Conduct in order to assist with their continued involvement in the University's programs and activities. These supportive measures may include no-contact orders, or academic, residential, or work adjustments. An individual may reach out to a confidential support person or office and decide at that time or a later time to report to the University.

The following procedures are available to Complainants following the assessment of the Complaint/intake, if the matter falls within the scope of the Student Non-Discrimination and Anti-Harassment Policy. There may be times that additional fact gathering may occur prior to an investigation. Once there is sufficient information to identify the allegations, the following procedures are available to the Complainant:

- *Informal Resolution*: A process that permits the parties (i.e., the Complainant and the Respondent) to agree to the terms of resolving the situation (including the Complaint, if applicable), with the approval of the Director for Diversity and Equity or the Associate Provost for Equity and Diversity. Not all incidents are appropriate for informal resolution, and no party may be forced to participate in or accept informal resolution. This is a process that requires voluntary participation by the parties and approval by the aforementioned University official(s).
- *Administrative Resolution*: A process where, following the conclusion of an investigation, the findings and (if applicable) sanctions are determined by the Director for Diversity and Equity or the Associate Provost for Equity and Diversity.
- *Formal Resolution*: A process where, following the conclusion of an investigation, the findings and (if applicable) sanctions are determined by a hearing panel.

If an incident involves criminal conduct, the victim may make a complaint to law enforcement. An individual may report to the University and also make a report to law enforcement, may make a report to only the University or only to law enforcement, or may report to neither the University nor law enforcement.

II. SUPPORTIVE RESOURCES

A. Where to get Confidential Support
A Confidential Employee is an individual designated by the University who is not required to report the identity of an individual sharing specific details or information about behavior or incidents that could be considered Prohibited Conduct. A disclosure to a Confidential Employee or office does not result in a University investigation or any other action to respond to the incident. To speak to a Confidential Employee, students should contact:

- Counseling and Psychological Services, located at Conant House, 315-228-7385 or for an after-hours emergency, call campus safety at 315-228-7333 and ask to speak with the counselor on-call.
- Student Health Services, 140 Broad Street, 315-228-7750.
- Office of the Chaplains, located on the garden level of the Memorial Chapel, 315-228-7682.

When an individual shares information with a Confidential Employee (on campus or in the community) as a confidential communication in the course of a protected relationship, the Confidential Employee cannot disclose the information (including information about whether an individual has received services) to any third party without the individual's written permission or unless permitted or required consistent with ethical or legal obligations (e.g., when an individual poses a threat to self or others). Similarly, medical and counseling records cannot be released without the individual's written permission or unless permitted or required consistent with ethical or legal obligations.

On-campus Confidential Employees submit non-personally identifying information about Clery-reportable crimes to Colgate campus safety for purposes of anonymous statistical reporting under the Clery Act.

B. Nonconfidential Resources
There are other Colgate personnel, other than Confidential Employees, who can offer resources and support to students. These sources are not confidential and, if they learn of Prohibited Conduct, may report such information to a member of the Discrimination and Harassment Team.

III. REPORTING OPTIONS

Individuals can report Prohibited Conduct to the Director for Diversity and Equity, the Associate Provost for Equity and Diversity, other members of the Office of Equity and Diversity, or to any of the following:

- Online Reporting Forms: You may also use one of Colgate's online reporting forms. The forms provide the option for you to report anonymously or non-anonymously. Providing anonymous information may help the University maintain accurate records regarding the number of incidents involving students, employees, and third parties; determine if there is a pattern of conduct with regard to a particular location or person; and alert the campus community to potential dangers when appropriate. Depending on the amount of information available in the anonymous report, however, the University's ability to respond with an investigation or disciplinary action may be limited.
- The Office of Equity and Diversity by going to Lathrop 102, or by telephone at 315-228-6161.
- Any Prohibited Conduct Response Group (PCRG) member
- Any Discrimination and Harassment Team (DHT) member
- Campus safety (315-228-7333) can assist with filing a Complaint and preserving evidence.
- Law Enforcement: The Hamilton Police Department (315-824-3311, or 911 in an emergency) can assist in filing a criminal complaint and preserving evidence.

Additionally, orders of protection and other forms of legal protection may be available to individuals who have experienced or are threatened with violence by another person. Colgate will reasonably assist such individuals in obtaining available legal protections, provide a copy of any order of protection or similar document it receives to the parties affected by it, explain the order of protection or similar document and the consequences for violating it, call upon and assist local law enforcement in effecting an arrest for violation of the order of protection or similar document, and abide by all legally issued orders of protection or similar documents, including denying the restricted person access to Colgate's property, if required.

There is no time limit for making a report. However, the passage of time may make effective responsive action difficult. Further, if the Respondent is no longer a member of the University community, the University's ability to respond may be limited. Individuals with a concern are encouraged to make a report promptly.

You may also contact the Director for Diversity and Equity, the Associate Provost for Equity and Diversity, a DHT member or a PCRG member to discuss how Colgate's investigatory and grievance processes work. You need not disclose information about a specific incident in order to obtain general information about University policies and procedures.

A third party or anyone other than the Complainant may report an incident as described above, but the person who allegedly experienced Prohibited Conduct is the Complainant for purposes of these procedures.

IV. SUPPORTIVE MEASURES

Supportive measures are accessed by speaking with the Office of Equity and Diversity. These supportive measures, which may be available regardless of whether a Complaint is made, are intended to protect the safety and well-being of members of the campus community and are not indicative of findings of responsibility. Supportive measures include but are not limited to:

- No-Contact Orders
- Academic Adjustments
- Housing Adjustments
- Work Adjustments
- Counseling Referrals
- Transportation
- Escort around campus

To learn more about any of these or other available supportive measures, please contact the Director for Diversity and Equity or the Associate Provost for Equity and Diversity, who are responsible for approving and coordinating the implementation of supportive measures.

If a party's request for a supportive measure is denied, the party will be afforded an opportunity to have the denial promptly reviewed by submitting a written request to the Vice President for Equity and Inclusion to assess whether the supportive measure is reasonable under the circumstances. In addition, an individual may also seek a prompt review of the need for and/or terms of any supportive measure that directly affects said individual, by submitting a written request for review to the Vice President for Equity and Inclusion providing the basis for that request and any evidence in support. Each party will be allowed to submit evidence in support of, or in opposition to, the request to the extent the supportive measure under review affects that party.

V. EMERGENCY REMOVAL

When a student accused of Prohibited Conduct is determined to be an immediate threat to the physical health or physical safety of any student or other individual arising from the allegations of Prohibited Conduct, the University may undertake an emergency removal of the student from some or all University programs or activities pending the outcome of any proceedings under these procedures. Prior to effectuating an emergency removal of a student, the University will undertake an individualized safety and risk analysis. If the individualized safety and risk analysis determines that an immediate threat to the health or safety of any student, including the Respondent, or other individual justifies removal, then the Respondent will be removed.

Both the Complainant and the Respondent will, upon written request, be afforded an opportunity for a review of the need for and/or terms of an emergency removal, including potential modification. Parties desiring such a review should submit a written request to the Vice President for Equity and Inclusion, providing the basis for that request and any evidence in support. The burden of proof is on the party submitting the request to show that the removal decision was incorrect. The emergency removal will remain in effect while the request is considered.

VI. INITIAL INTAKE/COMPLAINT

Upon receipt of information about a concern regarding Prohibited Conduct, an intake meeting is scheduled with the Director for Diversity and Equity or Associate Provost for Equity and Diversity to gather more information, allow the Complainant to submit a Complaint (if desired and not previously submitted) and understand the wishes of the Complainant.

A Complaint should include details of the alleged Prohibited Conduct including, if known,

- The identity of individual(s) who were present at the time of the incident(s), including any witnesses;
- What occurred;
- Where the incident(s) occurred; and
- Date(s) and time(s) the incident(s) occurred.

An initial determination is made by the Director for Diversity and Equity or Associate Provost for Equity and Diversity as to whether the reported incident(s) may constitute Prohibited Conduct under this Policy and/or whether informal resolution might be appropriate. If the Complaint does not appear to allege Prohibited Conduct or if informal resolution is agreed to by the involved parties and appears appropriate given the nature of the alleged behavior, then the Complaint does not proceed to investigation.

If a Complainant requests that no action be taken against the Respondent (i.e., no investigation or disciplinary action), the University's decision as to responsive action will depend on factors including, but not limited to, the nature of the offense, whether the Respondent has a history of violent behavior or is a repeat offender, whether the incident represents alleged escalation in unlawful conduct from previously noted behavior, the risk that the Respondent will commit future acts of violence, whether there was a single perpetrator or multiple, whether the Respondent allegedly used a weapon or force, whether the Complainant or Reporting Individual is a minor, whether available information reveals a pattern of perpetration at a given location or by a particular group or organization, whether the circumstances otherwise suggest an ongoing or future risk to the campus community or the Complainant or Reporting Individual, impact upon the University community, and similar considerations. In some circumstances the University may pursue an investigation and adjudication without a Complainant or Reporting Individual requesting the action. A decision will be made and shared with the Complainant or Reporting Individual. Ultimately, the University retains the right to act upon information that interferes with the University's obligation to maintain a safe and non-discriminatory environment for all community members and/or comply with applicable law.

In cases where the Complainant or Reporting Individual requests confidentiality or anonymity, and the circumstances allow the University to honor that request, the University will offer supportive measures and remedies to the Complainant or Reporting Individual and the community as warranted, but will not otherwise pursue formal action.

The University may temporarily withhold a student's degree and/or diploma if the student is the subject of a pending Complaint or investigation, or has disciplinary charges pending.

VII. INFORMAL RESOLUTION

An informal resolution is a process in which the parties are assisted in resolving the allegations made by a Complainant without a formal investigation and adjudication. A Complaint is necessary to initiate an informal resolution process. Types of informal processes include, but are not limited to, educational conversations, training, mediated conversations, and restorative justice practices. The Director for Diversity and Equity or Associate Provost for Equity and Diversity will offer informal resolution processes to the parties if the Director for Diversity and Equity or Associate Provost for Equity and Diversity believes an informal resolution may be appropriate.

A. Informal Resolution Process

An informal resolution process is a voluntary process in which a trained facilitator assists the parties in resolving the allegations made by a Complainant, or the parties otherwise agree to resolution. A Complaint is not necessary to initiate an informal resolution process. The informal resolution process could be educational, mutually agreed-upon terms, or a restorative process that provides an opportunity to the parties to understand each other's concerns and address them as productively as possible, with the assistance of the facilitator.

The informal resolution process is not available in a situation involving more than two parties unless (a) all parties voluntarily consent to use the informal resolution process, (b) there is an understanding among all parties about what happens when the right of any party to stop the informal resolution process and commence (or return to) the investigation process is invoked, and (c) there is an understanding among all parties about whether some parties, but not all, can agree to a resolution.

No party should feel intimidated, coerced, or threatened to participate in an informal resolution process, and the Director for Diversity and Equity or Associate Provost for Equity and Diversity will not authorize use of the informal resolution process where there is reason to believe that a party's consent to use the process is not truly voluntary.

The informal resolution process may also be used if the Respondent wishes to accept responsibility for all or part of the alleged policy violations, and the Complainant is in agreement. If the Respondent indicates an intent to accept responsibility for all or part of the alleged misconduct, the investigation and adjudication process will be paused, and the Director for Diversity and Equity or Associate Provost for Equity and Diversity will determine whether informal resolution can be used according to the criteria above. If so, the informal resolution process will be used to determine whether all parties and the University are able to agree on a resolution and/or supportive measures. This result is not subject to appeal once all parties indicate their written agreement to all terms of the resolution.

Supportive measures are available to both parties during informal resolution. Attorneys are not permitted for the Student Non-Discrimination and Anti-Harassment Procedures.

B. Role of the Facilitator

Not all informal resolutions will involve a facilitator. When they do, the facilitator's role is to conduct the informal resolution process in a way that is impartial and does not favor one party over the other.

If the facilitator believes at any point in the informal resolution process that one party is not behaving in a way that allows for a productive resolution between the parties, or should a conflict with the facilitator arise, either another facilitator will be appointed or the University will require that the informal resolution process be discontinued and the matter may be addressed through the investigation and resolution process.

C. Support Person

Each party may have a support person accompanying them to any informal resolution meeting. A support person can help a party understand or explain the issues under discussion or simply help the party feel more comfortable during the informal resolution process; this can be a friend, relative, a PCRG member, or any other person that the party trusts. Support people cannot be an individual who has been involved in the facts and circumstances of the allegation(s) in any way.

A party must inform the Director for Diversity and Equity or Associate Provost for Equity and Diversity in advance if they would like a support person to attend any meeting and the name of the support person and that person's relationship to the party. The facilitator and/or the Director for Diversity and Equity or Associate Provost for Equity and Diversity will check with the other party to confirm that such party agrees to continue with the informal resolution with the support person present. The facilitator and/or the Director for Diversity and Equity or Associate Provost for Equity and Diversity can also exclude a support person if their presence is disruptive during the informal resolution process.

Support can be provided in several ways. Support people do not necessarily have to be present in an informal resolution session; if preferred, they can be available in a nearby area and provide support during breaks.

D. Confidentiality

For the informal resolution process to have the best chance for success, the parties should be free to express themselves. As a result, the information received from the parties during the informal resolution process will be kept confidential by the facilitator, with limited exceptions, but the facilitator may share information as necessary, to enable the oversight of the process in accordance with these procedures.

In addition, the facilitator will not be available as a witness in any formal resolution processes that may occur should a party or the University terminate the informal resolution process before a resolution. This is in keeping with the concept that the facilitator is impartial and is only facilitating the interaction between the parties.

Should the matter proceed or be returned to the formal resolution process, the parties and any support persons may not disclose information shared by the other party solely during the informal resolution process in the formal resolution process. All parties participating in the informal resolution process must sign an agreement that provides that information revealed by a party solely in the informal resolution process will not be used against the other party in the formal resolution process. This protection does not apply to information that is learned outside the informal resolution process, through the investigation or otherwise.

E. Possible Outcomes of an Informal Resolution Process
A resolution is reached only if all parties agree and if the resolution is accepted by the Director for Diversity and Equity or Associate Provost for Equity and Diversity. The facilitator (if applicable) will not impose an outcome, although they may assist the parties in suggesting resolutions that appear to meet the parties' needs. If there is no agreement on a resolution, the matter may proceed (or be returned) to the investigation and resolution process outlined in these procedures.

The University imposes no restrictions on the possible outcomes reflected in a resolution so that the parties are free to fashion a resolution that meets their needs, subject to acceptance by the Director for Diversity and Equity or Associate Provost for Equity and Diversity. For example, the parties may agree upon an educational conversation, prohibitions on co-enrollment or registration priorities for classes, boundaries for participation in campus activities, and/or restrictions on contact between or among the parties, among other terms of an informal resolution.

The facilitator (or, if a facilitator is not used, the Director for Diversity and Equity or Associate Provost for Equity and Diversity) will draft a document reflecting the agreement between the parties that becomes final once it is signed by all parties and accepted by the Director for Diversity and Equity or Associate Provost for Equity and Diversity. This written and signed resolution indicates that the matter has been resolved under this process without the need to pursue the investigation and resolution process.

After a written resolution has been finalized, the University will keep a record of the parties' written consent to the informal resolution process and the written resolution. Results of an informal resolution are not appealable.

F. What Happens if the Informal Resolution Process Does Not Result in an Agreed-Upon Resolution

The informal resolution process should proceed with due promptness. The University imposes no specified timeframe for the process, but the facilitator, Director for Diversity and Equity or Associate Provost for Equity and Diversity may choose to terminate the informal resolution process (and either party may elect to terminate the process) if insufficient progress is being made.

If an informal resolution process does not result in an agreed-upon resolution, the formal resolution process may commence or resume.

VIII. FORMAL PROCESS

A. Notice of Allegations
When a determination has been made that an investigation or substantive fact gathering will commence, the parties will receive notice of the allegations, in advance of any interview or other meeting they are required or entitled to attend. This notice will include:

1. To the extent known, the identities of the involved parties and the date, time, location, and factual allegations concerning the alleged violation;
2. The policy provisions allegedly violated;
3. A description of the investigation and adjudication process;
4. The right to an adviser, who must be a member of the campus community and may not be a practicing attorney, to assist and accompany them throughout the process, including during all meetings and hearings related to the process;
5. Notice that knowingly making false statements or knowingly submitting false information is prohibited under University policy;
6. Consistent with the preponderance of the evidence standard used to determine responsibility, notice that the Respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the process; and
7. A statement about the University's policy on retaliation.

If, in the course of the investigation, the University decides to investigate allegations that are not included in the notice initially provided to the parties, the Director for Diversity and Equity or Associate Provost for Equity and Diversity will provide notice of the additional allegations to the parties.

The Complainant and Respondent will be provided with notice of the name of the appointed investigator(s) and an opportunity of not more than three business days after the notice to raise an objection to the investigator(s) based on any alleged bias or conflict of interest known to the party. If an objection is raised, the Director for Diversity and Equity or Associate Provost for Equity and Diversity will determine whether bias or conflict of interest in fact exists and necessitates the replacement of the investigator(s). Attorneys are not permitted for the Student Non-Discrimination and Anti-Harassment Procedures.

The Office of the Registrar will be notified and a notation, "conduct process pending," will be placed on any Respondent's transcript, pending the outcome of the formal process, noting that allegations of Prohibited Conduct have been made. This is not a disciplinary sanction, but is intended to facilitate an equitable resolution of the process.

B. Investigation Scope and Timeline
The University will seek to complete investigation and adjudication of Complaints within one-hundred twenty (120) business days when reasonably possible, but delays may occur when (among other things) the University is not in session. The University may, but shall not be obligated to, delay the institution of its processes when criminal charges on the basis of the same behaviors that invoke this process are being investigated; such delays will not last more than ten (10) calendar days except when law enforcement authorities specifically request and justify a longer delay. Both parties will be provided with written notice of any extension of the investigation and adjudication process beyond one-hundred twenty (120) business days, and of the reason for the delay. University action will not be altered or precluded on the grounds that civil or criminal charges involving the same incident have been filed or that charges have been dismissed or reduced.

The Director for Diversity and Equity or Associate Provost for Equity and Diversity may determine that cases where the allegations arise out of the same set of facts should be consolidated for purposes of the investigation and/or adjudication. Instances where consolidation of Complaints may occur include but are not limited to cross-Complaints by the parties against each other, multiple Complaints by a single Complainant against a Respondent, Complaints by multiple Complainants against one or more Respondents, or multiple Complaints by a single Complainant against multiple Respondents.

1) Participation in an Investigation Process
During the investigation, which is an impartial fact-finding process, the Complainant and the Respondent will have an equal opportunity to share information and request that witnesses be interviewed. However, at all times, the burden of gathering evidence remains with the University. In the absence of their consent, the Complainant and Respondent will not be interviewed together or be required to meet. The investigator(s) retain(s) discretion to determine how to conduct the investigation and what information is necessary and relevant.

No unauthorized audio or video recording of any kind is permitted during investigation meetings or interviews. If the investigator(s) elect(s) to audio and/or video record interviews, all parties involved in the meeting or interview will be made aware that audio and/or video recording is occurring.

2) Assessment Following Investigation
Once an investigation is completed, the Director for Diversity and Equity or Associate Provost for Equity and Diversity assess whether the results of the investigation warrant proceeding with the Complaint process.

If it is determined that the alleged incident is more properly handled pursuant to another University policy or procedure, the matter will be directed to the appropriate procedure or personnel.

If it is determined that the allegations and available information warrant a continuation of the process, an informal resolution, administrative resolution, or a formal resolution may proceed.

If it is determined that continuing with the process is not warranted, the process will end, and the Complainant and Respondent will be informed. This notice will include findings of fact and the rationale for the determination

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IX. ADMINISTRATIVE RESOLUTION

In cases where the alleged violations, and therefore the range of possible sanctions, are minor (less than suspension or expulsion), the University may resolve the allegations through administrative resolution. If this process is used, following the receipt of the Notice of Allegations and completion of the investigation process, the Respondent will be required to meet with the Director for Diversity and Equity or Associate Provost for Equity and Diversity by a specified date. The Director for Diversity and Equity or the Associate Provost for Equity and Diversity will then give the Respondent the opportunity to respond to the allegation(s).

Once the Director for Diversity and Equity or the Associate Provost for Equity and Diversity makes reasonable attempts to allow the Respondent to respond to the allegation(s), the following occurs:

- The Director for Diversity and Equity or the Associate Provost for Equity and Diversity will make a determination as to whether the Respondent is responsible for the allegation(s).
- If there is a finding of responsibility, the Director for Diversity and Equity or Associate Provost for Equity and Diversity will determine sanctions.

X. FORMAL HEARING PROCESS

The Director for Diversity and Equity or Associate Provost for Equity and Diversity will appoint a hearing panel consisting of a hearing panel Chair who may be an external adjudicator or a PCRG member, and two additional panel members who are members of the PCRG. All panel members will be checked for conflicts of interest.

PCRG members who serve as an investigator or an adviser to the Complainant or Respondent may not serve as hearing panel members in the same matter. A hearing before the panel will be convened not less than ten (10) business days after the parties have been provided notice of the hearing, for the purpose of determining whether the Respondent is responsible or not responsible for the allegation(s).

Participants in the hearing will include the members of the hearing panel, the Complainant and the Respondent, their respective advisers, the investigator(s) who conducted the investigation, and witnesses (solely during their own testimony). Hearings are private. Observers or additional support personnel, other than the parties' advisers, are not allowed unless deemed necessary by the Director for Diversity and Equity or Associate Provost for Equity and Diversity for purposes such as the accommodation of a disability or language translation. Witnesses are not permitted to bring an adviser or other person to the hearing, absent an approved disability accommodation or a need for a translator. The hearing panel may be advised by and/or consult with the University's legal counsel as the hearing panel Chair deems necessary or appropriate. Hearings will be recorded by the University. Cell phones and recording devices may not be used by the parties or their advisers in the hearing.

Hearings may be conducted with all parties physically present in the same location or, at the discretion of the Director for Diversity

and Equity or the Associate Provost for Equity and Diversity, any or all parties, witnesses, and other participants may appear at the hearing virtually, with technology enabling the hearing panel and the parties to simultaneously see and hear any party or witness while speaking. If either party so requests, the hearing will be conducted with the parties located in separate rooms using technology as described in the preceding sentence.

The Director for Diversity and Equity or Associate Provost for Equity and Diversity may postpone the hearing for good cause. Good causes may include, without limitation, unavailability of one or more participants due to unanticipated events or circumstances, the timing of academic breaks or holidays, or other extenuating circumstances.

At least ten (10) business days prior to the hearing, or as far in advance as is reasonably possible if an accelerated hearing is scheduled with the consent of the parties, the designated hearing panel Chair will send a letter to the parties stating the following: A description of the alleged violation(s), (including, to the extent known, the date, time, location, and factual allegations, and a reference to the specific Colgate policy provision(s) alleged to have been violated); a description of the applicable procedures; and the sanction or sanctions that could be imposed.

