Annual Campus Safety and Security Report

and

Annual Fire Safety Report


Skidmore College
815 North Broadway
Saratoga Springs, New York 12866

and

London Campus
5 Bloomsbury Place, Bloomsbury, London WC1A 2QP, UK

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 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, New York, 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 2,600 students and a workforce of some 870 full-time equivalent employees.

Skidmore College also has a small separate campus in London, England, where 36 students attend classes. Students attend classes at the London campus, located at 5 Bloomsbury Place, Bloomsbury, London, or at a number of partner institutions in London. Skidmore faculty/staff members are on site at the London campus to provide instruction and support.

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 years concerning reported crimes that occurred on both the main and London campuses, 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 online at [www.skidmore.edu/campus_safety/clery/safety_report.pdf](http://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.
Safety Alerts

The Department of Campus Safety communicates safety alerts for both campuses via email, on the Campus Safety website, through social media (Twitter, Facebook) when appropriate 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 news to report on safety and security issues. Safety alerts for reported crimes shall withhold the names of victims as confidential. Anyone with information warranting a safety alert 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](http://www.skidmore.edu/campus_safety/programs/alerts.php). Events reported more than five days after the occurrence will generally not be the subject of a safety alert.

**Skidmore College Department of Campus Safety**

**On the Saratoga Campus**

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 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 impact 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.

**On the London Campus**

Skidmore College does not have Campus Safety personnel in London. Faculty/staff in London work with offices on the Saratoga campus such as Campus Safety, Title IX, Student Conduct and Conflict Resolution, and others as specific incidents arise. Crimes are reported to the London Police Department at 44-020-7240-1212. The number for the Security Office at Chapter Kings Crossing, the non-campus residence hall, is 44-020-3675-9200.
Reporting Crimes and Emergencies

On the Saratoga Campus

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 (for emergencies) and 5567 (for non-emergencies), or from an outside line at 518-580-5566. 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/anonymous_crime_reporting.php. The Saratoga Springs Police Department can be reached at 911 for emergencies and 518-584-1800 for non-emergencies. Cellular 911 calls are answered by the Saratoga County Sheriff’s Department or New York State Police. The College encourages accurate and prompt reporting of all crimes to the Department of Campus Safety 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, which operates 24/7. 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 it is reported to local police agencies and brought to the attention of Campus Safety or “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 advisers 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.

On the London Campus

Witnesses and victims of a campus crime or emergency, as well as anyone who is suspicious of people or situations on the London campus, are urged to notify on-site Skidmore staff, or the London Police Department at 44-020-7240-1212. Individuals may report non-urgent matters to Campus Safety in Saratoga Springs by calling 518-580-5566 or emailing campus-safety@skidmore.edu, or anonymously via the Campus Safety “Silent Witness” program at https://www.skidmore.edu/campus_safety/programs/anonymous_crime_reporting.php. Campus Safety will collect statistical data and conduct college-level investigations as needed.
Daily Crime Log

Campus Safety maintains a daily crime log at the main Saratoga Springs campus, 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.

No daily crime log is required to be maintained for the London campus, as there are no campus police or security personnel on site.

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, respectively, at:

- www.skidmore.edu/campus_safety/programs/anonymous_crime_reporting.php

These services are available to anyone at the main campus or London campus.

Response to Reports of Crimes and Incidents

If a crime or incident on the Saratoga campus 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 Campus Safety officers, Skidmore College Emergency Medical Service (SCEMS), at the College’s health services facility, or may choose the Saratoga Hospital emergency room or Wilton Medical Arts (WMA).

- The director, associate director or assistant 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 Department, New York State Police, or the Saratoga County Sheriff’s Department.

- 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, text messaging using SUNS,
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.

For incidents occurring in London, Campus Safety collects statistical data, conducts college-level investigations if needed, and would liaison with local authorities in London 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 or at the request of a police department for an ongoing investigation.

- 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. Situations at the London campus are reported directly to local authorities, who respond as needed, as there are no Campus Safety personnel in London.

- 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.

- 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 allegations 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 at the Saratoga campus, whether or not the alleged assailant is a member of the Skidmore community. Similar services are made available to students in London at local providers which may be accessed through the on-site Skidmore faculty/staff.
Security and Access to Campus Facilities

On the Saratoga Campus

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 card access 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 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. They serve as additional source of eyes and ears, especially during overnight hours to report suspicious activity.

On the London Campus

Non-Campus Residence Hall

The students will receive a key card that will give them access through the security barriers at the entrance, which they are required to swipe in and out of. This card will also grant them access to their rooms, allocated communal kitchen, and all other areas. There is a 24-hour front desk staffed by a security officer.

The building has comprehensive fire safety and all rooms and corridors have fire doors. There are fire blankets, fire alarms, and extinguishers throughout the building and clearly identified fire exits. The fire alarms are tested weekly on Wednesday at 11 a.m. and the building performs an unannounced fire drill three times a year. When the alarms are sounded, all elevators are out of use and the building is evacuated via the fire escapes.

On-Campus Classroom Space

The building has comprehensive fire safety, with alarms on every floor, sensors, fire doors and clearly marked fire exits. The fire alarm is tested weekly on a Friday, and there is an unannounced drill during each semester.
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 undergo 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, hold 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.

First-Year International students participate in mandatory education programs related to Intercultural Communication and Sexual Values, Consent, Reporting Options, and College Policy.

For the London campus, Skidmore Center security and notification procedures are explained to students at mandatory on-site program orientations.

Each new student is apprised of the Skidmore College Student Handbook, which is 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 campus problems (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.

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. The language is synonymous to the primary Think About It course to reinforce the messages around responsible decision making. Fifty-one students were required to take the course during 2018.
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…” (Campus Clarity website). It is designed to refresh students on crucial information from the initial Think About It course. Fifty-three students were required to take this course during 2018.

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 students were required to complete the program during 2018, 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
The Skidmore College Social Norms campaign 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 parse through 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. Over 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 the students involved are committed 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 a Peer Health Educator (PHE), PHEs have to successfully complete a 3-credit course in which they are trained on a variety of health-related topics. One of the topics that they are trained in is alcohol and other drug education. The following is an abbreviated list of issues that are addressed: 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.

Thursday Night Alternatives
The Peer Health Educators (PHEs) provide a weekly alcohol and drug-free Trivia Night on Thursdays in Case Student Center that serve as an alternative to the bar/party scene.

Friday Night Alternatives
The Peer Health Educators (PHEs) offer weekly interactive, fun, alcohol and drug-free programming for students on Friday nights. Students are required to register ahead of time and events include a mixture of on campus activities (ex/pottery painting, game nights, etc) and off campus field trips (ex/haunted hayride, rock climbing gym, ninja gym, escape room, etc).

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
The 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 (RAs and UAs) are trained on various dimensions of AOD 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 (PHEs) is dedicated to educating the campus on bystander intervention strategies that can be used to address concerning 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 10-5 and Saturdays from 12-2 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. Therapy dogs are also available in the Wellness Center for at least one hour per day Monday – Friday.

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 Preventative Programming
As a proactive approach to counteracting the traditionally known events that involve high-risk alcohol consumption, the PHEs and Health Promotion provide various outlets for student alcohol safety education, such as tabling events and highly visualized 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.

Wellness Coaching

The Department of Health Promotion offers Wellness Coaching. Coaching sessions are one-on-one, in-person meetings that students can access for no charge. Students meet regularly with their coach as they work toward goals.

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.

Weeks of Welcome Program

The program is designed to help students make a successful transition to Skidmore by encouraging them to explore the many opportunities related to health and wellness available to them their first two months on campus. The program is built around eight dimensions of wellness; social, intellectual, emotional, diverse and inclusive, physical, environmental, occupational and spiritual. Each week of the program takes one of those dimensions as a focus and offers a wealth of programs and activities that will provide opportunities for engagement, exploration and connection.

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 Skidmore College 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 of Campus Safety 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, and this department 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.

