Annual Campus Safety and Security Report
and
Annual Fire Safety Report

Containing statistics for 2016, 2015, and 2014

Skidmore College
815 North Broadway
Saratoga Springs, NY 12866

The Campus Safety and Security Report is available online at
and in print (call Campus Safety at 518-580-5567).
Introduction

Skidmore College has issued this report to inform the Skidmore community, campus visitors, and the general public of the College’s policies and procedures for campus safety and security. Skidmore has made a firm commitment to maintain a safe campus environment in which to live, learn, and work. Though emergencies and incidents of serious crime are relatively few at Skidmore, it is crucial that all members of the campus community know how to report such situations and have an understanding of our security operation. Skidmore’s security programs include awareness seminars for all students, thorough training of residential-life staff, and a professional campus security force. The Department of Campus Safety emphasizes open communication with students and employees and has a close working relationship with local, county, and state law enforcement agencies.

Skidmore College is located in Saratoga Springs, N.Y., a small cosmopolitan city with a population of approximately 30,000. Saratoga Springs is known for its health spas, horse racing, lively cultural life, and history. Skidmore’s core campus consists of some 50 buildings on nearly 1,200 wooded acres at the northwest edge of the city, just over one mile from the downtown area. The College’s property includes additional acreage of open space and athletic fields near the main campus. The core campus offers nine residence halls as well as student apartments. The College has an enrollment of approximately 2,400 students and a workforce of some 870 full-time equivalent employees.

Annual Campus Safety and Security Report

The Department of Campus Safety prepares this report to comply with the Jeanne Clery Act. The annual Skidmore College Campus Safety and Security Report includes statistics for the previous three (3) years concerning reported crimes that occurred on the campus, in certain off-campus buildings owned or controlled by Skidmore, and on public property within or immediately adjacent to and accessible from the campus. The report also includes institutional policies concerning campus security, such as policies concerning alcohol and drug use, crime prevention, the reporting of crimes, sexual assault, bias-related crime, and other matters. The Advisory Committee on Campus Security will provide, upon request, all campus crime statistics as reported to the U.S. Department of Education. You can obtain a copy of this report by contacting Campus Safety (518-580-5567) during business hours or on the web at www.skidmore.edu/campus_safety/clery/safety_report.pdf.

Each year students and employees are emailed notifications about the availability of this report, and notices are placed on bulletin boards.
Timely Warnings

The Department of Campus Safety posts security alerts on email, on the Campus Safety website, social media (Twitter, Facebook) and at key locations on campus when there are incidents that require public notification either on or off campus. These alerts are issued when the incident is considered a serious or continued threat to students or employees. The department also works with the local police and the student newspaper to report on safety and security issues. Timely reports for reported crimes shall withhold the names of victims as confidential. Anyone with information warranting a timely warning should contact the Department of Campus Safety at 518-580-5566. These alerts can be found at www.skidmore.edu/campus_safety/programs/alerts.php.

Skidmore College Department of Campus Safety

Skidmore College employs a security force of 19 full-time and several part-time employees. All members of Campus Safety receive extensive training, and many have had prior police training and experience. The director of campus safety is in charge of the department. The director, associate director, and assistant director share the responsibility of being on call 24 hours a day, 365 days a year. Between them, the individuals currently holding these positions have over 80 years of police experience. In case of a serious crime or emergency, the on-call director is notified immediately and then supervises the investigation.

Campus Safety personnel are all New York State-licensed security guards empowered by the College to enforce the institution’s rules and regulations, with the authority to make citizen’s arrests. The safety officers receive annual training that includes the following areas: first aid, CPR/AED, use of force, crime-scene preservation, interviewing techniques, diversity, sexual assault, and conflict resolution. The officers provide campus patrols 24 hours a day and are responsible for enforcing safety rules and regulations, supervising fire and safety drills, and handling emergency situations on campus. Also, several members of the department are NYS-certified emergency medical technicians (EMTs). In addition, they work closely with the residential-life staff, facilities services staff, and the Student Government Association to address quality-of-life issues on the campus.

Campus Safety works closely with local, county, and state law enforcement agencies, both in the investigation of crimes and in crime prevention. The department is in frequent contact with area law enforcement agencies regarding the collection of information and crime statistics that may affect the College and are required to be reported. The College has a memorandum of understanding with the Saratoga Springs Police Department regarding the investigation of serious criminal offenses and missing students.
Reporting Crimes and Emergencies

Witnesses and victims of a campus crime or emergency, as well as anyone who is suspicious of people or situations on campus, are urged to contact Campus Safety or local authorities immediately. Campus Safety can be reached at campus extension 5566 (emergencies) and 5567 (non-emergencies), or from an outside line at 518-580-5566 or -5567. In addition, the department has a confidential “TIPS” (8477) line for anyone to report suspicious activity anonymously (518-580-TIPS). Tips may also be submitted anonymously, via the Campus Safety “Silent Witness” program at https://www.skidmore.edu/campus_safety/programs/witness.php. The Saratoga Springs Police Department can be reached at 911 for emergencies and at 518-584-1800 for non-emergencies. Cellular 911 calls are answered by the Saratoga County Sheriff or State Police. The College encourages accurate and prompt reporting of all crimes to the Campus Safety Department and the appropriate law enforcement agencies.

In addition, victims have the option to notify and seek assistance from law enforcement and campus authorities. Victims will be advised of their rights and institutional responsibilities regarding judicial no-contact, restraining, and protective orders.

Skidmore has a system of emergency phones located at key points on campus. Marked with blue lights that become flashing strobes when the phone is activated, the hands-free phone kiosks offer a direct line to Campus Safety. Multiple buildings across campus have direct-dial phones or auto-dialing devices in key locations that connect directly to Campus Safety. One can also report incidents in person to Campus Safety, located on the ground level of Jonsson Tower. If a person is unable to contact Campus Safety directly to report an emergency, that person should notify a staff member, administrator in charge, or residence hall staff member, who in turn will contact Campus Safety. In the case of any reportable offenses covered under the Clery Act, an incident is officially reported, resulting in that incident being listed in campus crime statistics when they are reported to local police agencies or to “any official of the institution who has significant responsibility for student and campus activities.” This includes housing and disciplinary staff, the athletic director and coaches, and faculty advisors to student groups.

The College has an agreement with local police, who will monitor any criminal activity at off-campus student organizations that are recognized by the College, including student organizations with off-campus housing facilities. Skidmore currently has no organizations, such as fraternities and sororities, that operate off-campus facilities or residences.

Daily Crime Log

Campus Safety maintains a daily crime log where criminal incidents and alleged criminal incidents are recorded. The log can be viewed in person at the Campus Safety office. Entries or additions to the log must be made within two business days of receipt of the information. The log is available for the most recent 60-day period for inspection. Campus Safety will provide crime log data related to incidents older than 60 days within two business days of a request for the data.
Confidential Reporting

Mandated reporters and the general public are able to report incidents of crimes confidentially by using the “TIPS” (518-580-8477) line, the Silent Witness Report Form, the Skidmore Clery Report Proxy Form, and the Sexual and Gender-Based Misconduct Anonymous Reporting Form; the latter three forms are available at www.skidmore.edu/campus_safety/programs/witness.php, www.skidmore.edu/campus_safety/clery/Skidmore_Proxy_Report_Form.pdf, and https://cm.maxient.com/reportingform.php?SkidmoreCollege&layout_id=3 respectively. These services are available to anyone.

Response to Reports of Crimes and Incidents

If a crime or incident is reported to Campus Safety, the following steps are taken:

• A safety officer is dispatched immediately to assess the situation and secure the scene, if needed. (The safety officers are trained to attend to the needs of victims and to take control of the situation.) If the incident warrants, outside services such as the police, EMS, and fire department are called. At the scene, the safety officer is responsible for maintaining order, interviewing and counseling victims and witnesses, and preserving evidence.

• In the case of injury or illness, the individual may be cared for by Skidmore College Emergency Medical Service (SCEMS), at the College’s health services facility, or the individual may choose the Saratoga Hospital emergency room or Wilton Medical Arts (WMA).

• The director or associate director of Campus Safety notifies the appropriate Skidmore officials of the incident as needed in accordance with the College’s emergency communications plan.

• The investigating officer files a written incident report that is forwarded to the appropriate College officials. All serious crimes and accidents occurring on campus are reported to and investigated by the Saratoga Springs Police, New York State Police, or the Saratoga County Sheriff.

• If an incident is considered serious and poses an immediate threat to people and/or property, a safety alert, printed on specially colored paper, is posted at specified locations on campus to alert the entire campus community. In addition, emails, website postings, and social media are used when appropriate.

• The College has a written memorandum of understanding with the Saratoga Springs Police Department that the department will respond and investigate serious crimes and missing persons. In addition, the police will request additional local and state police resources as needed.
Emergency Response and Evacuation

• The College has an Emergency Management Team that meets regularly to prepare up-to-date procedures to respond to any emergency that may occur on campus.

• The College will immediately notify the campus community upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or staff. Warnings will be withheld only if they would compromise efforts to contain the emergency.

• When an emergency situation occurs on campus, safety officers are dispatched to assess and render aid. Additionally, local and state police, fire, and EMS resources are immediately requested, depending on the emergency.

• Specific emergency response and evacuation procedures may be initiated by the Department of Campus Safety and members of the College’s Emergency Management Team or other qualified on-site persons.

• When it is confirmed that a serious emergency or dangerous situation exists, relevant information will be disseminated to the College community by various means. These include a siren system (Saratoga campus only), emergency cellular text messaging system, emails, website postings, Twitter, Facebook, fliers, and personal contact.

• Response procedures and communication systems are tested on the Saratoga campus several times each year. Students and staff are also provided instruction and training in emergency procedures, including evacuation drills several times each year. Tests may be announced or unannounced and are documented. Emergency response and evacuation procedures are posted in all buildings.

• When a sexual assault is reported to one of the College’s designated officials, or otherwise comes to the attention of Campus Safety, the College initiates an investigation and informs victims of their options for having the investigation handled by Skidmore’s judicial system, the criminal justice system of the State of New York, or both. If a reporting person indicates they do not want a formal investigation, the College will attempt to honor that request consistent with community safety. The College and/or the victims may file formal charges through Skidmore’s judicial system (when the alleged assailant is a Skidmore student), and either party may also file criminal charges with local, county, or state police. When appropriate, Skidmore issues a campus safety alert and uses other means of communication to inform members of the Skidmore community. Skidmore’s resources (e.g., medical, legal, and counseling options) are available to students whether or not the alleged assailant is a member of the Skidmore community.
Security and Access to Campus Facilities

All Skidmore buildings are equipped with exterior locks, and many buildings have electronic anti-intrusion devices. All residence halls are locked 24 hours a day. All student rooms in residence halls are equipped with locks. Campus Safety patrols the campus 24 hours a day, checking all campus buildings, and placing special emphasis on residence halls during the late-night and early morning hours. Safety personnel conduct daily fire and safety checks on all floors of all residence halls during the late-night and early morning hours.

As part of the safety and security sessions held for all students each year, students are reminded that it is not permissible under any circumstances to prop open the doors of campus buildings. Campus safety officers and residential hall staff are instructed to report and close any doors found propped open. The hours that administrative and classroom buildings are open vary depending on the patterns of usage for the specific buildings and the needs of students and employees. During the academic year, Scribner Library is open until 1 a.m. Sunday through Thursday and until 10 p.m. on Friday and Saturday (extended hours are offered at the library during exam time). Campus Safety offers an escort service for any member of the campus community who requests this service.

The College also has a maintenance staff on duty 24 hours a day, seven days a week. This crew has radio contact with Campus Safety and is available immediately to carry out building maintenance or repairs related to security and safety. In addition, all maintenance jobs with security and/or safety ramifications are given a special priority designation.

Awareness Programs

Skidmore College offers many programs specifically designed to inform members of the campus community about security procedures and policies, personal safety, and crime prevention. In addition to a number of programs tailored for students, the College offers this information to employees through new-employee orientation, the employee handbook, and a brochure on Skidmore policies regarding drug and alcohol use/abuse. Residence hall staff undergoes extensive training each fall (or when first assigned staff duties) in preparation for their responsibilities. As part of this training, staff members must attend a series of workshops focusing on such issues as security and safety, disciplinary procedures for infractions of rules, fire safety, sexual harassment, diversity, and sexual assault. They are also advised of their reporting requirements according to the Clery Act. The residence hall staff, in turn, holds sessions in their buildings to inform the general student body about security and safety issues. Campus Safety officers are involved with many of these formal or informational meetings. These sessions are complemented by online programing each fall, conducted by Campus Safety and the Office of Residential Life.

First-year international students participate in mandatory education programs related to intercultural communication and sexual values, consent, reporting options, and College policy.

Each new student is apprised of the Student Handbook, available online at www.skidmore.edu/student_handbook/. It presents information on fire prevention and campus security issues, as well as Skidmore’s policies on alcohol and drugs.
Drug and Alcohol Abuse Education Programs

- **Think About It: primary (mandate for incoming students)**
  Think About It, offered through Campus Clarity, is a research-based, comprehensive training program focused on preparing students for the unique challenges of college and empowering them to make healthy, responsible choices and to confront and prevent serious problems. The program educates students about alcohol, drugs, and sexual violence and is designed to minimize risk associated with these areas. It uses a multifaceted approach to motivate and engage with students, such as live social norming and interactive real-world stories and scenarios.

- **Think About It: alcohol (sanction)**
  This is an individualized lesson that uses interactive exercises designed to influence behavior change around alcohol use. It reviews alcohol education, strategies for avoiding the dangers of drinking, tips for partying safely, and addresses common misconceptions about alcohol in college. This program includes the language of the primary Think About It course to reinforce the messages around responsible decision-making. Ninety-four students were required to take the course during the 2015–2016 academic year.

- **Think About It: drugs (sanction)**
  This course specifically addresses drug use and “challenges students to reflect on why they use drugs and whether the underlying causes of their drug use, such as stress, depression, and chronic pain, can and should be addressed with safe, healthier alternatives…” It is designed to refresh students on crucial information from the initial Think About It course. Forty-five students were required to take this course during the 2015–2016 academic year.

- **BASICS (sanction or voluntary)**
  BASICS, Brief Alcohol Screening and Intervention for College Students, is a two-part motivational interviewing program designed to reduce risk among students who demonstrate worrisome patterns of alcohol use. Although the BASICS program is available to all Skidmore students free of charge, most participants find their way to BASICS after violating the College’s alcohol policy. Sixty-six students were required to complete the program during the 2015–2016 academic year, and a majority of those reported positive changes to their alcohol use as a result of their participation. The program is non-judgmental and is an excellent opportunity for students to assess their own patterns of alcohol use and evaluate the role that alcohol plays in their life as a college student. In general, students report highly positive experiences with BASICS, and the program has proven to be very successful both at Skidmore and nationally.

- **Alcohol Education Workshops**
  The Department of Health Promotion offers workshops throughout the year to various offices and student groups to address areas of concern regarding alcohol and other drugs.
• **Social Norms Campaign**
  Social Norms is an awareness campaign designed to inform incoming first-year students, as well as the entire Skidmore community, that most students make healthy and responsible choices when it comes to alcohol and other drug use. The goal of the multi-year campaign is to correct misperceptions about “normal” student behaviors. Research shows that people often overestimate the prevalence of negative behaviors and underestimate the positive, protective behaviors of their peers. If an individual believes that a majority of their peers are engaging in a certain behavior, they are more likely to follow suit. The aim is to dispel misperceptions about what’s “normal” by providing true and accurate data to the community, therefore changing the culture around alcohol and drug use at Skidmore. The social-norms team hopes to empower students to continue their healthy, sensible behaviors and, in turn, to help build a wider campus culture that mirrors their values and habits.

• **The Source**
  The Source is a multifaceted program designed to promote connection among various levels for students who are either non-drinkers or are looking for an alternative to the typical party scene. The Source works to connect students to like-minded peers by allowing them to complete interest inventories on its web portal and then connects them to students with shared interests. The Source also provides a list of events going on locally that are substance-free that students can browse based on interest categories. The Source also hosts various events throughout the year based on students’ interests that serve as an alternative to the weekend scene. More than 500 students are members of The Source.

• **Peer Health Education (PHE) Program**
  The Department of Health Promotion oversees Skidmore’s Peer Health Education (PHE) program, in which students commit to promoting healthy choices and lifestyles through educating and empowering themselves and their peers on a variety of health-related topics, including alcohol and other drugs. They provide innovative, creative, and educational opportunities for their peers to learn about alcohol and other drug prevention. They also serve as a resource, referral agent, and role model for their peers.

• **Academic Training for Peer Health Educators**
  In order to become peer health educators, students must successfully complete a 3-credit course in which they are trained on a variety of health-related topics. One such topic is alcohol and other drug education. Issues addressed include the challenges of transitioning into college (as it pertains to alcohol), binge drinking, responsible decision-making, low-risk vs. high-risk behaviors, and resources on and off campus.

• **Friday Feature**
  The peer health educators host an alcohol-free event every Friday evening that is open to all students who are looking form an alternative to the typical party scene.

• **Thursday Night Alternatives**
  The peer health educators provide interactive and fun programming on Thursday nights (for example, a trivia night) that serves as an alternative to the bar/party scene.
• **Alcohol and Other Drug (AOD) Task Force**
  Chaired by the Department of Health Promotion and composed of Student Affairs stakeholders and invested students, the Task Force aims to evaluate and address concerns related to AOD on campus.

• **Alcohol and Other Drug Campus Culture Assessments**
  The Department of Health Promotion surveys the student body annually to examine alcohol- and other drug-use trends and assess resource needs on campus. With the information gathered, the Department is able to advocate for the needs of the student body.

• **Health and Wellness Fairs**
  Peer health educators, under the supervision of the Department of Health Promotion, conduct various tabling events and health/wellness fairs throughout the year in which alcohol and other drug education is a focus. For example, during the month of October and in preparation for the upcoming Halloween celebrations, the health/wellness fair focuses on alcohol education. Students take part in interactive activities in which they learn about standard drink sizes, low-risk strategies, alternatives to the party scene, recognizing alcohol-related emergencies, etc.

• **Peer Mentor Training**
  Prior to the start of each academic year, the peer mentors go through an alcohol education workshop. This workshop includes basic alcohol and other drug information, and information about Skidmore’s AOD Policy, the Responsible Student policy. Students learn how to work with their peers around the topics of alcohol and drug use and are taught several methods on how to effectively engage with their peers, such as using motivational interviewing techniques.

