

ANNUAL SECURITY REPORT FOR 2021

Alcohol and Drug Policies

Policies on Alcohol and Non-Medical Use of Drugs

Berea College complies with the federal Drug-Free Schools and Communities Act and Drug and Alcohol Abuse Prevention Regulations in prohibiting the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance on Berea College Campus.

Federal, state, and local laws prohibit non-medical use and trafficking in drugs, hallucinogens, and narcotics. Kentucky state laws prohibit persons less than 21 years of age from using or possessing alcoholic beverages. Providing alcohol to persons under 21 years of age is illegal. In Kentucky, operating a motor vehicle while under the influence of alcohol or any other substance is against the law.

The use of drugs and alcoholic beverages is inimical to the aims and purposes of our educational community. It can also be detrimental to individual members of the community. For both these reasons, Berea College prohibits the use of drugs and the use or possession of alcoholic beverages on campus or other College-owned property or when engaged in College-related activities. Smoking tobacco is prohibited on campus grounds.

Policies and laws on drug use and use of alcohol on campus property apply to all students, faculty, and staff persons. Any student, faculty, or staff person found to be in possession of or using drugs or alcohol will be subject to judicial action through the appropriate judicial body or disciplinary personnel actions. One suspected to be in possession of illegal drugs might be detained until authorization is given to search. Students selling or trafficking these drugs are liable for the most serious judicial actions—dismissal from the College. Students, faculty, or staff persons who possess or use drugs in violation of state and federal laws are also in jeopardy of criminal prosecution.

Because of the serious problems which can arise from alcohol and drug use, the College provides educational programs on these matters. No person should hesitate to seek answers to questions relating to drugs or to seek help from the College's counseling or medical services. Students who seek counseling or medical assistance on campus as a result of use of drugs or alcohol can do so with assurance that strict counseling and medical confidentiality will be observed. No campus disciplinary action will result from information which is disclosed within the bounds of mental health counseling or medical confidentiality.

Additional information from the Berea College Student Handbook can be found here:
<http://catalog.berea.edu/en/Current/Student-Handbook/Student-Conduct-Regulations-A-Way-of-Living/Alcohol-and-Drug-Policy>

Alcohol and Drug Education

Berea College complies with the federal Drug-Free Schools and Drug-Free Workplace Act and prohibits the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance on Berea College Campus.

In informative reports such as this one, Public Safety endeavors to provide information in reference to alcohol and drug use. Crimes, injuries, and accidents are commonly associated with the use of alcohol and/or other drugs. Besides the connection between alcohol/drugs and crime, use of these substances causes many other problems.

Marijuana use may damage reproductive organs, brain functions, and lungs. It impairs physical reflexes, mental powers, and memory. The ability to judge time and space is impaired.

Cocaine damages the immune system and lungs. It can cause nutrition and brain disorders, convulsions, and sometimes, death. Cocaine use is characterized by emotional highs and lows and a temporary sensation of great power, causing poor judgment and decisions.

Alcohol can cause permanent damage to the liver, brain and heart. It impairs concentration, coordination, judgment, learning, and memory. Alcohol consumption during pregnancy can damage an unborn child. Drinking too much alcohol in a brief period of time can result in death.

Smoking tobacco is considered to be the leading preventable cause of death in the United States. Some debilitating effects are cancer and heart and lung disease.

Other illegal drugs such as amphetamines, sedatives, inhalants, and steroids are also harmful causing brain, kidney, and liver damage. These drugs decrease mental processes, impair vision, and can lead to heart attacks, strokes, and death.

Federal, state, and local laws prohibit non-medical use and trafficking in drugs, hallucinogens, and narcotics. Kentucky state laws prohibit persons under 21 years of age from using or possessing alcoholic beverages. Providing alcohol to persons under 21 years of age is illegal. In Kentucky, operating a motor vehicle while under the influence of alcohol or any other substance is against the law.

The use of drugs and alcoholic beverages is inimical to the aims and purposes of our educational community. It can also be detrimental to individual members of the community. For both these reasons, Berea College prohibits the use of drugs and the use or possession of alcoholic beverages on campus or other College-owned property or when engaged in College-related activities. Smoking tobacco is prohibited on campus grounds and in buildings except in certain designated areas.

Policies and laws on drug use and use of alcohol on campus property applies to all students, faculty and staff persons. Any student, faculty or staff person found to be in possession of or using drugs or alcohol will be subject to judicial action through the appropriate judicial body or disciplinary personnel actions. One suspected to be in possession of illegal drugs might be

detained until authorization is given to search. Students selling or trafficking these drugs are liable for the most serious judicial actions—dismissal from the College. Students, faculty or staff persons who possess or use drugs in violation of state and federal laws are also in jeopardy of criminal prosecution.

Because of the serious problems which can arise from alcohol and drug use, the College provides educational programs for the student community on these matters. The Counseling and Psychological Services and Wellness Program offer alcohol education for students who elect to participate and for those who are referred from elsewhere. Sessions are scheduled whenever there is a need. All first-year students participate in the Alcohol-Wise program, which includes alcohol and drug abuse informational training sessions. All students are required to take a basic wellness course which includes units on drugs and alcohol. Various brochures include information about local counseling and self-help services such as A.A., Al-Anon, ACoA, etc.

No person should hesitate to seek answers to questions relating to drugs or to seek help from the College's counseling or medical service if that person becomes involved in the use of drugs. Students who seek counseling or medical assistance on campus as a result of use of drugs or alcohol can do so with the assurance that strict counseling and medical confidentiality will be observed. No campus disciplinary action will result from information which is disclosed within the bounds of mental health counseling or medical confidentiality. Drug and alcohol services are also available on campus through the Wellness Program, residence hall staff and Campus Ministry.

Building Access Policy

Public Safety should be notified immediately at ext. 3333 if you become aware of any threat to persons or property. Crime prevention in college buildings and grounds is a shared community responsibility, and all efforts in this regard are coordinated and facilitated through Public Safety.

Non-residential buildings are cleared and locked at regularly scheduled times by a building monitor or a Public Safety Officer. Supervised access to buildings after-hours will be provided by the Public Safety office pending receipt of proper identification and authorization. Academic buildings are cleared and closed after 11:00 p.m. Woods-Penniman remains open 24 hours a day.

Public Safety is the point-of-contact for all campus key access. Requests for keys may be made to Public Safety at keyrequests@berea.edu.

-During the COVID-19 pandemic, all academic and administrative buildings are accessible by Berea College affiliated personnel only. Student and Staff/Faculty ID's are to be worn at all times, and these allow access to these buildings during business/building specific hours.

Residence Hall Security

Residence hall exterior doors are locked around the clock. Residents have key or card access and visitors must be accompanied by residents to obtain access to the residence halls. Fines are levied for propping doors and for use of alarmed doors.

After hours building access is limited to one guest per resident, signed in and accompanied by the resident. Upper class halls allow in-room visitors during limited periods, and in-room visitors are permitted during hall-sponsored open houses.

While the College respects the personal privacy of students in their residence hall rooms, provisions are made for staff to enter rooms in the event of a clear and present danger and, under certain conditions, when a search for prohibited items has been authorized. Residence halls can be entered for routine maintenance or safety inspections.

Students enjoy dual citizenship in general society and in an academic community. Berea College makes no attempt to shield its students from consequences of their actions, thus status as a Berea student does not exempt anyone from local, state, or federal laws. In fact, being a member of an educational institution imposes an additional obligation to abide by all the rules of the institution. Laws and the College's conduct rules operate independently, though Public Safety and law enforcement agencies work cooperatively. When a crime has been committed, the College is obligated to notify the proper authorities so they may discharge their duty under the law. In such a case, the law does not substitute for Berea College's rules and the College may pursue its own procedures for adjudicating alleged violations of the College's conduct rules independent of any legal proceedings. Public Safety reports to the appropriate department on violations of College policies and regulations.

Residence Hall Security and Keys

Keys & Locks

Under no circumstances is any student permitted to have duplicate keys made for any College lock. Keys issued to students by the College are not to be transferred to individuals who are not authorized to possess the keys. Students are responsible for the loss or misuse of all keys issued to them.

Students may not replace, damage, tamper with or vandalize any College lock or security device. If your keys are missing, please report this to your hall staff or Student Life Team member for assistance.