Prior to the hearing, each party will submit to the hearing panel Chair and the Director for Diversity and Equity or the Associate Provost for Equity and Diversity the names of all witnesses the party intends to call and a brief description of the subject(s) about which the party believes the witness has relevant information. The hearing panel Chair will exclude any witness the hearing panel Chair deems unnecessary. The hearing panel Chair will share with all parties the names of all witnesses whom they have approved to be called, and all relevant and available documentary information. The hearing panel Chair may decide that certain witnesses do not need to participate in the hearing if their testimony can be adequately summarized by the investigator(s) during the hearing. The hearing panel Chair is in charge of organizing the presentation of information to be considered by the hearing panel. The Director for Diversity and Equity or the Associate Provost for Equity and Diversity may assist the hearing panel Chair in organizing witnesses and testimony.

The hearing panel Chair will explain procedural ground rules prior to or at the outset of the proceeding, and the hearing panel Chair may impose additional ground rules as may be necessary for the orderly and efficient progress of the proceeding. Once the procedures are explained and the participants are introduced, the hearing panel Chair may call the investigator(s) to present the report of the investigation if the hearing panel Chair deems such a presentation to be necessary or desirable. The investigator(s) may be asked to respond to questions posed by the hearing panel Chair or hearing panel members. The findings of the investigation are not binding on the panel, though any undisputed conclusions of the investigation report will not be revisited, except as necessary to determine sanctions/responsive actions or as otherwise determined necessary by the hearing panel Chair.

Formal rules of evidence will not apply. Any information that the hearing panel Chair and panel believe is relevant and credible may be considered.
The hearing panel Chair will address any concerns regarding the consideration of information prior to and/or during the hearing and may exclude irrelevant or immaterial information. The hearing panel Chair will have discretionary authority to determine all questions of procedure, including but not limited to the method by which questions will be posed to parties. The hearing panel Chair is empowered to determine whether particular questions, evidence, or information will be accepted or considered, including whether a particular witness will or will not be called and, if called, the topic(s) that the witness or the parties will be permitted to address. Anyone appearing at the hearing to provide information will present and respond to questions on their own behalf and not through anyone else.

A. Questioning Procedure
The hearing panel Chair will allow each party to propose questions that the party wants asked of the other party or any witness. These questions can be posed before the hearing in writing or during the hearing orally. The hearing panel Chair will determine whether a proposed question is appropriate before they ask the question, and will pose any approved question to the other party or witness on the questioning party's behalf. In the event the hearing panel Chair excludes a question, the hearing panel Chair will explain the decision. Questions that are unclear or harassing of the party or witness being questioned will not be permitted. The hearing panel Chair will give the party an opportunity to clarify or revise an otherwise acceptable question that the hearing panel Chair determines is unclear or harassing. If the party sufficiently clarifies or revises the question, the question will be asked.

Unless the hearing panel Chair determines it is appropriate, no one will present information or raise questions concerning:

1. The character of the Complainant or Respondent, or
2. Incidents not directly related to the alleged violations unless they are offered to show a pattern of behavior or conduct.

XI. FINDINGS OR ADMISSIONS OF RESPONSIBILITY/NON-RESPONSIBILITY; SANCTIONS

Determinations of responsibility in an administrative resolution or hearing as to whether the Respondent is responsible or not responsible for the alleged violation(s) are made using "preponderance of the evidence" as the standard of proof to determine whether each alleged violation occurred.

"Preponderance of the evidence" means that the administrator or hearing panel must determine whether, based on the evidence presented, it is more likely than not that the Respondent engaged in the conduct charged in violation of University policy. A lack of preponderance does not necessarily mean that the Complainant has been dishonest or made a false Complaint, but rather that the weight of the evidence did not indicate that it was "more likely than not" that a violation occurred.

If the administrator or hearing panel determines that the Respondent is responsible for one or more of the allegations in question, they move to a consideration of sanctions. To inform sanctioning decisions, if there is a finding of responsibility for one or more of the allegations, the Respondent's prior disciplinary history, if any, will be shared with the administrator or hearing panel. Each party may submit a written personal impact statement for consideration by the administrator or hearing panel in determining an appropriate sanction if there is a finding of responsibility on one or more of the allegations. The parties may submit their statements anytime to the Director for Diversity and Equity or the Associate Provost for Equity and Diversity prior to 72 hours after the administrative resolution meeting or hearing ends. In addition to the impact statement(s), factors considered when determining sanctions may include:

1. The nature and severity of, and circumstances surrounding, the violation(s);
2. The Respondent's state of mind at the time of the violation(s) (intentional, knowing, bias-motivated, reckless, negligent, etc.);
3. The Respondent's previous disciplinary history (or lack thereof);
4. The need for sanctions to bring an end to the conduct; and/or to prevent the future recurrence of similar conduct;
5. The need to remedy the effects of the conduct on the Complainant and/or the community;
6. The impact of potential sanctions on the Respondent;
7. Sanctions imposed by the University in other matters involving comparable conduct; and
8. Any other lawful factors deemed relevant by the administrator or hearing panel

The parties will receive simultaneous written notification of the outcome of the administrative resolution or hearing without a commitment to protect the confidentiality of the outcome. It shall be the decision of each party whether that party will disclose or discuss the outcome of any administrative resolution, hearing, or appeal. The notification will include written notice of the findings, and (if applicable) the sanction, as well as a rationale for the decision and (if applicable) the sanction and information with respect to appeal procedures.

A. Student Sanctions
The following are the sanctions that may be imposed upon students or organizations singly or in combination:

1) Warning: A formal statement that the behavior was unacceptable and a warning that further infractions of any University policy, procedure, or directive will result in more severe disciplinary action.
2) Probation: A written reprimand for violation of the policy, providing for more severe disciplinary sanctions in the event that the student or organization is found in violation of any University policy, procedure, or directive within a specified period of time. Terms of the probation will be specified and may include denial of specified social privileges, exclusion from co-curricular activities, no-contact orders, and/or other measures deemed appropriate.
3) Suspension: Termination of student or organizational status for a definite period of time and/or until specific criteria are met. Students who return from suspension are automatically placed on probation through the remainder of their tenure at Colgate.
4) Expulsion: Permanent termination of student status or indefinite revocation of University recognition of organizational status.
5) Withholding Diploma: The University may withhold a student's degree and/or diploma for a specified period of time and/or deny a student participation in commencement activities.
6) Revocation of Degree: The University reserves the right to revoke a degree awarded from the University for fraud, misrepresentation, or other violation of University policies, procedures, or directives in obtaining the degree, or for other serious violations committed by a student prior to graduation.
7) Other Actions: In addition to or in place of the above sanctions, the hearing panel may assign any other sanctions as deemed appropriate, including but not limited to the following:
    a) Education, so a student has the opportunity to gain more insight into their behavior.
    b) "No-contact" order (including but not limited to continuation of a no-contact order imposed as a supportive measure): a prohibition against having contact with one or more identified persons, in person or through telephonic, electronic, written or other means. A no-contact directive may include additional restrictions and terms.
    c) Acknowledgment of Impact: Requiring the student or organization to write a letter acknowledging the impact to those involved.
    d) Campus or Community Service: Requiring unpaid service to the University or area community stated in terms of type and hours of service.
    e) Restitution: Reimbursement for damage to or misappropriation of property, or for personal injury, and other related costs.
    f) Housing-related sanctions:
        i) Loss, revocation or restriction of the privilege to live in University housing (e.g.,, exclusion from specified locations or alteration of status in the housing lottery or other selection system).
        ii) Loss, revocation, or restriction of off-campus living privileges.

Sanctions take effect immediately, unless the Director for Diversity and Equity or Associate Provost for Equity and Diversity delays implementation pending completion of any appeal process.

XII. APPEALS

A. Grounds for Appeal: Submission Requirements

The Complainant or Respondent may appeal the result of any administrative resolution or hearing. All appeals must be submitted in writing within ten (10) calendar days of the delivery of the written findings of the administrative resolution or hearing panel to the Vice President for Equity and Inclusion. Appeals of a decision issued by a formal hearing involving students shall be submitted to an appellate panel composed of the Dean of the College and a PCRG member designated by the Vice President for Equity and Inclusion. Appeals of a decision issued by administrative resolution shall be submitted to the Vice President for Equity and Inclusion. Any party may appeal a decision, but only on the basis of one or more of the following grounds:

1) A procedural error or omission occurred during the process which, based upon the entire record, is reasonably likely to have changed the outcome of the administrative resolution or hearing (e.g.,, substantiated bias, material deviation from established procedures, etc.); or
2) New information, unavailable prior to or during the administrative resolution or hearing, has come to the attention of one of the parties which, had it been known at the time of the administrative resolution or hearing, and based upon the entire record, is reasonably likely to have changed the outcome of the administrative resolution or formal hearing process or the nature or severity of any sanction that may have been imposed; or
3) Any sanction imposed is disproportionate to the nature or severity of the violation or violations.

Any appeal must include a clear statement of the nature of any claimed procedural error or new information, or the basis of any claim of disproportionality. In the case of a claimed procedural error or new information, the appeal must also include a statement of the likely impact of the claimed error or newly discovered information on the proceedings.

B. Appeal Procedures

In the event of an appeal by any party, all parties and the original decision-maker(s) shall be notified that the appeal has been submitted and shall have a reasonable opportunity to respond to the appeal in a manner determined by the appellate panel. The decision will be sustained if the appeal is not timely or is not made on the basis of one or more of the grounds listed above, or the appellate panel concludes that the grounds for appeal are not supported by the record as a whole. Any decision that is not appealed, or that is sustained on appeal, is final. The appellant shall have the burden of establishing, by a preponderance of the evidence, that one or more of the grounds for appeal are meritorious, and any party may also attempt to show that this burden has not been met.

Additional principles governing appeals are the following:

1. Because the appellate panel has not heard the evidence directly, deference must be given to the original administrative resolution decision-maker(s) or hearing panel on evidentiary matters and the appellate panel must sustain the decision unless one of the three grounds for appeal listed above has been established.
2. In the event that the appellate panel determines that the appellant has met the burden of establishing that one or more grounds for appeal have merit, the appellate panel has discretion to take action consistent with that determination. That may include, without limitation, in the case of procedural error or new information, remanding the case in whole or in part to the original administrative resolution decision-maker(s) or hearing panel, remanding the case in whole or in part to a new decision-maker or panel, and, in the case of disproportionality of a sanction, modifying that sanction as appropriate.
3. The appellate panel decision is final and no further appeals are allowed, except to the extent that one or more parties seek review of proceedings ordered by the appellate panel on remand.

XIII. WITHDRAWAL WHILE CHARGES PENDING

Should a student decide to withdraw from the University and not participate in the investigation, administrative resolution, and/or hearing, the University may opt to proceed in absentia to resolution and that student will not be permitted to return to Colgate unless all levied sanctions (if any) have been satisfied. If a student withdraws while subject to a Complaint, investigation, or charges based upon alleged conduct constituting a crime of violence that the University is required by federal law to include in its Annual Security Report, the transcript of the student shall include the notation "Withdrew with conduct charges pending."

XIV. BIAS/CONFLICT OF INTEREST

In the event that any person assigned a role pursuant to these procedures is aware of any relationship, fact, circumstance, or occurrence that the parties reasonably believe creates or constitutes bias or a conflict of interest that would render the decision-makers incapable of performing the role in an impartial manner, that person shall identify in writing the bias or conflict of interest to the Vice President for Equity and Inclusion at the earliest practicable time.

Similarly, any Complainant or Respondent who objects to the participation of any Prohibited Conduct Resource Group member assigned a role pursuant to these procedures based upon bias or a conflict of interest shall identify the conflict of interest to the Director for Diversity and Equity or Associate Provost for Equity and Diversity at the earliest practicable time. The Director for Diversity and Equity or Associate Provost for Equity and Diversity will determine whether bias or a conflict of interest in fact exists and necessitates replacement of the person in question.

XV. RECORDS

In implementing this procedure, records of all Complaints, resolutions, and hearings will be kept by the Director for Diversity and Equity or Associate Provost for Equity and Diversity. Access to these records will be made available only on a need-to-know basis or as required by law. Except as required by law, no public release of the content of such records may be made until a final determination is made (i.e., when no appeal of the decision is sought, or in the event of an appeal, when the decision of the appellate panel is communicated to the parties). Any such release shall only be made in accordance with any applicable Colgate policy and federal and state laws.

XVI. TRANSCRIPT NOTATIONS

Students found responsible after a formal resolution process and suspended or expelled for Clery Crimes of Violence will have a notation included on their transcript stating, "Suspended after a finding of responsibility for a code of student conduct violation" or "Expelled after a finding of responsibility for a code of student conduct violation." Upon the written request of the suspended student, transcript notations for suspensions imposed under these procedures may be removed at the discretion of the Director for Diversity and Equity but no earlier than one year after the conclusion of the suspension. Transcript notations for expulsion shall not be removed.

While a formal resolution process is pending, the Respondent's transcript may contain the notation, "conduct process pending." This is not a disciplinary sanction, but is intended to facilitate an equitable resolution of the process.

STUDENT SEXUAL/GENDER-BASED MISCONDUCT POLICY

The University prohibits discrimination or harassment based on characteristics protected by applicable law, including gender, gender identity, gender expression, pregnancy or pregnancy-related conditions, and sex (collectively, "Protected Characteristics").

I. WHO DOES THIS POLICY APPLY TO?

This policy sets forth behavioral expectations for all current Colgate University students. This policy and the associated procedures apply to situations where students are the Complainant or the Respondent. These procedures apply in other circumstances where the University determines its application. This policy applies to conduct that occurs on Colgate's campus or property and in any Colgate programs and sponsored activities. This policy applies to off-campus conduct under certain circumstances. For example, certain aspects of the policy apply when students travel off campus as part of a University activity or team. Conduct that occurs off campus and not in connection with Colgate programs or activities may violate certain aspects of this policy if the conduct creates a threatening or hostile environment on campus or within a Colgate program or activity, or if the incident causes concern for the safety or security of Colgate's campus.

A Complaint against a non-community member for violation of the Colgate University Sexual/Gender-Based Misconduct Policy will be handled and addressed as the Title IX Coordinator deems appropriate to ensure that responsive action is taken.

II. WHO PROVIDES OVERSIGHT OF THIS POLICY?

The person responsible for the implementation of this policy is:
Title IX Coordinator
The Office of Equity and Diversity
102 Lathrop Hall
Colgate University
13 Oak Drive
Hamilton, NY 13346
315-228-6161

Inquiries may be made to:
Vice President for Equity and Inclusion
The Office of Equity and Diversity
102 Lathrop Hall
Colgate University
13 Oak Drive
Hamilton, NY 13346
315-228-6161

Inquiries and complaints against the University may be made externally to:
Office for Civil Rights (OCR)
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202-1100
Customer Service Hotline #: 800-421-3481
Facsimile #: 202-453-6012
TDD#: 877-521-2172
Email: OCR@ed.gov
Web: http://www.ed.gov/ocr

III. WHAT CONDUCT IS PROHIBITED? (DEFINITIONS)

The following describes conduct prohibited by this Policy (referred to in this Policy and its associated procedures as "Prohibited Conduct"):

This Policy applies to alleged conduct violative of Title IX of the Education Amendments of 1972 ("Title IX Violations"), and also applies to a broader range of contexts and behaviors inconsistent with the University's commitment to equal opportunity and, in some cases, the University's obligations under other applicable laws such as New York Education Law Article 129-B (i.e., "University Standards Violations").

The designation of Prohibited Conduct or allegations as either "Title IX Violations" or "University Standards Violations" is not a function of the seriousness of the alleged conduct but rather

a function of the scope and coverage of Title IX versus the University's broader obligations under New York Education Law Article 129-B and its discretion to prohibit and discipline a larger scope of inappropriate behavior.

A. Title IX Violations

Title IX of the Education Amendments of 1972 provides: "No person in the United States shall, on the basis of sex, be excluded from participation, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance."

In accordance with Title IX as interpreted by the United States Department of Education, the University recognizes the following as conduct violations within the meaning of Title IX, provided that the context and circumstances of the conduct fall within the scope of Title IX. Among other things, this means that the Complainant was in the United States at the time of the alleged conduct, that the Complainant is participating in or seeking to participate in the University's education program or activity at the time of the Complaint, and that the conduct is alleged to have occurred in the context of the University's education program or activity:

1. Sexual Harassment

"Sexual harassment," as a Title IX Violation, means conduct on the basis of sex, gender, or sexual orientation, that satisfies one or more of the following:

- An employee of the University conditioning the provision of an aid, benefit, or service of the University on an individual's participation in unwelcome sexual conduct (commonly referred to as a "quid pro quo"); or
- Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the University's education program or activity (commonly referred to as a sexually or gender-based "hostile environment").

Unwelcomed conduct on the basis of sex, gender, sexual orientation, or gender identity or expression, that does not rise to the level described above, may be addressed as a University Standards Violation, provided that it meets the definition of sexual harassment as a University Standards Violation.

2. Sexual Assault

Consistent with federal law, Colgate defines sexual assault as a sexual act directed against another person, without consent of the other person, including instances where the other person is incapable of giving consent. Sexual assault consists of any of the following specific acts:

- Non-consensual Sexual Intercourse. Sexual assault of this type includes 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 other person.
- Non-Consensual Sexual Contact. This form of sexual assault includes any intentional touching of the clothed or unclothed body parts of another person, directly or with an object, without consent of the other person for the purpose of sexual degradation, sexual gratification, or sexual humiliation; or the forced touching by another person of the actor's clothed or unclothed body parts without consent of other person for the purpose of sexual degradation, sexual gratification, or sexual humiliation.
- Incest. Non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- Statutory Rape. Non-forcible sexual intercourse with a person who is under the statutory age of consent. The statutory age of consent in New York State is 17.

3. Dating Violence

Dating violence refers to violence (including but not limited to sexual or physical abuse or the threat of such abuse) committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim, where the existence of such a relationship shall be determined based on a consideration of the following factors:

(i) the length of the relationship;
(ii) the type of relationship; and
(iii) the frequency of interaction between the persons involved in the relationship.

Dating violence can include behavior such as coercion, isolation, or other forms of emotional, verbal, or economic abuse if it reflects a threat of sexual or physical abuse as described above. Dating violence does not include acts covered under the definition of domestic violence.

4. Domestic Violence

Domestic violence refers to 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 where the University is located, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction. To categorize an incident as Domestic Violence, the relationship between the Respondent and the Complainant must be more than just two people living together as roommates. The people cohabitating must be current or former spouses or have an intimate relationship as described above.

5. Stalking

Stalking is engaging in a course of conduct directed at a specific person on the basis of sex that would cause a reasonable person to fear for their safety or the safety of others; or suffer substantial emotional distress. For the purposes of this definition,

- A "course of conduct" means two or more acts, including, but not limited to, acts in which the individual directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property;
- "Reasonable Person" means a reasonable person under similar circumstances and with similar identities to the Complainant; and
- "Substantial emotional distress" means significant mental suffering or anguish that may but does not necessarily require medical or other professional treatment or counseling.

Examples of behavior that may constitute stalking include repeated, intentional following, observing or lying in wait for another; using "spyware" or other electronic means to gain impermissible access to a person's private information; repeated, unwanted, intrusive, or frightening communications by phone, mail, email, text, social media messaging, etc.; making direct or indirect threats to harm an individual or the individual's relatives, friends, or pets; or damaging or threatening to damage the property of the targeted individual. Stalking that does not occur on the basis of sex may be addressed as a University Standards Violation.

B. University Standards Violations

The University prohibits the following behavior under circumstances in which a University interest is implicated (such as an impact on individuals as members of the University community). For the purpose of University Standards Violations, the below conduct is prohibited even if the conduct occurs off campus, outside the United States, if the Complainant is not participating or seeking to participate in the University's education program or activity, or otherwise in circumstances over which the University does not have influence or control, including but not limited to during University academic breaks.

1. Discrimination

The term "discrimination" refers to an act that disadvantages a person and that occurs because of the affected individual's Protected Characteristic(s). Examples of discrimination include but are not limited to excluding a student from membership in an organization, denying a student a professional opportunity, or giving a student a lower grade than deserved because of the student's Protected Characteristic.

2. Sexual Harassment

"Sexual harassment" means unwelcome conduct which is either of a sexual nature, or which is directed at an individual because of that individual's sex or gender, sexual orientation, or gender identity or expression, when such conduct has the purpose or effect of unreasonably interfering with an individual's work, academic, or extracurricular performance, or creating an intimidating, hostile, or offensive work or learning environment, even if the reporting individual is not the intended target of the sexual harassment.

Harassing conduct can occur in various forms, including:

Verbal – Conduct such as unwelcome sexually suggestive, demeaning, or graphic comments; unwelcome verbal sexual advances; using slurs to refer to a person; bullying, yelling or name-calling; refusing to use a person's preferred pronouns or name; or jokes or comments that demean a person on the basis of sex or gender, sexual orientation, gender identity, or gender expression.

Physical – Conduct such as unwanted sexual contact or physical sexual advances (e.g.,, unwanted touching, pinching, patting, kissing, hugging, grabbing, brushing against another person's body, or poking another person's body); sexual intimidation through physical threats; or physical threats toward or intimidation of another on the basis of sex or gender, sexual orientation, gender identity, or gender expression.

Visual – Conduct such as exposing another person to unwanted pornographic images; creating or displaying pictures, symbols, flags, cartoons, or graffiti that is/are sexually offensive or disparage(s) another person or group based on sex or gender, sexual orientation, gender identity, or gender expression.

Communication-based – Conduct such as phone calls, emails, text messages, chats, blogs, or online communications that offend, demean, or intimidate another on the basis of sex or gender, sexual orientation, gender identity, or gender expression. Members of the community are expected to be good digital citizens and to refrain from online misconduct, such as feeding anonymous gossip sites, sharing inappropriate content via social media, unwelcome sexual or sex-based messaging, distributing or threatening to distribute revenge pornography, breaches of privacy, or otherwise using the ease of transmission and/or anonymity of the Internet or other technology to harm another member of, or group within, the University community.

Sex stereotyping – Conduct in which another person's or group's conduct or personality traits are treated as inappropriate simply because they may not conform to other people's ideas or perceptions about how individuals of a particular sex should act or look.

A determination as to whether sexual harassment occurred depends on the totality of the circumstances, including the context of a communication or incident, the relationship of the individuals involved in the communication or incident, whether an incident was an isolated incident or part of a broader pattern or course of offensive conduct, the seriousness or severity of the incident, the intent of the individual who engaged in the allegedly offensive conduct, and its effect or impact on the individual or group and the learning community.

A "hostile environment" is a type of harassment, and occurs when offensive conduct or behavior interferes with an individual's ability to participate in the University's programs or

activities when judged against a Reasonable Person standard. However, Colgate encourages individuals experiencing or witnessing offensive behavior to make a report as early as possible so as to have the situation corrected before it reaches the level of a hostile environment. Individuals with a concern need not worry about whether the behavior is sufficiently serious to constitute a hostile environment. The University reserves the right to remedy sexual harassment pursuant to this policy even if the behavior in question does not rise to the level of legally recognized or actionable harassment.