When faculty/staff in London become aware of a missing person, they will notify local authorities who will conduct an investigation consistent with local policy. Skidmore faculty/staff will assist London authorities with their investigation however possible.
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, New York, 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 Non-Discrimination

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, co-curricular, 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.

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

Sarah Delaney Vero  
Interim Title IX Deputy Coordinator in Student Affairs  
Case Center 219  
815 North Broadway Saratoga Springs, NY 12866  
518-580-5022  
svero@skidmore.edu
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 and behavioral expectations of all members of the community helps to ensure Skidmore’s goal of being a safe, open community regarding sexuality. 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 Skidmore 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 Skidmore College community or Skidmore College.

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 or 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 (ie. 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 or 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: https://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 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 Residential Life and Student Conduct or designee 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.

**Incapacitation**: a state where someone cannot make rational, reasonable decisions because they lack the capacity to give knowing consent (e.g., to understand the “who, what, when, where, why or how” of their sexual interaction). Incapacitation may occur because of the individual’s age. Under New York law, the age of consent is 17 years of age and, therefore, a person under the age of 17 lacks the capacity to provide affirmative consent. Incapacitation can also occur because of an individual’s physical or mental condition or disability that impairs the individual’s ability to provide consent. Incapacitation as a result of a physical or mental condition includes, but is not limited to, being: (i) asleep or in a state of unconsciousness; (ii) physically helpless; or (iii) involuntarily restrained. Depending on the degree of intoxication, someone who is under the influence of alcohol or drugs may be incapacitated and unable to consent to sexual activity. Being drunk or intoxicated, however, does not necessarily render someone incapacitated. The impact of alcohol or drugs varies from person to person.

Whether sexual activity with an incapacitated person constitutes gender-based misconduct depends on whether the Responding Student knew or should have known of the Reporting Individual’s incapacitation. The question of what a Responding Student knew or should have known is objectively based on what a reasonable person in the place of the Responding Student, sober and exercising good judgment, would have known about the condition of the Reporting Individual.

**Character Evidence**: evidence to describe any testimony or document submitted for the purpose of proving that a person acted in a particular way on a particular occasion based on the character or disposition of that person.
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, cartoon 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, 15 work opportunities or performance;
• whether a statement is a mere utterance of an epithet which 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 by 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: 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: 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: 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.
  - Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
  - Dating violence does not include act covered under the definition of domestic violence.

Individuals who are victims of domestic violence in New York 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 cyber-stalking, which is a form of stalking utilizing 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 opposing or reporting SGBM, seeking services, receiving protective measures and accommodations, supporting a reporting individual or a respondent student and/or participating in an investigation or SGBM resolution process, because of their participation in that protected activity. Examples of retaliation include, but are not limited to: threats, intimidation, pressuring, social aggression, damage to property, abuse, violence or maliciously interfering with an individual’s academic or professional career or reputation. It can occur in various modes, including in person and through electronic communication.

All individuals and groups who are members of the Skidmore community are prohibited from engaging in retaliation. Any person who retaliates directly or indirectly against a reporting individual, witness, responding student, or any other person involved in the investigation of a SGBM allegation will be subject to discipline, up to and including termination (if an employee) or expulsion (if a student). Retaliation is a violation of this policy whether or not the underlying SGBM allegation is substantiated.

Conduct not typically considered retaliation includes, but may not be limited to, making a good faith allegation of misconduct, filing a complaint under this Policy, and/or seeking or enforcing interim measures or accommodations.

Note on other Code of Social Conduct Violations
After reviewing the incident, the Title IX 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 non-discrimination. 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 (See “Incapacitation” in the Terminology section above).
- 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 non-verbal 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 (for example, 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 drunkeness 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.
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 strongly 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 associated with making a report or a formal complaint with the College and/or with 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 to gain some control over the situation and make informed decisions using information provided by the reporting source. Prompt reporting will not only benefit and support Reporting Individuals, but will also help the College in maintaining 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 https://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 campus-wide 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 with the Title IX Coordinator.

• 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.
  o The Student Wellness Center, located on the 3rd 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
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 throughout 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
- 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 Non-Discrimination” 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 order;
- 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 as well as a standard No Contact Order (see below).

**No Contact Orders**

College administrators may unilaterally or by request issue a No Contact Order (NCO) when there exists a reasonable concern that physical, psychological, and/or emotional harm may result from such contact. The College will consider all facts and circumstances that may be relevant to whether a standard or proximity NCO should be issued, including but not limited to, the following factors:

- When there are allegations, threats, or evidence of physical violence by one student against another;
- When there are allegations, threats, or evidence of emotional abuse or harassment by one student against another;
- When there is a substantial risk of emotional harm from continued contact between students;
- When continued contact between students may have a material impact on campus disciplinary proceedings;
- When requested or agreed to in good faith by both students involved;
- When there are allegations of serious college policy violations; and
- Emergency situations involving personal safety in which the Director of Campus Safety or designee may issue a temporary No Contact Order, which shall be confirmed, modified or rescinded within 72 hours by the Senior Associate Dean of Students, Title IX Coordinator, or Deputy Coordinator once all relevant information is reviewed.

When at least one of these factors or a closely related factor is present, the College may issue a No Contact Order.

**Standard No Contact Order**

A standard No Contact Order (NCO) is a written document mutually prohibiting two students from contacting each other. **Students subject to a NCO must:**

- Avoid any form of contact with the other party subject to the same NCO. 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.

A standard NCO does not restrict a person's movement on campus, and it is mutual, meaning that all parties are expected to abide by the terms. A standard NCO constitutes neither a waiver by any party of the right to file a formal complaint, nor does it constitute an admission of responsibility or
wrongdoing by any party. Failure to comply with the agreement would result in further conduct charges and sanctions. The terms of the NCO remain in place until the directive expires, or the terms are modified.

**Proximity No Contact Order**

A proximity No Contact Order is a written document mutually prohibiting a Reporting Individual and Responding Student involved in a formal complaint of Sexual and Gender-Based Misconduct from communicating each other while also temporarily requiring the Responding Student to leave an area if they were to observe the Reporting Individual in a public place among other areas. Other restrictions may also be applied. A Reporting Individual and Responding Student subject to a proximity NCO must both:

- Avoid any form of contact with the other party subject to the same NCO. 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.

However, the Responding Student subject to the proximity NCO must also:

- Abide by any requirements to avoid contact with the Reporting Individual in the Reporting Individual’s residence, in academic settings such as classrooms, laboratories, etc., and at any location where the Reporting 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 Reporting Individual is present as detailed in the NCO. The NCO will indicate whether the Responding Student 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.

Other restrictions may include but are not limited to:

- Restricting a student from being in close proximity to the other student in other spaces;
- Restricting a student's access to certain campus locations, including another student’s residence hall;
- Restricting the times a student may be present in on-campus dining facilities;
- Requiring that the students not be enrolled in the same academic course(s); and
- Requiring that the students not participate in the same co-curricular or extra-curricular activities.

A proximity NCO can only be implemented when a formal complaint of Sexual and Gender-Based Misconduct is made, and it is only in place as an interim measure for the duration of the investigation and adjudication of the alleged sexual and gender-based misconduct (unless there is a finding of responsibility in which case a NCO could be issued as a sanction). A proximity NCO constitutes neither a waiver by any party of the right to file any complaint, nor does it constitute an admission of responsibility or wrongdoing by any party. Failure to comply with the order would result in further conduct charges and sanctions.

**Reviewing a No Contact Order for Modification or Rescission**

While any NCO is in place, both students have the right to request that the document be reviewed for modification or rescission. Reviews will be conducted promptly, and modifications to NCOs
will be made as needed. Requests must be submitted, in writing, to the appropriate college official as indicated on the issued No Contact Order and should include the basis and any evidence in support of the request.

**Enforcement of No Contact Orders**

Intentional violation of a No Contact Order 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 Orders are only enforceable by the College and only apply when at least one of the parties subject to the No Contact Order is a student at Skidmore College. Any student subject to No Contact Order issued by the College is required to comply with the order both on and off Skidmore College property.