• **Residential Life Training**
  Residential Life staff resident assistants (RAs) and unit assistants (UAs) are trained on various dimensions of alcohol and other-drug use. Issues addressed include alcohol poisoning, binge drinking, having effective conversations with peers, dealing with intoxicated students, the secondary effects of AOD abusers on other residents, and positive role modeling in regard to alcohol use. RAs and UAs are also educated about the AOD policy and the Responsible Student Policy.

• **Bystander Intervention Programming**
  A committee of peer health educators is dedicated to educating the campus on bystander intervention strategies that can be used to address behaviors including alcohol and other drug use. The group educates peers in a variety of ways, including workshops, passive programming, and tabling events.

• **Student Wellness Center**
  The Student Wellness Center is open weekday afternoons and serves as a resource to all students. Students can obtain a variety of information and materials related to various health-related topics, including alcohol and other drugs. The Wellness Center is staffed by peer health educators who are equipped to provide information and resources to students around these topics. Students can also take out books from the Wellness Center library.

• **One-on-One Informational Sessions for Students**
  The Department of Health Promotion offers one-on-one consultation sessions for students in which health information is provided and discussed, including alcohol and other drug use.
• **High-Risk Event Preventive Programming**
  As a proactive approach to counteracting traditional events that involve high-risk alcohol consumption, peer health educators and Health Promotion provide various outlets for student alcohol safety education, such as tabling events and public health campaigns. In addition, staff across various student-affairs departments meet to discuss prevention plans to promote student safety and responsibility.

• **Parent Orientation**
  The Department of Health Promotion is involved in Parent Orientation, in which discussions around alcohol and other drugs is highlighted and parents receive answers to frequently asked questions.

• **Social Media Outreach**
  Health Promotion educates students around the topics of alcohol and other drug use through various social media platforms (Facebook, Instagram and Twitter). For example, educational articles are often posted on Facebook for the 300+ student followers to engage with.

• **Ongoing Collaboration with Student Affairs Offices**
  To encourage Student Affairs offices to continue to explore their own work related to AOD prevention efforts, Health Promotion has been offering leadership, guidance, and support to various student affairs offices. Ongoing meetings have been held with several offices to implement prevention and education plans for students.

• **Capital District Regional College Consortium on Alcohol and Other Drugs**
  Designated Skidmore staff participate in this group that consists of representatives from local colleges and service agencies in the community. The mission of the group is to discuss best practices, evaluate the needs of students in our communities and implement effective educational methods for students around alcohol and other drug related topics. Consortium members collaborate on various alcohol and other drug related initiatives and educational efforts, including training programs and conferences for students and staff to attend.

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**Other Programs/Initiatives**

- **First-Year Experience**: In a collaboration between Student Affairs and the First-Year Experience, all peer mentors of first-year students are provided a curriculum for them to offer an alcohol- and drug prevention workshop or one-on-one conversation.

- **Substance-Free Housing Option**: Dedicated residence halls (Howe and Rounds halls) where residents agree not to bring substances or the effects of substance abuse into the residence hall.

- **Everyday Leadership Training**: Training aimed at explaining dating violence, domestic violence, and bystander intervention tactics.

- **Parental Notification**: Enlisted as individual circumstances dictate.
Results of Disciplinary Proceedings

The institution will disclose to the alleged victim of a crime of violence (as that term is defined in Section 16 of Title 18, United States Code), or a forcible or non-forcible sex offense, the report on the results of any disciplinary proceeding conducted by such institution against a student who is the alleged perpetrator of such crime or offense. If the alleged victim is deceased as a result of such crime or offense, the next of kin of such victim shall be treated as the alleged victim for purposes of this paragraph.
**Missing Person Protocol**

The Department of Campus Safety will initiate an investigation into any report of a missing person as soon as this information is received. Students, employees, and other individuals are advised to contact the department when a person is missing for 24 hours, or sooner under suspicious circumstances. The College has a missing-student notification policy for students who reside on campus that informs students that they have an option to identify an individual to be contacted by the institution no later than 24 hours after the time that the student is determined missing.

The notification procedure is confidential and requires students under 18 who are not emancipated to register the name of their custodial parent or guardian. The protocol includes notification to students that the institution will inform appropriate law enforcement agencies about missing students (a student is considered missing 24 hours after a report is made to the College and confirmation of his or her status to the institution) unless local law enforcement was the entity that made the determination that the student is missing.

Any missing-person report about an on-campus student must be immediately referred to the Department of Campus Safety, which will contact the individual identified as the student’s contact, if any. If the student is over 18 years of age or is an emancipated student under 18 years of age and has not registered a contact person, Campus Safety will report his or her missing status to the appropriate law enforcement agency upon confirmation of the missing status of the student no later than 24 hours after receiving information the student is missing. For students under 18 years of age and not emancipated, Skidmore must notify a custodial parent or guardian within 24 hours of the determination that the student is missing, in addition to notifying any additional contact person designated by the student. In any event Campus Safety will initiate an investigation immediately upon notification of a missing student.
Sexual and Gender-Based Misconduct Policy Overview

Note: The following policy was written to address events encountered by members of the Skidmore community connected to our campus in Saratoga Springs, N.Y., or programs associated with that campus. For events occurring at other off-campus study programs, all listed Skidmore College resources are available to involved parties. For off-campus study programs, (or events occurring outside Saratoga Springs that are connected to main campus programs) the respective local authorities should be substituted for the Saratoga Springs Police and Saratoga District Attorney’s Office when addressed in this policy.

I. Notice of Nondiscrimination

This policy addresses all forms of sexual and gender-based discrimination, including sexual assault and harassment. Skidmore College does not discriminate on the basis of sex in its educational, cocurricular, athletic, or other programs or in the context of admissions or employment. Sex discrimination is prohibited by Title IX of the Education Amendments of 1972, a federal law that provides that:

No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving federal financial assistance.

Skidmore College, as an educational community, will promptly and equitably respond to all reports of sexual and gender-based misconduct in order to eliminate the misconduct, prevent its recurrence, and address its effects on any individual or the community.

Inquiries or complaints about the application of Title IX may be directed to the College’s Title IX coordinator or deputy coordinator and/or to the U.S. Department of Education’s Office for Civil Rights.
Skidmore College’s Title IX coordinator oversees compliance with all aspects of the sexual and gender-based misconduct policy. The Title IX coordinator reports directly to the president of the College. Questions about this policy should be directed to the Title IX coordinator. Anyone wishing to make a report relating to discrimination or harassment should report to the appropriate individuals, listed below.

On campus:
Joel Aure
Title IX coordinator
Palamountain 434
815 North Broadway
Saratoga Springs, NY 12866
518-580-5708
jaure@skidmore.edu

Complaints involving students as accused:
Sarah Green
Title IX deputy coordinator
Case Center 219
815 North Broadway
Saratoga Springs, NY 12866
518-580-5022
sgreen4@skidmore.edu

Complaints involving faculty or staff as accused:
Saytra Green
Assistant director for employment, compliance, and workforce diversity
Barrett Center
815 North Broadway
Saratoga Springs, NY 12866
518-580-8418

Off campus
Office of Civil Rights
New York Office for Civil Rights
U.S. Department of Education
32 Old Slip, 26th Floor
New York, NY 10005-2500
Telephone: 646-428-3900
FAX: 646-428-3843
TDD: 800-877-8339
Email: OCR.NewYork@ed.gov

Anonymous reporting
Additionally, anonymous reports can be made using the online reporting form here: https://publicdocs.maxient.com/reportingform.php?SkidmoreCollege&layout_id=3
II. Skidmore College Statement of Sexual Values

Skidmore College is committed to providing a learning, working, and living environment that reflects and promotes personal integrity, civility, and mutual respect. Members of the Skidmore community have the right to be free from all forms of abuse, assault, harassment, and coercive conduct, including sexual and gender-based misconduct, as defined in this policy. Skidmore College considers sexual and gender-based misconduct to be one of the most serious violations of the values and standards of the College. Unwelcome sexual contact of any form is a violation of students’ personal integrity and their right to a safe environment and therefore violates Skidmore’s values. Skidmore College will not tolerate sexual or gender-based misconduct in any form. Sexual and gender-based misconduct is also prohibited by federal regulations. In accordance with Title IX, Skidmore College does not discriminate on the basis of sex in any of its programs and activities.

Skidmore recognizes that part of students’ development at the College may include learning and understanding themselves as sexual individuals. Skidmore also respects and upholds the principle that not all students choose to explore their sexual nature or sexuality.

Skidmore therefore aims to provide an environment that is comfortable and respectful for all students and their choices regarding sex and their sexuality. Understanding and applying this policy to the behavior of all members of the community helps ensure Skidmore’s goal of being a safe, open community. Failure to comply with this policy may result in a complaint of sexual and gender-based misconduct.

Skidmore College strives to promote an environment where mutual respect, communication, cultural competency, understanding, and awareness are the basis for any sexual behavior or activity. Mutual respect and communication are keys to maintaining each student’s personal integrity when engaging in sexual behavior.

Community Expectations

*Mutual Respect:* Treat others as they would like to be treated. In sexual relations this includes respecting your partner (their desires, boundaries, and body) and having open communication with the person(s) with whom you are engaging in sexual contact so that all those involved are comfortable with the activity that may occur and understand the boundaries and needs of those involved.

*Communication:* Open communication and listening includes understanding one’s own needs and desires, discussing these needs and desires with your partner(s), and, in general, creating open communication within the relationship, whether it is for a brief encounter or a longer commitment. Verbal communication in sexual situations is almost always the clearest means to communicate. The College encourages students who choose to engage in sexual behavior to talk with each other clearly about what they want, or do not want, from sex prior to engaging in sexual activity. An environment based on open communication and listening promotes **affirmative consent**, which Skidmore College considers integral to any responsible sexual relationship.

*Cultural Awareness and Respect:* The Skidmore College community is a multicultural educational environment where the customs and values of each individual are respected. Although the College’s standards regarding behavioral expectations and guidelines apply to all individuals, each person should recognize and respect the variations in the cultural expectations of others and demonstrate civility while engaging in open communication regarding sexual desires and boundaries.
III. Scope of This Policy

All members of the Skidmore College community have an obligation to act responsibly in the realm of sexuality, gender, and relationships; to recognize and challenge any sexual and gender-based misconduct; and to adhere to College policies and local, state, and federal law. This policy applies to conduct occurring on College property or at College-sanctioned events or programs that take place off campus, including study abroad and internship programs. This policy also applies to off-campus conduct that is likely to have a substantial adverse effect on any member of the College community.

This policy informs the Skidmore community of our values and outlines violations involving sexual and gender-based misconduct. This policy identifies an individual’s rights, options, and resources, and describes actions individuals may take if they experience an incident of sexual and gender-based misconduct, or are accused of sexual and gender-based misconduct.

Sexual and gender-based misconduct can be committed by any member of the Skidmore College community, including students, staff, and faculty. The College has jurisdiction to take disciplinary action against a Responding Individual who is a current student or employee. There are specific policies and procedures for resolving a report of sexual or gender-based misconduct against a student, staff, or faculty Responding Individual:

Complaints against a student will be resolved by the procedures set forth in this policy.

- As long as the College has jurisdiction over the Responding Student, there is no time limit to invoking this policy in cases of alleged sexual and gender-based misconduct. Nevertheless, persons are encouraged to report alleged sexual or gender-based misconduct as soon as possible in order to maximize the College's ability to respond promptly and effectively.
- Complaints that relate to conduct that occurred during a past academic year will be evaluated for a policy violation using the standards and definitions under the policy that was in place at the time the incident allegedly occurred, and the allegations of the complaint will be investigated and adjudicated using the procedures in the policy that is in effect at the time the complaint is made. The policies and procedures are updated regularly to comply with federal and state law.

Complaints against a staff member will be resolved by the College policy governing staff and related grievance procedures, which can be found in the Equal Employment Opportunity, Diversity, and Anti-Harassment Policies and Procedures for Exempt and Nonexempt Employees (includes members of unions).

Complaints against a member of the faculty will be resolved by the College policy governing faculty and related grievance procedures, which can be found in the Equal Employment Opportunity, Diversity, and Anti-Harassment Policies and Procedures for Faculty. In Part Six of the Faculty Handbook.

Complaints against a third party/individual not affiliated with Skidmore College may not be able to be resolved through the College process. The College’s ability to take appropriate corrective action against a third party will be determined by the nature of the relationship between the third party and the College. Regardless, all support resources and interim measures are still available to the Reporting Individual, and every effort will be made to assist the Reporting Individual in filing a complaint against the Responding Person through the appropriate channels (i.e. police, current workplace, current institution they attend, etc.).
IV. Statement of Privacy and Confidentiality

All College employees (faculty, staff, administrator), with the exception of the Counseling Center and Health Services—who are confidential sources and victim Advocates who can protect anonymity—are expected to immediately report actual or suspected discrimination, harassment, or sexual and gender-based misconduct to appropriate officials.

Skidmore College is committed to protecting the privacy of all individuals involved in a report under this policy. Skidmore also is committed to providing assistance to help Reporting Individuals make informed choices. With any report under this policy, Skidmore will make reasonable efforts to protect the privacy interests of the individuals involved in a manner consistent with the need for a careful assessment of the allegation and reasonable steps available to eliminate the reported conduct, prevent its recurrence, and address its effects.

Privacy and confidentiality have distinct meanings under this policy.

**Privacy:** Privacy generally means that information related to a report of misconduct will be shared with a limited circle of individuals who “need to know” in order to assist in the active review, investigation, resolution of the report, and related issues. While not bound by confidentiality, these individuals will be discreet and respect the privacy of all individuals involved in the process. Even Skidmore offices and employees who cannot guarantee confidentiality will maintain reporting individuals’ privacy to the greatest extent possible. The information provided to a non-confidential resource will be relayed only as necessary for the Title IX coordinator, Title IX deputy coordinator, or designee to investigate and/or seek a resolution.

**Confidentiality:** Confidentiality means that information shared by an individual with designated campus or community professionals cannot be revealed to any other individual without express permission of the individual, or as otherwise permitted by law. Those campus and community professionals include medical providers, mental health providers, and ordained clergy, all of whom normally have privileged confidentiality that is recognized by the law. These individuals are prohibited from breaking confidentiality unless (i) given permission to do so by the person who disclosed the information; (ii) there is an imminent threat of harm to self or others; (iii) the conduct involves suspected abuse of a minor under the age of 18; or (iv) as otherwise required or permitted by law or court order. While not confidential, Skidmore has also designated victim advocates who can protect the anonymity of reporting individuals.

**Non-confidential/not private:** Any other College employee who is not designated as a confidential resource under this policy is required to share a report of sexual and gender-based misconduct with the Title IX coordinator or designee. The Title IX coordinator or designee will conduct an initial assessment of the conduct, the Reporting Individual’s desired course of action, and the necessity for any interim remedies or accommodations to protect the safety of the Reporting Individual or the community. The goal is to eliminate any hostile environment.

All College proceedings are conducted in compliance with the requirements of the Family Educational Rights and Privacy Act (FERPA), the Clery Act, Title IX, Violence Against Women Act (VAWA), other state and local laws, and College policy. No information shall be released from such proceedings except as required or permitted by law and College policy.
V. Terminology

Reporting Individual: A Reporting Individual is usually an individual filing a complaint of a violation of the Skidmore College Sexual and Gender-Based Misconduct policy. In some cases (e.g., cases in which a person involved in an incident of alleged sexual and/or gender-based misconduct does not wish to participate in the process but the College decides that the alleged misconduct needs to be investigated), Skidmore College may serve as the Reporting Individual. In these cases, the College may extend the full rights of the Reporting Individual as defined in this policy to affected parties as deemed appropriate by the Title IX coordinator or Title IX deputy coordinator.

Responding Student: A Responding Student is a student alleged to have violated the Skidmore College Sexual and Gender-Based Misconduct Policy.

Victim advocate: As part of their positions at Skidmore College, these individuals work to support and assist victims of sexual and gender-based misconduct. Students who have experienced sexual and gender-based misconduct can seek help from victim advocates knowing that those staff members will not report identifying details about the incident. This status is not legally protected in the same way that disclosures to mental health, health care providers, or college chaplains are.

Trained sexual and gender-based misconduct advisor (SGBM advisor): The SGBM advisor is a Skidmore community staff or faculty member appointed by the dean of students and vice president for student affairs who is trained to support the Reporting Individual or Responding Student. A current list of trained SGBM advisors is maintained online at http://www.skidmore.edu/sgbm/contacts.php.

Advisor of choice: Both the Reporting Individual and Responding Student may elect to be accompanied by an advisor of their choosing to any meetings (including any Adjudication Panel review), conferences, and interviews pertaining to the investigation or adjudication of an SGBM complaint. In these instances, the advisor’s role is limited to observing, consulting with, and providing support to the Reporting Individual or Responding Student.

An advisor of choice may not speak or communicate on behalf of the Reporting Individual or Responding Student. This includes but is not limited to in-person meetings, phone conversations, email, or any other forms of electronic or written communication.

The Reporting Individual and Responding Student have the right to consult with and engage an attorney as their Advisor of Choice at their own expense. As with any advisor of choice, an attorney may be present at any investigative or adjudicative meetings, including the Adjudication Panel, when applicable. However, an attorney, as with any advisor of choice, will not be permitted to speak or communicate on behalf of the student they are representing as described in the paragraph above.

Additionally, once the Title IX coordinator, Title IX deputy coordinator, investigator, or relevant personnel has knowledge that either the Reporting Individual or Responding Student has engaged an attorney as their formal advisor of choice, the Title IX deputy coordinator or designee will inform the other party and the College’s attorney in that regard.

Any advisor of choice who fails to comply with this policy may be asked to leave any such meeting or conversation and is expected to comply with this request. Continued failure to adhere to this policy may result in the advisor of choice no longer being allowed to participate in this role.
Witness: A person or bystander who observes a crime, impending crime, conflict, potentially violent behavior, or conduct that is in violation of the Skidmore College Sexual and Gender-Based Misconduct Policy. Witnesses must have observed the conduct in question or have information directly relevant to the incident (i.e. first told, etc.) and cannot be called solely to speak about an individual’s character.

Investigator: The individual(s) charged with investigating a complaint of sexual or gender-based misconduct. The investigator(s) will typically be members of Campus Safety, the Title IX deputy coordinator, the assistant director of student conduct, and/or external investigators designated by the College. Investigators attend, at a minimum, annual Title IX investigator training.

Conduct administrator (CA): The associate dean of student affairs for campus life and engagement or designee from the Office of Residential Life who oversees the adjudication process. The CA cannot be an individual who served in the capacity of investigator for the complaint and is not a decision-maker in the adjudication process.