The fact that a person was personally offended by a statement or incident does not alone constitute a violation of this policy. The determination as to whether this policy has been violated takes into account the totality of the circumstances as described above. In all instances, a key factor is whether the complained-of behavior occurred based on sex or gender, sexual orientation, gender identity, or gender expression or was sexual in nature. If it did not, the behavior is not regulated by this policy. However, even if the conduct is not sexual in nature or based upon sex or gender, sexual orientation, gender identity, or gender expression and/or does not otherwise constitute Prohibited Conduct under this policy, the University may respond by providing individual and community support and resources to those who have been impacted. In addition, such conduct that is not sexual in nature or based on sex or gender, sexual orientation, gender identity, or gender expression may constitute a violation of the University's Code of Student Conduct and, if so, will be addressed pursuant to the System of University Standards and Student Conduct.

Colgate also prohibits "quid pro quo" sexual harassment, which means "this for that" harassment. It is a violation of this policy for any person to condition any benefit on submission to sexual activity.

3. Sexual Assault
"Sexual assault" includes any sexual act directed against another person without the consent of the other person, including instances where the victim is incapable of giving affirmative consent, but that does not constitute sexual assault as a Title IX Violation as defined above because of the nature of the behavior or the context in which it occurs (for example because the Complainant was not in the United States at the time of the alleged conduct, because the Complainant was not participating in or seeking to participate in the University's education program or activity at the time of the Complaint, or because the conduct did not occur in the context of the University's education program or activity). Sexual assault consists of the following specific acts:

Non-Consensual Sexual Intercourse – Sexual assault of this type includes 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, forcibly or without the affirmative consent of the other person or where the other person is incapable of consent due to mental or physical incapacity. This type of sexual assault also includes non-forcible sexual intercourse with a person who is under the statutory age of consent. In New York State, the statutory age of consent is 17 years old.

Non-Consensual Sexual Contact – This form of sexual assault includes any intentional touching of the clothed or unclothed body parts of another person, directly or with an object, without consent of the other person for the purpose of sexual degradation, sexual gratification, or sexual humiliation; or the forced touching by another person of the actor's clothed or unclothed body parts without consent of other person for the purpose of sexual degradation, sexual gratification, or sexual humiliation.

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

Statutory Rape – Non-forcible sexual intercourse with a person who is under the statutory age of consent. The statutory age of consent in New York State is 17.

4. Sexual Exploitation
Taking nonconsensual or abusive sexual advantage of another for one's own benefit or for the benefit of anyone other than the person being exploited, even if the conduct does not otherwise constitute another offense under this policy. Examples of Sexual Exploitation include:

- Sexual voyeurism (such as observing or allowing others to observe a person undressing or using the bathroom or engaging in sexual acts, or in any other sexually related activity, without the consent of the person being observed);
- Taking pictures, video, or audio recording of another in a sexual act, or in any other sexually related activity, when there is a reasonable expectation of privacy during the activity, without the consent of all involved in the activity, or exceeding the boundaries of consent (such as disseminating sexual pictures without the photographed person's consent or beyond the parameters of consent), including the making or posting of revenge pornography;
- Exposing one's genitals in nonconsensual circumstances or nonconsensual disrobing of another person so as to expose the other person's private body parts;
- Prostituting another person;
- Engaging in sexual activity with another person while knowingly infected with a sexually transmitted disease (STD) or infection (STI), without informing the other person of the STD or STI;
- Causing or attempting to cause the incapacitation of another person (through alcohol, drugs, or any other means) for the purpose of compromising that person's ability to give consent to sexual activity, or for the purpose of making that person vulnerable to nonconsensual sexual activity;
- Misappropriation of another person's identity on apps, websites, or other venues designed for dating or sexual connections;
- Forcing a person to take an action against that person's will by threatening to show, post, or share information, video, audio, or an image that depicts the person's nudity or sexual activity;
- Knowingly soliciting a minor for sexual activity.

5. Dating Violence
Dating violence refers to violence (including but not limited to sexual or physical abuse or the threat of such abuse) committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim, but that does not constitute dating violence as a Title IX Violation as defined above because of the nature of the behavior or the context in which it occurs (for example because the Complainant was not in the United States at the time of the alleged conduct, because the Complainant was not participating in or seeking to participate in the University's education program or activity at the time of the Complaint, or because the conduct did not occur in the context of the University's education program or activity). The existence of such a relationship shall be determined based on a consideration of the following factors:
(i) the length of the relationship;
(ii) the type of relationship; and
(iii) the frequency of interaction between the persons involved in the relationship.

Dating violence can include behavior such as coercion, isolation, or other forms of emotional, verbal, or economic abuse. Dating violence does not include acts covered under the definition of domestic violence.

6. Domestic Violence
Domestic violence refers to 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 where the University is located, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the act of violence occurs, that does not constitute domestic violence as a Title IX Violation as defined above because of the nature of the behavior or the context in which it occurs (for example because the Complainant was not in the United States at the time of the alleged conduct, because the Complainant was not participating in or seeking to participate in the University's education program or activity at the time of the Complaint, or because the conduct did not occur in the context of the University's education program or activity). To categorize an incident as Domestic Violence, the relationship between the Respondent and the Complainant must be more than just two people living together as roommates. The people cohabitating must be current or former spouses or have an intimate relationship as described above.

7. Stalking
Stalking is engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for their safety or the safety of others, or to suffer substantial emotional distress, but that does not constitute stalking as a Title IX Violation as defined above because of the nature of the behavior or the context in which it occurs (for example because the Complainant was not in the United States at the time of the alleged conduct, because the Complainant was not participating in or seeking to participate in the University's education program or activity at the time of the Complaint, or because the conduct did not occur in the context of the University's education program or activity). For the purposes of this definition:

- A "course of conduct" means two or more acts, including, but not limited to, acts in which the individual directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property;
- "Reasonable Person" means a reasonable person under similar circumstances and with similar identities to the Complainant; and
- "Substantial emotional distress" means significant mental suffering or anguish that may but does not necessarily require medical or other professional treatment or counseling.

Stalking behavior may include but is not limited to repeated, intentional following, observing, or lying in wait for another; using "spyware" or other electronic means to gain impermissible access to a person's private information; repeated, unwanted, intrusive, or frightening communications by phone, mail, email, text, social media messaging, etc.; making direct or indirect threats to harm an individual or the individual's relatives, friends, or pets; or damaging or threatening to damage the property of the targeted individual.

8. Retaliation
Retaliation is an adverse act perpetrated to "get back" at a person because the person reported misconduct, filed a Complaint, or participated or refused to participate as a complainant, respondent, or witness in an investigation or proceeding conducted in response to reported violation of this policy by the University or by an external agency. Retaliation also includes an adverse act against someone for the purpose of interfering with any right or privilege under this policy or applicable law. Retaliation can take many forms, including, but not limited to, adverse action or violence, threats or intimidation that would discourage a reasonable person (under similar circumstances and with similar identities to the targeted individual or group) from engaging in protected activity. A person who acts in good faith is protected from retaliation. The fact that a statement is not determined to be proven or established following investigation and adjudication does not mean that the statement lacked good faith; a person may provide inaccurate information believing it is accurate, which is still good faith. If a person makes a statement knowing that it is false, the person has acted without good faith.

IV. WHAT IS CONSENT?

Sexual activity or contact must be based on mutual and affirmative consent to the specific activity or contact. Our policy requires affirmative consent. Affirmative consent is a knowing, voluntary, and mutual decision among all participants to engage in sexual activity. Consent can be given by words or actions, as long as those words or actions create clear permission regarding willingness to engage in the sexual activity. Silence or lack of resistance, in and of itself, does not demonstrate consent. The definition of consent does not vary based upon a participant's sex, sexual orientation, gender identity, or gender expression. Whenever the word "consent" is used in this policy, it should be understood to mean affirmative consent as defined here.

Since individuals may experience the same interaction in different ways, it is the responsibility of each party to take reasonable steps to ensure that the other has consented before engaging in the activity. A person cannot consent if that individual is incapacitated. Incapacitation is defined as a state where someone lacks the ability to knowingly choose to participate in a specific activity. Incapacity may be caused by the lack of consciousness, sleep, involuntary restraint, or other factors that prevent voluntary choice. Depending on the degree of intoxication, someone who is under the influence of alcohol, drugs, or other intoxicants may be incapacitated and therefore unable to consent. An individual who engages in sexual activity when the individual knows, or should know, that the other person is physically or mentally incapacitated has violated this policy. "Should know" is an objective, Reasonable Person standard which assumes that a Reasonable Person is both sober and exercising sound judgment. Consent is required regardless of whether the initiator is under the influence of alcohol or other drugs. It is not an excuse that the person initiating the sexual activity was intoxicated or incapacitated due to alcohol or other drugs and, therefore, did not realize the incapacity of the other.

Consent to some sexual contact (such as kissing or fondling) cannot be presumed to be consent for other sexual activity (such as intercourse). A current or previous dating relationship is not sufficient to constitute consent. Further, past consent to engage in sexual activity with any person cannot be presumed to be consent to sexual activity in the future with the same or a different person.

The existence of consent is based on the totality of the circumstances, including the context in which the alleged incident occurred and any similar previous patterns that may be evidenced. A person can withdraw consent at any time during sexual activity by expressing in words or actions that they no longer want the act to continue. When consent is withdrawn or can no longer be given, the other person must stop immediately.

Consent cannot be given as a result of coercion, intimidation, force, or threat of harm. Coercion is a threat, undue pressure, or intimidation to engage in sexual activity. Coercion is more than an effort to persuade, seduce, entice, or attract another person to engage in sexual activity. A person's words or conduct are sufficient to constitute coercion if they deprive another individual of the ability to freely choose whether or not to engage in sexual activity.

Acts of sex-based harassment, sexual assault, dating violence, domestic violence, and stalking can occur regardless of the sex, gender, sexual orientation, and/or gender identity of those involved.

V. WHO IS REQUIRED TO REPORT PROHIBITED CONDUCT TO THE TITLE IX COORDINATOR?

All members of Colgate's community are expected to promote an environment free from sexual and/or gender-based misconduct. Colgate encourages any individual to report incidents of Prohibited Conduct to obtain support and information and to enable Colgate to respond appropriately. Individuals can report concerns about Prohibited Conduct to the Title IX Coordinator.

There are certain employees who must report incidents of Prohibited Conduct to the Title IX Coordinator. These Mandated Reporters include members of the Prohibited Conduct Response Group,the Discrimination and Harassment Team, and employees in the Offices of human resources, campus safety, emergency management, administrative advising, student conduct, and residential life. The Vice President and Dean of the College and Dean of Students are also Mandated Reporters.

A. Reporting Requirement of Faculty and Staff
Any faculty or staff member, unless their status as a Confidential Employee precludes this disclosure, who learns of an incident of Prohibited Conduct as defined in this policy is encouraged to report this information to the Title IX Coordinator.

Supervisors must report any complaints or suspected acts of Prohibited Conduct (even if they do not involve direct reports). The Title IX Coordinator is responsible for providing direction to employees and supervisors about any University-required supportive measures, such as, but not limited to, addressing issues directly with staff, faculty, or students whom they supervise, facilitating informal resolution or mediation of issues, providing information on avenues to address questions of Prohibited Conduct, or pursuing Complaints under the complaint procedures described here. Failure to report Prohibited Conduct in accordance with this section may be considered a violation of University policy.

Even Colgate offices and employees who cannot guarantee confidentiality will maintain your privacy to the greatest extent possible. The information you provide to a nonconfidential resource will be relayed only as necessary for the Title IX Coordinator to investigate and/or seek a resolution and subject to other legal requirements.

B. Public Awareness/Advocacy Events
If a member of the Colgate community discloses actions believed to constitute Prohibited Conduct through a public awareness event such as a candlelight vigil or a protest, Colgate is not obligated to begin an investigation. Colgate may, however, use the information to inform the need for additional education and prevention efforts.

VI. WHAT IF I NEED ACCOMMODATIONS OR ADJUSTMENTS FOR MY DISABILITY IN THIS POLICY AND RELATED PROCEDURES?

General disability accommodation or adjustment requests are handled separately from this policy. The Executive Director of Student Disability Services is responsible for coordinating efforts to comply with these disability laws, including evaluation of student accommodation requests for academic and housing adjustments. Procedures for requesting these types of accommodations or adjustments are described in the Student Handbook.

Student requests for accommodations or adjustments while engaging in the processes contemplated by the Student Sexual/Gender-Based Misconduct Policy and/or Procedures should be directed to the Title IX Coordinator. The Title IX Coordinator may consult with the Office of Disability Services in the determination of a disability accommodation or adjustment request.

Complaints regarding disability-related discrimination or harassment should be directed to the Director for Diversity and Equity.

VII. WHAT IF I NEED A MODIFICATION FOR MY PREGNANCY OR RELATED CONDITION?

The Title IX Coordinator is responsible for coordinating efforts to comply with laws governing pregnancy or related conditions. Student requests for modification should be directed to the Title IX Coordinator. For more details, please see the Pregnancy and/or Related Conditions Policy.

STUDENT SEXUAL/GENDER-BASED MISCONDUCT PROCEDURES

I. PROCEDURAL SUMMARY

These procedures provide options to resolve concerns or reports made that allege Prohibited Conduct within the scope of the Sexual/Gender-Based Misconduct Policy.

Following the receipt of a reported concern or Complaint, the Title IX Coordinator will send an outreach email to offer to meet with the Reporting Party and provide them with resources and offer assistance.

Meeting with the Title IX Coordinator can include a discussion of supportive measures. Supportive measures are intended to provide resources and/or adjustments to a student who experienced Prohibited Conduct in order to assist with their continued involvement in the University's programs and activities. These supportive measures may include no-contact orders or other academic, residential, or work adjustments. A student may reach out to a Confidential Employee and decide at that time or a later time to report to the University.

The following procedures are available to Complainants following the assessment of the Complaint/intake, if the matter falls within the scope of the Sexual/Gender-Based Misconduct Policy. There may be times that additional fact gathering may occur prior to an investigation. Once there is sufficient information to identify the allegations, the following procedures are available to the Complainant:

- **Informal Resolution** – A process that permits the parties (i.e., the Complainant and the Respondent) to agree to the terms of resolving the situation, with the approval of the Title IX Coordinator. Not all incidents are appropriate for informal resolution, and no party may be forced to participate in or accept informal resolution. This is a process that requires voluntary participation by the parties and agreement by the Title IX Coordinator.
- **Formal Resolution** – A process where, following the conclusion of an investigation, the findings and (if applicable) sanctions are determined by a hearing panel.

If an incident involves criminal conduct, the victim may make a complaint to law enforcement. An individual may report to the University and also make a report to law enforcement. An individual may make a report to only the University or only to law enforcement, or may report to neither the University nor law enforcement.

The University will take reasonable steps to protect the privacy of the parties and witnesses during the pendency of these procedures, provided that such steps do not restrict the ability of the parties to obtain and present evidence, to speak to witnesses, to consult with their family members, Confidential Employees, or advisers, or otherwise prepare for or participate in a process. The University will also take reasonable steps to prevent and address the parties' and their advisers' unauthorized disclosure of information and evidence obtained solely through these procedures. However, disclosures of such information and evidence for purposes of administrative proceedings or litigation related to a complaint of Prohibited Conduct will be authorized.

II. SUPPORTIVE RESOURCES

A. Confidential Support
A Confidential Employee is an individual designated by the University who is not required to report the identity of an individual sharing specific details or information about behavior or incidents that could be considered Prohibited Conduct. A disclosure to a Confidential Employee or office does not result in a University investigation or any other action to respond to the incident.

The confidential resources will not share your information with anyone else, including other staff or faculty or the Title IX Coordinator unless you give them explicit written permission to share your information or unless permitted or required consistent with ethical or legal obligations (e.g., when an individual poses a threat to self or others). A person seeking confidential emotional support or healthcare may contact the following resources:

1) On-Campus Support

- Counseling and Psychological Services, located at Conant House, 315-228-7385 or for an after-hours emergency, call campus safety at 315-228-7333 and ask to speak with the counselor on-call.
- Student Health Services, 140 Broad Street, 315-228-7750.
- Office of the Chaplains, located on the garden level of the Memorial Chapel, 315-228-7682.
- Haven, Sexual Violence Resource Center at Colgate, located at Curtis Hall, 315-228-7385.

2) Off-Campus Support

- Enough is Enough Advocate, Help Restore Hope, 24/7 Hotline: 855.9.NOWSAFE (855.966.9723) (Ask for on-call advocate).
- Community Memorial Hospital, 315-824-1100, 150 Broad Street, Hamilton, NY
- The New York State Department of Health - Women's Health website: for more information, see: https://www.health.ny.gov/community/adults/women/
- Your own medical or mental health provider

Some on-campus Confidential Employees submit non–personally identifying information about Clery-reportable crimes to Colgate campus safety for purposes of anonymous statistical reporting under the Clery Act.

B. Nonconfidential Resources

Colgate personnel at the University, other than Confidential Employees, are not confidential and, if they learn of Prohibited Conduct, are encouraged to report such information to the Title IX Coordinator.

III. REPORTING OPTIONS

Current or former students, staff or faculty can report Prohibited Conduct directly to the Title IX Coordinator or the following (each individual or office listed below is required to report such information they receive to the Title IX Coordinator):

- Online Reporting Forms: You may use one of Colgate's online reporting forms. The forms provide the option for you to report anonymously or to share your information. Providing anonymous information may help the University maintain accurate records regarding the number of incidents involving students, employees, and third parties; determine if there is a pattern of conduct with regard to a particular location or person; and alert the campus community to potential dangers when appropriate. Depending on the amount of information available in the anonymous report, however, the University's ability to respond with an investigation or disciplinary action may be limited. If you share your information, someone from the Title IX office will contact you to follow up.
- Title IX Coordinator/Title IX Office: Anyone may make a report of Prohibited Conduct to the Title IX Coordinator by going in person to Lathrop 102, by telephone at 315-228-7014, or by email at TitleIX@colgate.edu.
- Any Prohibited Conduct Response Group (PCRG) member
- Any Discrimination and Harassment Team (DHT) member
- Campus safety (315-228-7333) can assist with filing a Complaint and preserving evidence
- Law Enforcement: The Hamilton Police Department (315-824-3311, or 911 in an emergency) can assist in filing a criminal complaint and preserving evidence.

Additionally, orders of protection and other forms of legal protection may be available to individuals who have experienced or are threatened with violence by another person. Colgate will reasonably assist such individuals in obtaining available legal protections, provide a copy of any order of protection or similar document it receives to the parties affected by it, explain the order of protection or similar document and the consequences for violating it, call upon and assist local law enforcement in effecting an arrest for violation of the order of protection or similar document, and abide by all legally issued orders of protection or similar documents, including denying the restricted person access to Colgate's property, if required.

There is no time limit for making a report. However, the passage of time may make effective responsive action difficult. Further, if the Respondent is no longer a member of the University community, the University's ability to respond may be limited. Individuals with a concern are encouraged to make a report promptly.

You may also contact the Title IX Coordinator or a PCRG member to discuss how Colgate's investigatory and grievance processes work. You need not disclose information about a specific incident in order to obtain general information about the University's policies and procedures.

A third party or anyone other than the Complainant may report an incident, but the person who allegedly experienced Prohibited Conduct is the Complainant for purposes of these procedures.

IV. SUPPORTIVE MEASURES

Supportive measures are accessed by speaking with the Title IX Office. These supportive measures, which may be available regardless of whether a Complaint is made, are intended to protect the safety and well-being of members of the campus community and are not indicative of findings of responsibility. Supportive measures include but are not limited to:

- Mutual No-Contact Orders and, in certain cases, one-way No-Contact Orders;
- Academic Adjustments
- Housing Adjustments
- Work Adjustments
- Counseling Referrals
- SANE (Sexual Assault Nurse Examiner) Exam conducted at Community Memorial Hospital
- Transportation
- Escort around campus

The Title IX Coordinator is responsible for approving and implementing or arranging supportive measures. To learn more about any of these or other available supportive measures, please contact the Title IX Office.

A. Reconsideration of Supportive Measures and Denied Requests

If a party's request for a supportive measure is denied, the party will be afforded an opportunity to have the denial promptly reviewed by submitting a written request to the Vice President for Equity and Inclusion to assess whether the supportive measure is reasonable under the circumstances. In addition, an individual may also seek a prompt review of the need for and/or terms of any supportive measure that directly affects said individual, by submitting a written request for review to the Vice President for Equity and Inclusion, providing the basis for that request and any evidence in support. Each party will be allowed to submit evidence in support of, or in opposition to, the request to the extent the supportive measure under review affects that party.

V. EMERGENCY REMOVAL

When a student accused of Prohibited Conduct is determined to be an immediate threat to the physical health or physical safety of any student or other individual arising from the allegations of Prohibited Conduct, the University may undertake an emergency removal of the student from some or all University programs or activities pending the outcome of any proceedings under these procedures. Prior to effectuating an emergency removal of a student, the University will undertake an individualized safety and risk analysis. If the individualized safety and risk analysis determines that an immediate threat to the health or safety of any student, including the student Respondent, or other individual justifies removal, then the student Respondent will be removed. Both the Complainant and the Respondent will, upon written request, be afforded an opportunity for a review of the need for and/or terms of an emergency removal, including potential modification. Parties desiring such a review should submit a written request to the Vice President for Equity and Inclusion, providing the basis for that request and any evidence in support. The burden of proof is on the party submitting the request to show that the removal decision was incorrect. The emergency removal will remain in effect while the appeal is considered.

The emergency removal process applies only to student Respondents. Employee Respondents are not subject to this process and may be placed on administrative leave pursuant to the University's policies and/or collective bargaining agreements during any process under these procedures.

VI. INITIAL INTAKE/COMPLAINT

When the Title IX Coordinator receives a report of Prohibited Conduct, the Title IX Coordinator reaches out to the person who is impacted by the potential misconduct (the Complainant). This outreach is typically done via email. In that email, the Title IX Coordinator will share information about resources, potential supportive measures, and invite the Complainant to meet. If a Complainant chooses to meet with the Title IX Coordinator, the Title IX Coordinator will ask them questions about what they experienced and discuss their options for potential resolutions, including review of the formal and informal resolution processes, protection from retaliation, allowing them to submit a Complaint (if desired and not previously submitted), and confidential support options. This initial meeting is called an Intake.

The Complainant is also provided a document delineating their rights, resources, and options, including the right to make a report to local law enforcement, to the state police, or a combination thereof, or to choose not to report, to be protected from retaliation for reporting an incident, and to receive supportive measures and resources through Colgate or other community organizations.