Violations of a No Contact Order should be reported to Campus Safety. Although the College encourages individuals to report violations of a NCO 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 NCO, 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 NCO, Contact Campus Safety at 518-580-5567 or in person on the lower level of Jonsson Tower.
- The existence or alleged violation of a NCO is not a police matter. If you call 911 to report a safety risk, you should tell the police about your NCO, but they will only enforce violations of law, not college policy related to a NCO or violations of a NCO.

**Determination**

In determining whether a NCO violation has occurred, the Office of Residential Life and Student Conduct will consider multiple factors, including but not limited to:

- size and layout of the space where the alleged NCO violation took place;
- any attempted contact or communication by the subject of the NCO;
- duration of time before the student vacated the space;
- frequency and nature of alleged contact; and
- obligation of the subject of the NCO to be present in the space (i.e., place of work, athletic competition, internship location, etc.)
Any reported alleged violation of a NCO will be investigated promptly. Students who fail to comply with the terms of an NCO may be found in violation of the code of social conduct under "Failure to Comply." Alleged violations of proximity NCOs are subject to review by the Title IX Coordinator or Deputy Coordinator. Additionally, depending on the nature, severity and frequency of the alleged NCO 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 Coordinator, 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 3 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 Coordinator or designee. The Reporting Individual works with the Title IX 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. The District Attorney’s office decides whether or not the case will be prosecuted by considering factors such as the amount of 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, the District Attorney 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 campus wide timely 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](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 hardcopy with you. More information on the NYS Order of Protection Alert System can be found here: [https://oopalert.ny.gov/oopalert/](https://oopalert.ny.gov/oopalert/).

**X. 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 remains private. The Title IX 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 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 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 Coordinator or designee will consider a range of factors, including, but not limited to, the following:
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;
- 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 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 order, 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 campus-wide, 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 Coordinator and/or designee will collect information from the Reporting Individual for the formal complaint. After receiving this statement, the Title IX 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 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 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 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 allow 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 over-lapping 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 Responding Student 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”, the Panel 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 Orders, 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 as follows:

- Reporting Individuals shall be informed of the formal complaint against the Responding Student, the determination made after a panel, and any sanctions 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 procedural error occurred that significantly impacted the outcome of the process (e.g. substantiated bias, material deviation from established procedures, etc.);
- 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;
- 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 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 reoccurrence, 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 impact 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):

a) The nature and violence of the conduct;
b) The Responding Student’s prior discipline history;
c) The impact of the conduct on the Reporting Individual, and their desired sanctions, if known;
d) The impact of the conduct on the Skidmore community, its members, and/or its property;
e) How the College has sanctioned similar incidents in the past;
f) Whether the Responding Student has accepted responsibility; and

g) 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 Order**: 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 order 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 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. 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 still enrolled, but found responsible after the Responding Student has graduated, the College may revoke that student’s degree. The student will be asked to return the diploma.

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)(i)(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.

**XIII. Support Services and Resources**

**On-Campus Resources**

- **Counseling Center (Confidential):** 518-580-5555  
  (9 a.m. - 12 noon, 1 p.m. - 5 p.m. Monday - Friday while school is in session)

- **Health Services (Confidential):** 518-580-5550  
  (9 a.m. - 12 noon, 1 p.m. – 4:30 p.m. Monday - Friday, and 12 noon - 5 p.m. Sunday while school is in session)

- **Victim Advocates (Anonymous)**  
  Jen McDonald, Director of Health Promotion: 518-580-5684  
  Kim Golemboski, Prevention Specialist: 518-580-5484

- **Wellspring Advocate (Confidential, Not affiliated with Skidmore College)**  
  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](http://www.skidmore.edu/sgbm/contacts.php) for exact times and contact information.

- **Campus Safety: 518-580-5566**

- **Title IX Coordinator (Private)**  
  Joel Aure: 518-580-5708

- **Title IX Deputy Coordinator (Private)**  
  Gabriela Melillo: 518-580-5022

- **Dean of Students/Vice President of Student Affairs (Private)**  
  Cerri Banks: 518-580-5760

- **Administrator ON-CALL: 518-580-5566**  
  (Call Skidmore Campus Safety to contact “on-call” person)

*indicates availability 24 hours a day/7 days a week

**Off-Campus Confidential Reporting Sources**

- **Wellspring Saratoga Springs 24 Hour Hotline:** 518-584-8188
- **Saratoga Hospital Emergency Room:** 518-583-8313
- **Saratoga Planned Parenthood/Schenectady Planned Parenthood:** 518-584-0041 or 518-374-5353
• **NYS Sexual Violence Hotline:**
  - English: 1-800-942-6906
  - Spanish: 1-800-942-6908
  - English TTY: 1-800-818-0656
  - Spanish TTY: 1-800-780-7660

**Off-Campus Reporting Sources**

- **Saratoga Springs Police Department**: 518-584-1800
- **New York State Police Hotline**: 1-844-845-7269 (dedicated 24-hour hotline for sexual assaults occurring on a New York State college campus)
- **Office of Civil Rights**
  
  New York Office
  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

*indicates availability 24 hours a day/7 days a week

Policy revision in September 2018.

This policy may be amended, in writing, by Title IX Coordinator in consultation with the Dean of Students and Vice President for Student Affairs or the Dean’s designee at any time.
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 Title IX coordinator or designee. 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 RAs and 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 “Restroom Readers”**: Informational posters designed for bathroom stalls 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 (Atrium and Case) and Consent Pledge** with stickers and affirmative consent handouts created and distributed by the peer health educators.
- **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, it 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 campus problems (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.
- **“It’s On Us”**: In an effort to raise awareness and speak out against sexual assault, the Student-Athlete Advisory Committee and Skidmore Athletics have taken on the “It's On Us” campaign. This is a national campaign that has served a specific purpose to bring attention to this issue through the use of social media and mainstream media. Skidmore student-athletes
are continuing the work of the "Show Your Sport" committee that began with an anti-homophobia campaign in 2015. Our students decided to take on the “It's on Us” campaign to let our campus community know that we will stand against sexual violence and we are allies to survivors. You can learn more at www.itsonus.org.
2018 Sexual and Gender-Based Misconduct Training Schedule

Spring semester, ongoing
• Topics: Tabling series focused on affirmative consent and sexual health
• Presenters: Peer health educators
• Audience: All students, voluntary

Jan. 9, 2018: Campus Safety officers
• Topics: SGBM policy, affirmative consent, resources and reporting responsibilities
• Presenter: Joel Aure, Title IX coordinator
• Audience: Full-time Campus Safety officers, mandatory

Jan. 17, 2018: New Residence Life staff members
• Topics: Affirmative consent, policy, resources and reporting responsibilities
• Presenters: Mariel L. Martin, associate dean of student affairs for campus life and engagement/Title IX deputy coordinator
• Audience: New Residential Life staff, mandatory

Feb. 14, 2018: Valentine's Day Consent/Sexual Health Tabling
• Topics: Affirmative consent, sexual health
• Description: Peer health educators held a two-hour tabling event in the Atrium of the Dining Hall on Valentine's Day. The purpose of the event was to encourage students to practice consent, remind them of the importance of consent and provide safer sex supplies.
• Presenters: PHE Sexual Health Committee members
• Audience: All students, voluntary; peer health educators, mandatory

Feb. 27, 2018: New Skidmore employees
• Topics: Affirmative consent, policy, resources and reporting responsibilities
• Presenter: Joel Aure, Title IX coordinator
• Audience: New Skidmore employees

February 2018: Rape Aggression Defense System training
• Topic: The R.A.D. (Rape Aggression Defense) System is a nationally recognized program of realistic self-defense tactics and techniques for women. The R.A.D. System is a comprehensive, women-only course that begins with awareness, prevention, risk reduction and risk avoidance, while progressing onto the basics of hands-on defense training.
• Presenter: Department of Campus Safety
• Audience: Free and open to Skidmore community, voluntary

March 6-7, 22, 2018: Faculty Roundtables
• Topics: SGBM policy, affirmative consent, reporting responsibilities
• Audience: Faculty and staff, voluntary