Each resident is allowed three lockouts per academic year with no penalty. For any subsequent lockouts, the Student Life Team member may assess a \$25.00 charge per lockout.

Many of our residence halls are on electronic access control, allowing their student ID to open their residence hall rooms. If a student loses their student ID, this should be immediately

reported to Public Safety, who can deactivate and issue a new card to the student. Student ID's should not be given to other students to grant them unauthorized access.

Key Policy

[Berea College Key Policy](#)

Security

Part of the responsibility of residents living in a residence hall community is to help safeguard the living environment. Because of this, residents are encouraged to keep their rooms locked at all times (even while they are in the room). Residents should report individuals who seem to be suspicious, tampering with locks, etc., to a staff member or to Public Safety (ext. 3333) right away. Doors are not to be propped open. Residents are advised to be particularly security minded during check-in/check-out, holiday breaks or whenever fewer residents are in the halls. Public Safety officers' duties include securing building entrances and aiding in the resolution of disturbances.

2020 Campus Crime Statistics

Clery Reportable Crimes	Year	On Campus Property	On-Campus in Student Housing Facilities	Non-Campus Properties	Public Property
Murder	2018	0	0	0	0
	2019	0	0	0	0
	2020	0	0	0	0
Manslaughter	2018	0	0	0	0
	2019	0	0	0	0
	2020	0	0	0	0
Sexual Assault- Rape	2018	8	3	1	0
	2019	2	2	1	0
	2020	4	0	0	0
Sexual Assault- Forcible Fondling	2018	1	0	0	0
	2019	4	0	1	0
	2020	1	1	0	0
Incest	2018	0	0	0	0
	2019	0	0	0	0
	2020	0	0	0	0
Statutory Rape	2018	0	0	0	0
	2019	0	0	0	0
	2020	0	0	0	0
Robbery	2018	0	0	0	0
	2019	0	0	0	0
	2020	0	0	0	0
Aggravated Assault	2018	0	0	0	0
	2019	0	0	0	0
	2020	0	0	0	0
Burglary	2018	7	1	0	0
	2019	2	0	0	0
	2020	3	1	1	0
Motor Vehicle Theft	2018	0	0	0	0
	2019	0	0	0	0
	2020	0	0	0	0
Arson	2018	0	0	0	0
	2019	0	0	0	0
	2020	0	0	0	0
VAWA Offenses	Year	On Campus Property	On-Campus Student Housing Facilities	Non-Campus Properties	Public Property
Domestic Violence	2018	0	0	0	0
	2019	1	1	0	0
	2020	2	1	0	1
Dating Violence	2018	4	4	0	0
	2019	3	0	0	0
	2020	2	0	0	0
Stalking	2018	0	0	0	0
	2019	7	1	0	0
	2020	1	1	0	0
Arrests and Disciplinary Referrals	Year	On-Campus Property	On-Campus Student Housing Facilities	Non-Campus Properties	Public Property
Arrests: Weapons: Carrying, Possessing, etc	2018	0	0	0	0
	2019	0	0	0	0
	2020	0	0	0	0
Disciplinary Referrals: Weapons: Carrying, possessing, etc	2018	0	0	0	0
	2019	0	0	0	0
	2020	0	0	0	0
Arrests: Drug Abuse	2018	9	1	0	0
	2019	1	1	0	0
	2020	0	0	0	0
Disciplinary Referrals: Drug Abuse	2018	42	33	0	0
	2019	9	9	3	0
	2020	8	7	0	0
Arrests: Liquor Law Violations	2018	0	0	0	0
	2019	0	0	0	0
	2020	0	0	0	0
Disciplinary Referrals: Liquor Law Violations	2018	27	25	0	0
	2019	10	7	0	0
	2020	6	6	0	0

Emergency Response and Evacuation Policy

It is the policy of Berea College that upon confirmation of a significant emergency or dangerous situation which poses an immediate threat to the health and safety of any segment of the campus community the institution will, without undue delay, undertake measures to notify the community of the dangers present. Such notification applies to a wide range of emergency situations such as imminent threat from violent crimes, gas leaks, highly contagious viruses, tornados or hazardous chemicals release incidents.

The Director of Public Safety, or other appropriate official, acting as Emergency Coordinator will confer with the designated Emergency Response Director (i.e., the President of the College or designee) to determine whether a confirmed situation exists requiring an immediate Emergency Notification to be issued. The Emergency Director or designee and the Emergency Coordinator will determine content and distribution of the notification, depending upon the nature and extent of the situation. Other appropriate officials of the institution, including the Vice President for Labor and Student Life, will be consulted as time permits and as appropriate in determining emergency confirmation, content of notification messages and appropriate communication modes. Determination as to appropriateness of campus wide evacuation rests on approval by the Emergency Director or designee.

When determination is made that an imminent threat exists, the Department of Public Safety will immediately convey emergency notification of the dangers present unless, in the professional judgment of the responsible authorities, doing so would compromise efforts to assist a victim, or to contain, respond to, or otherwise mitigate the emergency.

Notification methods, depending upon the nature and extent of the emergency and populations at risk, may include but are not limited to a combination of the following: activation of emergency outdoor sirens with tonal and voice capabilities; notification through the e2Campus Emergency Alert system which includes phone text messages, email and voice mail for both cell and land line phones; campus email; messages posted on the college's web page; fire alarms; phone trees for residence hall staff, divisional personnel, and building contact persons; posted notices in prominent areas of campus; vehicle loud speakers; and notification by word of mouth. Once Emergency Notification has been made, the institution does not also issue a Timely Warning Statement on the same situation. The institution will issue appropriate follow-up communication, as needed, advising as to the status of the situation and concerns deemed relevant to the campus population.

Employees and Residence Hall staff should make themselves aware of physical limitations of students and coworkers which could impede their timely egress from buildings. Persons in these roles should notify available emergency response personnel of the location of the person and nature of limitations.

The emergency response plan will be tested annually and the campus community will be advised of the outcome of the test. These tests can take different forms and may be announced or unannounced. The tests are intended as learning experiences for responders and the community at large.

Berea College Emergency Operations Plan (For Students, Faculty and Staff Access Only)

This plan can be accessed only by current students, faculty, and staff, by logging in with Berea College credentials to the following link:

<https://webapps.berea.edu/public-safety/Login.aspx?ReturnUrl=%2fpublic-safety%2f>

Timely Warning and Emergency Notifications

Safety and Timely Warning Notifications

When an incident occurs which may have a bearing on the present safety of the campus community, the College, within 24 hours of the first report of the incident, notifies members of the campus community. Information on the type of incident and threat is given, along with recommended prudent safety practices and procedures related to the incident. Information is sent directly to students, faculty and staff persons by use of the college email system and the E2 Campus Emergency Alert system. Depending on the perceived needs at the time, the school may additionally choose to post written notices in residence halls, distribute information through the campus web site, post information in the Berea College Post Office or notify through appropriate media.

The community is urged to heed any advisories issued by the institution and work together in the joint effort to make the campus a safe place to live, work and learn. All accidents and injuries involving students, guests, or employees should be reported to Public Safety as soon as possible. Investigative reports at accident scenes are made to help in determining if a situation exists which could pose a threat of injury or illness to others. When the institution is aware of a potential hazard, its officials take appropriate steps to provide timely warning to members of the campus community. Any criminal activity occurring on campus must be reported to Public Safety. All reports are investigated. Students and staff, of course, have the option of reporting crime directly to the city police (859-624-4776) or 911 and to request police assistance at any time during an investigation.

How to Subscribe to Warnings and Notifications

To receive safety and emergency alerts as text messages to your mobile phone, sign on to the myBerea portal, navigate to the My Accounts tab, click on the Safety and Emergency Alert Subscriptions menu entry and follow these steps:

OR

[Create an e2Campus Account](#)

Activating One Phone Number:

To subscribe to e2Campus and activate one mobile phone text message number for safety and emergency alert messages:

- Your user id is automatically the same as your myBerea portal ID and cannot be changed.
- Enter your first and last name, and the password you want to use for your e2Campus access.
- If you choose to also receive non-emergency warnings as mobile phone text messages for timely notification of potential dangers, check the box provided.
- Enter your mobile phone number in the space provided and select your carrier from the pull-down list.
- Check the Agree to Terms of Service box and click Create Account to send the request. You will be automatically logged into the e2Campus system.
- Check your mobile phone text messages to confirm receipt of a validation text message showing your unique validation code.
- Enter the validation code from the text message and click Validate to confirm your request.
- Your account is now validated and you will receive urgent safety alert messages.