The Complainant may choose to only share their experience with the Title IX Coordinator and ask that the University not take any further action. If the Complainant does not want the University to take further action, the Title IX Coordinator will consider the request. However, in some limited circumstances, the Title IX Coordinator, in consultation with other "need-to-know" staff from the University (e.g., campus safety, human resources, and/or risk management), may determine it is necessary to move forward with the Complaint. The Title IX Coordinator will take the following factors into consideration when determining if the Title IX Coordinator should initiate a Complaint:

- The Complainant's request not to proceed with initiation of a Complaint;
- The Complainant's reasonable safety concerns regarding initiation of a Complaint;
- The risk that additional acts of Prohibited Conduct would occur if a Complaint is not initiated;
- The severity of the alleged Prohibited Conduct, including whether the Prohibited Conduct, if established, would require the removal of a Respondent from campus or imposition of another disciplinary sanction to end the Prohibited Conduct and prevent its recurrence;
- Whether the Respondent has a history of violent behavior or is a repeat offender;
- Whether the alleged incident represents alleged escalation in unlawful conduct on behalf of the Respondent from previously noted behavior;
- Whether the Respondent allegedly used a weapon or force;
- Whether the University possesses other means to obtain evidence, such as security footage;
- Whether available information reveals a pattern of perpetration at a given location or by a particular group;
- The age and relationship of the parties, including whether the Respondent is an employee of the University;
- The scope of the alleged Prohibited Conduct, including information suggesting a pattern, ongoing Prohibited Conduct, or Prohibited Conduct alleged to have impacted multiple individuals;
- The availability of evidence to assist a decision-maker in determining whether Prohibited Conduct occurred; and

- Whether the University could end the alleged Prohibited Conduct and prevent its recurrence without initiating a grievance procedure under this Policy.

If the Title IX Coordinator does initiate a Complaint, the Complainant will be notified prior to doing so, and the Title IX Coordinator will appropriately address any reasonable concerns about safety, including by providing supportive measures.

In cases where the Reporting Party requests confidentiality or anonymity, and the circumstances allow the University to honor that request, the University will offer supportive measures and remedies to the Reporting Party and the community, but will not otherwise pursue formal action.

There is no time limit on bringing a Complaint, as long as the accused individual is a member of the campus community and/or remains subject to its jurisdiction, but prompt reporting is very strongly encouraged. The Title IX Coordinator may exercise discretion in handling Complaints when substantial time has passed since an alleged incident.

The University may temporarily withhold a student's degree and/or diploma if the student is subject to an Emergency Removal based on a pending Complaint or investigation.

A. Advisers
Complainants and Respondents may have an adviser of their choosing (at the party's expense, if the adviser is a paid adviser), who may be, but is not required to be, an attorney, assist them throughout any formal or informal process, including during all meetings and hearings related to the process. During a formal resolution process, if a party does not have an adviser at the time that the initial investigation is complete, then the University will provide an adviser. If the University provides an adviser for a party, it will be at its choosing and in advance of the hearing as described below.

Advisers can only advise the Complainant or Respondent privately and cannot act as speaking advocates in the investigation or informal resolution process. During the adjudication process, the adviser may speak at the discretion of the hearing panel Chair. If an adviser does not adhere to these or other applicable ground rules, the adviser will be dismissed from the interview or other meeting or proceeding, which will continue without opportunity for the advisee to secure a new adviser. If an adviser is going to accompany a party, that party must advise the Title IX Coordinator of the identity of the adviser upon making that decision.

VII. COMPLAINT DISMISSAL PROVISIONS

In order to comply with federal Title IX regulations, the Title IX Coordinator must "dismiss" allegations of Title IX Violation(s) alleged in a Complaint if, at any time following receipt of the Complaint, it is apparent that the allegations are not within the scope of Title IX, including that the conduct alleged:

- Would not constitute sexual harassment, sexual assault, dating violence, domestic violence, or stalking as defined as Title IX Violations in the Sexual/Gender-Based Misconduct Policy, even if proved;
- Did not occur in the University's education program or activity; or
- Did not occur against a person in the United States.

Even if allegations of Title IX Violations are subject to dismissal, the University may continue to process the allegations as University Standards Violations if the allegations, if true, would constitute University Standards Violations.

The Title IX Coordinator also may (but is not necessarily required to) dismiss a Complaint or any of its allegations if at any time during the investigation or hearing:

- The Complainant notifies the Title IX Coordinator in writing that the Complainant would like to withdraw the Complaint or any specific allegation,
- The Respondent is no longer enrolled or employed by the University, or
- Specific circumstances prevent the University from gathering evidence sufficient to reach a determination as to the Complaint or its allegations.

Any decision to dismiss a Complaint or allegation pursuant to this section is immediately appealable pursuant to the appeal procedures set forth below.

VIII. INFORMAL RESOLUTION

An informal resolution is a process in which the parties are assisted in resolving the allegations made by a Complainant without a formal investigation and adjudication. A Complaint is necessary to initiate an informal resolution process. Types of informal processes include, but are not limited to, educational conversations, training, mediated conversations, and restorative justice practices. The Title IX Coordinator will offer informal resolution processes to the parties if the Title IX Coordinator believes an informal resolution may be appropriate.

The parties must agree to an informal resolution. Any party in an informal resolution process may end it at any time and, if applicable, the Complaint will proceed (or return) to the formal investigation and adjudication process. In some instances, the facilitator in the informal resolution process or the Title IX Coordinator may terminate the process as well.

The informal resolution process is not available in a situation involving more than two parties unless (a) all parties voluntarily consent to use the informal resolution process, (b) there is an understanding among all parties about what happens when the right of any party to stop the informal resolution process and commence (or return to) the formal investigation and resolution process is invoked, and (c) there is an understanding among all parties about whether some parties, but not all, can agree to a resolution.

No party should feel intimidated, coerced, or threatened to participate in an informal resolution process, and the Title IX Coordinator will not authorize use of the informal resolution process where there is reason to believe that a party's consent to use the process is not truly voluntary. The result of an informal resolution process is not subject to appeal once all parties indicate their written assent to all agreed-upon terms of resolution.

Supportive measures are available to both parties during informal resolution processes.

A. Notice Prior to Informal Resolution
Before the initiation of an informal resolution process, the Title IX Coordinator will provide to the parties a written notice that explains:

- The allegations;
- The requirements of the informal resolution process;
- That, prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process and to initiate or resume the formal investigation and resolution process;
- That the parties' agreement to a resolution at the conclusion of the informal resolution process would preclude the parties from initiating or resuming the formal investigation and resolution process arising from the same allegations;
- The potential terms that may be requested or offered in an informal resolution agreement, including notice that an informal resolution agreement is binding only on the parties; and
- What information the University will maintain and whether and how the University could disclose such information for use in its formal investigation and resolution process if it is initiated or resumed.

B. Role of the Facilitator
Not all informal resolutions will involve a facilitator. When they do, the facilitator's role is to conduct the informal resolution process in a way that is impartial and does not favor one party over the other.

The facilitator has broad latitude to conduct the informal resolution in whatever way they deem appropriate and relevant to the parties' concerns. If the facilitator believes at any point in the informal resolution process that one party is not behaving in a way that allows for a productive resolution between the parties, or should a conflict with the facilitator arise, either another facilitator will be appointed or the University will require that the informal resolution process be canceled and the matter may be addressed through the formal investigation and resolution process.

C. Support Person
Each party may have a support person accompanying them to any informal resolution meeting. A support person can help a party understand or explain the issues under discussion or simply help the party feel more comfortable during the informal resolution process; this can be a friend, relative, a PCRG member or any other person whom the party trusts. Support people cannot be anyone who has been involved in the facts and circumstances in the allegations in any way. The facilitator or Title IX Coordinator can exclude a support person if their presence is disruptive during the informal resolution process.

A party must let the Title IX Coordinator know in advance if they would like a support person to attend any meeting and the name of the support person and that person's relationship to the party. The facilitator or Title IX Coordinator will check with the other party to confirm that such party agrees to continue with the informal resolution with the support person present.

Support can be provided in several ways. Support people do not necessarily have to be present in an informal resolution session; if preferred, they can be available in a nearby area and provide support during breaks.

Parties engaged in informal resolutions are permitted to retain advisers to help them in the process. The role of advisers in an informal resolution can be limited by the informal resolution facilitator and/or the Title IX Coordinator.

D. Confidentiality
For the informal resolution process to have the best chance for success, the parties should be free to express themselves. As a result, the information received from the parties during the informal resolution process will be kept confidential by the facilitator, with limited exceptions, but the facilitator may share information as necessary, to enable the Title IX Coordinator to oversee the process in accordance with these procedures.

In addition, the facilitator will not be available as a witness in any formal resolution process that may occur should a party or the University terminate the informal resolution process before a resolution.

Should the matter proceed or be returned to the formal resolution process, the parties and any support persons may not disclose information shared by the other party solely during the informal resolution process in the formal resolution process. All parties participating in the informal resolution process must sign an agreement that provides that information revealed by a party solely in the informal resolution process will not be used against the other party in the formal resolution process. This protection does not apply to information that is learned outside the informal resolution process, through the investigation or otherwise.

E. Possible Outcomes of an Informal Resolution
A resolution is reached only if all parties agree and if the resolution is accepted by the Title IX Coordinator. The University imposes no restrictions on the possible outcomes reflected in a resolution so that the parties are free to fashion a resolution that meets their needs, subject to acceptance by the Title IX Coordinator. A resolution may include sanctions, up to and including expulsion/termination of employment, if the parties agree. For example, the parties may agree upon an educational

conversation, prohibitions on co-enrollment or registration priorities for classes, boundaries for participation in campus activities, and/or restrictions on contact between or among the parties, among other terms of an informal resolution.

The facilitator (or, if a facilitator is not used, the Title IX Coordinator) will draft a document reflecting the agreement between the parties that becomes final once it is signed by all parties and accepted by the Title IX Coordinator. This written and signed resolution indicates that the matter has been resolved under this process without the need to pursue the formal investigation and resolution process.

After a written resolution has been finalized, the University will keep a record of the parties' written consent to the informal resolution process and the written resolution. Results of informal resolution are not appealable.

F. What Happens if the Informal Resolution Process Does Not Result in an Agreed-Upon Resolution

The informal resolution process should proceed with due promptness. The University imposes no specified timeframe for the process but the facilitator or Title IX Coordinator may choose to terminate the informal resolution process (and either party may elect to terminate the process) if insufficient progress is being made.

If an informal resolution process does not result in an agreed-upon resolution, the formal resolution process may commence or resume.

IX. FORMAL HEARING PROCESS

A formal Complaint is necessary to initiate a formal process and must be in written form and signed by the Complainant or the Title IX Coordinator. A third party or anyone other than the victim of the misconduct may report an incident, but may not file a formal Complaint. However, a formal Complaint may be filed by a parent or guardian on behalf of a minor person.

A. Notice of Allegations

The parties will receive a Notice of Allegations, in advance of any interview or other meeting they are required or entitled to attend, of the investigation. This Notice will include:

1. To the extent known, the identities of the involved parties and the date, time, location and factual allegations concerning the alleged violation;
2. The policy provisions allegedly violated;
3. A description of the investigation and adjudication process;
4. Potential sanctions;
5. The right to an advisor of their choice, who may be, but is not required to be, an attorney to assist and accompany them throughout the process, including during all meetings and hearings related to the process, as and to the extent provided in these procedures;
6. The right to inspect and review evidence in accordance with this process;
7. Notice that knowingly making false statements or knowingly submitting false information is prohibited under University policy.
8. Consistent with the preponderance of the evidence standard used to determine responsibility, notice that the Respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the process; and
9. A statement about the University's policy on retaliation.

If, in the course of the investigation, the University decides to investigate allegations that are not included in the notice initially provided to the parties, the Title IX Coordinator will provide notice of the additional allegations to the parties.

To the extent the Title IX Coordinator has reasonable concerns for the safety of any person as a result of providing the Notice of Allegations, the Title IX Coordinator may reasonably delay providing the Notice in order to address the safety concern appropriately. Reasonable concerns must be based on an individualized safety and risk analysis and not on mere speculation or stereotypes. In any event, the parties will receive the Notice with sufficient time to prepare a response before any initial interview.

The Complainant and Respondent will be provided with notice of the name of the appointed investigator(s) and an opportunity of not more than three business days after the notice to raise an objection to the investigator(s) based on any alleged bias or conflict of interest known to the party. If an objection is raised, the Title IX Coordinator will determine whether bias or conflict of interest in fact exists and necessitates the replacement of the investigator(s).

B. Investigation Scope and Timeline:

Investigation of Complaints will be completed within one-hundred and twenty (120) business days when reasonably possible, but an investigation may take longer when (among other things) the University is not in session. The University may, but shall not be obligated to, delay the institution of its processes when criminal charges on the basis of the same behaviors that invoke this process are being investigated; such delays will not last more than ten calendar days except when law enforcement authorities specifically request and justify a longer delay. Both parties will be provided with written notice of any extension of the investigation beyond one-hundred and twenty (120) business days, and of the reason for the delay. University action will not be altered or precluded on the grounds that civil or criminal charges involving the same incident have been filed or that charges have been dismissed or reduced.

The timeframes of the major stage of the formal resolution process are estimated as follows in business days:

- Intake: 5 days;
- Investigation: 60 days;
- Evidence and Draft Report Review/Response: 10 days
- Investigative Report Review /Response and Notice of Hearing: 10 days;
- Adjudication (including pre-hearing meetings and issuance of Notice of Outcome): 25 days; and
- Appeal Process: 10 days.

The Title IX Coordinator may determine that cases where the allegations arise out of the same set of facts or circumstances should be consolidated for purposes of the investigation and/or adjudication. Instances where consolidation of Complaints may occur include but are not limited to cross-Complaints by the parties against each other, multiple Complaints by a single Complainant against a Respondent, Complaints by multiple Complainants against one or more Respondents, or multiple Complaints by a single Complainant against multiple Respondents.

1. Participation in an Investigation Process

During the investigation, which is an impartial fact-finding process, the Complainant and the Respondent will have an equal opportunity to share information and request that witnesses be interviewed. However, at all times, the burden of gathering evidence remains with the University. In the absence of their consent, the Complainant and Respondent will not be interviewed together or be required to meet. The investigator(s) retain(s) discretion to determine how to conduct the investigation and may decline to interview any witness or to gather information the investigator(s) find(s) to be not relevant or otherwise excludable (e.g., sexual history of the Complainant with a person other than the Respondent, materials subject to a recognized privilege, medical records in the absence of a release by the subject of the records, etc.).

No unauthorized audio or video recording of any kind is permitted during investigation meetings or interviews. If the investigator(s) elect(s) to audio and/or video record interviews, all parties involved in the meeting or interview will be made aware that audio and/or video recording is occurring.

C. Standards for Questions and Evidence

For purposes of these procedures (including all stages of the investigation and hearing processes), (a) "relevant" evidence and questions include any evidence and questions that are related to the allegations and may aid in showing whether Prohibited Conduct occurred, and (b) evidence that relates to the Complainant's sexual interests, predisposition or prior sexual conduct is not relevant, unless evidence about the Complainant's prior sexual conduct is offered to prove that someone other than the Respondent committed the alleged conduct or is evidence about specific incidents of the Complainant's prior sexual conduct with the Respondent that is offered to prove consent (for example, to demonstrate indicia of consent in previous encounters between the parties allegedly identical to purported indicia of consent in the incident in question).

In addition, the University will not access or use (i) evidence that is protected under a privilege as recognized by Federal or State law or evidence provided to a confidential resource, unless the person to whom the privilege or confidentiality is owed has voluntarily waived the privilege or confidentiality in writing; and (ii) a party's or witness's records that are made or maintained by a physician, psychologist, or other recognized professional or paraprofessional in connection with the provision of treatment to the party or witness, unless the University obtains that party's or witness's voluntary, written consent for use in the investigation and adjudication process.

D. Evidence Review

Unless the Title IX Coordinator has referred the case for determination pursuant to another University policy or procedure, authorized informal resolution, or dismissed the Complaint, a draft investigative report will be created and the Complainant and Respondent will be provided an equal opportunity to review the draft report and any evidence directly related to the allegations that is gathered in the investigation, regardless of whether the information will be relied on in reaching a determination.

Additionally at this stage in the Formal Process, upon the request of a party, the University will appoint, without fee or charge to that party, an advisor of the University's choice who will be a licensed attorney to assist that party from and after this stage of the process (including for purposes of any subsequent hearing, and/or appeal[s]). Because the appointed advisor is to be selected by the University, the University will not pay or reimburse a party for the fees of an advisor of choice selected by the party (at any stage of the process). Prior to the conclusion of the investigative report, the Complainant and Respondent, and each party's advisor, if any, will be provided a copy of the draft investigative report and the above-referenced evidence (which may be sent in hard copy or electronic format or made available through an electronic file sharing platform, as determined in the sole discretion of the Title IX Coordinator), subject to redaction permitted and/or required by law. The Complainant and Respondent will be provided with at least ten (10) business days to submit a written response, which the investigator(s) will consider prior to completion of the final investigative report. Based on the parties' written responses the investigator(s) will determine if additional investigation is necessary (and, if so, will complete any additional investigative steps), and will incorporate relevant elements of the responses and any additional relevant evidence into the report.

The investigative report will fairly summarize the relevant evidence; the report will not make conclusions as to responsibility, contain policy analysis, or render any

recommendations as to findings or sanctions. The investigator(s) will not include information in the investigative report that the investigator(s) determine(s) not relevant or otherwise excludable. The investigator(s) will submit the final investigative report to the Title IX Coordinator who will then make it available to the parties for review.

At least ten (10) business days prior to a hearing to determine whether there is responsibility for the allegations, the Complainant and Respondent, and each party's advisor, will be provided a copy of the final investigative report (which may be sent in hard copy or electronic format or made available through an electronic file sharing platform, as determined in the sole discretion of the Title IX Coordinator) for their review and written response, subject to redaction permitted and/or required by law.

Absent extraordinary circumstances as determined by the Title IX Coordinator in consultation with the investigator(s), no party may introduce any new evidence not previously made available during the investigation in their response to the evidence and/or draft investigation report. This shall not preclude a party from including in their response assertions as to the meaning of existing evidence, even if those assertions were not articulated during the investigation. In considering whether to permit introduction of new evidence based on extraordinary circumstances, the Title IX Coordinator may consider factors including but not limited to (a) the significance of the proposed evidence, and (b) the reason the evidence was not produced during the investigation. If the Title IX Coordinator decides to authorize acceptance of new evidence on this basis, the Title IX Coordinator may (but shall not be required to) authorize the investigator(s) to reopen the investigation and take such further investigative steps as the investigator(s) deem(s) necessary or advisable.

X. FORMAL HEARING PROCESS

A. General

The Title IX Coordinator will appoint a hearing panel consisting of a hearing panel Chair who may be an external adjudicator or a PCRG member and two additional panel members who are members of the PCRG. All panel members will be checked for conflicts of interest. In cases involving faculty parties or staff parties,, the Office of Equity and Diversity will make reasonable efforts, subject to availability and screening for conflicts, to appoint a hearing panel including at least one faculty member for cases involving faculty parties and at least one staff member for cases involving staff parties.

PCRG members who served as investigators or as advisers to the Complainant or Respondent may not serve as hearing panel members. A hearing before the panel will be convened not less than ten (10) business days after the parties have been provided access to the final investigative report, for the purpose of determining whether the Respondent is responsible or not responsible for the allegation(s).

The Title IX Coordinator will notify the parties in writing of the date, time, and location of the hearing, the names of the hearing panel members, and how to challenge participation by any hearing panel member for bias or conflict of interest.

Participants in the hearing will include the members of the hearing panel, the Complainant and the Respondent, their respective advisers, the investigator(s) who conducted the investigation, and witnesses (solely during their own testimony). Hearings are private. Observers or additional support personnel, other than the parties' advisers, are not allowed unless deemed necessary by the Title IX Coordinator for purposes such as accommodation of a disability or language translation. Witnesses are not permitted to bring an adviser or other person to the hearing, absent an approved disability accommodation or a need for a translator. The hearing panel may be advised by and/or consult with the University's legal counsel as the hearing panel Chair deems necessary or appropriate. Hearings will be recorded by the University. Cell phones and recording devices may not be used by the parties or their advisers in the hearing room(s).

Hearings may be conducted with all parties physically present in the same location or, at the Title IX Coordinator's discretion, any or all parties, witnesses, and other participants may appear at the hearing virtually, with technology enabling the hearing panel and the parties to simultaneously see and hear any party or witness while speaking. If either party so requests, the hearing will be conducted with the parties located in separate rooms using technology as described in the preceding sentence.

The Title IX Coordinator may postpone the hearing for good cause as determined by the Title IX Coordinator. Good cause may include, without limitation, unavailability of one or more participants due to unanticipated events or circumstances, the timing of academic breaks or holidays, or other extenuating circumstances.

At least one week prior to the hearing, or as far in advance as is reasonably possible if an accelerated hearing is scheduled with the consent of the parties, the Title IX Coordinator will send a letter to the parties stating the following: A description of the alleged violation(s) (including, to the extent known, the date, time, location, and factual allegations, and a reference to the specific Colgate policy provision(s) alleged to have been violated); a description of the applicable hearing procedures; and the sanction or sanctions that could be imposed.

Prior to the hearing, the parties will submit to the hearing panel Chair and the Title IX Coordinator the names of all witnesses the party intends to call and a brief description of the subject(s) about which the party believes the witness has relevant information. The hearing panel Chair is in charge of organizing the presentation of information to be considered by the hearing panel. The Title IX Coordinator may assist the hearing panel Chair in organizing witnesses and testimony.

The hearing panel Chair will explain procedural ground rules prior to or at the outset of the proceeding, and the hearing panel Chair may impose additional ground rules as may be reasonably necessary for the orderly and efficient progress of the proceeding, all of which shall apply equally to all parties. Once the procedures are explained and the participants are introduced, the hearing panel Chair may call the investigator(s) to present the report of the investigation if the hearing panel Chair deems such a presentation to be necessary or desirable. The investigator(s) may be asked to respond to questions posed by the hearing panel Chair or hearing panel members. The findings of the investigation are not binding on the panel.

Formal rules of evidence will not apply. Any information that the hearing panel Chair determines is relevant and not otherwise excludable may be considered including hearsay, history and information indicating a pattern of behavior, and character evidence. All evidence previously made available to the parties for inspection and review prior to completion of the investigative report as described above will be made available at the hearing to give each party equal opportunity to refer to such evidence during the hearing, including for purposes of questioning. Absent extraordinary circumstances as determined by the hearing panel Chair, no party may seek to introduce at the hearing any new evidence not previously made available in connection with the investigation, other than the investigative report itself and any responses to the investigative report submitted by the parties. In considering whether to permit introduction of new evidence based on extraordinary circumstances, the hearing panel Chair may consider factors including but not limited to (a) the significance of the proposed evidence, and (b) the reason the evidence was not produced during the investigation. If the hearing panel Chair decides to admit new evidence on this basis, the hearing panel Chair may take such actions, if any (including adjournment or remanding the evidence to the investigator(s) for further investigation), as the hearing panel Chair deems advisable to enable the other party(ies) to respond to, and the hearing panel to understand, the meaning and implications of the evidence.

The hearing panel Chair will address any concerns regarding the consideration of information prior to and/or during the hearing and may prohibit the introduction of irrelevant or otherwise excludable information. Subject to the terms of these procedures, the Chair will have discretionary authority to determine all questions of procedure, to determine whether particular questions, evidence, or information will be accepted or considered (including whether a particular witness will or will not be called and, if called, the topic(s) that the witness or the parties will be permitted to address), to call breaks or temporary adjournments of the hearing, to determine the order of the proceedings, and/or to recall parties or witnesses for additional questions as the hearing panel Chair deems necessary or appropriate. Anyone appearing at the hearing to provide information will present and respond to questions on their own behalf and not through anyone else.