March 14, 2018: Campus Safety officers
• Topics: SGBM policy, affirmative consent, resources and reporting responsibilities
• Presenter: Joel Aure, Title IX coordinator
• Audience: Part-time/call-in Campus Safety officers, mandatory
March 21, 2018: PHE Bystander Intervention Training
• Topic: Bystander intervention
• Description: The group training to become peer health educators received a two-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: Jennifer McDonald, director of Health Promotion/victim advocate
• Audience: Peer health educators, mandatory

April 9-12, 19, 2018: Faculty/Staff Workplace Harassment and Title IX Training
• Topics: Workplace discrimination and sexual harassment policies/procedures, SGBM policy, affirmative consent, resources and reporting responsibilities
• Presenters: Joel Aure, Title IX coordinator, and Michael Billok of Bond, Schoeneck & King

April 11, 2018: Sexual and Gender-Based Misconduct Training
• Topics: Affirmative consent, campus policies and procedures, reporting resources
• Presenter: Jennifer McDonald, director of Health Promotion, victim advocate
• Audience: New peer health educators, mandatory

April 16, 2018: President’s Cabinet Training
• Topics: Workplace discrimination and sexual harassment policies/procedures, SGBM policy, affirmative consent, resources and reporting responsibilities
• Presenters: Joel Aure, Title IX coordinator, and Michael Billok of Bond, Schoeneck & King

April 18, 2018: Crisis Management Training
• Topics: Handling difficult situations, including crises; referrals, resources and support
• Presenter: Jennifer McDonald, director of Health Promotion, victim advocate
• Audience: New peer health educators, mandatory

April 22, 2018: Active Bystander Training for SGA Fun Day leadership
• Topic: Prevention of sexual misconduct through bystander intervention.
• Presenters: Peer health educators
• Audience: SGA Fun Day leaders, mandatory

May 2018: London FYE faculty
• Topic: Affirmative consent, policy, resources and reporting responsibilities
• Presenter: Joel Aure, Title IX coordinator
• Audience: Two London FYE faculty members, mandatory

May 21, 2018: Special Programs summer resident assistants
• Topics: Affirmative consent, policy, resources and reporting responsibilities
• Presenter: Joel Aure, Title IX coordinator
• Audience: Special Programs summer RAs, mandatory

June 2018: Peer Health Educator Training
• Topics: Affirmative consent, healthy relationships, reporting options, confidentiality, crisis management, campus SGBM policies and procedures, bystander intervention
• Presenter: Jennifer McDonald, director of Health Promotion, victim advocate
• Audience: New peer health educators, mandatory

June 28, 2018: Special Programs pre-college resident assistants
• Topics: Affirmative consent, policy, resources and reporting responsibilities
• Presenter: Joel Aure, Title IX coordinator
June 28, 2018: Opportunity Program summer student staff
- Topics: Affirmative consent, policy, resources and reporting responsibilities
- Presenter: Joel Aure, Title IX coordinator
- Audience: OP student staff, mandatory

Summer 2018: Campus Clarity Online Training Program
- Topics: Affirmative consent, resources, bystander intervention, healthy sexual communication/relationships, alcohol and other drugs
- Presenter: https://home.campusclarity.com
- Audience: Mandatory for all first-year students

August 2018: Peer health educators
- Topics: Statistics from 2018 climate survey, affirmative consent, policy, procedures, resources and reporting responsibilities
- Audience: Peer health educators, mandatory

Aug. 20, 2018: Student Conduct and Policies/Documentation
- Topics: Definition of Clery crimes, requirements to report information about possible Clery incidents
- Presenter: Katie Wright
- Audience: All resident assistants during fall 2018 training, mandatory

Aug. 21, 2018: London FYE SGBM Training
- Topics: Affirmative consent, New York State Bill of Rights, confidential and anonymous resources available to London First-Year students
- Topic: Affirmative Consent, Skidmore College policy, reporting and on- and off-campus confidential and non-confidential resources
- Presenters: Joel Aure, Title IX coordinator, and Jennifer McDonald, director of Health Promotion and victim advocate
- Audience: London first-year students, mandatory

Aug. 22, 2018: One Love: Escalation Workshop
This training was required for all resident assistants during fall 2018 training. Zach VanGalder led the training with support from Residence Life professional staff and the Counseling Center. The Escalation Workshop is a nationally recognized training tool.

The following description is from the One Love Foundation’s website: The Escalation Workshop is a film-based discussion that opens people’s eyes to the warning signs of relationship abuse. The workshop consists of a film, “Escalation,” followed by a guided discussion led by a trained facilitator. The film follows a college-aged couple through the very sweet beginnings of their relationship and shows how unhealthy behaviors can escalate into abuse.

After watching the film, workshop participants dive into a discussion about the film — led by trained facilitators — discussing the early warning signs of relationship abuse and what they can do if they witness or experience these warning signs. The conversation is led by a facilitator that has been trained by One Love.

Aug. 23, 2018: Residential Life staff
- Topics: Statistics from 2014 climate survey, affirmative consent, policy, resources and reporting
- Audience: Residential Life staff, mandatory

Aug. 27, 2018: Behind Closed Doors
During this activity, resident assistants encounter actors who present scenarios they may encounter in the RA role. Specifically, there is one scenario that includes a student actor disclosing an incident of possible sexual and gender-based misconduct. The RAs have an opportunity to practice referring the resident to a source of support on campus. This training also covers all reporting requirements. RAs are reminded they are not confidential sources and have an obligation to report the information they received to the Title IX coordinator.

Aug. 27, 2018: Health and wellness staff (Health Services, Counseling Center, Health Promotion) cross training
• Topic: Working with Wellspring, coordinating care for SGBM survivors, community and campus resources
• Audience: Staff in Health Promotion, Counseling Center and Health Services, mandatory

Aug. 28, 2018: Peer Advisor Training
• Topics: Review SGBM policy, processes, affirmative consent, resources and reporting responsibilities
• Audience: Peer advisors, mandatory

Aug. 28, 2018: Passport to Success (resource fair)
• Topics: SGBM policy, processes, affirmative consent, resources and reporting responsibilities
• Presenter: Joel Aure, Title IX coordinator
• Audience: Student staff, peer health educators, mandatory

Aug. 29, 2018: Everyday Leadership: It Is My Place with True to Life
• Topics: Bystander intervention, SGBM policy, reporting, resources
• Presenter: True to Life Training.com
• Audience: Mandatory for all student leaders

Aug. 29, 2018: Peer Mentor Training
• Topics: SGBM policy, processes, affirmative consent, resources and reporting responsibilities
• Audience: Peer mentors, mandatory

Aug. 31, 2018: New Skidmore faculty
• Topics: Affirmative consent, policy, resources and reporting responsibilities
• Presenter: Joel Aure, Title IX coordinator
• Audience: New Skidmore faculty

August through November 2018: Student athletes
• Topics: Affirmative consent, policy, resources and reporting responsibilities
• Presenter: Joel Aure, Title IX coordinator
• Audience: Student athletes, mandatory
  • Aug. 21: Women’s soccer and field hockey
  • Aug. 22: Volleyball
  • Aug. 27: Golf and women’s tennis
  • Aug. 29: Men’s soccer
  • Aug. 30: Men’s tennis
  • Sept. 13: Swimming/diving
  • Sept. 14: Women’s basketball
  • Sept. 24: Ice hockey
  • Sept. 28: Women’s lacrosse
  • Oct. 2: Softball and men’s lacrosse
  • Oct. 4: Baseball and riding
  • Nov. 1: Men’s and women’s crew
  • Nov. 2: Men’s basketball
Sept. 1, 2018: Student Government Association (SGA)
- Topics: Affirmative consent, New York State Bill of Rights, confidential/anonymous resources, investigation/adjudication process and policy
- Presenter: Joel Aure, Title IX coordinator
- Audience: Student Government Association