Sexual and Gender-Based Misconduct Adjudication Panel: The decision about whether there has been a violation of the Skidmore College Sexual and Gender-Based Misconduct Policy will be made by a panel of three faculty and/or staff members. The panel will be drawn from a pool of staff and faculty who receive specific training regarding the dynamics of sexual and gender-based misconduct, the factors relevant to a determination of credibility, the appropriate manner in which to receive and evaluate sensitive information, the manner of deliberation, and the application of the preponderance of the evidence standard, as well as the College’s policies and procedures. The Reporting Individual and Responding Student will have the opportunity to state whether there are those they feel should not participate in the panel review due to bias or any other reason that would prevent them from making a fair assessment of the information. The final decision on any such requests for recusal will be made by the conduct administrator.
VI. Student Bill of Rights

Under the Sexual and Gender-Based Misconduct Policy, 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 conduct process and/or criminal justice process free from pressure by the institution;
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 institution courteous, fair, and respectful health care and counseling services, where available;
6. Be free from any suggestion that the Reporting Individual 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 institution representatives as practicable and not be required to unnecessarily repeat a description of the incident;
8. Be protected from retaliation by the institution, any student, the accused and/or the Responding Student, and/or their friends, family and acquaintances within the jurisdiction of the institution;
9. Access to at least one level of appeal of a determination;
10. Be accompanied by an advisor of choice who may assist and advise a Reporting Individual, accused, or Responding Student throughout the conduct process including during all meetings and panels related to such process; and
11. Exercise civil rights and practice of religion without interference by the investigative, criminal justice, or conduct process of the institution.
VII. Prohibited Conduct

Sexual and gender-based misconduct is a broad term encompassing any sexual behavior or gender-based misconduct that was committed without affirmative consent. Sexual and gender-based misconduct may vary in its severity and consists of a range of behaviors. The following descriptions represent sexual behaviors and gender-based misconduct that violate Skidmore’s community standards and values of respect, civility, and personal integrity. These behaviors are serious violations and represent a threat to the safety of the Skidmore community.

Because SGBM often involves multiple violations of affirmative consent, it is the policy of Skidmore College to hold individuals accountable for all acts that violate this policy. This practice can mean that multiple violations of the SGBM policy are possible within a single incident.

1. Sexual Harassment

*Sexual harassment* is defined as unwelcome action, language, or visual representation of a sexual nature that has the effect of unreasonably interfering with an individual’s work or academic performance or that creates a hostile working, educational, or living environment.

A form of sexual harassment (quid pro quo) exists when employment or academic benefits are offered in exchange for submission to unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature. Quid pro quo sexual harassment also exists in those instances when rejection of unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature results in adverse educational or employment action, or the threat of such adverse action, or limits or denies an individual’s educational or employment access, benefits, or opportunities.

A second form of sexual harassment (hostile work environment) exists when an individual is subjected to unwelcome discriminatory conduct because of his/her sex or gender that is either severe or pervasive, alters the work or educational conditions of the individual, and creates an abusive environment.

Sexual harassment:
- may be blatant and intentional and involve an overt action, a threat or reprisal, or may be subtle and indirect, with a coercive aspect that is unstated;
- does not have to include intent to harm or involve repeated incidents;
- may be committed by anyone, regardless of gender, age, position, or authority. While there is often a power differential between two persons, perhaps due to differences in age, social, educational or employment relationships, harassment can occur in any context;
- may be committed by a stranger, an acquaintance, or someone with whom the individual has an intimate or sexual relationship;
- may be committed by or against an individual or may be a result of the actions of an organization or group;
- may occur by or against an individual of any sex, gender identity, gender expression, or sexual orientation;
- may occur in the classroom, in the workplace, in residential settings, or in any other setting;
- may be a one-time event or can be part of a pattern of behavior;
- may be committed in the presence of others or when the parties are alone;
- may affect the subject of the harassment and/or third parties who witness or observe harassment and are affected by it.
Sexual harassment also includes gender-based harassment, which may include acts of verbal, nonverbal, or physical aggression or hostility based on gender, sexuality, or sex- or gender-stereotyping, even if those acts do not involve conduct of a sexual nature.

Examples of conduct that may constitute sexual harassment include:

**Physical conduct:**
- unwelcome touching, sexual/physical assault, impeding, restraining or blocking movements
- unwanted sexual advances

**Verbal conduct:**
- making or using derogatory comments, epithets, slurs, or humor, not pedagogically appropriate
- verbal abuse of a sexual nature, graphic verbal commentaries about an individual’s body, sexually degrading words used to describe an individual, suggestive or obscene letters, notes, or invitations, not pedagogically appropriate
- objectively offensive comments of a sexual nature, including persistent or pervasive sexually explicit statements, questions, jokes, or anecdotes, which a reasonable peer would find offensive and which are not pedagogically appropriate

**Visual conduct:**
- leering, making sexual gestures, displaying of suggestive objects or pictures, cartoons, or posters in a public space or forum, not pedagogically appropriate
- severe, persistent, or pervasive visual displays of suggestive, erotic, or degrading sexually oriented images, not pedagogically appropriate

**Written conduct:**
- letters, notes, or electronic communications containing comments, words, or images described above, not pedagogically appropriate

**Quid pro quo conduct:**
- offering employment benefits in exchange for sexual favors
- making submission to sexual advances an actual or implied condition of employment, work status, promotion, grades, or letters of recommendation, including subtle pressure for sexual activity, an element of which may be repeated requests for private meetings with no academic or work purpose
- making or threatening reprisals after a negative response to sexual advances.

The determination of whether an environment is “hostile” is based on a reasonable person standard, considering all the circumstances. These circumstances could include, but are not limited to:
- the frequency or pervasiveness of the speech or conduct;
- the nature and severity of the speech or conduct;
- whether the conduct was physically threatening;
- whether the speech or conduct was humiliating;
- the effect of the speech or conduct on the recipient’s mental and/or emotional state;
- whether the speech or conduct was directed at more than one person;
- whether the speech or conduct arose in the context of other discriminatory conduct;
• whether the speech or conduct unreasonably interfered with the recipient’s educational opportunities or performance (including study abroad), college-controlled living environment, work opportunities, or performance;
• whether a statement is a mere utterance of an epithet that engenders offense in an employee or a student or offends by mere discourtesy or rudeness; and/or
• whether the speech or conduct deserves the protections of academic freedom.

2. Sexual Assault
Any nonconsensual sexual act prohibited by federal, tribal, or New York State law, including when the victim lacks capacity to affirmatively consent. Sexual assault includes, but is not limited to, sexual penetration and sexual touching, disrobing, and/or exposure as defined below:

• **Sexual penetration**
  Any sexual penetration (anal, oral, or vaginal), however slight, with any object or sexual intercourse, *without affirmative consent*. Sexual penetration includes vaginal or anal penetration by a penis, object, tongue, or finger and oral copulation by mouth-to-genital contact or genital-to-mouth contact.

• **Sexual touching, disrobing, and/or exposure**
  Any intentional sexual touching, however slight, with any object *without affirmative consent*. Sexual touching includes any bodily contact with the breasts, groin, genitals, mouth or other bodily orifice of another or any other bodily contact in a sexual manner. Any disrobing of another or exposure to another without affirmative consent.

3. Sexual Exploitation
Sexual exploitation occurs when a student takes non-consensual or abusive advantage of another for their own advantage or benefit or from the advantage or benefit of anyone else. Examples of sexual exploitation include, but are not limited to, non-consensual recording (by any means) of sexual activity or nudity without the knowledge and fully informed consent of all parties involved, and voyeurism.

• **Voyeurism** is a form of sexual exploitation in which one individual engages in secretive observation of another for personal sexual pleasure or engages in non-consensual video or audio taping of sexual acts. Although the subject of the secretive viewing or taping may be unaware of the observation, this behavior is a form of sexual misconduct and violates the integrity of the unaware student.

4. Intimate-Partner Violence
Also referred to as dating violence, domestic violence, and relationship violence, intimate-partner violence includes any act of violence or threatened act of violence against a person who is, or has been, involved in a sexual, dating, domestic, or other intimate relationship with that person. It may involve one act or an ongoing pattern of behavior.

Intimate-partner violence can encompass a broad range of behavior, including, but not limited to, physical violence, sexual violence, emotional violence, and economic abuse. Intimate-partner violence may take the form of threats, assault, property damage, or violence or threat of violence to one’s self, one’s sexual or romantic partner, or to the family members or friends of the sexual or romantic partner. Intimate-partner violence affects individuals of all genders, gender identities, gender expressions, and sexual orientations, and does not discriminate by racial, social, or economic background.
• *Emotional abuse* can include, but is not limited to acts of coercion, threat, intimidation, isolation, or other forms of behaviors and communications which, taken together, systematically control, manipulate, and/or exploit the other by undermining their confidence, identity, dignity, self-worth, capacity to grow, trust, and/or their emotional stability.

• *Domestic violence* includes, but is not limited to felony or misdemeanor crimes of violence committed by the victim’s current or former spouse or intimate partner, 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 State of New York, 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 State of New York.

• *Dating violence* means violence by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. Whether there was such relationship will be determined by the length of the relationship, the type of the relationship, and frequency of interaction between the persons involved in the relationship.
  o Dating violence includes, but is not limited to sexual or physical abuse or the threat of such abuse.
  o Dating violence does not include acts covered under the definition of domestic violence.

Individuals who are victims of domestic violence in New York State may seek a civil order of protection through Family Court. Criminal orders of protection may be issued if criminal charges are filed and an arrest is made. For more information, refer to Section 9 of this policy and/or see the New York State Law.

5. Stalking
Stalking is defined as a course of conduct directed at a specific person or persons that would cause a reasonable individual to fear for their own or someone else’s safety and/or to suffer substantial emotional distress. Stalking has occurred when any person engages in two or more separate acts that involve unwanted attention and/or contact. Examples include, but are not limited to acts such as repeated and unwanted phone calls, texts or emails, following or watching from a distance, spying on an individuals’ contacts, schedule, or personally identifying or locating information, and/or damaging or threatening to damage personal property, pets, or any person.

Stalking includes the concept of cyberstalking, which is a form of stalking using any type of electronic or social media to pursue, harass, threaten, or make unwelcome contact with another person.

6. Attempted Act
Attempts to commit sexual or gender-based misconduct are also prohibited under this policy, as is aiding the commission of sexual misconduct as an accomplice.
7. Retaliation
Retaliation is any act or attempted act which would discourage a reasonable person from engaging in any activity protected under this policy such as reporting SGBM, seeking services, receiving protective measures and accommodations, and/or participating in an investigation or SGBM resolution process.

All individuals and groups who are members of the Skidmore community are prohibited from engaging in retaliation. Retaliation can take many forms, such as threats, intimidation, pressuring, continued abuse, violence, or other forms of harm toward others. It can occur in various modes, including in person and through electronic communication. Retaliation includes maliciously and purposefully interfering with, threatening or damaging the academic or professional career and/or reputation of any individual involved in the reporting, investigation, and resolution of SGBM under this policy.

Individuals who provide information about SGBM in good faith, even if that information is later determined to not be accurate, are not engaging in retaliation.

- Threat: Written or spoken conduct that causes reasonable fear of injury to the physical or emotional health or safety of any person or damage to any property.
- Intimidation: Express or implied acts that cause a reasonable fear of injury to the physical or emotional health or safety of any person or damage to any property.

**Note on Other Code of Social Conduct Violations**
After reviewing the incident, the Title IX deputy coordinator or designee and conduct administrator will determine whether other Code of Social Conduct charges in addition to the SGBM charges of prohibited conduct should be applied. This will be reflected in the formal complaint and will be provided to both the Reporting Individual and Responding Student.

Furthermore, the conduct administrator in accordance with the policies of the Office of Residential Life may determine that Code of Social Conduct charges should be applied to other parties as well.

If any Code of Conduct charges are addressed in and added to the formal complaint during the investigation, both parties will be notified and will have an opportunity to address them as well as the original charges prior to the adjudication phase. Subsequent or unrelated allegations involving the Reporting Individual and Responding Student will be addressed separately under the appropriate policy.
A: Policy Expectations with Respect to Consensual Relationships

As an educational community, Skidmore College stands by principles of fairness, equal opportunity, and nondiscrimination. These principles take on special meaning in the relationship between students and members of the faculty, staff, or others in an advising or evaluative relationship. Specifically, all students have the right to be treated fairly, held to the same requirements and standards, and afforded equal opportunities based on their individual accomplishments. All employees are expected to maintain professional relationships with all College students; to act in accordance with standards of professional conduct; and to avoid conflict of interest, favoritism, bias, or creation of a hostile environment for any student of the College.

Sexual relationships between faculty and staff members and students are fraught with the potential for exploitation. The respect and trust accorded a professor by a student, as well as the actual or apparent authority of the professor, make voluntary consent by the student suspect. Even when both parties have in fact consented, the development of a sexual relationship renders both the faculty member and the College vulnerable to subsequent allegations of harassment.

1. **Policy on Consensual Sexual Relationships with Current Students**

   Sexual relationships, whether consensual or not, between College employees and their students (those whom they currently teach, advise, supervise, coach, evaluate, or hold authority over in any way) violate the integrity of the College’s educational community and constitute grounds for disciplinary action up to and including separation from the College.

2. **Policy on Consensual Sexual Relationships with Students When There Is No Formal Authority over the Student**

   Even if a College employee does not currently hold a position of authority over a student, any sexual relationship between an employee and a student of the College potentially jeopardizes the integrity of the academic or living environment of the Skidmore community. The College, therefore, discourages in the strongest possible terms any sexual relationship between an employee and any student of the College. In the event that any such relationship is found to undermine the trust, respect, and fairness that are essential to the success of Skidmore’s educational mission, the College will take appropriate disciplinary action, up to and including separation from the College.
B: Affirmative Consent

Affirmative consent is the basis of this policy because affirmative consent maintains the value that all persons have the right to feel respected, acknowledged, and safe during sexual activity. 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.

Consent can be communicated verbally or by action(s). In whatever way consent is communicated, it must be mutually understandable.

Consent is mutually understandable when a reasonable person would consider the words and/or actions that you and your partner(s) have expressed to demonstrate a desire to do the same thing, at the same time, in the same way, with one another.

In the absence of mutually understandable words or actions, the initiators of sexual contact are responsible for making sure they have obtained affirmative consent from their partner(s). The initiators must fully understand what their partner(s) wants and does not want sexually.

Consent to any sexual act or prior consensual sexual activity between or with any party does not necessarily constitute consent to any other sexual act. Each new sexual act requires new consent.

Affirmative consent has time boundaries.

Consent is required regardless of whether the person initiating the act is under the influence of drugs and/or alcohol.

Consent may be initially given but withdrawn at any time.

Consent cannot be given when a person is incapacitated, which occurs when an individual lacks the ability to knowingly choose to participate in sexual activity. Incapacitation may be caused by the lack of consciousness or being asleep, being involuntarily restrained, or if an individual otherwise cannot consent. 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.

The existence of a dating/romantic relationship between the persons involved or the fact of a previous sexual relationship does not automatically establish affirmative consent for future sexual activity.

Consent is not the absence of resistance.

Silence is an inactive behavior, and affirmative consent is an active behavior. Therefore, silence alone (absent a nonverbal action clearly demonstrating consent) is not considered affirmative consent. Silent and inactive behavior may indicate that something is wrong and the potential for sexual misconduct exists. If a partner is inactive (e.g., silent or physically still) sexual activity must stop until both partners have communicated clearly with each other about what, if any, sexual activity is mutually desired.
Affirmative consent can never be given by minors (under the age of 17 in New York State), mentally disabled individuals, or by incapacitated persons. A person who is unconscious, unaware, or otherwise physically helpless cannot give affirmative consent to sexual activity.

Affirmative consent cannot result from force, or threat of harm, coercion, fraud, intimidation, or incapacitation. The use of force to obtain sexual access or to induce consent violates this policy whether the force is physical in nature, violent, or involving threats, intimidation, or coercion.

- Physical force includes but is not limited to: hitting, kicking, and restraining. Physical force means someone is acting on you physically and exerting control over you through violence.
- Intimidation is an implied threat. It is not as clear or explicit as an overt threat.
- Coercion is the use of pressure to compel another individual to initiate or continue sexual activity against an individual’s will. Coercion can include a wide range of behaviors including intimidation, manipulation, threats, and blackmail. A person’s words or conduct are sufficient to constitute coercion if they wrongfully impair another individual’s freedom of will and ability to choose whether or not to engage in sexual activity. Coercion is evaluated based on the intensity, frequency, and duration of the comments or actions.
  Examples of coercion include threatening to “out” someone based on sexual orientation, gender identity, or gender expression, and threatening to harm oneself if the other party does not engage in the sexual activity.

Threatening someone to obtain consent for a sexual act is a violation of this policy. Threats exist where a reasonable person would have been compelled by the words or actions of another to give permission to sexual activity to which they otherwise would not have consented.

When consent is withdrawn or can no longer be given, sexual activity must stop.
C: Use of Alcohol or Other Drugs

In general, the College considers sexual contact while under the influence of alcohol or other drugs to be risky behavior. Alcohol and drugs impair a person’s decision-making capacity, awareness of consequences, and ability to make informed judgments. It is especially important, therefore, that anyone engaging in sexual activity be aware of the other person’s level of intoxication. If there is any doubt as to the level or extent of the other individual’s intoxication or impairment, the prudent course of action is to forgo or cease any sexual contact or activity.

The perspective of a reasonable person will be the basis for determining whether a Responding Student should have been aware of the extent and amount of the ingestion of alcohol or drugs by the Reporting Individual or of the extent to which the use of alcohol or drugs impacted a Reporting Individual’s ability to give consent. For example, an individual who is in a blackout may appear to act normally and be giving consent, but may not actually have conscious awareness, the ability to consent, or later recall the events in question. In determining whether consent has been given, the College will consider both: the extent to which a Reporting Individual affirmatively gives words or actions indicating a willingness to engage in sexual activity; and, whether the Responding Student was aware—or reasonably should have known—of the Reporting Individual’s level of alcohol consumption and/or level of impairment.

Being intoxicated or impaired by drugs or alcohol is never an excuse for sexual harassment, sexual violence, stalking, or intimate partner violence, and does not diminish one’s responsibility to obtain affirmative consent.
D: Capacity to Give Consent

Where alcohol or other drugs are involved, incapacitation is a state beyond drunkenness or intoxication, which occurs when an individual lacks the ability to knowingly choose to participate in sexual activity. 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. The impact of alcohol and other drugs varies from person to person; however, warning signs that a person may be approaching incapacitation may include slurred speech, vomiting, unsteady gait, odor of alcohol, combativeness, or emotional volatility.

Evaluating incapacitation requires an assessment of how the consumption of alcohol and/or drugs affects an individual’s:

- decision-making ability;
- awareness of consequences;
- ability to make informed judgments;
- capacity to appreciate the nature and the quality of the act; and/or
- level of consciousness.