B. Advisers

Except with respect to questioning as described below, each party's adviser's role is limited to consulting with their advisee, and the adviser may not present evidence, address the hearing panel during the hearing, object to any aspect of the proceeding, or disrupt the hearing in any way, and any consultation with the advisee while the hearing is in progress must be done in a quiet, nondisruptive manner or in writing. The adviser may consult with the advisee verbally outside the hearing during breaks, when such breaks are granted by the hearing panel Chair. An adviser's questioning of the other party and any witnesses must be conducted in a respectful, non-harassing and non-abusive manner. If the hearing panel Chair determines that an adviser is not adhering to these or other ground rules, the adviser may be required to leave the hearing, and the hearing will proceed without an opportunity for the party to obtain a replacement adviser; provided, however, that the University will assign an adviser of the University's choosing, without charge, for the purpose of conducting questioning on behalf of the party as provided below.

C. Questioning Procedure

The hearing panel will permit each party's adviser to ask the other party and any witnesses all relevant questions and follow-up questions, including those challenging credibility; provided that questions that seek disclosure of information protected under a legally recognized privilege will not be permitted unless the person or entity holding the privilege has waived the privilege in writing. Questioning must be conducted by the party's adviser in a non-harassing and non-abusive manner, and never by a party personally. If a party does not have an adviser present at the hearing, the Title IX Coordinator will arrange for the University to provide, without fee or charge to that party, an adviser of the University's choice to conduct questioning on behalf of that party.

Only relevant questions may be asked by a party's adviser to a party or witness. Before the party or witness answers a question posed by an adviser, the hearing panel Chair will first determine whether the question is relevant and explain any decision to exclude a question. The hearing panel Chair will limit or disallow questions on the basis that they are irrelevant, unduly repetitious (and thus irrelevant), or harassing or abusive. The adviser posing the question may request that the hearing panel Chair reconsider any decision to exclude a question and the hearing panel Chair will render a final determination. Such decisions by the hearing panel Chair are not subject to further objection or reconsideration during the hearing. Questions that are unclear, or harassing or abusive of the party or witness being questioned, will not be permitted. The hearing panel Chair will give the adviser an opportunity to clarify or revise a relevant and not impermissible question that the hearing panel Chair determines is unclear, harassing, or abusive. If the adviser sufficiently clarifies or revises the question, the question may be asked.

Questions and evidence about the Complainant's sexual predisposition or prior sexual behavior are not relevant, other than questions and evidence about the Complainant's prior sexual behavior that (a) are offered to prove that someone

other than the Respondent committed the alleged misconduct, or (b) concern specific incidents of the Complainant's prior sexual behavior with respect to the Respondent and are offered to prove consent (for example, to demonstrate indicia of consent in previous encounters between the parties allegedly identical to purported indicia of consent in the incident in question).

D. Impact of Not Answering Permitted Questions
If a party or witness does not appear at the hearing, or attends but declines to respond to relevant and not impermissible questions, the hearing panel may nevertheless rely on statements of that party or witness, during the hearing or otherwise, in reaching a determination regarding responsibility, but may also determine what significance to afford those statements in view of the lack of questioning (for example, the hearing panel may choose to place less or no weight upon statements by a party or a witness who does not attend or refuses to respond to questions deemed relevant and not impermissible). The hearing panel will not, however, draw an inference as to responsibility based solely on a party's or witness's absence from the hearing or refusal to answer questions.

XI. FINDINGS OR ADMISSIONS OF RESPONSIBILITY/ NON-RESPONSIBILITY; SANCTIONS

Following conclusion of the hearing, the hearing panel will deliberate and render a determination by majority vote as to whether the Respondent is responsible or not responsible for the alleged violation(s). The hearing panel will use "preponderance of the evidence" as the standard of proof to determine whether each alleged violation occurred. "Preponderance of the evidence" means that the hearing panel must determine whether, based on the evidence presented, it is more likely than not that the Respondent engaged in the conduct charged in violation of University policy. A lack of preponderance does not necessarily mean that the Complainant has been dishonest or made a false Complaint, but rather that the weight of the evidence did not indicate that it was "more likely than not" that a violation occurred.

If the hearing panel determines that the Respondent is responsible for one or more of the allegations in question, it moves to a consideration of sanctions. To inform sanctioning decisions, if there is a finding of responsibility for one or more of the allegations, the Title IX Coordinator will share with the hearing panel the Respondent's prior disciplinary history, if any. In addition, consistent with the University's Procedures for Compliance with the NCAA Board of Governors Policy on Campus Sexual Violence (which contemplate the possibility that a finding of responsibility for sexual violence, interpersonal violence, or other acts of violence may result in limitations or prohibition on an individual's participation in intercollegiate athletics), the Title IX Coordinator will share with the hearing panel the Respondent's current status as a student-athlete, if any.

Each party may submit a written personal impact statement to the Title IX Coordinator for consideration by the hearing panel in determining an appropriate sanction if there is a finding of responsibility on one or more of the allegations. The parties may submit their statements anytime to the Title IX Coordinator prior to 72 hours after the administrative resolution meeting or hearing ends. In addition to the impact statement(s), if any, factors considered when determining sanctions may include:

1. The nature and severity of, and circumstances surrounding, the violation(s);
2. The Respondent's state of mind at the time of the violation(s) (intentional, knowing, bias-motivated, reckless, negligent, etc.);
3. The Respondent's previous disciplinary history (or lack thereof);
4. The need for sanctions to bring an end to the conduct and/or to prevent the future recurrence of similar conduct;
5. The need to remedy the effects of the conduct on the Complainant and/or the community;
6. The impact of potential sanctions on the Respondent;
7. Sanctions imposed by the University in other matters involving comparable conduct; and
8. Any other lawful factors deemed relevant by the hearing panel.

A. Student Sanctions
The following are the sanctions that may be imposed upon students or organizations:

1. Warning: A formal statement that the behavior was unacceptable and a warning that further infractions of any University policy, procedure, or directive will result in more severe disciplinary action.
2. Probation: A written reprimand for violation of the policy, providing for more severe disciplinary sanctions in the event that the student or organization is found in violation of any University policy, procedure, or directive within a specified period of time. Terms of the probation will be specified and may include denial of specified social privileges, exclusion from co-curricular activities, noncontact orders, and/or other measures deemed appropriate.
3. Suspension: Termination of student or organizational status for a definite period of time and/or until specific criteria are met. Students who return from suspension are automatically placed on probation through the remainder of their tenure at Colgate.
4. Expulsion: Permanent termination of student status or indefinite revocation of University recognition of organizational status.
5. Withholding Diploma: The University may withhold a student's degree and/or diploma for a specified period of time and/or deny a student participation in commencement activities.
6. Revocation of Degree: The University reserves the right to revoke a degree awarded from the University for fraud, misrepresentation, or other violation of University policies, procedures, or directives in obtaining the degree, or for other serious violations committed by a student prior to graduation.
7. Other Actions: In addition to or in place of the above sanctions, the hearing panel may assign any other sanctions as deemed appropriate, including but not limited to the following:
    a) Education, which can include counseling, so a student has the opportunity to gain more insight into their behavior.
    b) "No contact" directive (including but not limited to continuation of a no-contact directive imposed as a supportive measure): a prohibition against having contact with one or more identified persons, in person or through telephonic, electronic, written, or other means. A no-contact directive may include additional restrictions and terms.
    c) Apology: Requiring the student or organization to write a letter of apology to those involved.
    d) Campus or Community Service: Requiring unpaid service to the University or area community stated in terms of type and hours of service.
    e) Restitution: Reimbursement for damage to or misappropriation of property, or for personal injury, and other related costs.
    f) Housing-related sanctions:
        i) Loss, revocation, or restriction of privilege (e.g.,, exclusion from specified locations or alteration of status in the housing lottery or other selection system) to live in University housing.
        ii) Loss, revocation, or restriction of off-campus living privileges.

B. Employee Sanctions
Sanctions that may be imposed on employees include warning, required counseling as a condition of continued employment or return to employment, implementation of a performance improvement plan, loss of annual pay increase, demotion, suspension with pay, suspension without pay, termination, or other actions deemed appropriate.

C. Other Remedial Actions
In appropriate cases, the University may take other steps as may be necessary to correct the effects of or prevent further Prohibited Conduct (e.g.,, banning an individual from campus, changing housing assignments, arranging for the retaking of an exam, removal or reversal of a discriminatory performance evaluation, etc.).

D. Notice of Outcome
The parties will receive simultaneous written notification of the outcome of the hearing without a commitment to protect the confidentiality of the outcome. It shall be the decision of each party whether that party will disclose or discuss the outcome of any hearing or appeal. The notification will include the following information:

- A description of the allegations that were adjudicated;
- A description of the procedural steps taken from the submission of the formal Complaint through the determination, including notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held;
- Findings of fact supporting the determination;
- Conclusions regarding the application of the applicable policy provisions to the facts;
- A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions to be imposed on the Respondent, and whether remedies designed to restore or preserve equal access to the University's educational programs or activities will be provided to the Complainant; and
- The procedures and permissible bases for the Complainant and Respondent to appeal.

E. Conclusion of Process
The determination regarding responsibility becomes final either on the date that the University provides the parties with the written determination of the result of the appeal, if an appeal is filed consistent with the procedures and timeline outlined in "Appeals" or if an appeal is not filed, the date on which the opportunity to appeal expires.

Any sanctions imposed by the hearing panel will be stayed during the time to file an appeal and while an appeal by any party is pending. During any such stay, the University may provide supportive measures, and/or may implement an emergency removal if warranted.

XII. APPEALS

A. Grounds for Appeal; Submission Requirements
The Complainant or Respondent may appeal a decision to dismiss a Complaint or specific allegations in a Complaint, or the result of any formal hearing. All appeals must be submitted in writing within ten (10) calendar days of the delivery of the notice of dismissal or written findings of the hearing panel. Appeals in cases in which the Respondent is a student shall be submitted to an appellate panel composed of the Dean of the College and a PCRG member designated by the Title IX Coordinator. Appeals in cases in which the Respondent is a member of the faculty or staff shall be submitted to an appellate panel composed of the Provost and a PCRG member designated by the Title IX Coordinator (for faculty cases, the PCRG member will be a faculty member). Any party may appeal a decision, but only on the basis of one or more of the following grounds:

- A procedural irregularity that affected the outcome; or
- New evidence, not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome; or
- The Title IX Coordinator, investigator(s), or hearing panel member(s) had a conflict of interest or bias for or against an individual party, or for or against Complainants or Respondents in general, that affected the outcome; or

- Any sanction imposed is disproportionate to the nature or severity of the violation or violations.

Any appeal must include a clear statement of the nature of any claimed procedural irregularity or new information, or the basis of any claim of disproportionality. In the case of a claimed procedural irregularity or new evidence, the appeal must also include a statement of the likely impact of the claimed irregularity or new evidence.

B. Appeal Procedures

In the event of an appeal by any party, all parties and the hearing panel Chair shall be notified that the appeal has been submitted and shall have a reasonable opportunity to respond to the appeal in a manner determined by the appellate panel. The decision will be sustained if the appeal is not timely or is not made on the basis of one or more of the grounds listed above, or the appellate panel concludes that the grounds for appeal are not supported by the record as a whole. Any decision that is not appealed, or that is sustained on appeal, is final. The appellant shall have the burden of establishing, by a preponderance of the evidence, that one or more of the grounds for appeal are meritorious, and any party may also attempt to show that this burden has not been met.

Additional principles governing appeals are the following:

1) Because the appellate panel has not heard the evidence directly, deference must be given to the hearing panel on evidentiary matters and the appellate panel must sustain the decision unless one of the grounds for appeal listed above has been established.
2) In the event that the appellate panel determines that the appellant has met the burden of establishing that one or more grounds for appeal have merit, the appellate panel has discretion to take action consistent with that determination. That may include, without limitation, in the case of procedural error or new information, remanding the case in whole or in part to the original hearing panel, remanding the case in whole or in part to a new hearing panel, and, in the case of disproportionality of a sanction, modifying that sanction as appropriate.
3) Once an appeal of a case is concluded, no further appeals are allowed, except to the extent that one or more parties seek review of proceedings ordered by the appellate panel on remand.

Both parties will receive simultaneous written notice of the outcome of any appeal, including the finding on each ground for appeal, the rationale for each finding, and any specific instructions for further proceedings (if applicable) and/or other actions taken by the appellate panel. Once the appeals process is complete, the result is final and is not subject to further review or appeal under other Colgate University policies or procedures.

XIII. WITHDRAWAL WHILE CHARGES PENDING

The University reserves the right to not permit a student to withdraw, and to place a hold on the release of a student's transcript, if that student has an investigation or charges against them pending under these procedures. Additionally, the University reserves the right to add a transcript notation to a Respondent's transcript if they have allegations pending under these procedures. These are not disciplinary sanctions, but are intended to facilitate an equitable resolution of the process.

Should a student Respondent decide to withdraw from the University and not participate in the investigation and/or hearing, the University may opt to proceed in absentia to a resolution and that student will not be permitted to return to Colgate unless all levied sanctions (if any) have been satisfied. If a student withdraws while subject to a Complaint, investigation or charges based upon alleged Prohibited Conduct constituting a crime of violence that the University is required by federal law to include in its Annual Security Report, the transcript of the student shall include the notation "Withdrew with conduct charges pending."

Should an employee resign while an investigation or charges against them are pending under these procedures, the personnel records of that employee will reflect that status. As may be necessary and appropriate, the Title IX Coordinator may continue to address and remedy any systemic issues, variables that contributed to the alleged violation(s), and any ongoing effects of the conduct upon the victim and the community.

XIV. BIAS/CONFLICT OF INTEREST

The Title IX Coordinator, investigator(s), and decision-makers are prohibited from having a conflict of interest or bias for or against Complainants or Respondents. The Title IX Coordinator, investigator(s), and decision-makers will receive annual training to ensure they understand and are free of bias and do not have a conflict of interest when responding to a Complaint. The Title IX Coordinator, investigator(s), and decision-makers will receive annual training to ensure a prompt and equitable resolution process that explicitly addresses how these roles are to serve impartially, including by avoiding prejudgment of the facts at issue, and requiring a presumption that the Respondent is not responsible for the allegations being investigated until the matter is adjudicated.

In the event that any person assigned a role pursuant to these procedures is aware of any relationship, fact, circumstance, or occurrence that they reasonably believe creates or constitutes bias or a conflict of interest that would render them incapable of performing the role in an impartial manner, that person shall identify the bias or conflict of interest to the Title IX Coordinator at the earliest practicable time. Similarly, any Complainant or Respondent who objects to the participation of any person assigned a role pursuant to these procedures based upon bias or a conflict of interest shall identify the conflict of interest to the Title IX Coordinator at the earliest practicable time. The Title IX Coordinator will determine whether bias or a conflict of interest in fact exists and necessitates replacement of the person in question.

XV. RECORDS

In implementing these procedures, the Title IX Coordinator will maintain for a period of not less than seven years records of:

1. Each investigation pursuant to this Policy, including any determination regarding responsibility and any audio or audiovisual recording or transcript made in connection with a formal resolution, any disciplinary sanctions imposed on the Respondent, and any remedies provided to the Complainant or other affected individuals designed to restore or preserve equal access to the University's education program or activity;
2. Any appeal and the result therefrom;
3. Any informal resolution process and the result therefrom; and
4. Any materials used to train the Title IX Coordinator, investigators, decision-makers, and any person who facilitates an informal resolution process. The University will make these training materials available on the Colgate University Website.

In addition, for each report of potential Prohibited Conduct made to the Title IX Coordinator, the University will create records of any actions, including any supportive measures, taken in response to a report or Complaint of Prohibited Conduct. In each instance, the University will document the reason for actions taken, and document that it has taken measures designed to restore or preserve equal access to its education program or activity. If the University does not provide a party with requested supportive measures, then the University will document the reasons for that decision. The University will maintain these records.

Access to the records (other than training materials) will be made available only on a need-to-know basis or as required by law. Except as required by law, no public release of the content of such records may be made until a final determination is made (i.e., when no appeal of the decision is sought, or in the event of an appeal, when the decision of the appellate panel is communicated to the parties). Any such release shall only be made in accordance with any applicable Colgate policy and federal and state laws.

XVI. TRANSCRIPT NOTATIONS

Students found responsible after a formal resolution process and suspended or expelled will have a notation included on their transcript stating, "Suspended after a finding of responsibility for a code of conduct violation" or "Expelled after a finding of responsibility for a code of conduct violation." Upon the written request of the suspended student, transcript notations for suspensions imposed under these procedures may be removed at the discretion of the University Registrar in consultation with the Title IX Coordinator, but no earlier than one year after the conclusion of the suspension. Transcript notations for expulsion shall not be removed.

While a formal resolution process is pending, the Respondent's transcript may contain the notation, "conduct process pending." This is not a disciplinary sanction, but is intended to facilitate an equitable resolution of the process.

XVII. STUDENT BILL OF RIGHTS

Pursuant to New York Education Law Article 129-B, all students have the right to:

1. Make a report to local law enforcement and/or state police.
2. Have disclosures of domestic violence, dating violence, stalking, and sexual assault treated seriously.
3. Make a decision about whether or not to disclose a crime or violation and participate in the judicial or conduct process and/or criminal justice process free from pressure by Colgate.
4. Participate in a process that is fair, impartial, and provides adequate notice and a meaningful opportunity to be heard.
5. Be treated with dignity and to receive from the University courteous, fair, and respectful health care and counseling services, where available.
6. Be free from any suggestion that the Complainant is at fault when these crimes and violations are committed, or should have acted in a different manner to avoid such crimes or violations.
7. Describe the incident to as few institutional representatives as practicable and not be required to unnecessarily repeat a description of the incident.
8. Be protected from retaliation by Colgate, any student, the accused and/or the Respondent, and/or their friends, family, and acquaintances within the jurisdiction of the University.
9. Access at least one level of appeal of a determination.
10. Be accompanied by an adviser of choice who may assist and advise a Complainant, accused, or Respondent throughout the judicial or conduct process including during all meetings and hearings related to such process.
11. Exercise civil rights and practice of religion without interference by the investigative, criminal justice, or judicial or conduct process of Colgate.

A Complainant has the right:

1. To be treated with respect by University officials.
2. To experience a safe living, educational, and work environment.
3. To take advantage of campus support resources (such as Haven, Counseling & Psychological Services, the Office of the Chaplains, and University Health Services for students, or EAP services for employees), and to receive courteous, fair, and respectful treatment.
4. To decline to have an allegation resolved through informal resolution procedures.
5. To receive amnesty for minor student misconduct (such as minor alcohol violations) that is ancillary to the incident.
6. To attend in person or via videoconference any hearing in which the Complainant is bringing the charge and

to be situated in a different room from the Respondent during the hearing if so desired.
7. To receive written notification of the outcome/resolution of the Complaint, including a statement detailing the factual findings supporting the determination and the rationale for the sanction imposed.
8. To have Complaints heard in substantial accordance with these procedures.

A Respondent has the right:

1. To be treated with respect by University officials.
2. To experience a safe living, educational, and work environment.
3. To take advantage of campus support resources (such as Counseling & Psychological Services, the Office of the Chaplains, and University Health Services for students, or EAP services for employees), and to receive courteous, fair, and respectful treatment.
4. To refuse to have an allegation resolved through informal resolution procedures.
5. To receive amnesty for minor student misconduct (such as minor alcohol violations) that is ancillary to the incident.
6. To attend in person or via videoconference any hearing in which the Respondent is charged and to be situated in a different room from the Complainant during the hearing if so desired.
7. To receive written notification of the outcome/ resolution of the Complaint, including a statement detailing the factual findings supporting the determination and the rationale for the sanction imposed.
8. To have complaints heard in substantial accordance with these procedures.

XVIII. TRAINING REQUIREMENTS

The University will ensure that all employees receive annual training on:

- The University's obligation to address Prohibited Conduct in its education program or activity;
- The scope of conduct that constitutes Prohibited Conduct under Title IX and University policy, including the definition of Sex-Based Harassment; and
- All applicable notification and information requirements with respect to reports of Prohibited Conduct and when an employee is informed that a student is pregnant or experiencing a pregnancy-related condition.

The University will ensure that the Title IX Coordinator, investigators, decision-makers, and any person who facilitates an informal resolution process or has the authority to modify or terminate supportive measures, receive training on the following aspects of the policy:

- The University's obligations to respond to under Title IX and other relevant laws;
- The University's formal and informal resolution processes;
- The meaning and application of the term "relevant" in relation to questions and evidence, and the types of evidence that are impermissible regardless of relevance in the formal resolution process;
- The effects of trauma;
- How to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias; and
- The rights of the Respondent (including the right to a presumption that the Respondent is "not responsible" until a finding of responsibility is made).

The University will ensure that decision-makers also receive training on:

- Any technology to be used at a live hearing, and
- Issues of relevance and impermissibility of questions and evidence, including when questions and evidence about the Complainant's sexual predisposition or prior sexual behavior are not permissible.

The University will ensure that individuals who facilitate an informal resolution process also receive training on:

- The rules and practices associated with the University's informal resolution process and on how to serve impartially, including by avoiding conflicts of interest and bias.
- The University will ensure that investigators also receive training on: conducting investigations of Prohibited Conduct, and issues of relevance and how to create an investigative report that fairly summarizes relevant evidence.

STUDENT PREGNANCY AND/OR RELATED CONDITIONS POLICY

This policy applies to conduct that occurs on Colgate's campus or property and all Colgate education programs and sponsored activities and may apply to off-campus conduct where the alleged conduct is subject to the University's disciplinary authority. This policy and its pregnancy-related protections apply to all pregnant individuals, regardless of gender identity or expression.

If a student who is pregnant or experiencing a pregnancy-related condition has a disability as defined in Section 504 of the Rehabilitation Act of 1973 (Section 504) or the Americans with Disabilities Act of 1990 (the ADA), the student is protected from discrimination under Section 504 and the ADA, as applicable, whether or not the disability is related to pregnancy. If a student is seeking 504 adjustments/accommodations and services, the student must contact the Office of Student Disability Services (OSDS). An employee may have similar adjustment/ accommodation options under the PUMP Act, the Pregnant Workers Fairness Act (PWFA), Title VII of the Civil Rights Act of 1964 (Title VII), and the Americans with Disabilities Act (ADA).

If a student believes they have been discriminated against due to pregnancy or a related condition, the student may file a Complaint with the Title IX Coordinator. The University will use procedures under the Student Sexual/Gender-Based Misconduct Policy to address the alleged discrimination.

I. DEFINITIONS

A.Parental Status: The status of a person who is a parent, legal custodian, guardian, or in loco parentis of a person under 18 or over 18 if incapable of self-care due to disability.

B. Marital Status: The state of being married or unmarried.

C. Pregnancy and Related Conditions: Includes pregnancy, childbirth, termination of pregnancy, lactation, related medical conditions, and recovery.

D. Reasonable Modifications: Modifications to policies, practices, or procedures that do not fundamentally alter the University's education programs or activities.