Sept. 3, 2018: “Sex Discussed Here” First-Year Orientation Program
- Topics: Affirmative consent, resources, bystander intervention, healthy sexual communication/relationships
- Presenter: www.sexualityeducation.com
- Audience: Mandatory for all first-year students

Sept. 4, 12 and 25, 2018: Faculty/Staff Workplace Harassment and Title IX Training
- Topics: Workplace discrimination and sexual harassment policies/procedures, SGBM policy, affirmative consent, resources and reporting responsibilities
- Presenters: Joel Aure, Title IX coordinator, and Michael Billok of Bond, Schoeneck & King

Sept. 7, 14, 21 and 28, 2018: Training for SGBM panelists, advisors and investigators
- Topics: Affirmative consent, trauma, complaint options, right, resources, investigations, interviewing, adjudication, report writing and overall policy review
- Presenters: Joel Aure, Sarah Green, Robert Manfredo (attorney for Bond, Schoenck, & King), Julia Green (attorney for Harter, Secrest, & Emery), Julia Routbort (associate dean of student affairs – health and wellness) and Jennifer McDonald (director of Health Promotion)
- Audience: SGBM panelists, advisors, internal investigators and Advisory Council members

October 2018: Rape Aggression Defense System training
- Topic: The R.A.D. (Rape Aggression Defense) System, a nationally recognized program of realistic self-defense tactics and techniques for women. The R.A.D. System is a comprehensive, women-only course that begins with awareness, prevention, risk reduction and risk avoidance, while progressing on to the basics of hands-on defense training.
- Presenter: Department of Campus Safety
- Audience: Free and open to Skidmore community, voluntary

Oct. 5, 2018: Safety Day
- Topics: Safety and safe practices on campus, including fire safety, personal safety, kitchen safety and making use of resources

October 2018: Safety Orientation for student meetings
- Topics: Affirmative consent, policy, on- and off-campus resources, and on- and off-campus reporting
- Audience: Mandatory for all students

Oct. 17 and 23, 2018: Faculty/Staff Workplace Harassment and Title IX Training
- Topics: Workplace discrimination and sexual harassment policies/procedures, SGBM policy, affirmative consent, resources and reporting responsibilities
- Presenters: Joel Aure, Title IX coordinator, and Michael Billok of Bond, Schoeneck & King

Oct. 26, 2018: ConsentFest
- Topics: Healthy sexuality, resources, bystander intervention, affirmative consent
- Audience: Skidmore community, voluntary

- Topics: Affirmative consent, policy, resources and reporting responsibilities
- Audience: New Residential Life staff, mandatory
Oct. 30, 2018: New Skidmore employees
- Topics: Affirmative consent, policy, resources and reporting responsibilities
- Presenter: Joel Aure, Title IX coordinator
- Audience: New Skidmore employees

Nov. 1 and 5, 2018: Faculty/Staff Workplace Harassment and Title IX Training
- Topics: Workplace discrimination and sexual harassment policies/procedures, SGBM policy, affirmative consent, resources and reporting responsibilities
- Presenters: Joel Aure, Title IX coordinator, and Michael Billok of Bond, Schoeneck & King

Nov. 14, 2018: Sexual and Gender-Based Misconduct Training
- Topics: Affirmative consent, Skidmore policies and procedures, reporting options
- Presenter: Jennifer McDonald, director of Health Promotion, victim advocate
- Audience: New peer health educators, mandatory

Nov. 8–22, 2017: What’s the Thoroughbred Thing to Do? Large poster in Case Center
- Topic: Bystander intervention
- Description: A large poster was created and displayed using students’ stories that were shared on postcards earlier in the semester.
- Audience: Skidmore community

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 first-year students must successfully complete an online course, Alcohol Edu, which includes information about sexual assault and effective consent. All first-year students participate in a sex-education program as part of Orientation.

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.

Nov. 29, 2018: Bystander Intervention Training
- Topic: Bystander intervention strategies
- Presenter: Jennifer McDonald, director of Health Promotion, victim advocate
- Audience: New peer health educators, mandatory

Dec. 5, 2018: Crisis Management Training
- Topics: Handling difficult situations, including crises, and resources and referrals
- Audience: New peer health educators, mandatory
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 Oct. 28, 2000, which went into effect Oct. 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 Division of Criminal Justice Services (DCJS) website: [www.criminaljustice.ny.gov/nsor/index.htm](http://www.criminaljustice.ny.gov/nsor/index.htm). This site contains a link to the registry lookup available to the general public. By law, only information about Level 2 and Level 3 offenders is available via this public directory. In addition to the on-line registry, the following additional measures are in place to inform the community:

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.

DCJS has established a fee information line (518-457-5837 or 1-800-262-3257) that citizens can call to determine if a specific individual is listed in the registry. DCJS is barred by law from posting information on Level 1 (low level) sex offenders, or those with a pending risk level, on the public site. While DCJS cannot tell you if there are any Level 1 sex offenders or sex offenders with a pending risk level in your neighborhood or who they are, the agency can advise if a particular individual is on the registry.

DCJS also 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.
Policy on Alcohol and Other Drugs (AOD)

POLICY

Skidmore College, in accordance with federal and New York state law, regulates the use and possession of alcohol and other drugs on campus. The College’s main objective in this regulation of AOD is to provide a safe environment that promotes academic success as well as physical and psychological health on both the individual and community levels. The College understands that students make their own choices about AOD and, when appropriate, utilizes a harm reduction framework to encourage responsible choices and safety. However, the College also believes that students should be held accountable for their choices. AOD sanctions are designed to educate students about AOD use and encourage informed decision-making while deterring illegal and unsafe behavior. Specifically:

- **Education** encourages students to discuss, reflect on and receive support around issues that may contribute to AOD abuse and/or addiction.
- **Educational fees** cover the cost of evidence-based educational programming for individuals as well as for the entire Skidmore community. In the event that a student is required to complete an off-campus AOD assessment, additional fees, payable directly to the provider, will apply.
- **Parent notification** aims to establish a partnership with parents in reducing high-risk drinking and drug use. The College notifies parents because repeated violations of the AOD policy indicate risk both to the student personally and to the student’s academic career at Skidmore. When the College contacts parents, tips are provided for beginning a non-judgmental, open, helpful dialogue between parents and students.
- **Points** are designed to discourage high risk AOD use. The number of points assigned correlates with the riskiness of the behavior in which the student was engaging. [Click here for the Point Policy page.](#)

New York State Law states that:

- No person under the age of 21 years may possess or consume alcohol
- No person shall sell, deliver or give away alcoholic beverages to a visibly intoxicated person
- Providing alcohol to a person under the age of 21 is also against the law
- Possession of a forged driver’s license is a felony
- Possession of forged college ID is a misdemeanor

Students should also be aware of a Saratoga Springs ordinance prohibiting any person to “have in his possession any open bottle or container containing liquor, beer, wine or other alcoholic beverages while such a person is on any public highway, public street, public sidewalk, public parking area or in any vehicle or public place.” The city enforces the policy downtown, and the College prohibits “open containers” in public spaces on campus. Students should also be aware of New York State law governing the operation of motor vehicles while under the influence of alcohol or other drugs. The College is especially concerned about the potential consequences of students driving with their ability impaired. The College will intervene with students ticketed—on or off campus—for driving under the influence of drugs and or alcohol.

Beverage Control Policies

- 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.

- 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.

- 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.

- 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.

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

- The College does not tolerate drinking games (i.e. 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.

- 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.

- 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.

- 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 Party
Request Form details expectations and requirements.

Student Bartenders

Skidmore College utilizes TIPS-certified student bartenders and individuals who check
identification for legal age verification at all Student Government Association-sponsored events.
The College expects these individuals to abide by and enforce the Skidmore College alcohol and
drug policy.
Guidelines for Marketing Alcoholic Beverages

Advertising of alcoholic beverages at College events is for informational purposes only. Alcohol may not be the primary focus of a banner, poster, flyer, or other event promotion. Alcohol advertising contained on posters, banners, flyers, etc., shall be limited solely to stating what alcoholic beverages will be sold, that a driver’s license or passport and the Skidmore College campus event ID is required for purchase and consumption, and that alternative beverages will be available.