In other words, a person may be considered unable to give affirmative consent due to incapacitation if the person cannot understand who, what, where, when, why, or how, with respect to the sexual interaction.

Evaluating incapacitation also requires an assessment of whether a Responding Student should have been aware of the Reporting Individual’s incapacitation based on objectively and reasonably apparent indications of impairment when viewed from the perspective of a sober, reasonable person in the Responding Student’s position.

An individual who engages in sexual activity with someone the individual knows or reasonably should know is incapable of making a rational, reasonable decision about whether to engage in sexual activity is in violation of this policy.
VIII. Options for Support and Reporting

Skidmore College is committed to creating an environment in which individuals who have experienced an incident of sexual and gender-based misconduct are encouraged to come forward and make a report. Members of the Skidmore community are encouraged to seek support and information from available reporting sources. Immediate reporting is essential for the protection of students. All sources will provide the Reporting Individual with information about obtaining support, resources, and the process of making a report or a formal complaint with the College and/or a law enforcement agency.

The College will endeavor to respect the wishes of the Reporting Individual regarding how and if to move forward; however, in some circumstances, the College will have to move forward. Under these circumstances, the College will weigh the request for confidentiality or that no further action be taken against the following factors: the seriousness of the alleged misconduct, any potential threats to community safety, the respective ages and positions of the Reporting Individual and the Responding Student, whether there have been other complaints against the Responding Student, and the Responding Student’s right to receive information under applicable law.

Reporting the incident may help the Reporting Individual gain some control over the situation and make informed decisions using information provided by the reporting source. Prompt reporting will both benefit and support Reporting Individuals, and also help the College maintain a safe community.

All students shall have the right to emergency access to the Title IX coordinator, Title IX deputy coordinator, or other trained official who shall be available upon the first instance of disclosure by a Reporting Individual to provide information regarding options to proceed and, where applicable, the importance of preserving evidence and obtaining a sexual assault forensic examination as soon as possible, as well as other pertinent information.

If the accused is an employee of the College, the Reporting Individual shall have the right to report the incident to the College’s Human Resources Department or may request that a confidential or private employee assist in reporting to the appropriate human resources authority.

Reporting Individuals have the right to receive assistance from appropriate institution representatives in initiating legal proceedings in family court or civil court.
1. To Speak with Someone Confidentially

Confidential resources are those individuals who, by law and/or college policy, are obligated to maintain confidentiality of the disclosure of sexual or gender-based misconduct. These individuals are not required to re-disclose information shared with them other than in very extreme and unusual circumstances involving evidence of a serious and imminent threat to the individual making the report or to an identifiable third party. Confidential resources include:

- Counseling Center
- Health Services
- Wellspring. A victim advocate from Wellspring (formerly Domestic Violence and Rape Crisis Services of Saratoga County) is on campus and accessible to individuals during set times (see http://www.skidmore.edu/sgbm/contacts.php for contact information and to schedule a meeting).

2. Anonymous Reporting Sources

Anonymous reporting sources have been deemed confidential by the College but are still required to report statistical information to the Title IX Coordinator.

**Victim Advocates**
While maintaining a victim’s anonymity, Victim Advocates must report the nature, date, time, and general location of an incident to the Title IX Coordinator or designee. This limited report—which includes no information that would directly or indirectly identify the victim—helps keep the Title IX coordinator informed of the general extent and nature of sexual violence on and off campus so the coordinator can track patterns, evaluate the scope of the problem, and formulate appropriate campuswide responses. Before reporting any information to the Title IX coordinator, these individuals will consult with the victim to ensure that no personally identifying details are shared.

**Peer Health Educators**
Student peer health educators are mandated to report for statistical purposes all incidents of sexual and gender-based misconduct that are disclosed to them. This report is made to Campus Safety and will not include any information that could identify the Reporting Individual. However, when a student peer health educator reasonably believes that an individual’s safety is at risk, they will discuss the report with members of the Student Counseling Center and/or Health Promotion staff to determine what information from the report must be shared with administrators at the College responsible for ensuring campus safety. In these situations, student peer health educators will make every effort to let the student know in advance and offer to go with the student to help facilitate an appropriate campus response.

- The Student Wellness Center, located on the third floor of Case Center, is a student run, administratively affiliated safe space for reporting incidents of sexual and gender-based misconduct and obtaining support after incidents of sexual and gender-based misconduct. Trained peer health educators can help students get help from on and off campus resources. Hours, which vary by semester, are posted on the door to the Wellness Center.
3. Private Reporting Sources

Reporting Individuals may speak with a private reporting source if they are considering filing a formal report or complaint. Private reporting sources are individuals who are trained to provide students with information and assist with obtaining information and support from available resources at the College and in the Saratoga Springs community. Private reporting sources will also provide students with information about the process associated with making a report or a formal complaint with the College or with a law enforcement agency. Although these reporting sources will endeavor to maintain the privacy of the matter and the individuals involved, they are required to disclose necessary information that is disclosed to them to the Title IX coordinator. In some circumstances, private reporting sources may also be responsible for initiating an investigation of the alleged sexual or gender-based misconduct.

Private reporting sources include:
- Title IX coordinator
- Title IX deputy coordinator
- Dean of students/vice president for student affairs
- Assistant director of student conduct
- Campus Safety
- Sexual and Gender-Based Misconduct Advisory Council (except Counseling Center and Health Services staff who are confidential sources, and Victim Advocates, who can protect anonymity)
- Trained sexual and gender-based misconduct advisors

4. Non-Confidential/Not Private Resources

Other college resources are individuals who can assist with obtaining campus resources, information and support about available resources at the College. Faculty and staff members falling under this category are often referred to as responsible employees through federal mandates. Although these college resources will endeavor to maintain the privacy of the matter and the individuals involved, they are required to share what is disclosed to them to the Title IX coordinator. Non-confidential/not private campus resources include:
- Student Affairs administrative staff (except Counseling Center and Health Services staff who are confidential sources, and Victim Advocates, who can protect anonymity)
- Residential Life staff members (area coordinator, assistant director, director, etc.)
- Resident assistants and unit assistants
- Peer mentors
- Deans
- Faculty
- Coaches and athletic trainers
- Student organization faculty/staff advisors

In addition, a Title IX complaint can be filed with the United States Department of Education, Office of Civil Rights (contact information available in the “Notice of Nondiscrimination” at the beginning of this policy).
Accommodations and Interim Measures

Regardless of whether the Reporting Individual wishes to pursue a formal report or complaint, the College will undertake an appropriate inquiry and take such prompt and effective action as is reasonably possible under the circumstances to support and protect the parties involved and protect the College community. This may include taking appropriate interim measures before the final outcome of the investigation and/or adjudication, including interim suspension of the Responding Student. Interim measures are available at the request of either the Reporting Individual or Responding Student. Additionally, the College may choose to impose interim measures at its discretion to ensure the safety of all parties, the broader College community, and/or the integrity of the process.

All individuals are encouraged to report concerns about failure of another individual to abide by any restrictions imposed by an interim measure. The College will take immediate and responsive action to enforce a previously implemented measure. Additional interim measures include but are not limited to:

- Access to counseling and health services;
- Imposition of a no-contact directive;
- Campus escorts;
- Change of on-campus student housing to different on-campus location;
- Rescheduling an academic exam, paper, assignment, etc.;
- Taking an incomplete in a class;
- Transferring of class sections;
- Alternative course completion options;
- Employment modification (change of schedule or assignment, etc.);
- College-imposed leave or separation;
- To seek an order of protection from a court of competent jurisdiction; the College will enforce the order of protection once notified of its existence and terms (more information on how to obtain an order of protection is included in a later section); and/or
- Any other remedy that can be tailored to the involved individuals to achieve the goals of this policy.
Additionally, if a Reporting Individual does not wish to file a formal complaint with the College, they can request a negotiated accommodation, such as a no-communication agreement.

- **No-communication agreement**
  - The Title IX deputy coordinator or designee may, at the request of the Reporting Individual, discuss a no-communication agreement with the Responding Student. This can be instituted regardless of how a Reporting Individual is choosing to move forward with the investigation/adjudication process.
  - A no-communication agreement states:
    - You agree to avoid contacting each other until further notice. Both of you are to refrain from: (1) calling one another at any time; (2) sending via email/social media, campus mail, or regular mail anything to one another; (3) contacting or communicating with one another, including through a third party, in any way at any time. If you wish to make contact, you must do so through the Office of Residential Life.
    - This agreement does not restrict your movement on campus, location of housing, or enrollment in courses. If you simultaneously participate in a program or activity or are currently attending the same academic course, it is expected that you will not make verbal contact unless otherwise required by the program, activity, or course instructor.
  - A no-communication agreement is separate from a no-contact directive in that is does not restrict a persons movement on campus and it is mutual, meaning all parties are expected to abide by the terms.
  - A no-communication agreement constitutes neither a waiver by the Reporting Individual of the right to file a formal complaint nor an admission of responsibility or wrongdoing by the Responding Student.
  - Failure to comply with the agreement would result in further conduct charges and sanctions.

Upon request, an individual may also seek a prompt review of the need for and/or terms of any other interim measure and accommodation that directly affects them, by submitting a written request for review to the Title IX deputy coordinator or designee, providing the basis for that request and any evidence in support.
No-contact directives
A no-contact directive (NCD) is a written document prohibiting a student from contacting, by any means, a specific individual in the Skidmore community.

Requirements of the No-Contact Directive (NCD)

A student against whom a NCD is issued is required to:

- Avoid any form of contact with the protected individual. This includes, but is not limited to (1) calling the other party; (2) sending electronic communication (text message/email/social media) to the other party; (3) sending campus or regular mail to the other party; and/or (3) contacting or communicating with the other party through a third party.

- Abide by any requirements to avoid contact with the protected individual in the protected individual’s residence, in academic settings such as classrooms, laboratories, etc., and at any location where the protected individual is scheduled or known to be present, such as a work or internship location, volunteer activity, etc.

- Abide by requirements to leave a public place when the other party is present as detailed in the NCD. The NCD will indicate whether the individual is required to leave all public places where they observe the other party or if there are restrictions related to specific public places and locations.

The terms of the NCD remain in place until the directive expires, or the terms are modified. While a NCD is in place, both the student against whom it is issued and the student protected by it have the right to request that the document be reviewed and modifications be made. Reviews will be conducted promptly, and modifications to NCDs will be made as needed. Requests must be submitted in writing to the Title IX deputy coordinator or designee and need to include the basis for the request and any evidence in support of the request.

Intentional violation of a no-contact directive is grounds for conduct charges. All reported potential violations will be investigated and adjudicated under the “Failure to Comply” section of the Code of Social Conduct in the Student Handbook.

No-contact directives are only enforceable by the College and only apply when the party against whom the NCD is issued is a member of the Skidmore community. Any student subject to an NCD issued by the College is required to comply with the directive both on and off College property.

Violations of a no-contact directive should be reported to Campus Safety. Although the College encourages individuals to report violations of a NCD promptly, safety is always the top priority. Whenever a student is off campus and believes that their safety is at risk, that student should call 911 immediately. Whenever a student is on campus and believes that their safety is at risk, that student should call Campus Safety at 518-580-5566.
On-campus violations:

- If safety is at risk: Immediately call Campus Safety at 518-580-5566.
- To report a violation of a NCD: Contact Campus Safety at 518-580-5567 or in person on the lower level of Jonsson Tower.

Off-campus violations:

- If safety is at risk: Immediately call 911. Skidmore College is not able to provide immediate assistance in off-campus incidents.
- To report a violation of a NCD: Contact Campus Safety at 518-580-5567 or in person on the lower level of Jonsson Tower.
- The existence or alleged violation of a NCD is not a police matter. If you call 911 to report a safety risk, you should tell the police about your NCD, but they will only enforce violations of law, not college policy related to a NCD or violations of a NCD.
Determination

In determining whether an NCD violation has occurred, the Office of Residential Life will consider multiple factors, including but not limited to:

- Size and layout of the space where the alleged NCD violation took place;
- Any attempted contact or communication by the subject of the NCD;
- Duration of time before the student vacated the space;
- Frequency and nature of alleged contact;
- Obligation of the subject of the NCD to be present in the space (i.e. place of work, athletic competition, internship location, etc.)

Any reported alleged violation of a NCD will be investigated promptly. Students who fail to comply with the terms of a NCD may be found in violation of the Code of Social Conduct under “Failure to Comply.” Additionally, depending on the nature, severity, and frequency of the alleged NCD violation as well as other potential relevant factors, the College reserves the right to apply additional violations under the Code of Social Conduct or the Sexual and Gender-Based Misconduct Policy. These may include but are not limited to retaliation, stalking, attempted act, and other prohibited conduct. Any such alleged violation will be addressed consistent with the appropriate College policy.

College-Imposed Interim Suspension or Leave

If either the Title IX coordinator or Title IX deputy coordinator decide at any point that the safety of a student or of any member of the College community is at stake, an interim suspension may be imposed on a student who is suspected of violating the Student Code of Conduct, any rules, regulations, or procedures of the College, or otherwise poses a risk of safety to the campus, until the time student conduct resolution or disciplinary action can be completed. Interim suspensions are imposed in consultation with the dean of students/vice president of student affairs. This action assumes no determination of responsibility and the student conduct process will be held as soon as possible. This action cannot be taken unless the Reporting Individual files a formal report or complaint with the Title IX deputy coordinator or designee. A student subject to such interim measures may appeal the decision to impose them to the DoS/VPSA within three business days after being notified of the decision.
IX. Filing a Formal Report

Reporting to the College

If the Responding Student is a currently enrolled student, any person who has experienced an incident of sexual misconduct or gender-based discrimination may file a formal report with the Title IX deputy coordinator or designee. The Reporting Individual works with the Title IX deputy coordinator or designee to submit a statement and explore options for proceeding through the process.

Reporting to Law Enforcement

It is the Reporting Individual’s decision whether or not to file a criminal report. The College encourages Reporting Individuals to seek out the support system that feels most appropriate and helpful. It is the policy of Skidmore College, and the Saratoga Springs Police Department, to not issue citations or take disciplinary action against victims who are under the legal drinking age or under the influence of illegal substances who report an assault.

In the event an individual chooses to report to law enforcement, they may do so on their own or request assistance from Campus Safety. Saratoga Springs police can come to campus to take a statement and ensure that the Reporting Individual is physically safe. The police will also interview the Reporting Individual about what happened. The interview is conducted in private, but the Reporting Individual can request to have a friend or another supportive person accompany them if they wish. The police will get as much information as possible about the incident and investigate the case further.

Once an investigation is completed, the police refer the case to the District Attorney’s Office. That office decides whether or not the case will be prosecuted by considering factors such as the evidence available to prove the charge(s) in court. If the district attorney decides not to prosecute, this does not mean that the district attorney doesn’t believe that an assault occurred. It means that based on past experience, he or she does not believe that there is sufficient evidence to successfully prosecute the case.

To report to local law enforcement, Reporting Individuals should contact the Saratoga Springs Police Department at 518-584-1800.

Violation of Law and College Discipline

Because sexual and gender-based misconduct may constitute both a violation of College policy and criminal activity, the College encourages persons to report alleged sexual and gender-based misconduct promptly to Skidmore Campus Safety or local law enforcement agencies. Criminal investigations may be useful in the gathering of relevant evidence, particularly forensic evidence.
Because the standards for finding a violation of criminal law are different from the standards for finding a violation of the Skidmore College Sexual and Gender-Based Misconduct Policy, criminal investigations or reports are not determinative of whether sexual or gender-based misconduct has occurred under the College’s policy. In other words, conduct may constitute sexual or gender-based misconduct under the College policy even if it is not a crime or law enforcement agencies lack sufficient evidence of a crime and therefore decline to prosecute.

The filing of a report of sexual and gender-based misconduct with the College is independent of any criminal investigation or proceedings (except that the College’s investigation may be delayed temporarily while the criminal investigators gather evidence), and the College will not wait for the conclusion of any criminal investigation or proceedings to commence its own investigation and take interim measures to protect the Reporting Individual and the College community as necessary.

**Timely Warning**

If a report of sexual or gender-based misconduct discloses a serious or continuing threat to the Skidmore community, the College may issue a timely campuswide warning (which can take the form of campus flyers and/or an email to campus community) to protect the health or safety of the community. The College will make every effort to ensure that a Reporting Individual’s name and other identifying information is not disclosed, while still providing enough information for community members to make safety decisions in light of the danger.

At no time will the College release the name of the Reporting Individual to the general public without the express consent of the Reporting Individual. The release of the Responding Student’s name to the general public is guided by Family Educational Rights and Privacy Act (FERPA) and the Clery Act.

All College proceedings are conducted in compliance with the requirements of FERPA, the Clery Act, Title IX, New York’s Enough Is Enough law, and other state and federal laws. No information shall be released from such proceedings except as required or permitted by law and College policy.

**Order of Protection**

Reporting individuals have the right to be assisted by Campus Safety or other official reporting resources in obtaining a court-ordered order of protection or, if outside of New York State, an equivalent protective or restraining order. An order of protection can only be issued by a judge if a criminal complaint is made.

If the institution receives an order of protection, a copy of the order will be shared with the Reporting Individual or Responding Student. Either party will have an opportunity to meet or speak with an institution representative, or other appropriate individual, who can explain the order and answer questions about it, including information from the order about the Responding Student’s responsibility to stay away from the protected person or persons. Consequences for violating these orders may include, but are not limited to arrest, additional conduct charges, and interim suspension.

In the event of a violation of the order of protection, Reporting Individuals may receive assistance from Campus Safety in contacting local law enforcement and affecting an arrest.
Additional information on obtaining an order of protection:
An order of protection is a legal document in which a judge orders someone to follow specific conditions of behavior—that is, tells someone things that they must or must not do.

Police can make immediate arrests if they have good reason to believe those conditions have been violated. The point of a temporary order of protection is to maintain peace and provide protection until all the facts have been gathered and the case is heard in court. The order remains in effect as written until it is changed or terminated by the court.

There are generally two types of orders of protection: family court order and criminal court order. For more information, please see https://www.nycourts.gov/faq/orderofprotection.shtml#q1

Note: Representatives from Wellspring may assist members of the Skidmore community in obtaining orders of protection from family court. Likewise, Campus Safety will assist community members with obtaining orders from the criminal court via the police.