If you have difficulty getting registered with e2Campus, contact the IS&S Help Desk by calling 3343 or coming to the Computer Center.

Activating Additional Phone Numbers:

To register additional text message phone numbers, e-mail addresses, or voice phone numbers:

Additional text message phone numbers:

For each additional phone, enter the number in the Phone box, select the carrier from the pull-down list and click the Add SMS button. Check your mobile phone text messages to confirm receipt of a validation text message showing your unique validation code. Enter the validation code from the text message and click Validate to confirm your request.

E-mail addresses:

For each e-mail address, enter the address in the Email Address box and click the Add Email button. Check your e-mail to confirm receipt of a validation e-mail message. Simply reply to the email message to confirm your request.

NOTE: All campus safety and emergency alerts will automatically be sent to Berea College e-mail addresses so there is no need to register your berea.edu e-mail address on the e2Campus system unless it is the only address you want to register and you did not register a mobile phone for text messages.

Voice phone numbers:

For each cell phone, office phone or other land line phone on which you wish to receive alerts, enter the phone number in the Phone box and click the Add Voice button. Voice phone registrations do not require validation.

Reporting Crimes on Campus

Criminal, threatening or suspicious activity, as well as injury or serious illness, should be reported promptly by calling Public Safety at 859-985-3333. Officers have direct radio contact with Berea and Madison County emergency response personnel and can contact other agencies for assistance when conditions necessitate.

Public Safety is the central reporting and data management office for a criminal activity relating to the campus community. Incident reports are entered into an electronic database and compiled by the department at the end of each calendar year for purposes of crime reporting.

If 911 is dialed in error, be sure to stay on the line and tell the operator that it is not an emergency.

911 is to be used only for a confirmed emergency situation which require immediate assistance of police, ambulance or fire personnel. 911 rings directly to the Madison County Emergency Response Center 24 hours a day. An enhanced 911 system is also in operation in Berea and Madison County. Please use discretion and dial 911 only in cases of true emergency. If 911 is dialed in error, be sure to stay on the line and tell the operator that it is not an emergency.

Students and employees are notified by brochures, materials printed in the student handbook and email related to reporting crimes to campus Public Safety and to [local law enforcement](#) officials.

The Public Safety Director is the person responsible for the proper notification to State Fire Marshall's Office for all fires and threats of fire.

All accidents and injuries involving students, guests, or employees should be reported to Public Safety as soon as possible. Investigative reports at accident scenes are made to help in determining if a situation exists which could pose a threat of injury or illness to others. When the institution is aware of a potential hazard, its officials take appropriate steps to provide timely warning to members of the campus community. Any criminal activity occurring on campus must be reported to Public Safety. All reports are investigated. Students and staff, of course, have the option of reporting crime directly to the city police (859-624-4776) or 911 and to request police assistance at any time during an investigation. The Berea Police Department is given an electronic copy of campus criminal activity reports.

Reports of incidents can be made via phone to Public Safety at (859)985-3333, email at public_safety@bereda.edu, or through the LiveSafe App, which can be downloaded [here for Iphone](#) or [here for Android](#).

Crime Prevention Tips

Campus Safety

- Don't walk alone late in the evening.
- Don't study alone in classroom buildings at night.
- Do walk in well-lit areas.
- Do walk with confidence and self-assurance.
- Do know where emergency callboxes are located.
- Do read all caution and warning labels on containers.

Vehicle Safety

- Do wear your safety belt.
- Don't travel alone for long distances.
- Do carry keys to the vehicle in-hand for quick access to car if necessary.
- Do park in well-lit areas.

Bike Safety

- Do record serial numbers, the make, and the model.
- Do lock bike to bike racks.
- Do engrave your name on your bicycle.
- Do cross the street at crosswalks.
- Do wear a helmet.

Residence Halls

- Do lock your room door, even if you plan to be away only a short period of time.
- Do record serial numbers on all electronic equipment.
- Do un-prop and close any residence hall doors found open.
- Do report immediately any suspicious activity or crime in or around the residence hall.
- Do avoid placing yourself in dangerous situations.

Fire Prevention

- Don't attempt to exit a room if door handle is hot or smoke is in the hall.
- Don't use a fire extinguisher on other than very small fires (example: trash cans)
- Do activate fire alarm pull station immediately.
- Do become familiar with fire evacuation procedures posted on residence hall doors.
- Do know where fire extinguishers and pull stations are located.
- Do call 911 or 3333 when alarm sounds in any building.

Public Safety Department Overview

Mission

Public Safety's mission is to provide for the safety of students, employees, and visitors through hazard mitigation, planning, response, and emergency notification to allow students and employees to learn and work safely and successfully, and to support Berea's Great Commitments through our work and customer service.

Berea College Public Safety at ext. 3333 is the central point of contact for all matters related to the safety and health of the college community and all issues related to personal security and protection of property.

Berea College has developed policies and procedures, offers educational programs, cooperates with local law enforcement agencies, and supports a Department of Public Safety to enhance the safety and security of its students, employees, and guests. The college recognizes shared responsibility for the welfare of the community. This publication, in addition to outlining the institution's efforts in this regard, reminds students and employees of their personal responsibility to take prudent precautions and to inform others, especially Public Safety, about known safety hazards or security concerns. More detailed information on the following sections can be found in the *Catalog and [Student Handbook](#)* or by calling the departments of Public Safety or Student Life.

Department of Public Safety

The Department of Public Safety provides 24-hour service to the campus employing 14 full-time staff which includes a Director, three Public Safety Officer Shift Leaders, six Public Safety Officers, Telecommunications Team Leader, five full-time Telecommunicators, a Security Systems Coordinator, and approximately fifteen Student Associates who work 10 hours or more each week. None are sworn law enforcement officials. The department works closely with the Berea Police Department and other local law enforcement agencies when appropriate and necessary. Current signed agreements with local and state law enforcement agencies are limited to radio communication and motor vehicle license information.

Officers' expertise includes law enforcement, criminal and accident investigation, security patrol and crime prevention, fire safety, hazardous materials, defensive driving, parking and traffic control, basic first aid, and CPR/AED.

Telecommunicators expertise include APCO certification for Telecommunication, CTO training, FEMA, APCO Instructor, basic first aid, and CPR/AED.

Public Safety is located inside Woods-Penniman on the first floor. Dispatchers and officers are on duty 24 hours a day to answer calls for assistance and information. The department also has maps and brochures available with general information on the College and College Square businesses.

The Student Right to Know and Campus Security Act (Clery Act)

The Student Right to Know and Campus Security Act signed into law in November 1990, requires that all institutions of higher education report annually to students and employees on specific campus crime statistics and security policies and procedures. This report meets the requirements of that law and demonstrates compliance with the Federal Drug Free Schools and Communities Acts Amendments of 1989 to the Higher Education Act of 1965.

Missing Student Policy

Berea College has established a policy and procedures for responding to reports of missing students, as required under the Higher Education Act of 2008. This policy applies to students who reside on campus and are deemed to be missing from the College for more than 24 hours without known reason.

Reports on students suspected to be missing should be directed to the Public Safety Office, which will conduct an investigation in cooperation with the Labor & Student Life Office. All resident students shall be given an opportunity to identify an individual to be contacted by the College in case the student is determined to be missing. Contact designations registered under this policy will be confidential. If a student is determined to be missing, Berea College will notify the designated contact person within 24 hours of such determination. If the student is under 18 years of age, the College is required to also notify the parent or guardian. Public Safety will also notify the Berea Police Department.

Missing Person Reporting Procedures

- Reports of missing persons should be directed to the Public Safety Office.
- Public Safety, working with the Assistant Vice President for Student Life, will investigate the report.
- If the student is deemed missing, the Assistant VP for Student Life will make every reasonable effort to notify the student's designated missing person contact within 24 hours. If the student is under the age of 18, the student's parent or guardian must also be notified.
- If the student is deemed missing, the Director of Public Safety will notify the Berea City Police within 24 hours
- The Assistant VP for Student Life will also notify appropriate college officials and initiate any additional actions deemed in the best interest of the student.