Alcoholic beverage marketing programs specifically targeting students or held on campus shall conform to Code of Social Conduct of Skidmore College and avoid sexually demeaning or discriminatory portrayal of individuals.

- Advertising must encourage informed and responsible decisions about the use of alcohol.
- Alcohol marketing programs directed at students, held on or off campus, may include sampling or other promotional activities only when time and quantity are limited. As with all events, sponsors must observe all other relevant regulations including the availability of alternative beverages, food, and planned programs.
- Campus events or programs cannot include corporate promotional materials without approval of the Leadership Activities Office.
- Students promoting local off-campus activities that involve the sale of alcohol must obtain approval from Leadership Activities before posting the marketing materials.

Laws and Policy Related to Drugs

Skidmore College prohibits the use, possession, and sale of illegal drugs or unauthorized prescription medications. All members of the Skidmore community are required to abide by federal, state, and local laws regarding these substances.

Skidmore College does not provide students protection from the law. Students found possessing or selling illegal drugs are subject to disciplinary action and criminal liability. The College may submit the names of students it believes to have supplied or sold drugs to local law enforcement authorities.

Under the New York State Penal Law:
- Unlawful possession of any controlled substance is a crime
- Giving another person an illegal drug or prescription controlled substance is the same as selling it
- The sale (or giving) of any controlled substance is a felony (this statute also includes legally possessed prescription drugs that are controlled substances)
- Possession of marijuana is against the law; the charges and sanctions vary according to the amount possessed
- The sale of marijuana is a more serious crime than simple possession
- Possession of gelatin caps, glassine envelopes, other packaging materials, or scales under circumstances evincing intent to use is a crime
Medical Marijuana Policy

The use, possession, or cultivation of marijuana for medical purposes is not allowed in any Skidmore housing or at any other Skidmore property; nor is it allowed at any College sponsored event or activity off campus.

Students’ use of marijuana (or any other drug) on College premises is strictly forbidden and subject to action under the Student Code of Conduct. Students may also face criminal sanctions for the unlawful possession, use or sale of marijuana under the NYS Penal Law.

Effective in 2016, New York State law will permit the use of medical marijuana. Students who have valid medical marijuana prescriptions may petition the College for a waiver of their requirements to live on campus. Federal laws (including the Controlled Substances Act and the Drug Free Schools and Communities Act) prohibit marijuana use, possession and/or cultivation at educational institutions and on the premises of other recipients of federal funds. Therefore, even students with medical marijuana prescriptions will not be able to possess or use marijuana on the Skidmore campus.

Drug-Free Campus

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.

Violation of this policy on Skidmore College owned or controlled property, including the use of College-owned or -controlled motor vehicles, will result in College sanctions appropriate to the situation and will not protect employees or students from arrest or prosecution by civil authorities for illegal involvement with drugs or alcohol.

Drug and Alcohol Counseling and Education

BASICS stands for Brief Alcohol (and other drug) Screening and Intervention for College Students. It:

- Is a one-on-one alcohol and/or other drug assessment and education program
- Is designed to help you, the student, examine your drinking and/or drug use behaviors in a judgement-free environment.
- Is not an abstinence-only program, but rather a harm-reduction approach to these topics
- Allows you to select your own goals around reducing risky behaviors and avoiding harmful consequences related to alcohol and other drug use.

THE BASICS STRUCTURE

BASICS involves two one-on-one sessions with the BASICS provider that occur approximately 7 to 10 days apart. Each session will take about one hour. Students will also have a few assignments to complete between the two sessions.
BASICS REFERRALS

If a student has been referred to the BASICS program, they will receive an email from the BASICS web portal. From there they can access the BASICS system, create their login credentials and use the calendar to set up appointments.

*Please note:* There is a $50 fee for the program. However, if students complete both sessions within four weeks of their referral, the fee will be waived. Failure to complete the course in the allotted time may result in a $50 fee and a hold on one’s Skidmore account.

Students do not need to be worried that they have an alcohol or other drug problem to do BASICS. If they are interested in their consumption patterns, are looking to learn more about protective strategies, are worried about a friend or just want more information about alcohol and other drugs, BASICS is for them!

All students have to do is contact the provider below to arrange appointments.

[Download the BASICS Information Sheet Here](#)

BASICS PROVIDER CONTACT INFORMATION

For information about the BASICS program, please contact:

**Kimberly Golemboski, MS**  
Assistant Director of Health Promotion  
kgolembo@skidmore.edu  
518-580-5484

**Wendy Walker**  
Prevention Coordinator  
hwalker@skidmore.edu  
518-580-8256

**Employee Assistance Program**

An Employee Assistance Program (EAP) is an employer sponsored benefit providing short term counseling services to individuals and their families when personal concerns interfere with work performance, personal happiness, or good family relations. They are there to help you with any personal issues you may wish to discuss, including:

1. Stress Management  
2. Alcohol or Drug Abuse  
3. Emotional Distress  
4. Marital or Family Conflict  
5. Financial Difficulties  
6. Workplace Conflict  
7. Self-Improvement

Your voluntary use of EAP’s services is confidential to the fullest extent allowable by law. There is no charge for their services, because Skidmore pays a preset fee each year for all ongoing employees. If you need specialized resources or longer term assistance, EAP will help you find additional resources best suited to your needs.
HOW CAN I GET HELP?

Just pick up the phone. You and members of your immediate family can call EAP directly at 518-793-9768, or 1-800-734-6072 if calling from outside the 518 area. Their office appointments are available Monday through Friday, 9 a.m. to 5 p.m., and some evening hours can be arranged. EAP crisis counselors are available 24 hours a day, seven days a week.

Remember, contacts are confidential, and there is no charge to you for using EAP. Counselors are dedicated, caring professionals committed to treating each individual with respect. Each counselor has at least a master's degree in a human services field and a solid history of direct counseling experience.

Their main office is located in Glens Falls, NY; however they also have affiliate offices near you for your convenience. They will accommodate your needs in where to meet with you.

Bias Response Protocol

"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."

STATEMENT OF VALUES

Engaged Liberal Learning: The Plan for Skidmore College 2005–2015 sets forth the College’s strategic direction and goals for the coming decade within the context of our broad educational mission, which encompasses the college’s academic, cocurricular and residential life. Goal II of the Plan states that we “will challenge every Skidmore student to develop the intercultural understanding and global awareness necessary to thrive in the complex and increasingly interconnected world of the 21st Century.” If we are to achieve this objective, we must, in the words of Gandhi, “be the change we wish to see in the world.” That is, we must first develop within and across our community the knowledge and skills that we seek to impart to our students. As one necessary means to achieving this end, we must recreate Skidmore itself as a more diverse, globally conscious academic community—one that is ever more capable of supporting this crucial educational goal. Indeed, the college we envision is one that truly lives up to the commitment in our “mission statement” to educate “a diverse population of talented students who are eager to engage actively in the learning process.”

Liberal education itself requires the interplay of the broadest possible spectrum of ideas, viewpoints and perspectives. We enhance the intellectual and cultural vitality of our community when persons of many different backgrounds and viewpoints draw upon distinct personal histories and engage in honest dialog. Diversity, likewise, links directly with creativity: Interactions between disparate perspectives frequently strike the intellectual sparks that herald the emergence of a new idea. Attention to difference in background, cultural perspective, life experience and worldview is thus an essential element within the larger framework of Skidmore’s most fundamental and longstanding institutional commitments.
community members in the life of the institution. Achieving this ambitious vision requires that all members of our community treat one another with civility and mutual respect. The college, therefore, is determined to confront and discourage conduct and attitudes that exhibit bias or that harass or discriminate against any of our community members on the basis of 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.