Orders of protection are enforceable on campus and in other jurisdictions, including out of state. This becomes particularly important if the requesting party anticipates problems when they are home or elsewhere during class breaks. Most orders are entered into a nationwide database so police will be able to confirm the existence of an order, even if you don’t have a hard copy with you. More information on the NYS Order of Protection Alert System can be found here: https://oop.nyalert.gov/OOP/Default.aspx.
Requesting Confidentiality/No Further Action

Requesting confidentiality and no further action from the College: How the College will weigh the request and respond

Prior to filing a formal complaint, a Reporting Individual can request that, even though the College has received actual notice, no further action be taken by the College and that the incident remain private. The Title IX deputy coordinator and/or designee will review the information received and decide if that option is available. If this option is available, the incident will remain private and no action by the College will be taken. The incident will be kept on file with the Title IX coordinator in the event that a future pattern emerges. The incident may be re-evaluated if a pattern does emerge. If the Title IX deputy coordinator or designee has enough information indicating that the College has a duty to respond to the behavior, regardless of the Reporting Individual’s participation in the process, the College may move forward with filing a formal complaint and serving as the Reporting Individual in the absence of the Reporting Individual.

In the event that a Reporting Individual does not wish to proceed with an investigation or adjudication process, the Title IX deputy coordinator or designee will determine, based on the available information, including any investigative report, whether the investigation or conduct proceedings should nonetheless go forward.

When weighing an individual’s request for confidentiality or that no investigation or discipline be pursued, the Title IX deputy coordinator or designee will consider a range of factors, including, but not limited to, the increased risk that the Responding Student will commit additional acts of sexual and gender-based misconduct or other violence, such as:
- whether there have been other sexual and gender-based misconduct complaints about the same Responding Student,
- whether the Responding Student has a history of arrests or records from a prior school indicating a history of violence,
- whether the Responding Student threatened further sexual and gender-based misconduct or other violence against the victim or others,
- whether the sexual violence was committed by multiple perpetrators,
- whether the misconduct was perpetrated with a weapon,
- whether the victim is a minor,
- whether the Responding Student has admitted to the conduct,
- the extent of prior remedial methods taken with the Responding Student,
- whether the College possesses other means to obtain relevant evidence of the misconduct (e.g., security cameras or personnel, physical evidence),
- whether the victim’s report reveals a pattern of perpetration (e.g., via illicit use of drugs or alcohol) at a given location or by a particular group,
- whether the incident represents escalation in unlawful conduct on behalf of the Respondent Student from previously noted behavior; and
- the increased risk that the Respondent Student will commit additional acts of violence.

The presence of one or more of these factors could lead the College to investigate and, if appropriate, pursue disciplinary action. If none of these factors is present, the College will likely respect the Reporting Individual’s request for confidentiality.
The College will take all reasonable steps to investigate and respond to the complaint consistent with the request for confidentiality or request not to pursue an investigation, but its ability to do so may be limited based on the nature of the request by the Reporting Individual. The College will assess any barriers to proceeding, including retaliation, and will inform the Reporting Individual that Title IX prohibits retaliation and the College will take strong responsive action to protect the Reporting Individual. Where the College is unable to take action consistent with the request of the Reporting Individual, the Title IX Deputy Coordinator or designee will communicate with the Reporting Individual about the College’s chosen course of action, which may include the College choosing to pursue action against a Responding Student on its own behalf. Alternatively, the course of action may also include steps to limit the effects of the alleged misconduct and prevent its recurrence that do not involve formal disciplinary action against a Responding Student or revealing the identity of the Reporting Individual.

If the College determines that it cannot maintain a student’s confidentiality, the College will inform the Reporting Individual prior to starting an investigation and will, to the extent possible, only share information with people responsible for handling the College’s response.

The College will remain ever mindful of the Reporting Individual’s well-being, and will take ongoing steps to protect them from retaliation or harm and work with the student to create a safety plan. Retaliation against the Reporting Individual, whether by students or College employees, will not be tolerated. The College will also:

- assist the victim in accessing other available victim advocacy, academic support, counseling, disability, health or mental health services, and legal assistance both on and off campus (see portion of policy identifying these);
- provide other security and support, which could include issuing a no-contact directive, helping arrange a change of living or working arrangements or course schedules (including for the alleged perpetrator pending the outcome of an investigation) or adjustments for assignments or tests; and
- inform the victim of the right to report a crime to campus or local law enforcement—and provide the victim with assistance if the victim wishes to do so.

The College may not require a Reporting Individual to participate in any investigation or disciplinary proceeding. Because the College is under a continuing obligation to address the issue of sexual and gender-based misconduct campuswide, reports of sexual and gender-based misconduct (including non-identifying reports) will also prompt the College to consider broader remedial action such as increased monitoring, supervision or security at locations where the reported sexual and gender-based misconduct occurred; increasing education and prevention efforts, including to targeted population groups; conducting climate assessments/victimization surveys; and/or revisiting its policies and practices.

If the College determines that it can respect a Reporting Individual’s request for confidentiality, the College will also take immediate action as necessary to protect and assist the Reporting Individual. If the College honors the request for confidentiality, the Reporting Individual must understand that the College’s ability to meaningfully investigate the incident and pursue disciplinary action against the Responding Student may be limited.
XI. Investigation Process

Filing a Formal Complaint

If the Reporting Individual wishes to file a formal complaint, the Title IX deputy coordinator and/or designee will collect information from the Reporting Individual for the formal complaint. After receiving this statement, the Title IX deputy coordinator will take into consideration the choice/wishes of the Reporting Individual and, as needed, consult certain parties or personnel to determine how to proceed. The options for next steps include:

1. Not enough information presented to move forward with a formal complaint.
2. Moving forward with a formal complaint: Information collected in the formal report gives reasonable cause to believe a violation of the SGBM policy may have occurred and warrants further investigation. A full investigation will begin.

Please note that mediation or any form of informal resolution is not permitted for alleged violations of the Sexual and Gender-Based Misconduct Policy.

Full Investigation

The Title IX deputy coordinator or designee will determine the most effective method of reviewing the concerns raised by the reported sexual or gender-based misconduct. In all cases, the College will respond to the report in a prompt, impartial, procedurally fair, and effective manner. Upon receipt of a report, the College will strive to complete the investigation and adjudication processes (excluding appeal process) within sixty (60) calendar days. Throughout the investigation process, a Reporting Individual and Responding Student may be accompanied by a trained sexual and gender-based misconduct advisor and/or an advisor of their choosing to all meetings, investigation interviews, and/or panel reviews pertaining to the complaint. Please keep in mind that an advisor of choice is not permitted to speak on behalf of the student they are supporting as described on page 9 under the definition of advisor of choice.

Investigation Process:
An investigation into whether or not a violation of the Sexual and Gender-Based Misconduct Policy has occurred will begin after a formal complaint has been filed and the Reporting Individual has been informed of their rights under this policy.

The Title IX deputy coordinator or designee will then reach out to the Responding Student to provide them the formal complaint, including the date, time, location, and factual allegations concerning a violation, the investigation and adjudication process, and their rights under this policy. The Responding Student must contact the assigned investigators to schedule the initial investigation interview within 48 hours of receiving the formal complaint. If the Responding Student fails to arrange and meet with the Investigators within the specified time frame, the complaint process will proceed in their absence.

The Reporting Individual and Responding Student will be kept informed of all developments and will be advised of the procedures that will guide the resolution of the complaint.
The purpose of the investigation is to collect information, through meeting separately with the Reporting Individual (if participating), Responding Student, and pertinent witnesses, and reviewing other relevant information. At any time during the course of an investigation, the Reporting Individual, Responding Student, or any witnesses may also provide a written statement, other supporting materials, or identify other potential witnesses, regarding the matter under review. All information gathered will be used to complete an investigation report to be used during the adjudication process. Individuals who are interviewed may provide information that the Investigators determine is irrelevant to the finding of facts and reserve the right to redact this information from the final investigation report.

The investigation report will be shared with the Reporting Individual and Responding Student once it is complete. The Reporting Individual and Responding Student each have five (5) business days following the receipt of the report to write a response to it or pose questions to the other parties (including witnesses), if they wish to do so, before the investigation report is considered final. Written responses may also include additional information not previously included in the report that is relevant to the determination of whether or not the Sexual and Gender-Based Misconduct Policy has been violated. Submitted questions will be reviewed by the Investigators and if deemed appropriate and unanswered will be asked to the other parties. Investigators will gather answers to the questions asked and responses will be included in the final investigation report. Any new information will be reviewed for relevance by the investigators prior to becoming part of the final investigation report. Written responses and answers to questions will be included in the official materials sent forward to the Adjudication Panel for review. Once the investigation report is final, it is turned over to the conduct administrator to begin the adjudication process. The final investigation report is provided to the Reporting Individual, Responding Student, and the adjudication panel.
XII. Adjudication Process

Standard of Evidence

The Department of Education’s Office of Civil Rights has interpreted Title IX to require schools to evaluate reports of alleged sexual and gender-based misconduct under a “preponderance of the evidence” standard and that is the standard adopted by this policy. A preponderance of the evidence exists when a reasonable person, after a careful balancing of available information, would conclude that “more likely than not” a violation has occurred and the student charged is responsible for the violation.

Special Procedures

A. False Reports
The College will not tolerate false allegations of incidents of sexual and gender-based misconduct. Complaints made in good faith that are found not to constitute harassment or discrimination will not be considered false allegations. It is a violation of the Student Code of Conduct to make an intentionally false report of any policy violation, and it may also violate state criminal statutes and civil defamation laws. Any individual who knowingly, maliciously, or frivolously makes a false allegation of sexual and gender-based misconduct will be subject to disciplinary action up to and including suspension or expulsion. Similarly, any party or witness who is later proven to have intentionally given false information during the course of an investigation or conduct process may be subject to disciplinary action.

B. Amnesty for Reporting Individual(s)/Witnesses/Bystanders
The health and safety of every student at Skidmore College is of utmost importance. Skidmore 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, or the alleged incident of sexual and gender-based misconduct—occurs may be hesitant to report such incidents due to fear of potential consequences for their own conduct. Skidmore College strongly encourages students to report domestic violence, dating violence, stalking, sexual assault, or sexual and gender-based misconduct to reporting resources listed above. A bystander acting in good faith or a Reporting Individual acting in good faith who discloses any incident of domestic violence, dating violence, stalking, sexual assault, or sexual and gender-based misconduct to College officials or law enforcement will not be subject to Skidmore College Code of 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, sexual assault, or incident of sexual and gender-based misconduct.

C. Alternative Participation Options
Reporting Individuals or Responding Students may request alternative participation options during the commenting period of the panel. Options include placing a privacy screen in the panel review room, or other options that provide a safe space for participation while not depriving the Responding Student of their rights in the process. While these options are intended to help make all parties more comfortable in participating in this process, they are not intended to work to the disadvantage of the Responding Student.
D. Sexual History/Character, Past Sexual and Gender-Based Misconduct Violations, and Past Conduct Violations

1. The investigator and the Sexual and Gender-Based Misconduct Adjudication Panel will not consider information concerning the sexual/romantic history or sexual character of either the Reporting Individual or the Responding Student, except:
   a. From either the Reporting Individual or the Responding Student regarding their shared sexual history. If either offers such information, the other will have the right to respond; or
   b. Information regarding the Responding Student’s sexual history that shows a pattern of behavior by the Responding Student. In order to be relevant, the Investigators will strive to gather a description of the similar behavior, a summary of the relevance of the described behavior, and a brief explanation of why this information was not previously investigated and/or the status of the investigation. Whether certain conduct constitutes “similar behavior” is within the discretion of the Adjudication Panel.

2. If, in the past, a Responding Student was found to have violated the Sexual and Gender-Based Misconduct Policy (“past violation”), the information related to the past violation may be shared by the conduct administrator and considered by the Adjudication Panel prior to determining responsibility and sanctions, if:
   a. the previous violation was substantially similar to the present complaint, and
   b. the previous violation indicates a pattern of behavior and substantial conformity with that pattern by the Responding Student.

3. Other violations of the Sexual and Gender-Based Misconduct Policy that were not substantially similar or other student misconduct (ex. alcohol and other drug violations) may be shared by the conduct administrator after the panel has determined responsibility but prior to determining sanctions.

Adjudication Procedures

The conduct administrator shall assemble a Sexual and Gender-Based Misconduct Adjudication Panel of three trained members of Skidmore’s staff or faculty to review sexual and gender-based misconduct cases. Gender diversity will be ensured in panel composition. The pool of trained adjudication panel members are staff members who are appointed by the DoS/VPSA and/or the faculty members who serve on the Faculty Advisory Board (FAB) and are appointed by the Faculty Executive Committee (FEC) to serve in overlapping two-year terms. The Reporting Individual and Responding Student have a right to petition that any member of the Sexual and Gender-Based Misconduct Adjudication Panel be removed on the basis of knowledge of the participants in the case that may impair, or may be perceived to impair, their ability to review and determine a case impartially. Panel members are also encouraged to remove themselves from a panel if they have knowledge of the participants in the case that may impair, or may be perceived to impair, their ability to review and determine a case impartially, and to recuse themselves if their participation might compromise the integrity of the adjudication process.

The Adjudication Panel will deliberate in private to review the investigation report. The panel will start its deliberations by reading the statements gathered by the investigator(s) and the investigation report, along with the responses to the report (if any) from the Reporting Individual and Responding Student. After discussion, the panel will decide whether there are additional questions that need to be asked. If so, the conduct administrator will go back to the parties to ask those questions. Any additional information collected will be submitted to the Reporting Individual and Responding Student before the panel commenting session.
Following the initial review by the Adjudication Panel, the Responding Student and Reporting Individual will be informed in writing of the date and time of the panel review and commenting session. Any scheduling requests must be submitted to the Conduct Administrator to be resolved no later than 48 hours prior to the scheduled date of the commenting session.

The Responding Student and Reporting Individual may be accompanied by one advisor of their choosing and one sexual and gender-based misconduct advisor. The advisor and sexual and gender-based misconduct advisor are present to act as counselors and to support the Responding Student and Reporting Individual, and to provide advice on procedural matters. The advisor and sexual and gender-based misconduct advisor do not have speaking privileges during the Adjudication Panel review. A panel review will not be cancelled or postponed in the event a scheduled advisor and/or sexual and gender-based misconduct advisor does not attend. If the scheduled advisor and/or sexual and gender-based misconduct advisor is not able to attend, the Reporting Individual/Responding Student is advised to arrange for a substitute. The Reporting Individual and Reporting Individual must notify the conduct administrator of any advisor and sexual and/or gender-based misconduct advisor attending the panel 24 hours prior to the panel review.

Any portion of the panel review not considered private deliberation will be audio-recorded, including the commenting session. A digital file will be made available upon request to the Reporting Individual and/or Responding Student in order to prepare a written appeal.

During the Adjudication Panel review, the Reporting Individual and Responding Student are invited to address the panel during a 30-minute commenting session. The commenting session can be used to direct the panel to review specific sections of the investigation report. The commenting session will not allow for any impact statements to be made. The panel will not ask any questions during this phase, as all questions have been asked by the investigators and answered by the appropriate parties. The Reporting Individual and Responding Student then leave the room and the panel by unanimous decision will determine whether or not the Responding Student violated the Sexual and Gender-Based Misconduct Policy and/or Code of Social Conduct violation as alleged in the formal complaint by finding either “in violation” or “no violation” using the standard of evidence described above. If the Responding Student or Reporting Individual fails to appear at the panel, the panel will move forward in their absence.

If the panel renders a determination of no violation, the panel adjourns. The Reporting Individual and Responding Student have the right to appeal this determination. If either party submitted an impact statement, the conduct administrator will contact them to pick up the unread statements, and they will not remain a part of the case information.

If the panel renders a determination of “in violation,” it will review any submitted impact statements and information regarding past violations prior to making sanctioning determinations.

**Impact Statement:** The Reporting Individual and Responding Student each have the right to prepare and submit, in writing, an impact statement to be considered by the Sexual and Gender-Based Misconduct Adjudication Panel while determining sanctions. Impact statements outline the Reporting Individual’s or Responding Student’s thoughts regarding an appropriate sanction. The panel is not bound by these statements in determining sanctions. Impact statements are optional and are only admissible if a violation is found.
The panel will then recommend a sanction consistent with those specified in the Skidmore College Sexual and Gender-Based Misconduct Policy.

The panel shall have up to five business days following the 30-minute commenting session to render a decision regarding a finding or sanction.

The conduct administrator will notify both the Reporting Individual and Responding Student simultaneously, in writing via email, of the panel’s decision.

The Reporting Individual and Responding Student both have the right to appeal any decision made by the panel. Appeal procedures can be found in the section below.

The College reserves the right to extend any time periods identified in this policy and both the Reporting Individual and Responding Student will be promptly notified of any changes in the procedures.

If a sexual or gender-based misconduct case is also being heard by a civil or criminal court, the College retains the right to hear the case before, after, or during the same time as the civil or criminal case, and to implement appropriate action (such as no-contact directives, removal from campus residence facilities, removing a student from a class or classes or interim suspension) to maintain the safety of the campus.

The campus conduct process shall be confidential to the extent possible and as allowed by law.

**Notification of Determination**

The determination made after an investigation (if there is not sufficient information to proceed with an adjudication process) or at the conclusion of adjudication is part of the education record of the Responding Student, and is protected from disclosure under federal law. However, there are two exceptions:

- Reporting Individuals shall be informed of the formal complaint against the Responding Student, the determination made after a panel, and any sanctions imposed.
- Students who bring any sort of sexual misconduct complaint against faculty or staff may be informed of the determinations made and sanction imposed.

Information regarding the release of disciplinary records can be found in the *Student Handbook*.

**Appeal Process**

A student involved in the conduct process as a Reporting Individual or a Responding Student may file a written appeal of the Adjudication Panel’s decision. Appeals will be considered on the following grounds:

a) A procedural error occurred that significantly affected the outcome of the process (e.g. substantiated bias, material deviation from established procedures, etc.);

b) the discovery of new information, unavailable to the appealing party during the original panel or investigation, that could substantially impact the original finding or sanction; or

c) sanctions are disproportionate to the nature or severity of the violation or violations, taking into account the totality of the circumstances (including the cumulative conduct record of the Responding Student, if any).
In the event that the sanction is suspension or expulsion, the decision will be automatically reviewed by the dean of students and vice president for student affairs (DoS/VPSA). Both parties can submit written statements to be considered by the DoS/VPSA during their review process.

To file an appeal:
- Submit a written appeal within three (3) business days of the written outcome being made available to the Office of Residential Life.
- Written appeals will be submitted to the other party for their response, which must be submitted within two (2) business days.

To respond to an appeal:
- Parties will be notified of the other party’s appeal once it has been received by the Office of Residential Life.
- All parties will have access to all the written appeals and responses submitted by all parties after the submission deadlines have ended.