Procedures for Designation of Missing Person Emergency Contact Information

All residential first year students will be given the opportunity to designate confidential contact information as part of a required on-line orientation process. Thereafter, the student will be responsible for updating contact information as needed. All current and continuing students will be given the opportunity to provide and update confidential contact information within the first two weeks of every fall term.

Sexual Offense Policies and Regulations

Awareness, Prevention, and Education

(From Section 8 and 9 of Berea College's Sexual Misconduct Policy)

Section 8: Prevention and Education

This policy shall be accessible to persons with disabilities. This policy, reporting forms, information and training shall be accessible to students who are English language learners. This policy shall be distributed on campus in such a way that all persons, regardless of their immigration status, including undocumented students and international students, are aware of their rights under applicable law.

1. Bystander Intervention – The College shall utilize bystander intervention as a tool to prevent Sexual Misconduct. In implementing the bystander-focused prevention methods, the College shall implement the common components of bystander intervention and delivery methods.
2. Campus Assessments – The College shall conduct climate surveys. In addition, the College shall aggregate data about Sexual Misconduct incidents on campus to identify patterns or systemic problems related to Sexual Misconduct.

Section 9: Training

Student Training – The College shall provide training for students and/or student employees, which shall include: (a) encouragement to report incidents of Sexual Misconduct, (b) information on how to report Sexual Misconduct to campus safety or local law enforcement and the ability to pursue law enforcement proceedings simultaneously with a Title IX grievance, (c) general information on Sexual Misconduct Policy, (d) what constitutes Sexual Misconduct under the College's policies, (e) the College's definition of consent as applicable to sexual conduct, including examples, (f) information on when unwelcome sexual conduct creates a Hostile Environment, (g) places where students can seek confidential support services, (h) reporting and confidential disclosure options, (i) grievance procedures used to process complaints of Sexual Misconduct, (j) disciplinary code provisions relating to Sexual Misconduct as well as the consequences of violating those provisions, (k) effects of trauma on victims (l) the role alcohol and drugs often play in Sexual Misconduct incidents, including the deliberate use of alcohol and/or other drugs to perpetuate Sexual Misconduct, (m) strategies and skills for bystanders to intervene to prevent possible Sexual Misconduct, (n) protections against retaliation, (o) persons on campus to whom students can confidentially report incidents of Sexual Misconduct, (p) an explanation that students do not need to determine whether incidents of Sexual Misconduct created a Hostile Environment or actually occurred before reporting the incident, and (q) other information relevant to reducing or eliminating incidents of Sexual Misconduct and mitigating its effects.

Resident Advisers Training – The College shall provide the following training for Resident Advisers: (a) information on how and where students can seek confidential support services, (b)

contact information for local rape crisis centers or other off-campus resources so that RAs can provide this information to students, and (c) reporting and other responsibilities for RAs.

Faculty and Staff Training – The College shall provide training, on an annual basis, for all faculty and staff about Sexual Misconduct and the prohibition of Sexual Misconduct, under this policy. Training shall include practical information about (a) how to prevent and identify Sexual Misconduct, including same-sex Sexual Misconduct; (b) behaviors that may lead to and result in Sexual Misconduct; (c) the attitudes of bystanders that may allow conduct to continue; (d) the potential for revictimization by responders and its effect on students or other victims; (e) appropriate methods for responding to a student or other victim who may have experienced Sexual Misconduct, including the use of nonjudgmental language; (f) the person(s) to whom such misconduct must be reported.

Special Training for Required Reporters – Required reporters are those employees defined in Section 5. Required reporters shall be trained so that they will know how to respond properly to Sexual Misconduct reports.

Special Training for Title VII/IX Coordinator and Others Involved in Grievance Procedure – The College shall require training for the Title VII/IX Coordinator, others who receive complaints, investigators, and grievance adjudicators

Special Training for Pastoral and Professional Counselors – The College advises pastoral and professional counselors to inform students:

- Of their right to file a complaint with the College and a separate complaint with campus or local law enforcement.
- They are available to assist the student in filing such complaints.
- Title IX includes protections against retaliation.
- The College officials will not only take steps to prevent retaliation but also take strong responsive action if it occurs.

Pastoral and professional counselors shall be trained to ensure that they understand the extent to which they may keep a report confidential and to avoid disclosing personally identifiable information.

How to Report an Incident to Title IX Online

Please utilize the following link:

https://cm.maxient.com/reportingform.php?BereaCollege&layout_id=31

To Access the Kentucky Sex Offender Registry

Please utilize the following link:

<http://kspsor.state.ky.us/>

Campus Sexual Misconduct Policy

Section 1: Introduction

Berea College (the “College”) prohibits Sexual Misconduct as described in this policy. The College is committed to raising awareness of issues relating to Sexual Misconduct and its prevention, providing training and continuing education for students, staff and faculty, and providing adequate resources for prompt assistance to victims of Sexual Misconduct.

Specifically, it is the policy of the College that designated faculty and staff members take immediate and appropriate steps to investigate and act when the College knows or reasonably should know of possible Sexual Misconduct. When Sexual Misconduct is determined to have occurred, the College shall take prompt and effective steps reasonably calculated to end the misconduct, prevent its recurrence, and, as appropriate, remedy its effects. All complaints shall be processed in accordance with the procedures established in this policy.

It is also the policy of the College to prohibit retaliation against any student, faculty, or staff member filing a complaint alleging Sexual Misconduct or participating as a witness, and to ensure that person's safety as necessary, including taking interim steps to protect the person prior to the final outcome of any investigation.

The College is committed to resolving complaints promptly and equitably and to providing a safe and nondiscriminatory environment for all students, faculty, or staff members, free from Sexual Misconduct. This also includes complaints involving parties of the same sex.

Section 2: Scope of Policy

All of College’s students, faculty, staff, and campus visitors are covered by this policy. This policy applies on all College property, on all property at which the College holds educational programs or activities, and on all means of transport utilized by or on behalf of the College for students, faculty, and staff. This policy applies to all of the College’s educational programs and other activities, including BIST study abroad programs. For purposes of this policy, all references to the campus shall include the College forest, farms, and other real property owned by Berea College. This policy may be applicable to the effects of off-campus misconduct that effectively deprives someone of access to Berea College's educational program or has continuing effects on campus.

The College has a separate policy and procedures pertaining to Sexual Harassment as defined under Title IX. This Policy does not apply to any matter arising within the scope of the College's Title IX Policy.

Section 3: Assistance Following an Incident of Sexual Misconduct

The College offers assistance and non-judgmental support to any party involved in a claim of Sexual Misconduct. Both complainants and respondents can expect to be treated with care and

respect from the time the College becomes aware of an incident, through the entire process and afterwards. All parties are encouraged to utilize both on-campus and off-campus resources for assistance.

The College shall take prompt steps, as necessary, to protect a Complainant once the College has notice of a claim of Sexual Misconduct. The College shall take supportive measures, including academic, residential, labor, and workplace accommodations, to protect the Complainant and witnesses as necessary while any criminal or campus investigation is underway and before the outcome of any investigation. In the event of an alleged off-campus Sexual Misconduct incident affecting one or more members of the College community, the College shall endeavor to protect the Complainant and the College community in the same manner as if the Sexual Misconduct had occurred on campus.

a. Immediate Assistance - In the event of Sexual Misconduct, various resources are available to students and other victims:

1. Trained on- and off-campus counselors who can provide an immediate confidential response in a crisis and persons who can accompany a victim to the hospital or other health care provider:

College Counseling Services: 859-985-3212 (on-campus, ext. 3212) *After hours/holidays, call Public Safety (ext. 3333) and ask to speak to the on-call counselor.

College Chaplains (in the Campus Christian Center): 859-985-3134 (on-campus, ext. 3134) *After hours/holidays, call Public Safety (ext. 3333) and ask to speak to a chaplain.

Ampersand Sexual Violence Resource Center: 1-800-656-4673

Bluegrass Regional Comprehensive Care, Richmond: 859-623-9367

2. Emergency phone numbers for on and off-campus safety, law enforcement and other first responders, including the Title VII/IX Coordinator:

Campus Safety/Police: 859-985-3333 (on-campus ext. 3333)

Local (Berea) Police: 859-986-8456

Ambulance: 911

Title VII/IX Coordinator: 859-228-2323 (on-campus ext. 2323)

3. Health care services are available as follows:

Off-Campus: (White House Clinic): 859-985-1415 *After hours/holidays, call St. Joseph Hospital Berea (859-986-3151) and ask for the Physician on-call for Berea College health services.