The commitment to creating a welcoming, safe and inclusive community does not mean that community members will never be offended. Skidmore College vigorously endorses the principle of academic freedom as outlined in the college’s Faculty Handbook, and the college is committed to providing a learning environment that encourages a robust, stimulating and thought-provoking exchange of ideas. Among other things, we expect our students as well as other members of the community to become comfortable with the discomfort of being challenged by new experiences and ideas and, above all, of being challenged to achieve excellence. Nothing in this Bias Response Protocol is intended to stifle academic freedom, protected speech or lawful protest.

The college, then, strives to strike a balance between its commitment to academic freedom and free speech—which may result in critical dialog, difficult conversations, or even offensive comments—with its commitment to ensuring that all members of community experience the campus as a hospitable and welcoming place. Such an environment will support students, faculty members and staff members as they strive to achieve the level of excellence to which we all aspire. Bias incidents undermine the ability of individuals to participate fully in the life of the college and, in so doing, undermine the integrity of our educational mission. The college, therefore, adopts this Bias Response Protocol as a means to furthering the educational and professional aspirations of the entire Skidmore community.

PURPOSE OF THIS PROTOCOL

The purpose of the Bias Response Protocol is to establish an understanding of how Skidmore College defines a “bias incident” and to constitute and describe the function of a Bias Response Group. As set forth more fully below, the Bias Response Group’s responsibilities will include considering and recommending responses to reports of bias incidents; more generally, the Bias Response Group will play an educational role in helping to cultivate the community values of inclusion, civility, and mutual respect described above.

Issues related to intercultural and global understanding are multidimensional and complex. They are issues that other colleges and universities—and, indeed, our society as a whole—are facing as well. Members of the Skidmore community, therefore, should expect that the definitions and procedures set forth in this document will continue to evolve. The college encourages active engagement by all community members in the ongoing conversations and efforts that will be required if we are to make real progress toward our goal of intercultural and global understanding.
DEFINITIONS OF ‘BIAS INCIDENT’ AND ‘HATE CRIME’

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.

A hate crime is defined under New York State law (Title Y: Section 485.05 – Hate Crimes) as follows:

1. 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.

Note: All hate crimes are bias incidents, but not all bias incidents are hate crimes.

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 at 518-580-5566. 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.

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 adviser.

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 policies, 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.

BIAS RESPONSE GROUP MEMBERSHIP

The following individuals will serve on the College’s Bias Response Group:
- two students, one of whom will be the SGA VP of Diversity Affairs;
- Assistant Director of Human Resources for EEO and Workforce Diversity;
- Director of Student Diversity Programs;
- Director of Intercultural Studies or other academic leadership;
- one faculty member appointed by the president with the concurrence of the Faculty Executive Committee;
- one additional Student Affairs representative (at the level of Associate Dean or higher).

Each year, the president will name one member of the Bias Response Group to serve as the group’s coordinator. The group is free to call upon other members of the community (e.g., faculty members who are knowledgeable about a particular field, Residence Life staff, counselors, Campus Safety or others) for assistance at any time. The Bias Response Group will work closely with a designated representative from the Office of the President and with other offices as appropriate to consider what response, if any, is appropriate to any report of a bias incident.
THE FUNCTION OF THE BIAS RESPONSE GROUP

The members of the Bias Response Group are charged with two distinct but related responsibilities. First, they constitute the college’s first-response team in dealing with reported bias incidents. Second, working with other appropriate individuals, offices, and organizations, they will play an educational role in helping to foster a climate of openness and inclusion on the Skidmore campus, a climate that is intolerant of harassment or discrimination directed against any member of the Skidmore community. Given the college’s broad educational mission, it is important that the Bias Response Group involve representatives from both academic and co-curricular programs, members of the faculty and staff, and students in its ongoing, proactive efforts to sustain the desired campus climate.

Response Group for Bias Incidents

All reports of bias incidents will be referred to the Bias Response Group coordinator. The coordinator will confer with and/or convene the Bias Response Group expeditiously after receiving an incident report. In such instances, the role of the Bias Response Group will be as follows:

1. To ensure that appropriate College officials and other individuals, groups, or organizations are notified and consulted to provide the context necessary to consider the report of a bias incident.

2. To determine whether the reported act meets the definition of a “bias incident” as set forth in this document.

3. If the reported act is determined to be a bias incident, to consider appropriate educational measures to address the incident. Such measures, which must not interfere with any disciplinary proceedings that might be under way or contemplated, could include the following:

   • Notifying the community of the bias incident as appropriate. This notice might be distributed via email, website, posters, Skidmore News, and/or other means of communication. The notice might be made following a particular incident or as part of a periodic report to the campus community. In deciding what sort of notice is appropriate and from whom the notice should come, the Bias Response Group must consider the full context of the incident and may consult relevant constituencies. The nature of such communications will necessarily depend upon the nature and severity of a reported incident. In some cases, the nature of the incident will determine that the initial communication to the campus community comes from an administrator who is not a member of the group. Because of its close working relationship with all major administrative offices, the Bias Response Group will be able to nominate an appropriate spokesperson and expedite such communication, to ensure that the community is informed on a timely basis. The Bias Response Group also may determine that campus wide notification of an individual incident is not appropriate and that a higher educational value would result by communicating about the incident in a different context, or that notification in a particular case would not serve any educational purpose.

   • Suggesting educational programming within the building(s) where the incident occurred or for the campus more broadly. In order to enhance the likelihood that such programming can be provided quickly in response to a bias incident, the Bias
Response Group will develop a list of written resources as well as a list of individuals, including faculty members, staff members and students, who are willing to be consulted and involved when various types of incidents occur.

**Educational role in fostering a climate of inclusion, civility and mutual respect**

In addition to considering reports of bias incidents, the Bias Response Group will assume an educational role in fostering a climate of inclusion, civility, and mutual respect throughout the Skidmore community. In carrying out this responsibility, the role of the Bias Response Group will be as follows:

1. To make recommendations—to appropriate administrators, governance bodies, organizations, or other groups—as to how to best foster an inclusive campus climate characterized by civility and mutual respect.

2. To prepare an annual report describing the number and type of bias incidents reported and how the incidents were addressed.

3. To develop and distribute materials setting forth the definition of a bias incident and the Bias Response Protocol and to publicize these materials every year, most significantly with new students and employees.

*This provisional document reflects the work of the Bias Response Group and incorporates comments from the Intercultural and Global Understanding Task Force (IGUTF), the Institutional Policy and Planning Committee and the President’s Cabinet. In fall 2007, the president will request that it also be reviewed by the Committee on Academic Freedom and Rights (CAFR). The terms of this document will be implemented immediately, with the understanding that the president and appropriate governance bodies will review it on an ongoing basis and will modify it as appropriate.

* A “reasonable person,” for purposes of this section, is someone who is fair-minded and appropriately informed of college policies and applicable law.

*Note that definitions of "unlawful discrimination" and "harassment" may be found in the college publications referred to at the beginning of this section.
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.

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.
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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 and London 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 and sex offense definitions are listed below.)

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.)

**Crime statistics are listed in the following tables:**

**Hate crimes by campus:**

- 2016, Saratoga: No hate crimes reported
- 2017, Saratoga: One on-campus residence hall vandalism of property characterized by religious bias
- 2017, London: No hate crimes reported
- 2018, Saratoga: One on-campus simple assault characterized by racial bias
- 2018, London: No hate crimes reported

**Unfounded crimes:**

There were no unfounded crimes reported in 2016 at the Saratoga campus.
There were no unfounded crimes reported in 2017 at the Saratoga or London campus.
There were no unfounded crimes reported in 2018 at the Saratoga or London campus.
## Skidmore College: Main Campus
### Arrests & Referrals (2016, 2017, 2018)