Potential appeal outcomes
The appeal will be reviewed by an Appeal Panel, chaired by the dean of students/vice president for student Affairs (DoS/VPSA). The Appeal Panel members will be chosen from the same pool of trained panel members described in the adjudication procedures above. The Reporting Individual and Responding Student have a right to petition that any member of the Sexual and Gender-Based Misconduct Adjudication Panel be removed on the basis of knowledge of the participants in the case that may impair, or may be perceived to impair, their ability to hear and determine a case impartially. Panel members are also encouraged to remove themselves from a panel if they have knowledge of the participants in the case that may impair, or may be perceived to impair, their ability to hear and determine a case impartially, and to recuse themselves if their participation might compromise the integrity of the adjudication process.

The Appeal Panel will meet in private to review all available written material, including the full investigation report, submitted impact statements, outcome letters (with written rationale), appeal statements and the digital recording of the 30-minute commenting session. After a review of all available information, the Appeal Panel may decide to:
- decline to consider the appeal if it is not based on one or more of the criteria listed above,
- make a final determination either upholding or altering the outcome of the panel,
- ask the original Adjudication Panel to reconsider the case based on new information, or
- impanel a new Adjudication Panel to decide the case de novo.

The Appeal Panel will review the appeal and render a decision within ten (10) business days after receiving the written appeal. The decision of the Appeal Panel is final, subject to any further proceedings ordered by the DoS/VPSA as described above.

The timeline above may change depending on individual circumstances of the case. If there are any changes to the appeal timeline, this will be communicated by the DoS/VPSA or their designee to all parties involved.

During the appeal process, the DoS/VPSA may implement interim restrictions for sanctions such as suspension or expulsion to allow the Responding Student to continue to take classes but protect the safety and well-being of the Reporting Individual.
Sanctions

Sanctions are designed to stop the harassing behavior, prevent its recurrence, and remedy the effects upon the victim and community. Sanctions preserve individual and institutional safety and integrity and, whenever possible and appropriate, help offenders repair the damage to the individual and community for which they have been found responsible. Individuals found to be in violation of sexual and gender-based misconduct offenses involving penetration will likely face a recommended sanction of suspension or expulsion. Individuals found to be in repeat violation of sexual and/or gender-based misconduct offenses will likely face a recommended sanction of suspension or expulsion.

The Office of Residential Life maintains a record of all student misconduct and sanctions applied, and these are admissible in subsequent student conduct proceedings involving the student(s) in question. Student misconduct may have an effect on eligibility for academic prizes and honors, eligibility to hold a student leadership position, participation and/or status in the housing selection process, law school applications, security clearances, etc.

When considering appropriate sanctions for the violation, the panel will consider the following pieces of information (in no particular order):

- the nature and violence of the conduct,
- the Responding Student’s prior discipline history,
- the effect of the conduct on the Reporting Individual, and their desired sanctions, if known,
- the impact of the conduct on the Skidmore community, its members, and/or its property,
- how the College has sanctioned similar incidents in the past,
- whether the Responding Student has accepted responsibility, and
- any other mitigating or aggravating circumstances, including the College’s values.

The sanctions available to the Adjudication Panel assign include, but are not limited to, the following:

- **Professional assessment**: Completion of a professional assessment and ongoing compliance with all recommendations that could help the student or the College ascertain the student’s ongoing supervision or support needs to successfully participate in the College community.

- **Educational program**: The panel may require the Responding Student to attend, present, and/or participate in a program related to the violation. It may also be a requirement to sponsor or assist with a program for others on campus to aid them in learning about a specific topic or issue related to the violation for which the student or organization was found responsible. Students may be required to complete a workshop, online education courses, research or reflection paper articulating the harm caused by their actions and/or strategies they may adopt to prevent further disruptive behavior.

- **Specific restriction(s)**: The panel may impose specific restrictions on an individual to prevent either access to an area of campus or participation in one or more College or College-recognized or -sponsored programs or activities (e.g. commencement).

- **No-contact directive**: The panel may decide to continue and/or impose a prohibition against having any avoidable 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.
- **College housing reassignment or suspension:** The panel may reassign the student to another College housing facility, or may remove the student from College housing for a specified period of time, including permanent removal.

- **Disciplinary probation:** If determined appropriate by panel, a student may be placed on disciplinary probation. In such a case, any subsequent violation of this SGBM policy (or other college policy) is likely to result in suspension or expulsion. Note that some campus organizations do not permit their members to serve in leadership positions or hold campus jobs if they are on Disciplinary Probation. Probation may also affect eligibility for study abroad, attending conferences, or representing the College at an official function, event or intercollegiate competition as a player, manager or student coach, etc.

- **College suspension:** The panel may recommend suspension to the DoS/VPSA. During the suspension period, the student is prohibited from being present on or at College property, functions, events and activities without prior written approval from the conduct administrator (CA). The panel may also assign specific sanctions, such as a professional assessment or community service, for completion during the suspension period. While suspended, students may transfer up 18 credits taken at another institution, subject to the usual review by the Registrar. The College follows the refund practices for personal leaves. Further information may be found on the Bursar’s Office website at [http://www.skidmore.edu/bursar/withdrawal/index.php](http://www.skidmore.edu/bursar/withdrawal/index.php). A decision for suspension constitutes a recommendation to the DoS/VPSA, who will consider whether to accept or modify the recommendation. Students wishing to return from a suspension must contact the CA by the date specified in their outcome letter in order to commence the readmission processes.

- **College suspension in abeyance:** In cases of suspension, the panel may decide that there are circumstances that mitigate against the immediate separation of the student from the College. For example, they may allow the student to complete the current semester’s coursework and begin their suspension period at the semester’s end. However, should the student be found in violation of the Honor Code or the Code of Social Conduct during the period of abeyance, the abeyance may be lifted and the suspension shall take effect immediately and continue through the originally scheduled expiration date for the suspension (subject to any additional sanctions that may be imposed as a result of the new violation).

- **Expulsion:** The panel may recommend expulsion to the DoS/VPSA. The student is prohibited from being present on or at College property, functions, events or activities. Expulsion is a permanent status. The Responding Student must leave the College immediately and cannot register again as a student without going through a full readmission process. A decision for expulsion constitutes a recommendation to the DoS/VPSA, who will consider whether to accept or modify the recommendation.

- **Degree revocation:** In the event of serious misconduct committed while the Responding Student is still enrolled, but determined after the Responding Student has graduated, the College may revoke that student’s degree. The student will be asked to return the diploma.
In rare instances, with cases involving lesser offenses, sanctions of community service and written apology letters have been administered. (This text does not appear in the SGBM Policy but is included to comply with Annual Security Report reporting requirements)

A student who fails to comply with assigned sanctions will generally be placed on hold and may receive additional, more substantial sanctions. In the case of graduating seniors, students may not receive diplomas or transcripts or participate in the graduation ceremony until completion of all sanction requirements, unless specifically permitted by the Adjudication Panel.

**Transcript Notation**

For crimes of violence, including but not limited to sexual violence, defined as crimes that meet the reporting requirements pursuant to the federal Clery Act established in 20 U.S.C. § 1092(f)(1)(f)(ii)(i)-(viii), Skidmore shall make a notation on the transcript of a Responding Student found responsible after a conduct process that they were “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.” For the Responding Student who withdraws from Skidmore while such conduct charges are pending, and declines to complete the disciplinary process Skidmore shall make a notation on the transcript of such students that they “withdrew with conduct charges pending.” Students who are suspended after a finding of responsibility for a Code of Conduct violation may submit a written appeal to the Dean of Students/Vice President of Student Affairs requesting that the transcript notation be removed from their transcript. Such a notation may not be removed from a student’s transcript prior to one year after conclusion of the suspension. Notations for expulsion will not be removed. If a finding of responsibility is vacated for any reason, any such transcript notation shall be removed.

**Sexual Assault, Domestic Violence, Dating Violence, Stalking Prevention Programs**

Skidmore prohibits the offenses of domestic violence, dating violence, sexual assault, and stalking.

Skidmore training programs provide safe and positive options for bystander intervention that may be carried out by an individual to prevent harm or intervene when there is a risk of domestic violence, dating violence, sexual assault, or stalking against a person other than such individual. Information on risk reduction to recognize warning signs of abusive behavior and how to avoid potential attacks is also presented.

Students and employees are also provided information on resources and reporting options. These include the police, Campus Safety, Wellspring (formerly the Domestic Violence and Rape Crisis Services of Saratoga County), the Counseling Center, the Health Center, Human Resources, and the Employee Assistance Program.
Specific Programs

- Statistics, effective consent, policy, resources, and reporting review: This program is conducted by the Deputy Title IX coordinator and staff. It explains the College’s sexual misconduct policy and provides options for bystanders and reporting options to incoming students.
- Behind Closed Doors: Scenarios are used to demonstrate effective consent, reporting procedures, and bystander intervention as part of the training for resident assistants (RAs) and unit assistants (UAs).
- Everyday Leadership: Training aimed at explaining dating violence, domestic violence, and bystander intervention tactics to student leaders.
- New Faculty Talk: Includes reporting procedures, sexual misconduct training, and stalking.
- Consent Racy Reader: Posters discussing sexual misconduct, dating violence, etc.
- Sex Discussed Here First Year Orientation Program: Safe sex, effective consent, dating violence.
- First Year Seminar (peer health educators invited in to speak about consent and the Wellness Center).
- Tabling (Murray-Aikins Dining Hall Atrium and Case Center) and consent pledge with stickers and effective consent handout (by the Wellness Center): Healthy Relationship booklet created by the Wellness Center. This booklet asked for student submissions about what creates a healthy relationship and is handed out at many Sex Week events and was also made available around campus at frequently visited offices and locations on campus.
- Campus Safety Sexual Misconduct Policy Training on domestic violence, dating violence, stalking.
- “It’s Happening Here”: A gender-neutral Student Government Association campaign to combat sexual and gender-based misconduct at Skidmore.
- Think About It (mandated for incoming students): Offered through Campus Clarity, a research-based, comprehensive training program focused on preparing students for the unique challenges of college and empowering them to make healthy, responsible choices and to confront and prevent serious campus problems (see Campus Clarity website). The program educates students about alcohol, drugs, and sexual violence and is designed to minimize risk associated with these areas. It uses a multifaceted approach to motivate and engage with students, such as live social norming and interactive real-world stories and scenarios.
- Show Your Sport: An athlete-based program to reduce homophobia.
- Coming Out In Sports: April 11, 2016, panel discussion aimed to bolster the visibility of and allyship for the LGBTQ athletic community.

2016 Sexual and Gender-Based Misconduct Training Schedule

January 20 2015: Residential Life Staff SGBM Training
- Topic: Affirmative consent, policy, resources, and reporting
- Presenter(s): Erin Dagle, assistant director of student conduct and conflict resolution
- Audience: New Residential Life student staff, mandatory

January 21, 2015: SGBM Training for Campus Safety
- Topic: SGBM brochures, policy, reporting responsibilities, response in the moment
- Presenter(s): Mariel L. Martin, associate dean of student affairs for campus life and engagement/Title IX deputy coordinator
- Audience: Campus Safety officers
February 12, 2016: PHE Valentine Postcard Event with Vox
- Topic: Safer sex, affirmative consent. Tabling event in the Atrium at Murray-Aikins Dining Hall; postcards with safer sex and consent messaging created and given; condoms also made available.
- Presenters: Peer health educators (co-sponsored with Vox)
- Audience: Targeted first- and second-year students, voluntary

February 20, 2016: Alumni Board
- Topic: SGBM history, policies and procedures; overview of training; statistics
- Presenter(s): Mariel L. Martin, associate dean of student affairs for campus life and engagement/Title IX deputy coordinator
- Audience: Alumni Board

March 11, 2016: SGBM Advisor Roundtable Discussion
- Topic: General advisor training
- Presenter: Michelle Murray, assistant director of health promotion
- Audience: SGBM advisors and victim advocates

April 11, 2016: “Tough Guise: Media, Violence, and Masculinity”
- Topic: Professor Jhally’s talk will look at the way in which “normal” definitions of masculinity position violence, intimidation, and threat as key components of modern manhood. Also examined are ways to live outside of these constraining stories, so that boys have a chance of becoming better men.
- Presenter: Sut Jhally is professor of communication at the University of Massachusetts at Amherst and founder and executive director of the Media Education Foundation. This is his official website where you can access his online courses, read and download selected articles, watch and listen to his talks, inquire about arranging a campus visit with him, and browse his books and films: www.sutjhally.com.
- Audience: Skidmore community, voluntary

April 18, 2016: Peer Health Educators
- Topic: Statistics from 2015 climate survey, affirmative consent, policy, procedures, resources, and reporting responsibilities
- Presenter(s):
  - Mariel L. Martin, associate dean of student affairs for campus life and engagement/Title IX deputy coordinator
  - Jen McDonald, director of health promotion
- Audience: Peer health educators, mandatory

May 11, 2016: SGBM Advisor Training
- Topic: Hook-up culture and case review
- Presenter(s):
  - Michelle Murray
  - Katie Wright
- Audience: SGBM advisors and advocates

May 26, 2016: Summer Residential Life Staff SGBM Training
- Topic: affirmative consent, policy, resources, and reporting
- Presenter(s):
  - Mariel L. Martin, associate dean of student affairs for campus life and engagement/Title IX deputy coordinator
  - Erin Dagle, assistant director of student conduct and conflict resolution
- Audience: Summer Residential Life staff, mandatory
May 26, 2016: Reporting by Responsible Employees (30 min)
- **Topic:** Reporting by responsible employees
- **Presenter(s):** Crystal Moore, AD faculty
- **Audience:** Academic leadership in Academic Affairs (program directors), mandatory

June 14, 2016: Leadership Academy SGBM Training
- **Topic:** policy, procedures, resources, and reporting responsibilities
- **Presenter(s):**
  - Mariel L. Martin, associate dean of student affairs for campus life and engagement/Title IX deputy coordinator
- **Audience:** Leadership academy faculty/staff participants, mandatory

June 21, 2016: Peer Health Educators
- **Topic:** Statistics from 2015 climate survey, affirmative consent, policy, procedures, resources, and reporting responsibilities
- **Presenter(s):**
  - Mariel L. Martin, associate dean of student affairs for campus life and engagement/Title IX deputy coordinator
  - Jen McDonald, director of health promotion
- **Audience:** Peer health educators, mandatory

July 9, 2016
- **Topic:** Responsible Employee Video
- **Presenter(s):**
  - Crystal Moore, associate dean of the faculty
- **Audience:** Off Campus Study and Exchanges, voluntary

July 27, 2016
- **Topic:** Responsible employee video
- **Presenter(s):**
  - Crystal Moore, associate dean of the faculty
- **Audience:** Library staff, voluntary

Summer 2016: Campus Clarity
- **Topic:** Affirmative consent, resources, bystander intervention, healthy sexual communication/relationships, alcohol and other drugs
- **Presenter(s):** [https://home.campusclarity.com](https://home.campusclarity.com)
- **Audience:** Mandatory for all first-year students

August 2016: NYS Student Bill of Rights
- **Topic:** NYS Bill of Rights for all students posted in Case Center and on-campus residence halls

August 8, 2016: SGBM training with Shenette Scille, new clinician at the Counseling Center
- **Topic:** Affirmative consent, Skidmore College policy, reporting, and on- and off-campus confidential and non-confidential resource
- **Presenter(s):**
  - Julia Routbort, associate dean of student affairs, health and wellness
- **Audience:** New Counseling Center clinician, mandatory
August 23, 2016: London First-Years
- **Topic:** Affirmative consent, Skidmore College policy, reporting, and on- and off-campus confidential and non-confidential resource
- **Presenter(s):**
  o Mariel L. Martin, associate dean of student affairs for campus life and engagement/Title IX deputy coordinator
  o Jen McDonald, director of health promotion/victim advocate
- **Audience:** London first-year students, mandatory

August 24, 2016: Residential Life Staff
- **Topic:** Statistics from 2014 climate survey, affirmative consent, policy, resources, and reporting
- **Presenter(s):**
  o Mariel L. Martin, associate dean of student affairs for campus life and engagement/Title IX deputy coordinator
  o Erin Dagle, assistant director of student conduct and conflict resolution
- **Audience:** Residential Life staff, mandatory

August 30, 2016: Peer Advisor Training
- **Topic:** Review SGBM policy, processes, affirmative consent, resources, and reporting responsibilities
- **Presenter(s):**
  o Mariel L. Martin, associate dean of student affairs for campus life and engagement/Title IX deputy coordinator
- **Audience:** Peer advisors, mandatory

August 30, 2016: Everyday Leadership: It Is My Place with True to Life
- **Topic:** Bystander intervention, SGBM policy, reporting, resources
- **Presenter(s):** [http://truetolifetraining.com/services/sexual-misconduct-bystander-training/](http://truetolifetraining.com/services/sexual-misconduct-bystander-training/)
- **Audience:** Mandatory for all student leaders

August 31, 2016
- **Topic:** Mandated reporting training
- **Presenter(s):**
  o Crystal Moore, associate dean of the faculty
- **Audience:** Various faculty, voluntary

September 2016 (various dates: 9/1, 9/9, 9/12, 9/13, 9/15, 9/16)
- **Topic:** Responsible employee video
- **Presenter(s):**
  o Crystal Moore, associate dean of the faculty
- **Audience:** Psychology Department, voluntary

September 1, 2016
- **Topic:** Responsible employee video
- **Presenter(s):**
  o Crystal Moore, associate dean of the faculty
- **Audience:** New employee orientation, mandatory
September 1, 2016: Peer Mentor Training
- **Topic:** Review SGBM policy, processes, affirmative consent, resources, and reporting responsibilities
- **Presenter(s):**
  - Mariel L. Martin, associate dean of student affairs for campus life and engagement/Title IX deputy coordinator
  - Erin Dagle, assistant director of student conduct and conflict resolution
- **Audience:** Peer mentors, mandatory

September 2, 2016: Presentation to Academic Staff
- **Topic:** Brochures, policy, and reporting responsibilities
- **Presenter(s):**
  - Crystal Moore, associate dean of the faculty for diversity and faculty affairs
- **Audience:** All academic department chairs and program directors

September 5, 2016: “Sex Discussed Here” First Year Orientation Program
- **Topic:** Affirmative consent, resources, bystander intervention, healthy sexual communication/relationships
- **Presenter(s):** [http://www.sexualityeducation.com](http://www.sexualityeducation.com)
- **Audience:** Mandatory for all first-year students

September 7, 2016
- **Topic:** Mandated reporting presentation
- **Presenter(s):**
  - Crystal Moore, associate dean of the faculty
- **Audience:** Education Department, voluntary

September 7, 2016
- **Topic:** Responsible employee video
- **Presenter(s):**
  - Crystal Moore, associate dean of the faculty
- **Audience:** Management and Business Department, voluntary