Off-Campus: (St. Joseph's Hospital -Berea) 859-986-3151

4. A Sexual Assault Nurse Examiner (SANE) can be found or a rape kit can be obtained at:

Off-Campus: (St. Joseph's Hospital – Berea): Can be requested in the Emergency Room, 859-986-3151 (Hospital Main number) or 859-986-6527/6528 (Emergency Room).

Off- Campus: (Baptist Health – Richmond): Can be requested in the Emergency Room, 859-623-3131 (Hospital Main number) or 859-625-3290 (Emergency Services).

Any victim of Sexual Misconduct should be aware of the options to seek treatment for injuries, preventative treatment for sexually transmitted diseases, and other services. Victims are encouraged to discuss with health care providers, campus officials, and/or first responders the option of seeking medical treatment to preserve evidence.

b. The preservation of evidence in incidents of certain sexual misconduct is critical to potential criminal prosecution and to obtaining restraining orders, and particularly time sensitive. Berea College informs the Complainants of the importance of preserving evidence by taking the following actions:

1. Seek forensic medical assistance at the Berea Hospital or other local medical facility, ideally within 120 hours of the incident (sooner is better)
2. Avoid showering, bathing, washing hands or face, or douching, if possible, (but evidence may still be collected even if you do).
3. Try not to urinate.
4. If oral sexual contact took place, refrain from smoking, eating, drinking, or brushing teeth.
5. If clothes are changed, place soiled clothes in a paper bag (plastic destroys evidence).
6. Seeking medical treatment can be essential even if it is not for the purposes of collecting forensic evidence.

During the initial meeting between the Complainant and the Title VII/IX Coordinator, the importance of taking these actions will be reiterated, if timely.

The College will provide counseling services without charge to a Complainant if the College determines that counseling is necessary as a part of its obligation to protect the Complainant while the investigation is ongoing. First responders shall consult with Complainants regarding what information needs to be withheld to protect each person's identity. The College shall notify the Complainant of options to avoid contact with the Respondent and allow Complainant to change academic and extracurricular activities or Complainant's living, transportation, labor, or workplace situation as feasible. The College shall ensure that the Complainant is aware of (a) the Complainant's Title VII or Title IX rights, (b) any available resources, such as victim advocacy, housing assistance, academic support, counseling, disability services, health and mental health services, and referrals to legal assistance, and (c) the right to report a crime to campus or local

law enforcement. The College shall not dissuade a Complainant from filing a criminal complaint at any time before, during or after the College's internal investigation.

c. Ongoing Assistance

1. Counseling, Advocacy and Support (On and Off Campus)

1. Counseling and support services for victims of Sexual Misconduct determined to be reasonably necessary by the College, whether a victim chooses to make an official report or participate in the College's disciplinary process or criminal process, include:

College Counseling Services: 859-985-3212 (on-campus, ext. 3212) *After hours/holidays, call Public Safety (ext. 3333) and ask to speak to the on-call counselor.

College Chaplains (in the Campus Christian Center): 859-985-3134 (on-campus, ext. 3134) *After hours/holidays, call Public Safety (ext. 3333) and ask to speak to a chaplain.

Ampersand Sexual Violence Resource Center: 1-800-656-4673

Bluegrass Regional Comprehensive Care, Richmond: 859-623-9367

2. Confidential counseling, advocacy, health, mental health, or sexual-misconduct-related sources, can be found both on and off campus as follows:

College Counseling Services: 859-985-3212 (on-campus, ext. 3212) *After hours/holidays, call Public Safety (ext. 3333) and ask to speak to the on-call counselor.

College Chaplains (in the Campus Christian Center): 859-985-3134 (on-campus, ext. 3134) *After hours/holidays, call Public Safety (ext. 3333) and ask to speak to a chaplain.

Ampersand Sexual Violence Resource Center: 1-800-656-4673

Bluegrass Regional Comprehensive Care, Richmond: 859-623-9367

3. Ongoing support during the College's disciplinary process or the criminal process (for complainants or respondents) can be found as follows:

College Counseling Services: 859-985-3212 (on-campus, ext. 3212) *After hours/holidays, call Public Safety (ext. 3333) and ask to speak to the on-call counselor.

College Chaplains (in the Campus Christian Center): 859-985-3134 (on-campus, ext. 3134) *After hours/holidays, call Public Safety (ext. 3333) and ask to speak to a chaplain.

Ampersand Sexual Violence Resource Center: 1-800-656-4673

Bluegrass Regional Comprehensive Care, Richmond: 859-623-9367

2. Academic Accommodation and Other Supportive Measures
 1. The College can provide immediate steps and interim measures to ensure the safety and well-being of both parties, such as no contact orders, the ability (for students) to change residence halls, labor schedules, alter academic schedules, withdraw from/retake a class without penalty, access academic support (e.g., tutoring) and (for faculty or staff) change workplace schedules/arrangements.
 2. The College may be able to provide additional supportive measures for any party, such as no contact orders and (for students) changing the respondent's living arrangements, course schedule, or labor assignment or (for faculty or staff) changing workplace schedules/arrangements.

Section 4: Title VII/IX Coordinator

The President shall designate at least one employee to coordinate the College's efforts to comply with and carry out responsibilities under this policy. The current Title VII/IX Coordinator is Joslyn Glover. The coordinator shall have knowledge of Title IX requirements, of the College's policies and procedures on sexual harassment and of all complaints of Title IX issues throughout the College. The College shall appropriately train the coordinator in all areas over which the coordinator has responsibility. The coordinator shall be informed of all reports and complaints regarding conduct prohibited by this policy, even if the report of complaint was initially filed with another individual or office. The Title VII/IX Coordinator shall have the same knowledge, training and responsibilities as concerns the College's obligations under Title VII.

Section 5: Definitions

As used in this policy, the following phrases and words shall have the meanings set forth below:

Coercion - Unreasonable pressure for sexual activity, which can include use of express or implied threats of violence or other act of retaliation or other intimidating behavior that puts a person in immediate fear, to compel that person into sexual activity.

Complainant(s) – The person claiming to be a victim of Sexual Misconduct and, as appropriate, persons reporting Sexual Misconduct.

Consent - A knowing, voluntary, and clear permission by word or action to engage in sexual activity.

Individuals may experience the same interaction in different ways. Therefore, it is the responsibility of each party to determine that the other has consented before engaging in the activity.

If consent is not clearly provided prior to engaging in the activity, consent may be ratified by word or action at some point during the interaction or thereafter, but clear communication from the outset by both parties is strongly encouraged.

For consent to be valid, there must be a clear expression in words or actions that the other individual consented to that specific sexual conduct. Reasonable reciprocation can be implied. For example, if someone kisses you, you can kiss them back (if you want to) without the need to explicitly obtain their consent to being kissed back.

Consent can also be withdrawn once given at any time, as long as the withdrawal is reasonably and clearly communicated by word or action. If consent is withdrawn, that sexual activity should cease within a reasonable time.

Consent to some sexual contact (such as kissing or fondling) cannot be presumed to be consent for other sexual activity (such as intercourse). A current or previous intimate relationship is not sufficient to constitute consent.

Proof of consent or non-consent is not a burden placed on either party involved in an incident. Instead, it remains for the College to determine whether its policy has been violated. The existence of consent is based on the totality of the circumstances evaluated from the perspective of a reasonable person, including the context in which the alleged incident occurred and any similar, previous patterns that may be evidenced.

Consent in relationships must also be considered in context. When parties consent to bondage, discipline/dominance, submission/sadism, masochism (BDSM) or other forms of kink, non-consent may be shown by the use of a safe word. Resistance, force violence, or even saying "no" may be part of the kink and thus consensual, so the College's evaluation of communication in kink situations should be guided by reasonableness, rather than strict adherence to policy that assumes non-kink relationships as a default.

Counseling Employees - Pastoral and professional counselors employed by the College in these roles who are licensed by the Commonwealth of Kentucky and other non-licensed employees working under the direct supervision and control of licensed professional counselors.