II. INFORMATION-SHARING REQUIREMENTS

A student who is pregnant or has a related condition, or a person with the legal authority to act on behalf of a student, may contact the Title IX Coordinator directly to discuss reasonable modifications to prevent discrimination and ensure access to the University's educational programs and activities.

III. REASONABLE MODIFICATIONS FOR STUDENTS

Students experiencing pregnancy and related conditions are entitled to Reasonable Modifications to ensure equal access to education programs and activities. These may include changes to schedules, assignments, and course requirements.

Students seeking Reasonable Modifications must contact the Title IX Coordinator to discuss their needs. Modifications will be determined based on individual needs and may include alternative paths to completion for clinical rotations, performances, labs, and group work. In progressive curricular and cohort-model programs, medically necessary leaves may allow students to shift course order or join subsequent cohorts.

Supporting documentation may be required when necessary to determine appropriate modifications. Information about modifications will be shared with faculty and staff only as necessary.

IV. CERTIFICATION TO PARTICIPATE

Health and safety risks related to participation in activities will be communicated to all students. A student experiencing pregnancy or related conditions cannot be required to provide health certification unless the same certification is required of all students and it is necessary for participation.

V. RIGHTS OF EMPLOYEES AND STUDENT EMPLOYEES TO EXPRESS BREAST MILK

The University will provide 30 minutes of paid break time as needed for up to three years following childbirth. Student employees must provide written notice of their need for breast milk expression to the Office of Human Resources or the Title IX Coordinator. Additional unpaid time beyond the 30 minutes may be taken using existing paid break or meal time.

The University will not deduct a student employee's paid break time for breast milk expression from their regular paid break or meal time. Student employees can choose to take breast milk expression breaks before or after their regularly scheduled paid break or meal periods.

VI. LACTATION SPACE ACCESS

The University provides students with access to functional, appropriate, and safe lactation spaces. These spaces are regularly cleaned, shielded from view, and free from intrusion.

Students wishing to request a lactation room must provide reasonable advance notice and submit a written request to the Office of Human Resources or the Title IX Coordinator. The University will respond within five business days and notify the student in writing when a room is designated for breast milk expression.

If a student's request for a lactation room poses an undue hardship, the University will engage in a cooperative dialogue with the student.

Lactation spaces are located in Room 460 in Case-Geyer Library. To access the space, you can request the key from the main desk at the library.

VII. LEAVES OF ABSENCE

A. Students

Students may take a voluntary leave of absence for a reasonable time deemed medically necessary due to pregnancy, childbirth, adoption, or foster care placement. The leave term may be extended for extenuating circumstances or medical necessity. Students can elect to keep their health insurance coverage and continue residing in University housing, subject to applicable fees.

1) The University will ensure students return to the same academic progress position, including access to the same or equivalent course catalog. Scholarship and funding continuation will depend on the student's registration status and funding program policies. The University will advocate for students with financial aid agencies and external scholarship providers if a leave affects eligibility.

2) To initiate a leave of absence, students must contact the Title IX Coordinator at least 30 days prior or as soon as practicable. The Title IX Coordinator will assist with necessary paperwork.

VIII. STUDENT PARENTS

Students with child caretaking responsibilities may request academic modifications for up to six months from the time of the child's arrival in the home. Extensions may be granted for medical necessity or extraordinary caretaking responsibilities.

During the modification period, academic requirements may be adjusted, and deadlines postponed as appropriate, in collaboration with academic affairs personnel (including relevant academic advisers and faculty). Students may reschedule assignments, lab hours, examinations, or reduce their course load once authorized.

If caretaking students cannot obtain appropriate modifications, they should alert the Title IX Coordinator, who will facilitate needed accommodations and modifications.

In timed degree programs, students can request extensions for preliminary and qualifying examinations and normative time to degree while in candidacy. Longer extensions may be granted in extenuating circumstances.

Students will remain registered and retain benefits during academic modifications.

IX. SUPPORTIVE RESOURCES

A. Confidential Support for Students

Any student who is pregnant or has a related condition or is experiencing sex discrimination based on their pregnancy or related condition is encouraged to understand their options and to seek emotional and physical support.

The support options listed below are confidential, meaning they will keep a student's information confidential, including from Title IX Administrators, unless you give them explicit written permission to share your information. Students may contact:

1) Confidential, On-Campus Support

- Counseling and Psychological Services, located at Conant House, 315-228-7385 or for an after-hours emergency, call campus safety at 315-228-7333 and ask to speak with the counselor on-call.
- Student Health Services, 140 Broad Street, 315-228-7750.
- Office of the Chaplains, located on the garden level of the Memorial Chapel, 315-228-7682.

2) Confidential, Off-Campus Support

- Community Memorial Hospital, 315-824-1100, 150 Broad Street, Hamilton, NY.
- The New York State Department of Health - Women's Health website: for more information, see: https://www.health.ny.gov/community/adults/women/
- Your own medical or mental health provider.

B. Nonconfidential Resources for Students

Any student who is pregnant or has a related condition or is experiencing sex discrimination based on their pregnancy or related condition is encouraged to understand their options and seek resources. The below resources are private but not confidential, meaning that they may share information you disclose, but only on a need-to-know basis, with other University officials and offices to prevent sex discrimination and to identify and provide reasonable modifications. Students may contact:

Nonconfidential, On-Campus Resources:

- The Office of Equity and Diversity
  102 Lathrop Hall
  Colgate University
  13 Oak Drive
  Hamilton, NY 13346
  315-228-6161
- Title IX Coordinator
  The Office of Equity and Diversity
  102 Lathrop Hall
  Colgate University
  13 Oak Drive
  Hamilton, NY 13346
  315-228-6161
  TitleIX@colgate.edu
- Director for Diversity and Equity
  Associate Provost for Equity and Diversity
  The Office of Equity and Diversity
  102 Lathrop Hall
  Colgate University
  13 Oak Drive
  Hamilton, NY 13346
  315-228-6161
  directorDE@colgate.edu
- Any Prohibited Conduct Resource Group (PCRG) member
- Any Discrimination and Harassment Team (DHT) member

X. PARENTAL, FAMILIAL, OR MARITAL STATUS

Colgate University will not adopt or implement any policy, practice, or procedure concerning the current, potential, or past parental, familial, or marital status of a student or applicant that treats a person differently on the basis of sex.

Any student or applicant who believes they have been discriminated against due to their parental, familial, or marital status is encouraged to understand their reporting and confidential support options. Please see the confidential, on-campus support options and the on-campus nonconfidential resources listed in the Pregnancy and/or Related Conditions section of the policy to learn whom to contact to learn more about your support and resource options.

ONGOING EDUCATION AND AWARENESS PROGRAMS

Colgate University engages in comprehensive, intentional, and integrated programming, initiatives, strategies, and campaigns that are intended to end dating violence, domestic violence, sexual assault, and stalking, and that:

- Are culturally relevant; inclusive of diverse communities and identities; sustainable; responsive to community needs; and informed by research, or assessed for value, effectiveness, or outcome; and
- Consider environmental risk and protective factors as they occur on the individual, relationship, institutional, community, and societal levels.

Educational programming consists of primary prevention and awareness programs for all incoming students and new employees and ongoing awareness and prevention campaigns for students and employees that:

a. Identify domestic violence, dating violence, sexual assault, and stalking as prohibited conduct;
b. Define, using definitions provided both by the United States Department of Education as well as state law, what behavior constitutes domestic violence, dating violence, sexual assault, and stalking;
c. Define what behavior and actions constitute consent to sexual activity in the state of New York and/or using the definition of consent found in the University Student Non-discrimination, Anti-Harassment, and Sexual Misconduct Policy if state law does not define consent;
d. Provide a description of options for bystander intervention. Bystander intervention means safe and positive actions that may be carried out by an individual or individuals to prevent harm or intervene when there is a risk of dating violence, domestic violence, sexual assault, or stalking. Bystander intervention includes recognizing situations of potential harm, understanding institutional structures and cultural conditions that facilitate violence, overcoming barriers to intervening, identifying safe and effective intervention options, and taking action to intervene;
e. Offer information on risk reduction. Risk reduction means options designed to decrease perpetration and bystander inaction, and to increase empowerment for victims in order to promote safety and to help individuals and communities address conditions that facilitate violence;
f. Provide an overview of information contained in the Annual Security & Fire Safety Report in compliance with the Clery Act.

The University has developed an annual educational campaign consisting of presentations that include distribution of educational materials to new students, and participating in and presenting information and materials during new employee orientation.

THE UNIVERSITY OFFERED THE FOLLOWING PRIMARY PREVENTION AND AWARENESS PROGRAMS FOR NEW STUDENTS IN 2025:

Name of Program	Date Held	Location Held / Presenter	Prevention / Awareness Program Training Topic
Connection, Tension & Building Community	9/26/2025 & 10/3/2025	Various Locations	Build communication skills and strategies for navigating tension and building community within and around Colgate's campus
From Policy to Practice	8/25/2025	Various Locations	Review of Office of Equity and Diversity policies and guidelines for living in community
Belonging at Colgate	8/25/2025	O'Connor Campus Center	Review of Office of Equity and Diversity policies and guidelines for living in community
Diversity and Inclusion Training	8/25/2025	Virtual Programming	Review of strategies for engaging more deeply with one another as a new community member to Colgate University.
In Dialogue	8/25/2025	Across Campus - Facilitated in Orientation Groups by Orientation Leaders	Student leader led training designed by the Office of Equity and Diversity
Healthy Relationships	8/5/2025	O'Connor Campus Center	Recognition of healthy and unhealthy relationships, a presentation for students in the office of undergraduate scholars program
Health and Wellness Services	8/22/2025	Benton Hall	Reviewed Health and Wellness services with new international students
Consent: Sexual Assault Prevention Programming	8/22/2025	O'Connor Campus Center	Reviewed Haven services, consent and boundaries with new international students
Ending Sexual Violence Awareness Program	8/26/2025	Various Locations	Provide education training about domestic violence, dating violence, sexual assault, sexual violence, and stalking.
Campus Tour for First@Colgate	8/21/2025	Haven - Curtis Hall	Health and wellness staff facilitated a tour of the different departments for students participating in First@ Colgate programs. Provide a brief introduction of Haven services, the office spaces and how to connect with Haven staff. Topics included domestic violence, dating violence, sexual assault/sexual violence, and stalking

AOD, DoV, DaV, SA/SV & S*
*AOD means alcohol and other drugs, DoV means domestic violence; DaV means dating violence; SA means sexual assault; SV means sexual violence; and S means stalking.

THE UNIVERSITY OFFERED THE FOLLOWING PRIMARY PREVENTION AND AWARENESS PROGRAMS FOR NEW EMPLOYEES IN 2025:

Name of Program	Date Held	Location Held / Presenter	Prevention / Awareness Program Training Topic
Human Resources Policy Review	9/3/2025	Case Geyer-Batza Room	Non-Discrimination and Anti-Harassment Policies and HR Workplace Policies
Human Resources Policy Review	4/22/2025	Case Geyer-Batza Room	Non-Discrimination and Anti-Harassment Policies and HR Workplace Policies
Dean of the College Divison: New Staff Orientation	10/22/25	Lathrop Hall	Reviewed health and wellness services with new employees, which included Haven services
New Faculty Orientation	8/21/25	Case Geyer-Batza Room	Reviewed health and wellness services with new employees, which included Haven services
New Hire Orientation	9/3/25	Case Geyer-Batza Room	Reviewed health and wellness services with new employees, which included Haven services
Dean of the College Divison: New Staff Orientation	1/29/25	Lathrop Hall	Reviewed health and wellness services with new employees, which included Haven services
Dean of the College Divison: New Staff Orientation	3/19/25	Lathrop Hall	Reviewed health and wellness services with new employees, which included Haven services

AOD, DoV, DaV, SA/SV & S*
*AOD means alcohol and other drugs, DoV means domestic violence; DaV means dating violence; SA means sexual assault; SV means sexual violence; and S means stalking.

THE UNIVERSITY OFFERED THE FOLLOWING PRIMARY PREVENTION AND AWARENESS PROGRAMS FOR ALL STUDENTS IN 2025:

Name of Program	Date Held	Location Held / Presenter	Prevention / Awareness Program Training Topic
New Member Orientation	10/5/2025	The Hall of Presidents - James C. Colgate Hall	Hazing prevention education and reporting resources
National Hazing Prevention Week Tabling	9/23/2025	O'Connor Campus Center	Awareness week: tabling in the student center with information about hazing prevention and reporting resources
National Hazing Prevention Week Tabling	9/24/2025	O'Connor Campus Center	Awareness week: tabling in the student center with information about hazing prevention and reporting resources
National Hazing Prevention Week Tabling	9/25/2025	O'Connor Campus Center	Awareness week: tabling in the student center with information about hazing prevention and reporting resources
President's Roundtable	4/22/2025	O'Connor Campus Center	Recruitment roundtable for chapter leaders. Hazing prevention and reporting information shared
Safe Zone 2.0 Training	1/17/2025	Persson Hall - Room 006	Provide education about trans, non-binary and intersex experiences
Colgate Trans Day of Awareness: Access to Care and Medical Challenges That Trans Individuals Face Today	2/5/2025	East Hall - Women's, Gender, and Sexuality Studies Department	A panel discussion about access to trans care.
Sex, Sexuality and Unicorns Training	8/22/2025	Ho Science Center - Room 101	An educational training for orientation leaders on intersectionality of gender, gender identity, and sexuality
Sex Museum	9/24/2025	O'Connor Campus Center	An educational program that addresses various aspects and sexuality through multiple activities.
Understanding the Impacts of LGBTQIA+ Religious Trauma: When Authoritarian Religion Tries to Erase Sexual Orientation and Gender Identity	10/9/2025	East Hall - Women's, Gender, and Sexuality Studies Department	A licensed psychotherapist, Kit Morgan, held a conversation on how religious trauma manifests itself among LGBTQ+ individuals.
Conscious Conversations: LGBTQ+ Community	10/16/2025	East Hall - Women's, Gender, and Sexuality Studies Department	A conversation around culture and its manifestations in LGBTQ+ community
Trauma-Informed Training for New Residential Community Leaders	1/15/25	Office of Residential Life, Drake Hall	Provide education training about trauma and how to support others in a trauma-informed way including information about domestic violence, dating violence, sexual assault/sexual violence, and stalking
Trauma-Informed Training for Summer Community Leaders	5/20/25	Haven - Curtis Hall	Provide education training about trauma and how to support others in a trauma-informed way including information about domestic violence, dating violence, sexual assault/sexual violence, and stalking
Community Leaders & Orientation Leaders Training	8/19/25	Olin Hall - Love Auditorium	Provide education training about trauma and how to support others in a trauma-informed way including information about domestic violence, dating violence, sexual assault/sexual violence, and stalking
Ending Sexual Violence Orientation Review with Orientation Group Leaders	8/21/25	Ho Science Center - Room 101	Provide education training about trauma and how to support others in a trauma-informed way including information about domestic violence, dating violence, sexual assault/sexual violence, and stalking
Club Sport Fair	8/28/25	Whitnall Field	Provide introduction to services information to students who stopped by Haven table (e.g., sexual violence prevention, awareness, and resources).
Haven Open House	9/30/25	Haven - Curtis Hall	Provide introduction to services information to students who stopped by Haven table (e.g., sexual violence prevention, awareness, and resources).
Domestic Violence Awareness 3K Color Run	10/1/25	Whitnall Field	Provide introduction to services information to students who stopped by Haven table (e.g., sexual violence prevention, awareness, and resources).

CONTINUED

THE UNIVERSITY OFFERED THE FOLLOWING PRIMARY PREVENTION AND AWARENESS PROGRAMS FOR ALL STUDENTS IN 2025:

Name of Program	Date Held	Location Held / Presenter	Prevention / Awareness Program Training Topic
Training for Gamma Phi Beta (GPB)	10/2/25	Haven Group Room, Curtis Hall	Provide education training to Gamma Phi Beta leadership, about trauma and how to support others in a trauma-informed way including information about domestic violence, dating violence, sexual assault/sexual violence, and stalking
Seeing Red	10/6/25	O'Connor Campus Center	Conducting tabeling to improve recognition of healthy and unhealthy relationships
Open Campus Trauma Informed Training	10/8/25	Haven, Curtis Hall	Provide education training about trauma and how to support others in a trauma-informed way; information about domestic violence, dating violence, sexual assault/sexual violence, and stalking
Block by Block	10/8/25	Women's Study Lounge	Improving recognition of healthy and unhealthy relationships
Wear Purple Day	10/16/25	Across Campus	Domestic violence prevention, awareness, and resources
Conscious Conversations with LGBTQ+ Initiatives	10/16/25	Women's, Gender, and Sexuality Studies - East Hall	Domestic violence prevention, awareness, and resources
Faith & Boundaries	10/16/25	Memorial Chapel Basement	Domestic violence prevention, awareness, and resources
Let's Talk: Office of Undergraduate Studies Brown Bag	10/17/25	Haven Curtis Hall Office	Engaged first generation students in different prevention topics including information about domestic violence, dating violence, sexual assault/sexual violence, and stalking
Office of Fraternity and Sorority Advising - President's Roundtable	10/21/25	O'Connor Campus Center	Provide introduction to services information to student leader of greek organizations including information about sexual violence, prevention, awareness, and resources.
Africana, Latin, Asian, and Native American (ALANA) Thrive Dinner	10/21/25	ALANA Cultural Center	Domestic violence prevention, awareness, and resources
Survivor Speak Out	10/22/25	Haven - Curtis Hall	Domestic violence prevention, awareness, and resources
Healing Through the heARTS	10/23/25	Office of Residence Life - Drake Hall	Domestic violence prevention, awareness, and resources
Let's Talk Office of International Student Services Brown Bag	10/31/25	Office of International Student Services - McGregory Hall	Engaged international students in different prevention topics including information about domestic violence, dating violence, sexual assault/sexual violence, and stalking
Let's Talk Office of International Student Services Brown Bag	9/15/25	Office of International Student Services - McGregory Hall	Engaged international students in different prevention topics including information about domestic violence, dating violence, sexual assault/sexual violence, and stalking
Tabling in the O'Connor Campus Center - Sorority Bake Sale	10/26/25	O'Connor Campus Center	Haven Ambassadors informed students of services, and engaged students in various activities on the prevention of domestic violence, dating violence, sexual assault/sexual violence, stalking and raised funds for local domestic violence program
Sisters of the Round Table - Breaking Event	10/27/25	Haven - Curtis Hall	Domestic violence prevention, awareness, and resources
Halloween Student Government Association & Campus Safety event	10/29/25	Academic Quad	Domestic violence prevention, awareness, and resources

CONTINUED

THE UNIVERSITY OFFERED THE FOLLOWING PRIMARY PREVENTION AND AWARENESS PROGRAMS FOR ALL STUDENTS IN 2025:

Name of Program	Date Held	Location Held / Presenter	Prevention / Awareness Program Training Topic
Wellness Advocates	11/5/25	Huntington Gym - Wooster Room	Engaged wellness advocates in a discussion on healthy and unhealthy relationships, including information about domestic violence, dating violence, sexual assault/sexual violence, and stalking
Serenity: A Wellness Experience	11/11/25	Haven - Curtis Hall	Domestic violence prevention, awareness, and resources
Student Athlete Advisory Committee Meeting	11/17/25	Online Synchonous training	Engaged Student Athlete Advisory Committee in a discussion on healthy and unhealthy relationships, including information about domestic violence, dating violence, sexual assault/sexual violence, and stalking
Let's Talk: Office of Undergraduate Studies Brown bag	11/21/25	Haven - Curtis Hall	Engaged first generation students and visitors in different prevention topics, including information about domestic violence, dating violence, sexual assault/sexual violence, and stalking
Stalking Awareness Brown Bag	1/28/2025	Women's, Gender, and Sexuality Studies - East Hall	Domestic violence prevention, awareness, and resources
Tabling in the O'Connor Campus Cente - Valentine's Day Candy Gram	2/10/2025	O'Connor Campus Center	Haven Ambassadors informed students about services, and engaged students in various activities, including information about domestic violence, dating violence, sexual assault/ sexual violence, and stalking
Self Defense Class with PE & Recreation	2/6/2025	Huntington Gym - Room 223	Domestic violence prevention, awareness, and resources
Tabling in the O'Connor Campus Center	3/3/2025	O'Connor Campus Center	Haven Ambassadors informed students of services, and engaged students in various activities; information about domestic violence, dating violence, sexual assault/sexual violence, and stalking
Office of Undergraduate Studies Let's Talk Brown Bag	3/25/2025	OUS House	Engaged first generation students and visitors in different prevention topics and engaged students in various activities, including information about domestic violence, dating violence, sexual assault/sexual violence, and stalking
Tabling in the O'Connor Campus Center	3/31/2025	O'Connor Campus Center	Haven Ambassadors informed students about services, and engaged students in various activities including information about domestic violence, dating violence, sexual assault/ sexual violence, and stalking
Intro to Haven's Services - Sociology Class	3/31/2025	Haven - Curtis Hall	Provide introduction to services infromation to Sociology students on sexual violence prevention, awareness, and resources
Sexual Assault Awareness Month Day of Action - Wear Teal Day	4/1/2025	Across Campus & on Social Media	Awareness Day: Cross-campus promotion of sexual violence resources and prevention education
Open Campus Trauma Informed Training	4/1/2025	Haven - Curtis Hall	Provide education training about trauma and how to support others in a trauma-informed way, including information about domestic violence, dating violence, sexual assault/sexual violence, and stalking
Senate Speak	4/1/2025	Haven - Curtis Hall	Sexual violence prevention, awareness, and resources
Yes Means Yes - Event Sneak Peek	4/3/2025	O'Connor Campus Center	Yes Means Yes offers students the oppertunity to engage in honest discussion on topics of positive sexuality in an attempt to destigmatize and encourage conversation about sex, pleasure, a healthy sexual climate on campus, combating sexual violence, the way different identities interact with sex and sexuality

CONTINUED

THE UNIVERSITY OFFERED THE FOLLOWING PRIMARY PREVENTION AND AWARENESS PROGRAMS FOR ALL STUDENTS IN 2025:

Name of Program	Date Held	Location Held / Presenter	Prevention / Awareness Program Training Topic
Reclaiming power: healing with boxing	4/8/2025	Huntington Gym	Sexual violence prevention, awareness, and resources
Pieces of Strength: Mosaic Making	4/9/2025	Haven - Curtis Hall	Sexual violence prevention, awareness, and resources
Beyond Stereotypes	4/9/2025	Haven - Curtis Hall	Sexual violence prevention, awareness, and resources
Tabling in the O'Connor Campus Center	4/14/2025	O'Connor Campus Center	Haven Ambassadors informed students of services, and engaged students in various activities, including information about domestic violence, dating violence, sexual assault/ sexual violence, and stalking
Teal Graduation	4/15/2025	Haven - Curtis Hall	Sexual violence prevention, awareness, and resources
Consent Carnival	4/16/2025	O'Connor Campus Center	Sexual violence prevention, awareness, and resources
Survivor Speak Out and Take Back the Night	4/21/2025	Women's, Gender, and Sexuality Studies / Walk around campus	Awareness Day: Cross-campus promotion of sexual violence resources and prevention education
Office of International Student Services Let's Talk Brown Bag	4/25/2025	Office of International Student Services	Engaged international students and visitors in different prevention topics, including information about domestic violence, dating violence, sexual assault/sexual violence, and stalking
Reproductive Health and Justice Brown Bag	4/9/2025	Haven - Curtis Hall	Sexual violence prevention, awareness, and resources
Tabling in the O'Connor Campus Center	4/28/2025	O'Connor Campus Center	Haven Ambassadors informed students of services, and engaged students in various activities, information about domestic violence, dating violence, sexual assault/sexual violence, and stalking
Tabling in the O'Connor Campus Center	2/24/2025	O'Connor Campus Center	Haven Ambassadors informed students of services, and engaged students in various activities; information about domestic violence, dating violence, sexual assault/sexual violence, and stalking
Office of International Student Services: Let's Talk Brown Bag	3/28/2025	Office of International Student Services	Engaged international students and visitors in different prevention topics, including information about domestic violence, dating violence, sexual assault/sexual violence, and stalking
Office of Undergraduate Studies: Let's Talk Brown Bag	4/22/2025	OUS House	First generation students and visitors in different prevention topics, including information about domestic violence, dating violence, sexual assault/sexual violence, and stalking
Denim Day	4/24/2025	Virtual Social Media Event	Awareness Day: Cross-campus promotion of domestic violence resources and prevention education
In Dialogue	10/8/25	Persson Auditorium	Gamma Phi Beta training for improving community relations and engagement with one another.
In Dialogue	11/10/25	Golden Auditorium	Kappa Kappa Gamma training for improving community relations and engagement with one another.
Athletic Legacy	11/20/25	Huntington Gym, Room 301	Poms team training for discussing the communication skills and mindset that lead towards a winning, successful team culture.
Athletic Legacy	1/16/25	Class of 1965 Arena	Women's Ice Hockey training for discussing the communication skills and mindset that lead towards a winning, successful team culture.