September 7, 2016: SGBM training with Lauren Dasen, practicum student at the Counseling Center
- **Topic:** Affirmative consent, Skidmore College policy, reporting, and on- and off-campus confidential and non-confidential resource
- **Presenter(s):**
  - Julia Routbort, associate dean of student affairs, health and wellness
- **Audience:** New Counseling Center intern, mandatory

Friday, September 9, 2016: SGBM Panel, Advisor, Advocate and ACSGBM Training
- **Topic:** Policy, procedure, panel decorum, roles and responsibilities
- **Facilitators:**
  - Mariel L. Martin, associate dean of student affairs for campus life and engagement/Title IX deputy coordinator
  - Erin Dagle, assistant director of student conduct and conflict resolution
- **Audience:** Mandated for all SGBM panelists, advisors, and advocates

September 12, 2016
- **Topic:** Responsible employee video
- **Presenter(s):**
  - Crystal Moore, associate dean of the faculty
- **Audience:** International Affairs, voluntary
September 14, 2016: SGBM refresher training for all clinical staff at the Counseling Center

- **Topic:** Affirmative consent, Skidmore College policy, reporting, and on- and off-campus confidential and non-confidential resource
- **Presenter(s):**
  - Julia Routbort, associate dean of student affairs, health and wellness
- **Audience:** Counseling Center clinical staff, mandatory

**Friday, September 16, 2016: SGBM Panel, Advisor, Advocate and ACSGBM Training**

- **Topic:** SGBM statistics (national and Skidmore), understanding SGBM trauma, trauma-informed practices
- **Facilitators:**
  - Jen McDonald, director of health promotion/victim advocate
  - Elizabeth Bliss, program director at Wellspring
- **Audience:** *Optional, though recommended, for returners; supplemented with video for returners not in attendance (returners who chose not to attend must complete alternative self-guided module)*

**September 20, 2016**

- **Topic:** Responsible employee video
- **Presenter(s):**
  - Crystal Moore, associate dean of the faculty
- **Audience:** Computer Science Department, voluntary

**Friday, September 23, 2016: SGBM Panel, Advisor, Advocate and ACSGBM Training**

- **Topic:** Assessing capacity, determining responsibility/sanctions, writing rationales, appeal process (in context of case)
- **Facilitators:**
  - Erin Dagle, assistant director of student conduct and conflict resolution
  - Sarah Delaney Vero, interim Title IX coordinator
  - Rob Manfredo, Skidmore College attorney
- **Audience:** Mandated for all SGBM panelists, advisors, and advocates

**September 26 and October 6, 2016: SGBM training with Sarah Yarry, new clinician at the Counseling Center**

- **Topic:** Affirmative consent, Skidmore College policy, reporting, and on- and off-campus confidential and non-confidential resource
- **Presenter(s):**
  - Julia Routbort, associate dean of student affairs, health and wellness
- **Audience:** New Counseling Center clinician, mandatory

**Friday, September 30, 2016: SGBM Panel, Advisor, Advocate and ACSGBM Training**

- **Topic:** Case studies: four groups examining a different case, determining outcomes; present to larger group
  - Case study topics: sexual assault, stalking, IPV, retaliation, touching, disrobing, exposure
- **Facilitators:**
  - Mariel L. Martin, associate dean of student affairs for campus life and engagement/Title IX deputy coordinator
  - Erin Dagle, assistant director of student conduct and conflict resolution
- **Audience:** Mandated for all SGBM panelists, advisors, and advocates

**October 2016: Safety Orientation for Students Meetings**

- **Topic:** Affirmative consent, policy, on and off campus resources, and on- and off-campus reporting
- **Presenter(s):** Campus Safety and ACSGBM
- **Audience:** Mandatory for all students
October 10, 2016
- **Topic:** Responsible employee video
- **Presenter(s):**
  - Crystal Moore, associate dean of the faculty
- **Audience:** New Chemistry Department staff, voluntary

October 18, 2016
- **Topic:** Feminist Action Network: Community conversation
- **Description:** A community dialogue with the Counseling Center, Skidmore’s Title IX coordinators, Health Promotions, the Health Center, the Wellness Center, and the Center for Diversity. Come learn about your on-campus resources, Title IX, and voice any questions, concerns, or suggestions you have for administrators.
- **Presenter(s):**
  - Erin Dagle, assistant director of student conduct and conflict resolution/Title IX investigator
  - Jennifer McDonald, director of health promotion/victim advocate
  - Julia Routbort, associate dean of student affairs, health and wellness
  - Patty Bosen, director of Health Services
- **Audience:** FAN members, voluntary
- **Facebook Info:** [https://www.facebook.com/events/1177291765653510/](https://www.facebook.com/events/1177291765653510/)

October 24, 2016: PHE Training
- **Topic:** Affirmative Consent, Bystander Intervention, Health Sexuality
- **Description:** The group training to become Peer Health Educators received a 2-hour training workshop on bystander intervention. The workshop included a history and overview of bystander intervention as well as concrete skill building activities to help students develop their skills.
- **Presenter(s):**
  - Jennifer McDonald, director of health promotion/victim advocate
- **Audience:** Peer health educators, mandatory

October 28, 2016: ConsentFest
- **Topic:** Affirmative consent, bystander intervention, health sexuality
- **Description:** This peer-to-peer education program, co-sponsored by more than 20 student and community organizations, focused on reinforcing affirmative consent in sexual behaviors as a shared campus value and on helping students understand and implement affirmative consent in their own lives.
- **Presenter(s):**
- **Audience:** Skidmore community, voluntary

November 10, 2016: SGBM training with Library Staff
- **Topic:** Handling SGBM disclosure, SGBM 101, reporting responsibilities
- **Presenter(s):**
  - Julia Routbort, associate dean of student affairs, health and wellness
  - Jamin Totino, director of student academic services
  - Izzy Bertolozzi peer health educator
- **Audience:** Library staff, optional
November 18, 2016: SGBM Training for Health Services Staff

- **Topic:** Affirmative consent, College policy, reporting, and on- and off-campus confidential and non-confidential resource
- **Presenter(s):**
  - Julia Routbort, associate dean of student affairs, health and wellness
- **Audience:** Health Services staff, mandatory

November 21, 2016: SGBM 101

- **Topic:** SGBM policies and procedures, resources
- **Description:** The group training to become peer health educators received a two-hour training workshop on SGBM. The training provided the students with an overview of SGBM, Skidmore-specific data, details about our policies and procedures, and training on how to function as a peer-to-peer anonymous resource.
- **Presenter(s):**
  - Jennifer McDonald, director of health promotion/victim advocate
- **Audience:** Peer health educators, mandatory

December 5, 2016: Peer-to-peer anonymous skills training

- **Topic:** Reporting requirements, resources
- **Description:** The group training to become peer health educators received a two-hour training workshop meant to improve the skills that they need to function effectively in their peer-to-peer anonymous role. The group used a series of scenarios that they may face in the PHE role to walk through expectations and requirements of the peer-to-peer anonymous role, to review resources, and to assure that students are capable of responding appropriately in the PHE role.
- **Presenter(s):**
  - Jennifer McDonald, director of health promotion/victim advocate
- **Audience:** Peer health educators, mandatory

All students must attend a safety meeting at the beginning of the academic year that includes an overview of the sexual misconduct policy, effective consent, dating and domestic violence, stalking, reporting options, and resources.

All Residential Life staff and other student leaders receive mandatory training on Skidmore’s sexual-misconduct policy, on- and off-campus resources, and reporting procedures.

Brochures highlighting Skidmore’s sexual-misconduct policy, on-campus and off-campus resources, and information for victims are distributed throughout campus.

The Wellness Center and the Office of Health Promotion deliver residence hall and campus programs, both active and passive, which focus on sexual misconduct and effective consent throughout the academic year. All students are invited and encouraged to attend these programs.

As part of sexual misconduct hearing outcomes, students found in violation of the sexual-misconduct policy have been sanctioned to complete a professional assessment and, if necessary, treatment program focused on violence and sexual-assault prevention.
Campus Sex Crimes Prevention Act

The College complies with the requirements of the Violent Crime Control and Law Enforcement Act of 1994 and the federal Campus Sex Crimes Prevention Act, enacted on October 28, 2000, which went into effect October 28, 2002. Under these acts, sex offenders must register with the state in which an institution of higher education is located (even if they do not reside in that state) once they are enrolled or begin employment at that institution of higher education. Changes in enrollment or employment status must be made known to the state as well.

Individuals covered by the act include those enrolled at an institution of higher education in any state on a full-time or part-time basis or those with any full-time or part-time employment at an institution of higher education in any state, with or without compensation, for more than 14 days, or for an aggregate period exceeding 30 days in a calendar year.

The law requires institutions of higher education to issue a statement advising their campus community where to obtain law enforcement agency information provided by their state concerning registered sex offenders. Under the New York State Sex Offender Registry Act (SORA), rules have been established regarding the dissemination of information on sex offenders. Complete information can be obtained at the SORA website: www.criminaljustice.ny.gov/nsor/index.htm. SORA has four distinct procedures for community notification:

First, local law enforcement agencies are notified whenever a sex offender moves into their jurisdiction. That agency may notify schools and other “entities with vulnerable populations” (including Skidmore College) about the presence of a level 2 or level 3 offender if the offender poses a threat to public safety. The Saratoga Springs Police Department (518-584-1800) collects and disseminates this information in the Saratoga Springs community.

Second, SORA established a fee information line (900-288-3838) that citizens can call to determine if an individual is listed in the registry.

Third, SORA provides for the distribution of the subdirectory of high-risk (level 3) sex offenders to law enforcement agencies throughout the state. Citizens can review the subdirectory at local law enforcement agencies. The subdirectory includes photographs of all level 3 offenders.

Fourth, the subdirectory is available via the web at www.criminaljustice.ny.gov/.

Policies for Possession, Use, and Sale of Alcoholic Beverages

New York State law states that no person under the age of 21 may possess or consume alcoholic beverages. While Skidmore College complies with New York State Alcohol Beverage Control laws, campus policy goes beyond mere compliance by defining acceptable behavior with regard to alcohol and by placing emphasis on individual responsibility and educational awareness. Violations of the College’s alcohol policy are considered infractions of the Skidmore Honor Code and are subject to appropriate campus disciplinary action. Key points of the College alcohol policy are given below.
Beverage Control Policies

1. The College permits alcohol in the Spa, Falstaff’s, and at official all-College events only when a College-approved vendor provides the alcohol. Students may not bring alcohol to any event. The College will consider canceling for one year any event, even an alcohol-free event, disrupted by illegal or inappropriate drinking.

2. Alcohol is available only to those 21 years or older. A valid state or federal identification card (driver’s license, non-driver identification card, etc., as per the ABC Law of New York State) and campus event card shall be the only forms of accepted proof of age for Skidmore students. Guests must show two forms of ID, at least one of them being a valid state or federal identification card.

3. When alcoholic beverages are available at an event, the sponsors may sell the alcohol on a cash-per-drink basis only and at a cost consistent with current alcohol beverage pricing. Sponsors who intend to sell alcohol at an all-College event must submit the all-College event notification form and obtain the approval of the director or assistant director of leadership activities at least three weeks in advance of the proposed event.

4. With the exception of Falstaff’s, alcoholic beverages must be served and consumed within a designated area (“beer garden”). Only students who have shown proper proof of age may enter the beer garden.

5. At all events serving alcohol, non-alcoholic beverages and food must be available in an adequate amount throughout the event.

6. The College does not tolerate drinking games (e.g. beer pong) in residential buildings, College events, or student parties. The College will discipline students who permit drinking games in their rooms, apartments, events, or at parties. Additionally, the College is concerned about the presence of “empties” (empty and/or discarded beer bottles/cans and liquor bottles) in residence halls and in underage students’ apartments. In the spirit of the AOD policy, the College reserves the right to respond when there is a concern for health and wellness and/or violation of College policy.

7. The College does not permit mass-consumption containers at informal (as opposed to formal College-sponsored) events in the dining halls, Case Center, academic buildings, or residential buildings.

8. At private, invitation-only functions, alcoholic beverages may be available on an open-bar basis. Individual sponsors of and guests at private functions must comply with New York State ABC laws.

9. With the approval of the Office of Residential Life, students over 21 residing in Sussman Apartments or Northwoods Village Apartments may serve alcohol at parties. The event authorization form details expectations and requirements. This form is also available in the Office of Residential Life.
Policies for Possession, Use, and Sale of Illegal Drugs

The New York State Public Health Law: Article 33, Mental Hygiene Law: Article 81, and Penal Law: Article 220 mandate that it is unlawful for any citizen to sell or possess certain drugs, defined by law as “controlled substances,” except as expressly allowed by law. In addition, the Drug-Free Workplace Act (Public Law 100-690, 102 Stat. 4304) and the Drug-Free Schools and Communities Act Amendments of 1989 (Public Law 101-226, Section 22) require colleges and universities to show good-faith effort toward combating illegal drugs and alcohol abuse in the workplace.

The manufacture, distribution, dispensation, possession, or illegal use of controlled substances, except by prescription, is prohibited by Skidmore College. College policy also prohibits the possession or consumption of alcoholic beverages by any person under the age of 21. For any employee over the age of 21, College policy prohibits the possession or consumption of alcoholic beverages unless they are attending a College-sponsored event where alcohol is provided.

The College is prepared to enforce its drug policy vigorously and will bring disciplinary charges against students involved with illegal drug use and distribution. The College also reserves the right to contact police authorities regarding violations of law pertaining to controlled substances. The College may summarily suspend students found to be selling illegal drugs, pending any appropriate disciplinary hearings. Students who seek medical or psychiatric counseling with regard to drug abuse will be helped and will not be reported by the privileged counselors. However, a student cannot be protected if he or she continues illegal use of drugs and is detected by legal or College authorities.

Since drug abuse is a serious legal and medical problem, all members of the College community are encouraged to seek assistance for themselves or others from appropriate College services. The Student Handbook outlines the specifics of the College’s policies regarding alcoholic beverages and illegal drugs. The College also publishes an employee brochure on these policies.

Upon enrollment, the College shall provide to each student a separate, clear, and conspicuous written notice that advises the student of the penalties for drug violations, and the institution shall provide in a timely manner to each student who has lost eligibility for any grant, loan, or work-study assistance a separate, clear, and conspicuous written notice notifying the student of the loss of eligibility and advising the student of the ways in which he or she can regain eligibility.
Drug and Alcohol Counseling and Education

Students with drug- or alcohol-related problems are encouraged to seek confidential counseling and referral services through the College Counseling Center and/or the Health and Wellness Center. To assist students, Skidmore has a substance-abuse prevention educator on staff. Employees with such problems are encouraged to use the confidential referral service offered through the Employee Assistance Program. All medical and rehabilitation records concerning student or employee drug or alcohol use/abuse, including records of the identity, diagnosis, prognosis, or treatment, are confidential and may be disclosed only as authorized by law.

Skidmore College is committed to sponsoring a full range of educational, training, and counseling programs to ensure that all members of the College community know the dangers of drug and alcohol use/abuse, the College’s policies regarding drug and alcohol use/abuse, and the availability of its counseling and referral services.

Bias-Related Incidents

Skidmore defines a bias incident as an act of bigotry, harassment, or intimidation involving a member of the Skidmore community that a reasonable person would conclude is directed at a member or group within the Skidmore community based on race, color, ethnicity, nationality, economic background, age, physical and mental health or ability, sexual orientation, sex, gender identity or expression, marital status, veteran status, or religious practice. A bias incident can occur whether the act is intentional or unintentional. Speech or expression that is consistent with the principles of academic freedom does not constitute a bias incident.

We remind all members of our community that it is our collective responsibility to make Skidmore a place where all people and points of view are truly respected.

Diversity and Inclusion at Skidmore College

Skidmore College is committed to fostering a diverse and inclusive community in which members develop their abilities to live in a complex and interconnected world. Consistent with our educational mission, we recognize ourselves as a community that respects individual identities based on varying sociocultural characteristics, such as race, ethnicity, gender identity and expression, sexual orientation, national origin, first language, religious and spiritual tradition, age, ability, socioeconomic status, and learning style. We strive to create a socially just world that honors the dignity and worth of each individual, and we seek to build a community centered on mutual respect and openness to ideas—one in which individuals value cultural and intellectual diversity and share the responsibility for creating a welcoming, safe, and inclusive environment. We recognize that our community is most inclusive when all members participate to their full capacity in the spirited, and sometimes challenging, conversations that are at the center of the College’s educational mission.
NY State Hate Crimes Act of 2000

Applicable laws, ordinances, and regulations on bias-related crime, including the provisions and coverage of the Hate Crimes Act of 2000 are codified in article 485 of the New York State penal law. The laws and penalties for the commission of bias-related crimes can be located at the Laws of New York website.

A person commits a hate crime when he or she commits a specified offense and either:

(a) intentionally selects the person against whom the offense is committed or intended to be committed in whole or in substantial part because of a belief or perception regarding the race, color, national origin, ancestry, gender, religion, religious practice, age, disability or sexual orientation of a person, regardless of whether the belief or perception is correct, or

(b) intentionally commits the act or acts constituting the offense in whole or in substantial part because of a belief or perception regarding the race, color, national origin, ancestry, gender, religion, religious practice, age, disability or sexual orientation of a person, regardless of whether the belief or perception is correct.

Penalties for Commission of Bias-related Crimes

When a person is convicted of a hate crime, the crime shall be deemed to be a higher category than the specified offense the defendant committed. Specific penalties and terms of imprisonment can be located at the Laws of New York website.

Reporting a Bias Incident or Hate Crime

Any individual member of the Skidmore College community, or any group of persons within the community, who observes or is the target of a bias incident or hate crime is strongly encouraged to report the incident as soon as possible to Campus Safety (580-5566). Campus Safety will document what happened, including where and when the incident occurred, the names of the victims, and names of witnesses, if any. Whenever possible, the individual(s) who observe the incident should not touch or disturb any physical evidence related to the incident. You may also complete the Bias Incident Report Form.

Any person or group may also opt to contact any of the following individuals or offices:

- any staff member from Student Affairs, including Residential Life (student and professional staff), Campus Life, Counseling Services, or Chaplain’s Office;
- the dean of student affairs or the associate dean of student affairs;
- the director of student diversity programs;
- the director of HEOP/AOP;
- the assistant director of human resources for EEO and workforce diversity;
- the dean of the faculty or the associate dean of the faculty;
- the dean of the faculty for academic advising;
- an academic department chair; or
- a student’s academic advisor.
Any of these individuals will work closely with the person or groups affected in determining where to direct the complaint and how the College might respond effectively to the incident.