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 the relationship, and Violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. This definition does not include acts covered under the definition of Domestic Violence.

Domestic Violence - A felony or misdemeanor crime of violence committed by: (a) a current or former spouse or intimate partner of the victim, (b) a person with whom the victim shares a child in common, (c) a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner, (d) a person similarly situated to a spouse of the victim under any applicable domestic or family violence laws, or (e) any other person against an adult or youth victim who is protected from that person's acts under any applicable domestic or family violence laws.

Educational Setting - All of the College's academic programs and other activities of whatever nature on the College's campus, the College's farms, forest, other property owned by the College and at every other location where the College conducts authorized programs or activities.

Force - The use of physical violence and/or physical imposition to gain sexual access. Force also includes threats, intimidation (implied threats), and coercion that is intended to overcome resistance or produce consent.

Sexual activity that is forced is, by definition, non-consensual, but non-consensual sexual activity is not necessarily forced. Silence or the absence of resistance alone is not consent. Consent is not demonstrated by the absence of resistance. While resistance is not required or necessary, it is a clear demonstration of non-consent.

Incapacitation - A person cannot consent if they are unable to understand what is happening or are disoriented, helpless, asleep, or unconscious, for any reason, including by alcohol or other drugs. A Respondent violates this policy if they engage in sexual activity with someone who is incapable of giving consent.

It is a defense to a sexual assault policy violation that the Respondent neither knew nor should have known the Complainant to be physically or mentally incapacitated. "Should have known" is an objective, reasonable person standard.

Incapacitation occurs when someone cannot make rational, reasonable decisions because they lack the capacity to give knowing/informed consent (e.g., to understand the "who, what, when, where, why, or how" of their sexual interaction).

Incapacitation is determined through consideration of all relevant indicators of an individual's state and is not synonymous with intoxication, impairment, blackout, and/or being drunk. This policy also covers a person whose incapacity results from a temporary or permanent physical or mental health condition, involuntary physical restraint, and/or the consumption of incapacitating drugs.

Intimidation - The intentional act of coercing, threatening, or frightening someone to engage or not engage in conduct of a sexual nature against that person's will.

Hostile Environment - "Hostile Environment" means activity or conduct that is severe or pervasive and objectively offensive that it interferes with, limits, or effectively denies a person's ability to participate in or benefit from the College's program or in their place of employment.

Non-Consensual Sexual Contact - Any physical touching of a sexual nature that is not preceded by consent or that continues after a previous consent is withdrawn.

Non-Consensual Sexual Intercourse - Any sexual intercourse that is not preceded by consent or which continues after a previous consent is withdrawn. "Sexual intercourse" includes vaginal or anal penetration by a penis, object, tongue, or finger and oral copulation.

Required Reporters - All employees of Berea College (including all administrators, faculty, and staff, other than student labor).

Respondent - An individual who has been reported to be the perpetrator of conduct that could constitute a violation of this policy.

Retaliation - Any materially adverse action by intimidating, threatening, coercing, harassing, or discriminating against any individual for the purpose of interfering with any right or privilege secured by law or policy, or because the individual has made a report or complaint, testified, assisted, or participated in or refused to participate in any manner in an investigation, proceeding, or hearing under this policy and procedure.

Sexual Exploitation - Taking non-consensual or abusive sexual advantage of another for one's own benefit or for the benefit of anyone other than the person being exploited, and conduct which does not otherwise constitute sexual harassment under this policy. Examples of Sexual Exploitation include, but are not limited to:

- Sexual voyeurism (such as observing or allowing others to observe a person undressing or using the bathroom or engaging in sexual acts, without the consent of the person being observed).
- Invasion of sexual privacy.
- Taking pictures, video, or audio recording of another in a sexual act, or in any other sexually-related activity when there is a reasonable expectation of privacy during the activity, without the consent of all involved in the activity, or exceeding the boundaries of consent (such as allowing another person to hide in a closet and observe sexual activity, or disseminating sexual pictures without the photographed person's consent), including the making or posting of revenge pornography.
- Prostituting another person.
- Engaging in sexual activity with another person while knowingly infected with a sexually-transmitted disease (STD) or infection (STI), without informing the other person of the infection.
- Causing or attempting to cause the incapacitation of another person (through alcohol, drugs, or any other means) for the purpose of compromising that person's ability to give consent to sexual activity, or for the purpose of making that person vulnerable to non-consensual sexual activity.
- Misappropriation of another person's identity on apps, websites, or other venues designed for dating or sexual connections.

- Forcing a person to take an action against that person's will by threatening to show, post, or share information, video, audio, or an image that depicts the person's nudity or sexual activity.
- Knowingly soliciting a minor for sexual activity.
- Engaging in sex trafficking.
- Creation, possession, or dissemination of child pornography.

Sexual Harassment - Unwelcome conduct of a sexual nature. Sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when (1) submission to such conduct is made either explicitly or implicitly as a requirement of employment or participation in a College program or activity, or (2) submission to or rejection of such conduct by an individual is used as the basis for employment, grading or other College decisions affecting such individual, or (3) such conduct has the purpose or effect of unreasonably interfering with an individual's work or academic performance or creating an intimidating, hostile, or offensive working, academic, or campus environment.

The College recognizes two types of sexual harassment: quid pro quo (something for something) and hostile environment misconduct. Quid pro quo harassment occurs where sexual activity is sought in exchange for an actual, tangible job or academic benefit. In this policy, quid pro quo harassment differs from the Title IX Sexual Harassment Policy, because the respondent may be an employee or a student. Hostile environment misconduct takes place where the conduct is so frequent or severe it creates an environment in which an individual's professional or academic performance is impaired or such person's ability to function within the College community is hindered.

Sexual Misconduct - Any act of Sexual Harassment, Non-consensual Sexual Contact, Non-consensual Sexual Intercourse, Sexual Exploitation, Stalking, Dating Violence, Domestic Violence, or any act that creates a Hostile Environment or any act of retaliation against a Complainant or anyone involved in a grievance procedure under this policy.

Stalking - Engaging in a course of conduct directed at a specific person that would cause a reasonable person to (a) fear for the person's safety or the safety of others, or (b) suffer substantial emotional distress. As used in this definition, "course of conduct" means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens or communicates to or about a person, or interferes with a person's property; "substantial emotional distress" means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling; and "reasonable person" means a person under similar circumstances and with similar identities to the victim.

Title IX Coordinator - The person designated as such by the President of the College or a person temporarily designated by the Title VII/IX Coordinator to serve in that capacity during the Title VII/IX Coordinator's incapacity or absence from the College's campus.

Section 6: Reporting Policies and Protocols

The College encourages victims of Sexual Misconduct to talk to somebody about what happened so victims can get the support they need and so that the College can respond appropriately. Different employees on campus have different abilities to maintain a victim's confidentiality:

- Some employees (Counseling Employees) are required to maintain near complete confidentiality; talking to them is sometimes called a "privileged communication."
- All other employees (Required Reporters) are required to report all of the details of an incident (including the identities of both the complainant and respondent) to the Title VII/IX Coordinator. A report to these employees (called "Required Reporters") constitutes a report to the College.