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THE UNIVERSITY OFFERED THE FOLLOWING PRIMARY PREVENTION AND AWARENESS PROGRAMS FOR ALL EMPLOYEES IN 2025:

Name of Program	Date Held	Location Held / Presenter	Prevention / Awareness Program Training Topic
Search Committee Training	Various Dates	Various Locations	Review of hiring processes to ensure fair processes for all people. Mandatory training for participating on a search committee.
Compliance and Inclusive Workplace	1/8/25	Hall of Presidents, James C. Colgate Hall	Facilities training for Office of Equity and Diversity policies
Customer Service for All	1/8/25	Off Campus site	ITS training for customer service delivery
Building our Inclusive Culture	1/8/25	Case-Geyer Libraray, Batza Room	Campus Safety training for establishing work norms and expectations when interacting with and engaging with one another.
Compliance and Inclusive Workplace	1/8/25	Case-Geyer Libraray, Batza Room	Chartwells training for Office of Equity and Diversity policies
Intergroup Dialogue Skills for Community Leaders	1/17/25	Olin Hall, Love Auditorium	Training for Residence Life to develop communication skills for building community on residential floors.
Inclusive Leadership Transformational Presentation	2/13/25	Hall of Presidents, James C. Colgate Hall	Dean of the College training for resetting mindsets when working with one another to meet divisional needs
Inclusive Hiring Workshop	2/17/25	Case-Geyer Library, Room 515	Sustainability training for fair hiring practices
Standard training	4/9/25	McGregory 101 & Lathrop 202	Prohibited Conduct Response Group training for ensuring that faculty and staff are aware of the array of Non-Discrimination and Anti-Harrestment, as well as Title IX, policies to support students when they are navigating them.
Customer Service for all	4/23/25	Burke Hall, 003 Seminar Room	Mail and Print Services training for customer service delivery
Double Standards	5/1/25	Huntington Gym, Wooster Room	Physical Education, Recreation, and Athletics Division training for expanding awareness and responsiveness to double standards that exist within Athletics overall.
Growth Mindset	8/5/25	Case-Geyer Libraray, Batza Room	Campus Safety training for establishing an inclusive workplace including a growth mindset.
Train-the-Trainer for Modules 4 & 5	8/15/25	Benton 213	Living and Learning Workshop facilitators training for preparing conversations with first-year students on navigating tensions real-time across interactions on campus.
Bias Training	8/19/25	Ho 101	Orientation leader training for building inclusive communities for first-year students.
Navigating Bias Training & Fostering an Inclusive Environment	8/21/25	Olin Hall Love Auditorium	Office of Residential Life student staff for building inclusive communities for all students on residential floors and review Non-Discrimination and Anti-Harassment/Title IX policies and procedures.
Curriculum Write for Admissions Fall Training	10/29/25	Case-Geyer Libraray, Batza Room	Admissions training for discussing historical accounts that informs the way we currently engage with admissions processes and practices.
Customer Service for All	11/12/25	Case-Geyer Library, Library Staff Meeting Room	Library and Borrowing Services training for customer service delivery

CONTINUED

THE UNIVERSITY OFFERED THE FOLLOWING PRIMARY PREVENTION AND AWARENESS PROGRAMS FOR ALL EMPLOYEES IN 2025:

Name of Program	Date Held	Location Held / Presenter	Prevention / Awareness Program Training Topic
Workplace	11/10/25	Online Synchonous training	Employee training for understanding how harassment and discrimination can appear within the workplace and recourse for remedying these concerns when and if they do occur.
MWW - Haven & Athletics	3/12/25	Reid Athletics Center, Room 100	Provide education training about trauma and how to support others in a trauma-informed way, including information about domestic violence, dating violence, sexual assault/sexual violence, and stalking
Open Campus Trauma Informed Training	4/1/2025	Haven - Curtis Hall	Provide education training about trauma and how to support others in a trauma-informed way, including information about domestic violence, dating violence, sexual assault/sexual violence, and stalking
Open Campus Trauma Informed Training	10/8/25	Haven - Curtis Hall	Provide education training about trauma and how to support others in a trauma-informed way, including information about domestic violence, dating violence, sexual assault/sexual violence, and stalking
Prohibited Conduct Response Group Training	1/31/25	Haven - Curtis Hall	Provide education training about trauma and how to support others in a trauma-informed way for Prohibited Conduct Response Group members, including information about domestic violence, dating violence, sexual assault/sexual violence, and stalking
Safe Zones: How to Create and Maintain Them	1/13/2025	Hall of Presidents, James C. Colgate Hall	Provide education about creating safe zones and friendly environment for LGBTQ+ students, and employees of the Dining Services
Safe Zone 2.0 Trainings	3/21/2025	Lawrence Hall, Room 206	Provide education about trans, non-binary, and intersex experiences

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In addition to the programs listed, the Sexual Violence Resources, Support, and Education website **colgate.edu/sexual-violence-support-resources** was available. This website provided links to the policy/process, PCRG member list, and a link for faculty and staff on how to support a student who shares a concern of sexual violence. This was passive education available to all employees as well as students, and the website was listed on a poster included in the poster campaign across campus. Advertising space was purchased in the student newspaper, providing information on our Student Non-Discrimination, Anti-Harassment, and Sexual Misconduct Policy and process and PCRG member list.

WHERE CAN I GET MORE HELP?

A person in a dangerous emergency situation requiring immediate intervention should call 911 for immediate assistance.

You can call any of these numbers — day or night. The hotline operators can answer your specific questions and direct you to further resources.

- Help Restore Hope Center - 24-Hour Hotline - Madison County: 1-855-9-NOWSAFE/1-855-966-9723
- Vera House 24-hour Hotline: 315-468-3260
- NYS Domestic and Sexual Violence Hotline Numbers: English: 1-800-942-6906, TTY: 1-800-818-0656; Spanish: 1-800-942-6908, TTY: 1-800-780-7660

For further help and information regarding what to do in a situation of domestic violence or sexual assault:

- **New York State Office for the Prevention of Domestic Violence** Call 800-942-6906, Text 844-997-2121
- **New York State Coalition Against Sexual Assault**
- **New York State Coalition Against Domestic Violence (CADV)** (maintains list of available resources by county)
- **Help Restore Hope Center - Madison & Chenango County**
- **National Office on Violence Against Women**
- **NYC Anti-Violence Project** - 212-714-1141 (24-hour English and Spanish hotline)
- **Rape, Abuse, and Incest National Network** Call 800.656. HOPE (4673) , Chat at **RAINN.org/hotline**, Text "HOPE" to 64673
- **NYS Teen Dating Abuse Awareness and Prevention** Call 800-942-6906, text 844-997-2121 or chat.
- **Department of Justice**
- **Department of Education, Office for Civil Rights**

NY STATE LAWS

State of New York laws can be found in the New York State Senate — browse the Laws of New York and view at **nysenate.gov/legislation**.

The following excerpts can be compared with the federal definitions under the section on "Definitions for the Clery Crime Statistics Charts."

- Sex Offenses; definition of terms - Penal (PEN) – § 130.00
- "Sexual intercourse" has its ordinary meaning and occurs upon any penetration, however slight.
- "Oral sexual conduct" means conduct between persons consisting of contact between the mouth and the penis, the mouth and the anus, or the mouth and the vulva or vagina.
- "Anal sexual conduct" means conduct between persons consisting of contact between the penis and anus.
- "Sexual contact" means any touching of the sexual or other intimate parts of a person for the purpose of gratifying sexual desire of either party. It includes the touching of the actor by the victim, as well as the touching of the victim by the actor, whether directly or through clothing, as well as the emission of ejaculate by the actor upon any part of the victim, clothed or unclothed.
- "Foreign object" means any instrument or article which, when inserted in the vagina, urethra, penis, rectum, or anus, is capable of causing physical injury.
- "Sexual conduct" means sexual intercourse, oral sexual conduct, anal sexual conduct, aggravated sexual contact, or sexual contact.
- First Degree Rape – § 130.35: Class B felony punishable by imprisonment for not more than 25 years.
- Second Degree Rape – § 130.30: Class D felony punishable by imprisonment for not more than seven years.
- Third Degree Rape – § 130.25: Class E felony punishable by imprisonment for not more than four years.
- Sexual Misconduct – § 130.20: Class A misdemeanor punishable by imprisonment for not more than one year.
- Forcible Touching – § 130.52: Class A misdemeanor punishable by imprisonment for not more than one year.
- First Degree Incest – § 255.27: Class B felony punishable by imprisonment for not more than 25 years.
- Second Degree Incest – § 255.26: Class D felony punishable by imprisonment for not more than seven years.
- Third Degree Incest – § 255.25: Class E felony punishable by imprisonment for not more than four years.
- Consent – Penal (PEN) - § 130.05

New York State only defines "Lack of Consent" involving sex offenses in New York State Penal Law § 130.05 as:

- Whether or not specifically stated, it is an element of every offense defined in this article that the sexual act was committed without consent of the victim. Lack of consent results from:
  - Forcible compulsion; or
  - Incapacity to consent; or
  - Where the offense charged is sexual abuse or forcible touching, any circumstances, in addition to forcible compulsion or incapacity to consent, in which the victim does not expressly or impliedly acquiesce in the actor's conduct.

Where the offense charged is rape in the third degree as defined in the New York State Penal Law, subdivision three of section 130.25, or criminal sexual act in the third degree as defined in subdivision three of section 130.40, in addition to forcible compulsion, circumstances under which, at the time of the act of intercourse, oral sexual conduct, or anal sexual conduct, the victim clearly expressed that he or she did not consent to engage in such act, and a reasonable person in the actor's situation would have understood such person's words and acts as an expression of lack of consent to such act under all the circumstances.

A person is deemed incapable of consent when he or she is less than 17 years old; or mentally disabled; or mentally incapacitated; or physically helpless.

DOMESTIC VIOLENCE (INCLUDES DATING VIOLENCE)

Domestic violence refers to violent behavior (including, but not limited to, sexual or physical abuse or the threat of such abuse) between spouses, former spouses or intimate partners, cohabitating romantic partners or individuals who were formerly cohabitating romantic partners, individuals who share a child in common, individuals who are similarly situated to spouses and/or individuals who are protected from the other person's acts under the domestic or family violence laws of the jurisdiction in which the act of violence occurs.

Domestic Violence – Social Services (SOS) –§ 459-A is defined in New York State Social Services Law as:

1. "Victim of domestic violence" means any person over the age of 16, any married person or any parent accompanied by his or her minor child or children in situations in which such person or such person's child is a victim of an act which would constitute a violation of the penal law, including, but not limited to, acts constituting disorderly conduct, harassment, aggravated harassment, sexual misconduct, forcible touching, sexual abuse, stalking, criminal mischief, menacing, reckless endangerment, kidnapping, assault, attempted assault, attempted murder, criminal obstruction of breathing or blood circulation, or strangulation; and (i) such act or acts have resulted in actual physical or emotional injury or have created a substantial risk of physical or emotional harm to such person or such person's child; and (ii) such act or acts are or are alleged to have been committed by a family or household member.
2. "Family or household members" mean the following individuals:
   - persons related by consanguinity or affinity;
   - persons legally married to one another;
   - persons formerly married to one another regardless of whether they still reside in the same household;
   - persons who have a child in common regardless of whether such persons are married or have lived together at any time;
   - unrelated persons who are continually or at regular intervals living in the same household or who have in the past continually or at regular intervals lived in the same household;
   - persons who are not related by consanguinity or affinity and who are or have been in an intimate relationship regardless of whether such persons have lived together at any time. Factors that may be considered in determining whether a relationship is an "intimate relationship" include, but are not limited to: the nature or type of relationship, regardless of whether the relationship is sexual in nature; the frequency of interaction between the persons; and the duration of the relationship. Neither a casual acquaintance nor ordinary fraternization between two individuals in business or social contexts shall be deemed to constitute an "intimate relationship"; or
   - any other category of individuals deemed to be a victim of domestic violence as defined by the office of children and family services in regulation.
3. "Parent" means a natural or adoptive parent or any individual lawfully charged with a minor child's care or custody.

Stalking – Penal (PEN)
First Degree Stalking – § 120.60: Class D felony punishable by imprisonment for not more than seven years.
Second Degree Stalking – § 120.55: Class E felony punishable by imprisonment for not more than four years.
Third Degree Stalking – § 120.50: Class A misdemeanor punishable by imprisonment for not more than one year.
Fourth Degree Stalking – § 120.45: Class B misdemeanor punishable by imprisonment for not more than three months.

Sex Offender Registration – The Adam Walsh Child Protection and Safety Act of 2006 (42 U.S.C. 16921) requires institutions of higher education to provide where law enforcement agency information provided by a state concerning registered sex offenders may be obtained. It also requires sex offenders already required to register in a state to provide notice, as required under state law, of each institution of higher education in that state at which the person is employed, carries on a vocation, volunteers services, or is a student.

For Colgate University and Madison County, the Madison County Sheriff's Office is the contact agency for questions relating to our local sex offender registry. Community members may also access the New York State Sexual Offender Registry at the following webpage: **New York State Sexual Offender Registry**

Crime Statistics

Campus crime, arrest, and referral statistics include those incidents reported to the Campus Safety Department, law enforcement agencies, and designated campus officials considered to be CSAs. These incident reports are also reviewed by campus safety administrators for consideration of timely warning notices. CSAs include but are not limited to University residential life staff; various dean of the college staff; athletics coaches; Office of Equity and Diversity; student conduct office; human resources; and advisers to recognized student organizations.

Campus "Professional Counselors" in the counseling center have state-provided confidential privilege and are not required to report crimes for inclusion in the Annual Security & Fire Safety Report. However, as a matter of policy, they are encouraged to inform persons being counseled of the procedures to report crimes on a voluntary basis for inclusion in the annual crime statistics.

The following crime statistics for calendar years 2023, 2024, and 2025 were reported to the Campus Safety Department, other CSAs, University officials, or local law enforcement agencies. The statistics reflect crimes which occurred not only on the main campus, but also at any noncampus property, public property as defined below, and specifically in campus residential housing facilities.

Every case/investigation report prepared by campus safety staff and included in the daily report summary is reviewed initially by Campus Safety Department senior staff to ensure the case is properly classified for the incident. In addition to campus safety reports, data is requested, and included when received, from all local law enforcement agencies having jurisdiction for any campus or noncampus properties. Data is also collected from the University conduct office. Both sets of data are cross-checked against the campus safety report data to minimize duplicate entries for the same reported crime. The case/investigation reports are reviewed a second time by the Colgate University Clery Compliance Review Team for proper classification and statistical recordkeeping of Clery Act crimes and referrals. The results of the Clery Act crime classifications and statistics are submitted annually to the Department of Education and published in the Colgate University Annual Security and Fire Safety Report (ASFSR).

HATE CRIMES

A hate crime is defined as a crime reported to local police agencies or to a CSA 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. Additionally, the offenses which must be reported separately in this section if committed with bias motivation include: murder and non-negligent manslaughter, manslaughter by negligence, rape, fondling, incest, statutory rape, robbery, aggravated assault, burglary, motor vehicle theft, arson, larceny-theft, simple assault, intimidation, or destruction/damage/vandalism of property.

- In 2023, there were 0 hate crimes reported.
- In 2024, there was 1 reported hate crime of intimidation on campus and 1 reported hate crime of destruction of property on campus.
- In 2025, there were 0 hate crimes reported.

UNFOUNDED CRIMES

A crime is considered unfounded for Clery Act purposes only if sworn or commissioned law enforcement personnel make a formal determination that the report is false or baseless. Crime reports can be properly determined to be false only if the evidence from a complete and thorough investigation establishes that the crime reported was not, in fact, completed or attempted in any manner. Crime reports can be determined to be baseless only if the allegations reported did not meet the elements of the offense or were improperly classified as crimes in the first place.

- In 2023, there were 0 unfounded crimes.
- In 2024, there were 0 unfounded crimes.
- In 2025, there were 0 unfounded crimes.

The following tables hold additional information regarding crime reports on campus; please see definitions on page 77.

CRIMINAL OFFENSES

OFFENSE	YEAR	ON-CAMPUS		ON-CAMPUS PROPERTY (TOTAL)	NONCAMPUS BUILDING OR PROPERTY	PUBLIC PROPERTY
		RESIDENTIAL FACILITIES	OTHER			
MURDER AND NONNEGLIGENT MANSLAUGHTER	2023 2024 2025	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0
MANSLAUGHTER BY NEGLIGENCE	2023 2024 2025	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0
FONDLING	2023 2024 2025	0 1 1	1 0 0	1 1 1	0 0 0	0 0 0
INCEST	2023 2024 2025	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0
RAPE	2023 2024 2025	2 1 4	3 0 0	5 1 4	0 0 0	0 0 0
STATUTORY RAPE	2023 2024 2025	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0
ROBBERY	2023 2024 2025	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0
AGGRAVATED ASSAULT	2023 2024 2025	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0
BURGLARY	2023 2024 2025	7 3 5	0 0 2	7 3 7	0 0 0	0 0 0
MOTOR VEHICLE THEFT	2023 2024 2025	0 0 0	1 0 0	1 0 0	0 0 0	0 0 0
ARSON	2023 2024 2025	0 1 0	0 0 0	0 1 0	0 0 0	0 0 0
HAZING	2023 2024 2025	N/A N/A 1	N/A N/A 0	N/A N/A 1	N/A N/A 0	N/A N/A 0

***The reporting of Hazing statistics is a new requirement under the Clery Act, beginning in calendar year 2025. Therefore, there are no statistics for reporting in 2024 or 2023.

VIOLENCE AGAINST WOMEN ACT (VAWA)

OFFENSE	YEAR	ON-CAMPUS		ON-CAMPUS PROPERTY (TOTAL)	NONCAMPUS BUILDING OR PROPERTY	PUBLIC PROPERTY
		RESIDENTIAL FACILITIES	OTHER			
DATING VIOLENCE	2023	4	3	7	0	0
	2024	3	1	4	0	0
	2025	5	1	6	0	0
DOMESTIC VIOLENCE	2023	0	0	0	0	0
	2024	0	0	0	0	0
	2025	1	0	1	0	0
STALKING	2023	0	1	1	0	0
	2024	6	3	9	0	0
	2025	3	2	5	0	0

JUDICIAL REFERRALS

OFFENSE	YEAR	ON-CAMPUS		ON-CAMPUS PROPERTY (TOTAL)	NONCAMPUS BUILDING OR PROPERTY	PUBLIC PROPERTY
		RESIDENTIAL FACILITIES	OTHER			
LIQUOR LAW VIOLATIONS	2023	34	0	34	0	0
	2024	65	0	65	1	0
	2025	24	2	26	0	0
DRUG LAW VIOLATIONS	2023	49	0	49	0	0
	2024	24	0	24	0	0
	2025	12	0	12	0	0
ILLEGAL WEAPONS POSSESSIONS	2023	0	0	0	0	0
	2024	0	0	0	0	0
	2025	1	0	1	0	0

ARRESTS

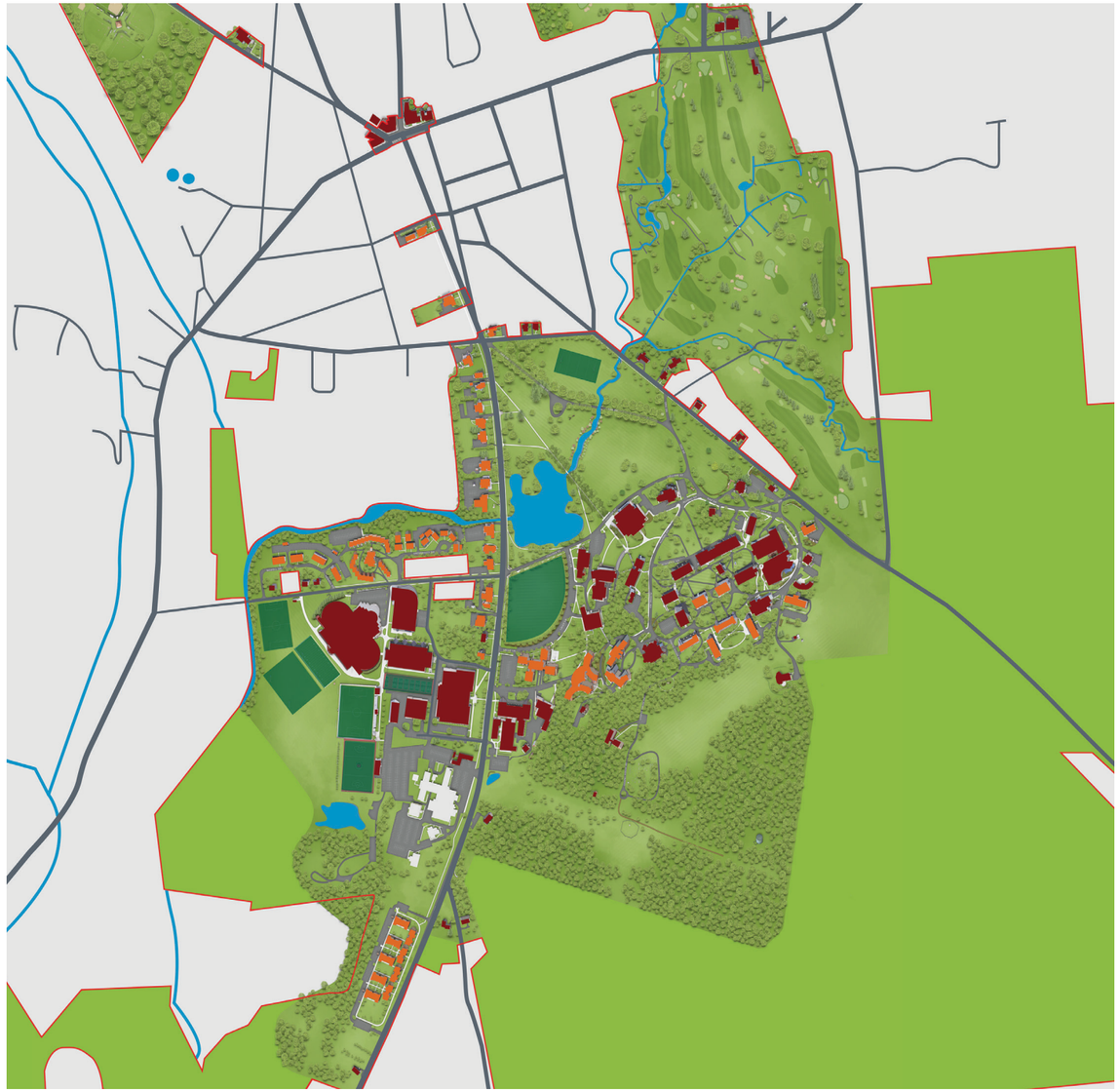
OFFENSE	YEAR	ON-CAMPUS		ON-CAMPUS PROPERTY (TOTAL)	NONCAMPUS BUILDING OR PROPERTY	PUBLIC PROPERTY
		RESIDENTIAL FACILITIES	OTHER			
LIQUOR LAW VIOLATIONS	2023	0	0	0	0	3
	2024	0	0	0	0	0
	2025	0	2	2	0	9
DRUG LAW VIOLATIONS	2023	0	0	0	0	0
	2024	0	0	0	0	0
	2025	0	0	0	0	0
ILLEGAL WEAPONS POSSESSIONS	2023	0	0	0	0	0
	2024	0	0	0	0	0
	2025	0	0	0	0	0

Driving While Intoxicated (DWI) is not a federal reporting category and offenses are not included in the liquor law violations.