<table>
<thead>
<tr>
<th>Offense</th>
<th>Year</th>
<th>GEOGRAPHIC LOCATION</th>
<th></th>
<th></th>
<th></th>
</tr>
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<tbody>
<tr>
<td></td>
<td></td>
<td>ON-CAMPUS PROPERTY</td>
<td>ON-CAMPUS STUDENT HOUSING FACILITIES (1)</td>
<td>NON-CAMPUS PROPERTY</td>
<td>PUBLIC PROPERTY</td>
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<td><strong>ARRESTS:</strong></td>
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<tr>
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<tr>
<td></td>
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<tr>
<td><strong>WEAPONS: CARRYING, POSSESSING, ETC.</strong></td>
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<tr>
<td></td>
<td>2018</td>
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<tr>
<td><strong>ARRESTS:</strong></td>
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<td></td>
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</tr>
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<td><strong>ARRESTS:</strong></td>
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</tr>
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(1) These are a subset of On-Campus Property
## Skidmore College: Main Campus
### VAWA Offenses (2016, 2017, 2018)

<table>
<thead>
<tr>
<th>Offense</th>
<th>Year</th>
<th>ON-CAMPUS PROPERTY</th>
<th>ON-CAMPUS STUDENT HOUSING FACILITIES (1)</th>
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<th>PUBLIC PROPERTY</th>
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<td></td>
<td>2018</td>
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<td>9</td>
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</table>

(1) These are a subset of On-Campus Property
<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>
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<tr>
<td></td>
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<td>2018</td>
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<td>MANSLAUGHTER BY NEGLIGENCE</td>
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<td></td>
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<td>2018</td>
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(1) These are a subset of On-Campus Property
Skidmore College: London Arrests & Referrals (2017, 2018)

X – Sept. 1, 2017 is the first year statistics were collected for the London campus.

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<tr>
<th>Offense</th>
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(1) These are a subset of On-Campus Property
Skidmore College: London
VAWA Offenses (2017, 2018)

X – Sept. 1, 2017 is the first year statistics were collected for the London campus.

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<tr>
<th>Offense</th>
<th>Year</th>
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(1) These are a subset of On-Campus Property
Skidmore College: London

X – Sept. 1, 2017 is the first year statistics were collected for the London campus.

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<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>
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</table>

(1) These are a subset of On-Campus Property
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.

Skidmore will become a smoke-free campus on January 1, 2019.

**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>Frame</th>
<th>Fireproof Frame</th>
<th>Sprinklered</th>
<th>Sq. Ft protected</th>
<th>Wet/Dry</th>
<th>Fire Alarm</th>
<th>Sq Ft provided</th>
<th>Annual Supervised Fire Drills</th>
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<td>RBR</td>
<td>REINF CONC</td>
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<td>KIMBALL HALL</td>
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<td>RBR</td>
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<td>McCLELLAN HALL</td>
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### Residence Housing Fire Safety Systems (cont.)

<table>
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<tr>
<th>Building Name</th>
<th>Yr. Built</th>
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<th>Frame</th>
<th>Fireproof frame</th>
<th>Sprinklered</th>
<th>Sq Ft</th>
<th>Sup Dr</th>
<th>Wet/Dry</th>
<th>Fire Alarm</th>
<th>Supervised Drills</th>
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<td>WET</td>
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<td>ALL</td>
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</table>

### 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 the New York State 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:
     1. Must be corded with a maximum cord length of 6 feet
     2. Provide 600 or more joules of protection
     3. Be UL 1449 compliant
     4. Have a maximum of six outlets
     5. 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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<tr>
<td>• Cooking</td>
<td>• Arson</td>
<td>• Unable to determine if intentional or unintentional</td>
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<td>• Smoking Materials</td>
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<td>• Open Flames</td>
<td>• Machinery/Industrial</td>
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<td>• Electrical</td>
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<td>• Heating Equipment</td>
<td>• Other</td>
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# 2016 Annual Fire Log

<table>
<thead>
<tr>
<th>Residence Hall</th>
<th>Total # of Fires in Each Building</th>
<th>Fire Number</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>0</td>
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<table>
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<tr>
<th>Residence Hall</th>
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<th>Date/Time Occurred</th>
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<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>
</tr>
</thead>
<tbody>
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</tr>
</thead>
<tbody>
<tr>
<td>Howe Hall</td>
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## 2017 Annual Fire Log

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<tr>
<th>Residence Hall</th>
<th>Total # of Fires in Each Building</th>
<th>Fire Number</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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## 2018
### Annual Fire Log

<table>
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<tr>
<th>Residence Hall</th>
<th>Total # of Fires in Each Building</th>
<th>Fire Number</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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<td>Howe Hall</td>
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<tr>
<td>Kimball Hall</td>
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<td>5/27/2018 at 10:36am</td>
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<td>8/23/2018 at 8:56pm</td>
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<td>Cooking</td>
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<td>0</td>
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<td>181450</td>
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<tr>
<td>Penfield Hall</td>
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<td>10/07/2018 at 8:32pm</td>
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<td>181828</td>
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<td>4/14/2018 at 4:24pm</td>
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<tr>
<td>Sussman I</td>
<td></td>
<td>1</td>
<td>4/14/2018 at 4:25pm</td>
<td>4/14/2018 at 4:24pm</td>
<td>Apartment 8, Bedroom B</td>
<td>Open Flames/Candle</td>
<td>0</td>
<td>0</td>
<td>~$50</td>
<td>180867</td>
</tr>
<tr>
<td>Sussman J</td>
<td></td>
<td>1</td>
<td>5/27/2018 at 10:40am</td>
<td>5/27/2018 at 10:36am</td>
<td>Apartment 4, Kitchen Stove</td>
<td>Residue in Oven/Cleaning</td>
<td>0</td>
<td>0</td>
<td>~$50</td>
<td>181107</td>
</tr>
<tr>
<td>Sussman K</td>
<td></td>
<td>1</td>
<td>8/23/2018 at 6:57pm</td>
<td>8/23/2018 at 8:56pm</td>
<td>Apartment F, Kitchen Stove</td>
<td>Cooking</td>
<td>0</td>
<td>0</td>
<td>$613</td>
<td>181450</td>
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<td>Sussman L</td>
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<td>10/07/2018 at 6:35pm</td>
<td>10/07/2018 at 8:32pm</td>
<td>Apartment G, Kitchen Stove</td>
<td>Cooking</td>
<td>0</td>
<td>0</td>
<td>$629</td>
<td>181828</td>
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</tbody>
</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

Phone numbers:
Emergency: ext. 5566, or 911
Non-emergency: ext. 5567; From off campus: 518-580-5566
Confidential tips line: 518-580-TIPS (8477)

Website: [www.skidmore.edu/campus_safety/](http://www.skidmore.edu/campus_safety/)

Hours: 24 hours a day

Director:
Timothy J. Munro
tmunro@skidmore.edu

Associate Director:
Richard J. Roberts
rroberts@skidmore.edu

Assistant Director:
Glen E. Vidnansky
gvidnans@skidmore.edu

Other Important Phone Numbers Skidmore Campus:

<table>
<thead>
<tr>
<th>Service</th>
<th>Phone Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Health Services</td>
<td>518-580-5550</td>
</tr>
<tr>
<td>Dean of Student Affairs</td>
<td>518-580-5760</td>
</tr>
<tr>
<td>Office of Residential Life</td>
<td>518-580-5765</td>
</tr>
<tr>
<td>Counseling Center</td>
<td>518-580-5555</td>
</tr>
<tr>
<td>President’s Office</td>
<td>518-580-5700</td>
</tr>
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</table>

Saratoga Springs Police Department

<table>
<thead>
<tr>
<th>Type</th>
<th>Phone Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Emergency</td>
<td>911 (campus phones)</td>
</tr>
<tr>
<td>Non-emergency</td>
<td>518-584-1800</td>
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</table>

New York State Police

<table>
<thead>
<tr>
<th>Type</th>
<th>Phone Number</th>
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</thead>
<tbody>
<tr>
<td>Emergency</td>
<td>911 (cellphones)</td>
</tr>
<tr>
<td>Non-Emergency</td>
<td>518-583-7000</td>
</tr>
</tbody>
</table>

Saratoga County Sheriff's Department

<table>
<thead>
<tr>
<th>Type</th>
<th>Phone Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Emergency</td>
<td>911 (cellphones)</td>
</tr>
<tr>
<td>Non-Emergency</td>
<td>518-885-6761</td>
</tr>
</tbody>
</table>