This policy is intended to make all persons, including students and their parents, if appropriate, aware of the various means of reporting and confidential policies available to them - so they can make informed choices about where to turn should they or their students become a victim of Sexual Misconduct and so they will know how to report any problems which may subsequently arise.

a. Reporting Required - All College faculty and staff must be aware of their own reporting responsibilities and the importance of informing Complainants of (1) the reporting requirements of Required Reporters, (2) the option to request confidentiality and available confidential advocacy, counseling, or other support service, and (3) the right to file a complaint with the College and to report a crime to campus or local law enforcement. All Required Reporters shall promptly report incidents of Sexual Misconduct to the Title VII/IX Coordinator, subject to the exemption for the College's Counseling Employees.

b. Required Reporters - Required Reporters shall report to the Title VII/IX Coordinator all relevant details about the alleged Sexual Misconduct that the student or other person has shared and from which the College will need to determine what occurred and attempt to resolve the situation. Before a person reveals information that the person wishes to keep confidential, a Required Reporters should make effort to ensure that the victim understands: (1) the Required Reporter's obligation to report the names of the alleged perpetrator and victim involved in the alleged Sexual Misconduct, as well as relevant facts regarding the alleged incident to the Title VII/IX Coordinator or other appropriate College officials, (2) the victim's option to request that the College maintain the victim's confidentiality which the College will consider, and (3) the victim's ability to share the information confidentially with counseling, advocacy, health, mental health, or sexual-assault-related services. All Required Reporters shall report the names of the alleged perpetrator (if known), the person(s) who experienced the alleged Sexual Misconduct, others involved in the alleged Sexual Misconduct, as well as relevant facts, including the date, time and location to the Title VII/IX Coordinator. Required Reporters do not need to determine whether the alleged Sexual Misconduct actually occurred or if a Hostile Environment has been created before reporting an incident to the Title VII/IX Coordinator.

c. Requests for Confidentiality - Upon receipt of a complaint of Sexual Misconduct by the Title VII/IX Coordinator, the College must act immediately to protect the Complainant while keeping

the identity of the Complainant as confidential as reasonably possible. The Title VII/IX Coordinator and other appropriate College personnel shall determine, consistent with state and local law, whether appropriate law enforcement or other authorities should be notified. The Coordinator shall evaluate requests for confidentiality and determine when such requests shall be honored. The coordinator shall make reasonable efforts to respect requests for confidentiality. In the event the College determines that it can respect the Complainant's request for confidentiality, the College shall take all reasonable steps to respond to the complaint consistent with the request and to determine what interim measures are appropriate, necessary, or possible. In the event the College determines it must disclose the Complainant's identity to a Respondent, the College shall inform the Complainant prior to making the disclosure.

d. Reporting Options - Complainants may use any combination of the following options to report Sexual Misconduct:

1. Criminal Complaint - Criminal complaints are filed with local law enforcement officials and the College is not involved in that process. Criminal complaints can be filed with the following agencies:

Berea City Police: 859-986-8456

Kentucky State Police: 859-623-2404

2. Institutional Complaint - Institutional complaints are filed with the College, and upon receipt of the complaint, the College will initiate an investigation by the College in accordance with this policy. If you wish to file an institutional complaint, you may file a complaint with the Title VII/IX Coordinator. The names and contact information for the College's Title VII/IX Coordinator and assisting Title IX Officers are available at <https://www.berea.edu/title-ix>.

3. Report to Required Reporters - Reports made to Required Reporters, are required to be relayed to the College's Title VII/IX Coordinator and will initiate a prompt and appropriate response by the College in accordance with this policy. Required Reporters are identified in Section 5. Required Reporters can be found across campus. The Title VII/IX Coordinator is a Required Reporter, as are members of the Title IX team. You can report Sexual Misconduct to any Required Reporter.

4. Privileged and Confidential Reporting - Either as an alternative to the reporting options listed above or in lieu of reporting Sexual Misconduct to the individuals or offices listed above, persons may make privileged and confidential reports of Sexual Misconduct to certain health or mental health providers or to certain pastoral counselors. Reports to these persons are privileged and will remain confidential so long as the respondent does not represent an immediate threat to the campus community. Privileged and confidential reports may be made to:

Off-Campus Health Provider and Contact Information:

White House Clinic: 859-985-1415 *After hours/holidays, call St. Joseph Hospital (859-986-3151) and ask for the Physician on-call for Berea College health services.

On-Campus Mental Health Care Provider and Contact Information:

Counseling Services: 859-985-3212 (on-campus, extension 3212) *After hours/holidays, call Public Safety (ext. 3333) and ask to speak to the on-call counselor.

Off-Campus Mental Health Care Provider and Contact Information:

Ampersand Sexual Violence Resource Center: 1-800-656-4673

Bluegrass Regional Comprehensive Care, Richmond: 859-623-9367

On-Campus Pastoral Counselor and Contact Information:

College Chaplains (in the Campus Christian Center) – 859-985-3134 (on-campus, extension 3134) *After hours/holidays, call Public Safety (ext. 3333) and ask to speak to a chaplain.

Reports of Sexual Misconduct may be made by third parties (individuals who were not the alleged victim or perpetrator) or anonymously to the Title VII/IX Coordinator or any other Required Reporter. To encourage reporting and participation in the process, the Title VII/IX Coordinator exercises discretion and does not report minor policy violations to other College offices - such as underage consumption of alcohol or the use of illicit drugs - related to the main incident being investigated. This does not apply to more serious allegations such as physical abuse of another or illicit drug distribution.

Section 7: Investigation and Grievance Procedures

The College has adopted and published institutional procedures for the investigation and resolution of discrimination and other complaints, including complaints of Sexual Misconduct under this policy. These procedures are published online in the *Student Handbook*, *Faculty Manual*, and *College Catalog*. You can access the procedures [here](#).

Section 8: Prevention and Education

This policy shall be accessible to persons with disabilities. This policy, reporting forms, information and training shall be accessible to students who are English language learners. This policy shall be distributed on campus in such a way that all persons, regardless of their immigration status, including undocumented students and international students, are aware of their rights under applicable law.

1. Bystander Intervention - The College shall utilize bystander intervention as a tool to prevent Sexual Misconduct. In implementing the bystander-focused prevention methods, the College shall implement the common components of bystander intervention and delivery methods.
2. Campus Assessments - The College shall conduct climate surveys. In addition, the College shall aggregate data about Sexual Misconduct incidents on campus to identify patterns or systemic problems related to Sexual Misconduct.

Section 9: Training

Student Training - The College shall provide training for students and/or student employees, which shall include: (a) encouragement to report incidents of Sexual Misconduct, (b) information on how to report Sexual Misconduct to campus safety or local law enforcement and the ability to pursue law enforcement proceedings simultaneously with a Title IX grievance, (c) general information on Sexual Misconduct Policy, (d) what constitutes Sexual Misconduct under the College's policies, (e) the College's definition of consent as applicable to sexual conduct, including examples, (f) information on when unwelcome sexual conduct creates a Hostile Environment, (g) places where students can seek confidential support services, (h) reporting and confidential disclosure options, (i) grievance procedures used to process complaints of Sexual Misconduct, (j) disciplinary code provisions relating to Sexual Misconduct as well as the consequences of violating those provisions, (k) effects of trauma on victims (l) the role alcohol and drugs often play in Sexual Misconduct incidents, including the deliberate use of alcohol and/or other drugs to perpetuate Sexual Misconduct, (m) strategies and skills for bystanders to intervene to prevent possible Sexual Misconduct, (n) protections against retaliation, (o) persons on campus to whom students can confidentially report incidents of Sexual Misconduct, (p) an explanation that students do not need to determine whether incidents of Sexual Misconduct created a Hostile Environment or actually occurred before reporting the incident, and (q) other information relevant to reducing or eliminating incidents of Sexual Misconduct and mitigating its effects.

Resident Advisers Training - The College shall provide the following training for Resident Advisers: (a) information on how and where students can seek confidential support services, (b) contact information for local rape crisis centers or other off-campus resources so that RAs can provide this information to students, and (c) reporting and other responsibilities for RAs.

Faculty and Staff Training - The College shall provide training, on an annual basis, for all faculty and staff about Sexual Misconduct and the prohibition of Sexual Misconduct, under this policy. Training shall include practical information about (a) how to prevent and identify Sexual Misconduct, including same-sex Sexual Misconduct; (b) behaviors that may lead to and result in Sexual Misconduct; (c) the attitudes of bystanders that may allow conduct to continue; (d) the potential for revictimization by responders and its effect on students or other victims; (e) appropriate methods for responding to a student or other victim who may have experienced Sexual Misconduct, including the use of nonjudgmental language; (f) the person(s) to whom such misconduct must be reported.

Special Training for Required Reporters - Required reporters are those employees defined in Section 5. Required reporters shall be trained so that they will know how to respond properly to Sexual Misconduct reports.

Special Training for Title VII/IX Coordinator and Others Involved in Grievance Procedure - The College shall require training for the Title VII/IX Coordinator, others who receive complaints, investigators, and grievance adjudicators

Special Training for Pastoral and Professional Counselors - The College advises pastoral and professional counselors to inform students:

- Of their right to file a complaint with the College and a separate complaint with campus or local law enforcement.
- They are available to assist the student in filing such complaints.
- Title IX includes protections against retaliation.
- The College officials will not only take steps to prevent retaliation but also take strong responsive action if it occurs.