HATE CRIMES

OFFENSE	YEAR	ON-CAMPUS		ON-CAMPUS PROPERTY (TOTAL)	NONCAMPUS BUILDING OR PROPERTY	PUBLIC PROPERTY
		RESIDENTIAL FACILITIES	OTHER			
MURDER AND NONNEGLIGENT MANSLAUGHTER	2023	0	0	0	0	0
	2024	0	0	0	0	0
	2025	0	0	0	0	0
MANSLAUGHTER BY NEGLIGENCE	2023	0	0	0	0	0
	2024	0	0	0	0	0
	2025	0	0	0	0	0
RAPE	2023	0	0	0	0	0
	2024	0	0	0	0	0
	2025	0	0	0	0	0
FONDLING	2023	0	0	0	0	0
	2024	0	0	0	0	0
	2025	0	0	0	0	0
INCEST	2023	0	0	0	0	0
	2024	0	0	0	0	0
	2025	0	0	0	0	0
STATUTORY RAPE	2023	0	0	0	0	0
	2024	0	0	0	0	0
	2025	0	0	0	0	0
ROBBERY	2023	0	0	0	0	0
	2024	0	0	0	0	0
	2025	0	0	0	0	0
AGGRAVATED ASSAULT	2023	0	0	0	0	0
	2024	0	0	0	0	0
	2025	0	0	0	0	0
BURGLARY	2023	0	0	0	0	0
	2024	0	0	0	0	0
	2025	0	0	0	0	0
MOTOR VEHICLE THEFT	2023	0	0	0	0	0
	2024	0	0	0	0	0
	2025	0	0	0	0	0
ARSON	2023	0	0	0	0	0
	2024	0	0	0	0	0
	2025	0	0	0	0	0
SIMPLE ASSAULT	2023	0	0	0	0	0
	2024	0	0	0	0	0
	2025	0	0	0	0	0
INTIMIDATION	2023	0	0	0	0	0
	2024	0	1	1	0	0
	2025	0	0	0	0	0
LARCENY	2023	0	0	0	0	0
	2024	0	0	0	0	0
	2025	0	0	0	0	0
DESTRUCTION OF PROPERTY	2023	0	0	0	0	0
	2024	0	1	1	0	0
	2025	0	0	0	0	0

MAIN CAMPUS MAP



On-Campus Property
Residential Facilities
On-Campus Athletic Field
Public Property
Waterway
Colgate Property Border
Road
Sidewalk

DEFINITIONS FOR THE CLERY CRIME STATISTICS CHARTS

Aggravated Assault - An unlawful attack by one person upon another wherein the offender uses a weapon or displays it in a threatening manner, or 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. This also includes assault with disease (as in cases when the offender is aware that he/she is infected with a deadly disease and deliberately attempts to inflict the disease by biting, spitting, etc.).

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

Bias Crime - See Hate Crime

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

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. The existence of such a relationship shall be determined 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. For the purposes of this definition, dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse and dating violence does not include acts covered under the definition of domestic violence.

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 Abuse Violations - Violations of state and local laws prohibiting the production, distribution, and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use; the unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation, or importation of any controlled drug or narcotic substance; arrests for violations of state and local laws, specifically those relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs.

Forcible Sodomy - Oral or anal sexual intercourse with another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity. Beginning in 2013, these reports, if any, are included in the rape category.

Hate Crime - A crime reported to local police agencies or to a CSA 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.

Four additional offenses are included in the Clery statistics only if they are Hate Crimes:

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

Simple Assault - is 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 - is 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 - is 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.

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

Manslaughter by Negligence - The killing of another person through gross negligence.

Motor Vehicle Theft - The theft of a motor vehicle. *Note: A "motor vehicle" is a self-propelled vehicle that runs on the surface of land and not on rails, and which includes automobiles, buses, recreational vehicles, trucks, motorcycles, motor scooters, trail bikes, mopeds, snowmobiles, and golf carts.*

Murder and Nonnegligent Manslaughter - The willful (nonnegligent) killing of one human being by another.

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

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

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

Robbery - The taking, or attempting to take, anything of value under confrontational circumstances from the control, custody, or care of another person by force or threat of force or violence and/or by putting the victim in fear of immediate harm.

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

Rape - The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim. This offense includes the rape of both males and females.

Fondling - 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 – Nonforcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

Statutory Rape – Nonforcible sexual intercourse with a person who is under the statutory age of consent.

Sexual Assault - An offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI's UCR program.

Sexual Assault With an Object - To use an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity. Beginning in 2013, these reports, if any, are included in the rape category.

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 suffer substantial emotional distress. For the purpose of this definition:

- Course of conduct means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property.
- Reasonable person means a reasonable person under similar circumstances and with similar identities to the victim.
- Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.
- Any incident meeting this definition is considered a crime for the purposes of Clery Act Reporting.

Weapon Law Violations - The violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices, or other deadly weapons.

Definitions from the Department of Education Handbook for Campus Safety and Security Reporting 2016 Edition

Annual Fire Safety Report

FIRE SAFETY REPORTS ON STUDENT HOUSING FIRE STATISTICS

Colgate University reports student housing had seven (7) fires with no injuries in 2023, six (6) fires with one (1) injury in 2024, and five (5) fires with no injuries in 2025.

ON-CAMPUS STUDENT HOUSING AND LIFE SAFETY SYSTEMS

Colgate University has a total of 35 on-campus student housing facilities. Each facility is equipped with addressable fire detection systems, including smoke and heat detectors, and pull-box stations. Each facility is fully outfitted with a fire suppression (sprinkler) system. All fire life safety systems report to the Campus Safety Department's Communication Center.

FIRE DOORS

Stairwell fire doors must be kept closed at all times.

FIRE EXTINGUISHERS AND OTHER FIRE-SAFETY DEVICES

Every residence facility is equipped with fire extinguishers and smoke/heat detectors. Tampering with any fire safety equipment (including, but not limited to, fire extinguishers, covering smoke detectors or fire sprinklers) or obstructing other fire-safety devices is considered a serious offense that may lead to disciplinary action and fines.

MANDATORY SUPERVISED FIRE DRILLS

In accordance with New York State Office of Fire Prevention and Control (OFPC) regulatory requirements, Colgate conducts four (4) fire evacuation drills per calendar year in each on-campus student residential facility. The fire evacuation drills are conducted by the Campus Safety Department, the Office of Environmental Health and Safety, and the Office of Emergency Management in accordance with state and local fire codes. The fire evacuation drills are unannounced and conducted by activating each individual fire alarm system in each on-campus student housing facility. Two (2) of the fire evacuation drills are conducted during the daytime and two (2) of the fire evacuation drills are conducted in the evening/night. Fire drills are intended to orient the residents of the building with fire evacuation procedures and emergency exit locations. Students must comply with fire alarms and evacuate when the alarm sounds. Failure to do so may result in disciplinary action.

FIRE INSPECTIONS FOR ON-CAMPUS STUDENT HOUSING

On-campus student housing fire inspections are conducted by the New York State Office of Fire Prevention and Control during the fall semester and by the Village of Hamilton Code Enforcement Office during the spring semester.

FIRE SAFETY POLICIES AND RULES

Evacuation routes are posted in all residence halls. All University fire alarms report directly to campus safety. For life safety, students are required to evacuate a building when a fire alarm is activated. A room-by-room evacuation check is conducted during every fire alarm. Individuals who fail to evacuate a University building during a fire alarm will be subject to disciplinary action. In accordance with New York State fire codes, fire drills are conducted at the beginning of each semester to ensure campus residents are familiar with building evacuation routes.

The willful report of a fire and/or initiation of a fire alarm system activation (alarm) when no such danger exists is illegal and subject to disciplinary action as well as criminal charges. Intentionally setting a fire in or on University property (including in the Colgate cross-country and hiking trails) or causing a fire through gross negligence is strictly prohibited. Students found responsible for either of these acts will be subject to criminal charges and disciplinary action.

All Colgate University buildings are outfitted with fire safety equipment. Tampering with or misuse of fire safety equipment is a violation of New York State law and may result in University disciplinary action, fines, and/or criminal charges. If a student is found responsible for the misuse or tampering of fire safety equipment, the University may charge them for the cost of any required repairs and/or restorative expenses. In residential buildings, where no student accepts responsibility for damaged or expended fire safety equipment, the Office of Residential Life may, at their discretion, assess a fee on a pro rata basis to a room, apartment, floor, or building.

The possession and/or use of fireworks on University property without a permit obtained from the village of Hamilton via the Colgate University Office of Emergency Management is prohibited. Students who possess or use fireworks will be subject to disciplinary action.

Colgate University has prohibitions on smoking and for items including candles (even for decoration and unlit), incense, potpourri burners, halogen lamps, neon signs, extension cords without an installed circuit breaker or protection device, and halogen lights.

Flammable liquids (including, but not limited to, turpentine, paint, gasoline, propane, kerosene, charcoal lighter fluid, and ether) and equipment that uses combustible fuel (e.g., motorcycles, and mopeds) cannot be stored in a residential building. Gas or charcoal grills are not permitted in the residence halls. Gas and charcoal grills are prohibited from use or storage on the decks and porches of apartments, houses, and townhouses at all times.

Natural holiday trees are prohibited in all residential facilities. UL-approved lights may be used seasonally, for short-term use, on artificial trees or for decorative purposes. Trees cannot be located at the bottom of a stairwell, in an egress, or within 25 feet of an exit. Holiday lights are cited violations by the New York State Office of Fire Prevention and Control. All holiday decorations must be removed prior to semester breaks.

TRAINING

Fire safety presentations are provided to all Community Leaders (CLs), new students, and fraternity and sorority residents at the beginning of the new academic year. Fire safety programs address: evacuation and emergency preparedness, organizational mandates, fire inspection program, fire extinguisher use, life safety systems, and fire safety rules and regulations.

The Department of Emergency Management provides fire safety training to the entire campus by conducting a mock student room fire demonstration in the student housing quad, hands-on fire extinguisher training, and an education presentation which coincides with the mock fire.

CAMPUS RESIDENTIAL STUDENT HOUSING FIRE REPORT 2023

STUDENT HOUSING FACILITY	FIRES	FIRE CAUSE	INJURIES	DEATHS	PROPERTY DAMAGE
ANDREWS HALL	0	-	0	0	$0
BRYAN COMPLEX	0	-	0	0	$0 - 99
BURKE HALL	0	-	0	0	$0
CURTIS HALL	0	-	0	0	$0
DRAKE HALL	1	Machinery/Industrial	0	0	$1000 - 9999
EAST HALL	0	-	0	0	$0
GATE HOUSE	0	-	0	0	$0
JANE PINCHIN HALL	0	-	0	0	$0
LA CASA	0	-	0	0	$0
NEWELL APARTMENTS	0	-	0	0	$0
PARKER APARTMENTS	2	Cooking/Smoking materials	0	0	$0 - 99
STILLMAN HALL	0	-	0	0	$0
UNIVERSITY COURT APARTMENTS	0	-	0	0	$0
WENDT UNIVERSITY INN	0	-	0	0	$0
WEST HALL	1	Other	0	0	$0
40 BROAD ST.	0	-	0	0	$0
49 BROAD ST.	0	-	0	0	$0
52 BROAD ST.	0	-	0	0	$0
66 BROAD ST.	0	-	0	0	$0
70 BROAD ST.	0	-	0	0	$0
72 BROAD ST.	0	-	0	0	$0
76 BROAD ST.	0	-	0	0	$0
80 BROAD ST.	0	-	0	0	$0
84 BROAD ST.	0	-	0	0	$0
88 BROAD ST.	1	Open Flame	0	0	$0
92 BROAD ST.	0	-	0	0	$0
94 BROAD ST.	0	-	0	0	$0
100 BROAD ST.	0	-	0	0	$0
102 BROAD ST.	0	-	0	0	$0
104 BROAD ST.	0	-	0	0	$0
110 BROAD ST.	1	Cooking	0	0	$0
113 BROAD ST.	0	-	0	0	$0
114 BROAD ST.	0	-	0	0	$0
118 BROAD ST.	0	-	0	0	$0
180 BROAD ST.	1	Cooking	0	0	$0
100 HAMILTON ST.	0	-	0	0	$0

*All instances of fires in 2022 were unintentional.

CAMPUS RESIDENTIAL STUDENT HOUSING FIRE REPORT 2024

STUDENT HOUSING FACILITY	FIRES	FIRE CAUSE	INJURIES	DEATHS	PROPERTY DAMAGE
ANDREWS HALL	0	-	0	0	$0
BRYAN COMPLEX	0	-	0	0	$0
BURKE HALL	1	Intentional Fire - Open Flame	0	0	$0
CURTIS HALL	1	Unintentional Fire - Cooking	0	0	$0
DRAKE HALL	0	-	0	0	$0
EAST HALL	0	-	0	0	$0
GATE HOUSE	0	-	0	0	$0
JANE PINCHIN HALL	0	-	0	0	$0
LA CASA	0	-	0	0	$0
NEWELL APARTMENTS	2	Unintentional Fire - Cooking	0	0	$100 - 999 $0
PARKER APARTMENTS	1	Unintentional Fire - Electrical	0	0	$1,000 - 9,999
STILLMAN HALL	0	-	0	0	$0
UNIVERSITY COURT APARTMENTS	1	Unintentional Fire - Smoking Materials	0	0	$0
WEST HALL	0	-	0	0	$0
5 WEST KENDRICK AVE.	0	-	0	0	$0
40 BROAD ST.	0	-	0	0	$0
49 BROAD ST.	0	-	0	0	$0
52 BROAD ST.	0	-	0	0	$0
66 BROAD ST.	0	-	0	0	$0
72 BROAD ST.	0	-	0	0	$0
76 BROAD ST.	0	-	0	0	$0
80 BROAD ST.	0	-	0	0	$0
84 BROAD ST.	0	-	0	0	$0
88 BROAD ST.	0	-	0	0	$0
92 BROAD ST.	0	-	0	0	$0
94 BROAD ST.	0	-	0	0	$0
100 BROAD ST.	0	-	0	0	$0
102 BROAD ST.	0	-	0	0	$0
104 BROAD ST.	1	Unintentional Fire - Cooking	1	0	$0
110 BROAD ST.	0	-	0	0	$0
113 BROAD ST.	0	-	0	0	$0
114 BROAD ST.	0	-	0	0	$0
118 BROAD ST.	0	-	0	0	$0
180 BROAD ST.	0	-	0	0	$0
100 HAMILTON ST.	0	-	0	0	$0

CAMPUS RESIDENTIAL STUDENT HOUSING FIRE REPORT 2025

STUDENT HOUSING FACILITY	FIRES	FIRE CAUSE	INJURIES	DEATHS	PROPERTY DAMAGE
ANDREWS HALL	1	Other	0	0	$0 - 99
BRYAN COMPLEX	0	-	0	0	$0
BURKE HALL	1	Smoking Materials	0	0	$0 - 99
CURTIS HALL	1	Cooking	0	0	$0
DRAKE HALL	0	-	0	0	$0
EAST HALL	0	-	0	0	$0
GATE HOUSE	0	-	0	0	$0
JANE PINCHIN HALL	0	-	0	0	$0
LA CASA	0	-	0	0	$0
NEWELL APARTMENTS	0	-	0	0	$0
PARKER APARTMENTS	0	-	0	0	$0
STILLMAN HALL	0	-	0	0	$0
UNIVERSITY COURT APARTMENTS	0	-	0	0	$0
WEST HALL	1	Cooking	0	0	$0
5 WEST KENDRICK AVE.	1	Cooking	0	0	$0 - 99
40 BROAD ST.	0	-	0	0	$0
49 BROAD ST.	0	-	0	0	$0
52 BROAD ST.	0	-	0	0	$0
66 BROAD ST.	0	-	0	0	$0
72 BROAD ST.	0	-	0	0	$0
76 BROAD ST.	0	-	0	0	$0
80 BROAD ST.	0	-	0	0	$0
84 BROAD ST.	0	-	0	0	$0
88 BROAD ST.	0	-	0	0	$0
92 BROAD ST.	0	-	0	0	$0
94 BROAD ST.	0	-	0	0	$0
100 BROAD ST.	0	-	0	0	$0
102 BROAD ST.	0	-	0	0	$0
104 BROAD ST.	0	-	0	0	$0
110 BROAD ST.	0	-	0	0	$0
113 BROAD ST.	0	-	0	0	$0
114 BROAD ST.	0	-	0	0	$0
118 BROAD ST.	0	-	0	0	$0
180 BROAD ST.	0	-	0	0	$0
100 HAMILTON ST.	0	-	0	0	$0

CAMPUS RESIDENTIAL STUDENT HOUSING FIRE SYSTEMS REPORT 2025

STUDENT HOUSING FACILITY	FULLY SPRINKLERED	FIRE DETECTION	FIRE EXTINGUISHER DEVICE	EVACUATION PLANS	NUMBER OF EVACUATION (FIRE) DRILLS THIS CALENDAR YEAR
ANDREWS HALL	Yes (Wet System)	Yes	Yes	Yes	4
BRYAN COMPLEX	Yes (Wet System)	Yes	Yes	Yes	4
BURKE HALL	Yes (Wet System)	Yes	Yes	Yes	4
CURTIS HALL	Yes (Wet System)	Yes	Yes	Yes	4
DRAKE HALL	Yes (Wet System)	Yes	Yes	Yes	4
EAST HALL	Yes (Wet System)	Yes	Yes	Yes	4
GATE HOUSE	Yes (Wet System)	Yes	Yes	Yes	4
JANE PINCHIN HALL	Yes (Wet System)	Yes	Yes	Yes	4
NEWELL APARTMENTS	Yes (Wet System)	Yes	Yes	Yes	4
PARKER APARTMENTS	Yes (Wet System)	Yes	Yes	Yes	4
STILLMAN HALL	Yes (Wet System)	Yes	Yes	Yes	4
UNIVERSITY COURT APARTMENTS	Yes (Wet System)	Yes	Yes	Yes	4
WEST HALL	Yes (Wet System)	Yes	Yes	Yes	4
5 WEST KENDRICK AVE	No	Yes	Yes	Yes	4
40 BROAD ST.	Yes (Wet System)	Yes	Yes	Yes	4
52 BROAD ST.	Yes (Wet System)	Yes	Yes	Yes	4
66 BROAD ST.	Yes (Wet System)	Yes	Yes	Yes	4
72 BROAD ST.	Yes (Wet System)	Yes	Yes	Yes	4
76 BROAD ST.	Yes (Wet System)	Yes	Yes	Yes	4
80 BROAD ST.	Yes (Wet System)	Yes	Yes	Yes	4
84 BROAD ST.	Yes (Wet System)	Yes	Yes	Yes	4
88 BROAD ST.	Yes (Wet System)	Yes	Yes	Yes	4
92 BROAD ST.	Yes (Wet System)	Yes	Yes	Yes	4
94 BROAD ST.	Yes (Wet System)	Yes	Yes	Yes	4
100 BROAD ST.	Yes (Wet System)	Yes	Yes	Yes	4
102 BROAD ST.	Yes (Wet System)	Yes	Yes	Yes	4
104 BROAD ST.	Yes (Wet System)	Yes	Yes	Yes	4
110 BROAD ST.	Yes (Wet System)	Yes	Yes	Yes	4
113 BROAD ST.	Yes (Wet System)	Yes	Yes	Yes	4
114 BROAD ST.	Yes (Wet System)	Yes	Yes	Yes	4
118 BROAD ST.	Yes (Wet System with dry pipe in attic)	Yes	Yes	Yes	4
180 BROAD ST.	Yes (Wet System)	Yes	Yes	Yes	4
100 HAMILTON ST.	Yes (Wet System)	Yes	Yes	Yes	4

This report is made available to all staff, students, and prospective students, and employees in compliance with the Jeanne Clery Act.

Telephone Numbers

Campus Safety Emergency
x7333 (from on-campus phones)
315-228-7333 (from off-campus or cell phones)

From a non–University telephone, dial 228, then the extension. From a cell phone, dial 315-228, then the extension.

Campus Safety	**x7333**
Counseling and Psychological Services	**x7385**
Haven	**x7385**
Dean of the College Office	**x7425**
Dean of the Faculty Office	**x7222**
Human Resources	**x7411**
Residential Life	**x7367**
Student Health Services	**x7750**
Title IX Office	**x7014**
Office of Equity & Diversity	**x6161**
Hamilton Police	**315-824-3311**
Community Memorial Hospital	**315-824-1100**
Community Memorial Hospital Emergency	**315-824-6090**
Liberty Resources (24-hour hotline)	**315-366-5000**
Vera House (24-hour crisis & support line)	**315-468-3260**

Additional Information

Office of the Dean of the College
103 McGregory Hall
315-228-7425
deanofthecollege@colgate.edu

Campus Safety
315-228-7333
cusafety@colgate.edu

Emergency Management
315-228-4087

Fire Safety
315-228-6531

Colgate University
13 Oak Drive, Hamilton, NY 13346

COLGATE UNIVERSITY