Referrals of Bias Incidents

Behavior reflecting bias or discrimination may constitute a violation of Skidmore College polices, including but not limited to those set forth in the Student Handbook, the Faculty Handbook (Part Six), or the Employee Handbook. Such conduct also may violate local, state, or federal laws. The College’s response to reports of bias incidents will depend on various factors including the nature of the complaint, whether the alleged violator can be identified, the complainant’s wishes as to how the matter should be handled, the College’s obligations to the campus community as a whole, and the College’s obligations under the law.

The following procedures will apply:

1. All reported bias incidents will be referred to the Bias Response Group (see below for membership and function). Referral to the Bias Response Group is appropriate even when the person(s) believed to have committed the act or acts in question cannot be identified, or in situations where the person or persons subjected to an act constituting a bias incident do not wish to pursue campus disciplinary or criminal charges.
2. Reports of a hate crime should be referred to Skidmore Campus Safety. If appropriate, Campus Safety will involve external law enforcement agencies with jurisdiction over the incident. Reports of a hate crime on campus also will be referred to the Bias Response Group.
3. Reports of unlawful discrimination or harassment* alleging that a student or student organization has violated College policy should be referred to the Dean of Student Affairs (or designee) for consideration and resolution pursuant to the Skidmore Judicial System.
4. Reports of unlawful discrimination or harassment* alleging that a faculty member or staff member has violated College policy should be referred to the Assistant Director for EEO and Workforce Diversity for consideration and resolution pursuant to appropriate employment procedures.

Complete information can be obtained at www.skidmore.edu/campus_safety/bias.php. There is a link at the top left of the page to make a bias incident.
Awareness Programs

Skidmore College informs incoming students about bias-related crime and prevention measures through programs that include workshops, seminars, discussion groups, and orientation sessions. The purpose of these programs is to disseminate information about bias-related crime, promote discussion, encourage reporting of incidents of such crime, and facilitate prevention.

- The Dean of Student Affairs sends correspondence and emails to the community throughout the semester discussing issues relating to bias incidents.
- The Residential Life staff is trained to recognize bias in residence halls and student interactions.
- The Bias Response Group meets to review incidents of reported bias and issues statements and outcomes to the community.
- Reported incidents are followed up with emails, hall and floor meetings to review the issues.
- The Every Day Leadership Program includes training on responding to and reporting bias incidents.

Procedures for Preparing the Campus Safety and Security Report

Campus Safety compiles the information and annual statistics for crimes that are included in this report. The information included is acquired from various sources, including Campus Safety, local police agencies, and all officials of the College who have significant responsibility for student and campus activities. These officials include Residential Life staff, Student Affairs staff, faculty advisors, and athletic team coaches. In addition, Skidmore accepts confidential reporting of crimes and encourages mental health and pastoral counselors to report statistics regarding these violations of law. These statistics contain crimes for the calendar year in which they are reported.

The following statistics represent all official reports of these crimes on the Skidmore campus or within other required Clery Act geographic areas and are reported in compliance with the “Clery Act.” They conform to the FBI Uniform Crime Reporting System and the Handbook for Campus Safety and Security Reporting.

Crime Definitions

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

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

**Burglary:** The unlawful entry of a structure to commit a felony or a theft. For reporting purposes, this definition includes unlawful entry with intent to commit a larceny or felony; breaking and entering with intent to commit a larceny; housebreaking; safecracking; and all attempts to commit any of the aforementioned.
**Criminal homicide—manslaughter by negligence:** The killing of another person through gross negligence.

**Criminal homicide—murder and non-negligent manslaughter:** The willful (non-negligent) killing of one human being by another.

**Motor vehicle theft:** The theft or attempted theft of a motor vehicle.

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

**Sex assault (sex offenses):** Any sexual act directed against another person, without consent of the victim, including instances where the victim is incapable of giving consent. Attempted sexual assaults are included in this category.

a) **Rape:** 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

b) **Fondling:** 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.

c) **Incest:** Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

d) **Statutory Rape:** Sexual intercourse with a person who is under the statutory age of consent.

**Hate Crimes:** Any of the above-mentioned offenses, and any incidents of larceny-theft, simple assault, intimidation, or destruction/damage/vandalism of property that were motivated by bias.

a) **Larceny-Theft** is the unlawful taking, carrying, leading or riding away of property from the possession or constructive possession of another.

b) **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.

c) **Intimidation** is unlawfully placing 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.

d) **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.
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.

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.

Stalking: Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for the person’s safety or the safety of others or to suffer substantial emotional distress.

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. This classification encompasses weapons offenses that are regulatory in nature.

Drug abuse violations: The violation of 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. The relevant substances include opium or cocaine and their derivatives (morphine, heroin, codeine); marijuana; synthetic narcotics (Demerol, methadone); and dangerous nonnarcotic drugs (barbiturates, Benzedrine).

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.)
2014–2016 Hate Crimes Data

2014: No hate crimes reported.

2015: One on-campus simple assault characterized by race bias.
  One on-campus vandalism of property characterized by religious bias
  One on-campus arson, two on-campus vandalism of property, and 18
  on-campus larceny-theft—all characterized by religious bias. These
  events were related to one single event’s posters being scorched, damaged, or
  removed at various locations.

2016: No hate crimes reported.

2014–2016 unfounded crime data

There were no unfounded crimes reported in 2014, 2015, or 2016.
# Skidmore College Campus Crime Statistics (2016, 2015, 2014)

<table>
<thead>
<tr>
<th>Offense</th>
<th>Year</th>
<th>ON- CAMPUS PROPERTY</th>
<th>ON-CAMPUS STUDENT HOUSING FACILITIES (1)</th>
<th>NON CAMPUS PROPERTY</th>
<th>PUBLIC PROPERTY</th>
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(1) These are a subset of On-Campus Property
### Skidmore College: Main Campus VAWA Offenses

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<th>Offense</th>
<th>Year</th>
<th>GEOGRAPHIC LOCATION</th>
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# Skidmore College: Main Campus Arrests & Referrals
*(2016, 2015, 2014)*

<table>
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<th>Offense</th>
<th>Year</th>
<th>ON-CAMPUS PROPERTY</th>
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Overview

The Higher Education Opportunity Act (Public Law 110-315) became law in August 2008, requiring all United States academic institutions to produce an annual fire safety report outlining fire safety practices, standards, and all fire-related on-campus statistics. Every institution that maintains on-campus student housing shall publish an annual fire safety report. The following public-disclosure report details all information required by this law as it relates to Skidmore College.

Report Availability

By October 1 of each year the Skidmore Department of Campus Safety will make the Campus Safety and Security Annual Report and Annual Fire Safety Report available to all students, prospective students, and employees. The report will be distributed by posting the report on the Skidmore website at www.skidmore.edu/campus_safety/clery/safety_report.pdf.

A notice of availability will be distributed to all current students and employees via email and will be posted on bulletin boards throughout the campus. The notice will contain a brief description of the report contents. Also, a paper copy of the report will be provided upon request to the Department of Campus Safety.

Fire Safety Policy for On-Campus Residents

1. All residents are responsible for attending and/or participating in fire safety workshops and training during the academic year. Students are responsible for following all fire safety codes and must cooperate in removing any violations or evacuating the building in a timely manner.
2. Fire alarm systems and firefighting equipment are in the residence halls and apartments for the occupants’ protection. Any tampering with or misuse of this equipment is prohibited and is in violation of the law.
3. Firecrackers, gasoline, candles, incense, or other highly combustible items are not permitted in residence halls or apartments.
4. Food preparation is permitted in residence hall kitchenettes. The cooking of food and the use of electrical appliances (i.e. toaster ovens, microwave ovens, heating coils, George Foreman grills, etc.) are prohibited in student rooms.
5. In instances where electrical outlets are required in addition to those fixed structural outlets within the space, the following definition of an extension cord is acceptable to the College: The extension cord must be a device recognized by a nationally recognized independent testing laboratory such as Underwriters Laboratories, Inc. and be generically referred to as a “temporary power tap.” This tap should have no more than six outlets, no less than a 14-gauge supply cord, and contain an independent circuit breaker of no greater capacity than 15 Amps.
6. The use of halogen lamps is strictly prohibited in residence halls and apartments.
7. Partitions, room dividers, lofts, and the painting of rooms are prohibited. Under no circumstances should furniture restrict free and easy movement within the room and/or apartment.

8. The College may require personal furniture or furnishings to be removed from any residence when the College determines the situation to be a fire, safety, health, or housekeeping hazard (including but not limited to ceiling fans, window air conditioner units, and full-size refrigerators).

9. All residence halls and apartments are subject to periodic fire inspections. Student violators of fire safety codes may be responsible for any and all fines as a result of the violation (i.e. the State of New York’s Department of State, Office of Fire Prevention and Control).

10. Building evacuation is required when a fire alarm sounds, unless previous notice was provided by a College official indicating that the alarm will be tested and evacuation is not necessary.

11. In compliance with New York State law, smoking is prohibited in all indoor areas of the College, including dining halls and the Spa. In addition, all residence halls and apartments are smoke-free buildings. Bongs and hookahs are not permitted on College property.

**Residential Housing Fire Safety Systems:** All on-campus residence halls and apartments have water sprinklers, heat sensors, smoke detectors, and fire extinguishers. In addition, all the Sussman apartments have CO detectors.

### Residential Housing Fire Safety Systems

<table>
<thead>
<tr>
<th>Building Name</th>
<th>Yr. Built</th>
<th>Roof</th>
<th>Fireproof Frame</th>
<th>Sprinklered</th>
<th>Sq. Ft protected</th>
<th>Wet/Dry</th>
<th>Fire Alarm</th>
<th>Annual Supervised Fire Drills</th>
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<td>1969</td>
<td>RBR</td>
<td>REINF CONC</td>
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**On-Campus Fire Drills**

Each Semester the Department of Campus Safety and the Office of Residential Life, in conjunction with the Saratoga Springs Fire Department, conduct fire drills in every residential facility (a minimum of four each year per residential facility). In addition fire drills are conducted for various programs that reside on campus during the summer.

**Fire Safety Education for students and staff**

Each summer, Residential Life staff members receive training in fire prevention and response education from the Department of Campus Safety. In addition, there is a mandatory fire and safety orientation for all residential students every fall semester. This training is conducted through Campus Safety and the Office of Residential Life. Employees receive education regarding fire safety as part of the hiring process.
Fire Safety Policy

All residents are responsible for adhering to the Skidmore College Fire Safety Policy and New York State law. Students are expected to follow the policy, not be in possession of prohibited items, and be aware of the possible sanctions for violations. In addition to sanctions imposed by the College, violators may also be responsible for fines assigned by New York State’s Office of Fire Prevention and Control or the City of Saratoga Springs. Residents are responsible for attending and participating in a safety orientation for students (SOS) meeting during the academic year as well as all fire drills for which they are present. All residence halls and apartments are subject to periodic fire and safety inspections, and students are expected to cooperate in removing any found violations when requested by the administration. The College may require personal furniture or furnishings to be removed from any residence when it determines the situation to be a fire, safety, or health hazard. Under no circumstance should furniture restrict free and easy movement within the room, suite, hallway, or apartment areas, or block egress in any way.

Policy Items

1. Building evacuation is required when a fire alarm sounds, unless previous notice was provided by a College administrator indicating that the alarm is going to be tested and evacuation is not necessary.
2. Damage, misuse, or theft of fire alarm systems and firefighting equipment is a violation of the law and is prohibited.
3. Students are prohibited from covering or attaching anything to fire safety equipment in their residence, including sprinklers, smoke detectors, heat detectors, etc.
4. Smoking inside of all buildings and residences on campus is prohibited.
5. Food preparation is permitted in residence hall kitchenettes and apartment kitchens only. The cooking of food and the use of electrical appliances are prohibited in student rooms. (Kuerig and similar styled coffeemakers are permitted for use in student rooms.)
6. Wall décor in all residence hall or apartment spaces must not cover an excessive amount of each individual wall. Tapestries are prohibited. Only two strings of lighting can be connected together as one. Décor cannot attach to ceilings or connect one wall to another.
Prohibited Items
1. Firecrackers, gasoline, propane tanks (includes camping equipment), or other highly combustible items
2. Halogen lamps
3. Candles and incense (used and unused)
4. Space heaters
5. Toaster ovens, microwave ovens, heating coils, George Foreman grills, rice cookers, and other cooking/heating devices with exposed heating surface/element
6. Bed risers, cinderblocks, and lofted furniture of any kind
7. Room partitions or dividers of any kind
8. Extension cords
   - Surge protectors are acceptable but must meet the following regulations:
     - Must be corded with a maximum cord length of 6 feet
     - Provide 600 or more joules of protection
     - Be UL 1449 compliant
     - Have a maximum of six outlets
     - Have an independent on/off circuit breaker

Fire Inspections: Facilities Services and the State Office of Fire Prevention and Control inspect every building, including residence halls, annually. In addition Residential Life staff members inspect campus housing several times throughout the academic year, including opening (September), Thanksgiving break (November), winter break (December), spring break (March), and closing (May). All spaces are inspected at opening and closing, and many are also inspected at the specified breaks. Students are provided instructions on the College’s expectations for the condition of their room during each break, and Residential Life staff follows up to confirm completion.

Reporting a fire: Anyone reporting an active fire should contact Campus Safety at 518-580-5566 or by calling 911 immediately. In addition the fire alarm in the building should be pulled, and everyone should evacuate the building to a predetermined assembly location that is posted in all campus buildings. Everyone is required to exit a building when the fire alarm is activated, and people who refuse to comply will be subject to disciplinary or legal action.

Evacuation Procedures: Emergency procedures are posted in all buildings on campus, including residence halls. A minimum of three drills are held annually in all buildings. These drills include evacuation procedures, evacuation routes, and assembly points.

Plans for future improvements in fire safety as determined by Skidmore: There is a continuous process to assess improvements in fire safety at the College. The Skidmore Emergency Management Team and Facilities Services oversee this review process and seek input and advice from fire safety professionals to this end.

Fire log: The Department of Campus Safety maintains a fire log that includes the nature, date, time, and general location of every fire that occurs in an on-campus student housing facility. Entries or additions to the log must be made within two business days of receipt of the information. The log is available for the most recent 60-day period for inspection during business hours on weekdays. Older portions of the log will be made available within two business days of a request for public inspection.
Definitions

Fire: Any instance of open flame or other burning in a place not intended to contain the burning or in an uncontrolled manner.

Fire drill: A supervised practice of a mandatory evacuation of a building for a fire.

Fire-related injury: Any instance in which a person is injured as a result of a fire, including an injury sustained from a natural or accidental cause while involved in fire control, attempting rescue, or escaping from the dangers of the fire. The term “person” may include students, faculty, staff, visitors, firefighters, or any other individuals. For purposes of this report the injuries sustained must have resulted in treatment at a medical facility, including Skidmore Health Services.

Fire-related death: Any instance in which a person is killed as a result of a fire, including death resulting from a natural or accidental cause while involved in fire control, attempting rescue, or escaping from the dangers of a fire, or deaths that occur within one year of injuries sustained as a result of the fire.

Fire safety system: Any mechanism or system related to the detection of a fire, the warning resulting from a fire, or the control of a fire, including sprinkler or other fire extinguishing systems, fire detection devices, standalone smoke alarms; devices that alert one to the presence of a fire, such as horns, bells, or strobe lights; smoke-control and reduction mechanisms, and fire doors and walls that reduce the spread of a fire.

Value of Property Damage: The estimated value of the loss of the structure and contents, in terms of the cost of replacement in like kind and quantity, including contents damaged by fire, related damages caused by smoke, water, and overhaul; however, it does not include indirect loss, such as business interruption.

Cause Categories of Fires

<table>
<thead>
<tr>
<th>Unintentional Fire</th>
<th>Intentional Fire</th>
<th>Undetermined Fire</th>
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<tbody>
<tr>
<td>Cooking</td>
<td>Hazardous product</td>
<td>Unable to determine if intentional or unintentional</td>
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<td>Smoking materials</td>
<td>Machinery/industrial</td>
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<td>Open flames</td>
<td>Natural</td>
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<td>Electrical</td>
<td>Other</td>
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<td>Heating equipment</td>
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# 2016 Annual Fire Log

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<tr>
<th>Residence Hall</th>
<th>Date/Time Reported</th>
<th>Date/Time Occurred</th>
<th>General Location</th>
<th>Cause/Nature</th>
<th>Total Injuries Requiring Medical Facility Treatment</th>
<th>Deaths</th>
<th>Property Damage Value (over $50)</th>
<th>Report #</th>
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</thead>
<tbody>
<tr>
<td>Howe Hall</td>
<td>5/13/2016 at 2:09am</td>
<td>05/13/2016 at 2:08am</td>
<td>10th floor bathroom area</td>
<td>Arson</td>
<td>0</td>
<td>0</td>
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<td></td>
<td></td>
<td>12/28/2016 at 4:59pm</td>
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<td>Electrical</td>
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<td>161751</td>
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<td>12/28/2016 at 4:59pm</td>
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# 2015 Annual Fire Log

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<th>Date/Time Reported</th>
<th>Date/Time Occurred</th>
<th>General Location</th>
<th>Cause/Nature</th>
<th>Total Injuries Requiring Medical Facility Treatment</th>
<th>Deaths</th>
<th>Property Damage Value (over $50)</th>
<th>Report #</th>
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<td>Trash Room Across from 311</td>
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## 2014 Annual Fire Log

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<th>Date/Time Occurred</th>
<th>General Location</th>
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<td>1/61/14 at 7:57am</td>
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</table>
As required by the Clery Act, the areas in the above map represent the geographic areas from which incidents and/or crimes are reported for the purposes of this report. These statistics are listed in this report.
Skidmore Department of Campus Safety

Location: Jonsson Tower, ground level

Phones:
- Emergency: ext. 5566, or 911
- Non-emergency: ext. 567
- From off campus: 518-580-5566
- Confidential Tips Line: 580-TIPS (8477)

Website: www.skidmore.edu/campus_safety/

Hours: 24 hours a day

Director: Timothy Munro, tmunro@skidmore.edu

Associate director: Richard Roberts, rroberts@skidmore.edu

Assistant director: Glen Vidnansky, gvidnans@skidmore.edu

Other important phone numbers

Skidmore Campus:
- Health Services: 518-580-5550
- Dean of Student Affairs: 518-580-5760
- Office of Residential Life: 518-580-5765
- Counseling Center: 518-580-5555
- President’s Office: 518-580-5700

Saratoga Springs Police Department:
- Emergency: 911 (campus phones)
- Non-emergency: 518-584-1800

State Police
- Emergency: 911 (cell phones)
- Non-emergency: 518-583-7000

Sheriff’s Department
- Emergency: 911 (cell phones)
- Non-emergency: 518-885-6761