Pastoral and professional counselors shall be trained to ensure that they understand the extent to which they may keep a report confidential and to avoid disclosing personally identifiable information.

Annual Fire Safety Report for Student Housing (Updated Fall 2021)

Each year, Berea College publishes a Fire Safety Report and a Campus Security Report to the community in compliance with the Higher Education Act (HEA), as amended in 2009. The required policy information and statistics for both crime and residence hall fire related issues are available in the form of a printable brochure on the Berea College Public Safety web page. The fire safety report outlines fire safety practices, standards, training measures and all required residence hall fire statistics. The report provides information on the fire suppression and notification systems and policies related to portable electrical appliances, smoking and open flames in student housing facilities. Individual residence hall data is presented in the matrix titled Residence Hall Fire Safety.

The fire alarm systems of 15 residence halls are monitored 24 hours a day by contract with an off-site alarm-monitoring firm, which notifies Berea Fire Department and Berea College Public Safety of alarm activations. Kettering Residence Hall recently re-opened, beginning for Fall Term 2021. This residence hall was offline since Fall of 2019 and did not house students during the 2020-2021 school year. Automatic fire suppression sprinkler systems and electrically wired smoke detectors with battery backups are located in individual living units and in the public areas of each of these 15 halls. The remaining locations, Home Management House, and the Eco-Village locations are on local fire alarm systems only, and do not call out alarms to a central monitoring location. These residences do, however, have both wired in smoke detectors and battery backups for these detectors. The Home Management House does not currently have an existing cohort of students living within the space at all times, however it is reserved a potential space for quarantined individuals to be housed during COVID-19 isolation or quarantine protocols according to CDC or local health department guidance.

Fire extinguishers are located in prominent and public locations in all residence halls. Environmental Health and Safety coordinates monthly scheduled checking and reporting by trained hall staff on the status of residence hall fire extinguishers, emergency lights and fire egress systems.

Twenty-eight of the fifty apartments in the Ecovillage, designed for families and single parents, have automatic sprinkler systems. All apartments have fire extinguishers and two or more smoke detectors. Fire extinguishers are checked quarterly in each apartment and the Commons House.

Evacuation Procedures

Students must evacuate during a fire alarm and proceed to a designated assembly point until notified that it is safe to return to the building and rooms. Building evacuation routes are posted on the back of the door of each room and in the public areas. It is the responsibility of every member of the residence hall community and their guests to know how to safely evacuate the residence hall. This includes being familiar with evacuation routes and the locations of exits, stairwells, phones, and elevators. Students who fail to evacuate during a fire alarm may be subject to disciplinary action.

Persons with disabilities who may need assistance should inform College personnel, including the Disabilities Coordinator and the Department of Public Safety, of the nature of the disability and type of assistance that may be needed. Residential students also must inform their Hall Coordinator and Student Life Area Coordinator of the accommodations needed. Students also should notify labor supervisors and instructors because evacuation may be required from the workplace, classroom, or laboratory. Individuals who must stay in place until emergency personnel arrive should be sure to inform another person of their specific location so they can inform the emergency responders. They also can call Public Safety and 911.

Fire Prevention

It is the policy of Berea College to provide students, faculty, staff, and visitors with the safest possible environment, free from known fire hazards. The goal of the college is to recognize hazardous conditions and take appropriate action before such conditions result in a fire. This goal is accomplished by conducting periodic safety inspections of fire systems, residence hall facilities, keeping facilities in compliance with all applicable state and federal fire codes, and increasing the fire safety awareness of residents by conducting fire drills. The State Fire Marshal's Office, Public Safety, Facilities Management, Environmental Health and Safety, and Residence Life conduct periodic inspections. All Student Residence Life Staff are provided fire extinguisher training at the beginning of each academic year. Supervised fire exit drills are conducted in residence halls at least two times a year and, in most cases, two times a semester. The Berea Fire Department is also involved with fire drills in the residence halls.

Residence Hall Fire Safety Regulations

To minimize the potential for fires, Berea College is a smoke and tobacco free Campus. Any open flames, candles, incense, electrical wax pots, potpourri pots, candle burners and electric plates are prohibited. Candles and explosives are not permitted in the residence halls. Appliances in rooms must be in good working order and have the Underwriters' Laboratories seal of approval. Appliances that are not permitted include popcorn poppers, coffeepots, teapots, electric frying pans, microwaves, deep fryers, grills, halogen lamps, etc. Extension cords must be in good working order and have the U.L. seal of approval. Cords must not be spliced or changed in any way. Extension cords should not be used under rugs or furniture or behind/around hot water/heating pipes. Surge protectors or circuit breakers must be used any time an extension cord is used. Curling irons, etc., are to be used in the bathroom and are not to be left plugged in even if they are turned off. Appliances with three-prong plugs may not be altered to fit a receptacle that does not provide for a ground plug. U.L. adapters may be used. Irons are to be used only in laundry rooms or other designated areas within the residence halls.

Plans for Improving Fire Safety

In the 2020-2021 academic year, as part of the Berea College Safety Week, fire drills were initiated in all buildings on campus, including Academic and Administrative buildings. This ensured that almost all students were involved in at least one or, for most, multiple fire drills on campus during that week. This is an annual event to increase knowledge of students' responsibilities during fire alarms. The College has a good working relationship with the Berea City Fire Department and two evacuation drills will be planned per semester with them for residence halls. Pre-planning is done in conjunction with the Fire Department for academic and residential buildings.

Reporting

All students and employees must immediately report fires to the Public Safety Office (ext. 3333 from a campus phone) or 9-1-1. All students and employees must report all potential fire hazards to Public Safety, Facilities Management, or Residence Life. Persons aware of evidence suggesting a previously unreported residence hall fire of any magnitude should report the incident to Public Safety. Knowledge of all fire situations is an important aid to investigation and follow up aimed at prevention of similar future incidents and to alerting others in the halls to potential dangers. A daily fire log is maintained and updated on the Public Safety webpage. A copy of the log is also posted on an electronic bulletin board outside the Public Safety main office.

Statistical Reporting of Fire Incidents in Individual Residence Halls

For the 2020 Calendar year there were no fires reported in any of our residence halls on campus.

Helpful Numbers

Public Safety Office (859)985-3333
 Emergency Dispatch 9-1-1
 Facilities Management (859) 985-3827
 Residence Life Collegium (859) 985-3115

A table is included, which provides detailed descriptions of the fire protection and notification systems in each individual residence hall.

Residence Hall	Fire Alarm Monitoring	Partial Sprinkler System	Full Sprinkler System	Fire Extinguisher Devices	Evac Plans	Evac Drills Per Year	Horns	Strobe Lights	Fire Doors
Anna Smith	Yes		Yes	Yes	Yes	4	Yes	Yes	Yes
Bingham	Yes		Yes	Yes	Yes	4	Yes	Yes	Yes
Blue Ridge	Yes		Yes	Yes	Yes	4	Yes	Yes	Yes
Dana	Yes		Yes	Yes	Yes	4	Yes	Yes	Yes
Danforth	Yes		Yes	Yes	Yes	4	Yes	Yes	Yes
Deep Green	Yes		Yes	Yes	Yes	4	Yes	Yes	Yes
Elizabeth Rogers	Yes		Yes	Yes	Yes	4	Yes	Yes	Yes
Fairchild Hall	Yes		Yes	Yes	Yes	4	Yes	Yes	Yes
Home Management	Yes		Yes	Yes	Yes	4	Yes	Yes	No
James	Yes		Yes	Yes	Yes	4	Yes	Yes	Yes
Kentucky	Yes		Yes	Yes	Yes	4	Yes	Yes	Yes
Kettering	Yes		Yes	Yes	Yes	4	Yes	Yes	Yes
Pearsons	Yes		Yes	Yes	Yes	4	Yes	Yes	Yes
Seabury	Yes		Yes	Yes	Yes	4	Yes	Yes	Yes
Talcott	Yes		Yes	Yes	Yes	4	Yes	Yes	Yes
Eco Village	No	Yes*		Yes	Yes	1	No	No	No

*28 of 50 Apartments have partial sprinkler systems

Daily Crime and Fire Log

The daily crime and fire log can be accessed at the following link, by clicking on the current month and year.

<https://www.berea.edu/public-safety/downloads/>

This log is also available on an electronic sign board, along with the past months' data outside of the Public Safety office.