

FAIRFIELD UNIVERSITY DEPARTMENT OF PUBLIC SAFETY

SECURITY PROTOCOL PLAN

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1. Introduction

The scope and purpose of this document is to provide you with information about Fairfield University's security protocol in compliance with Conn. Gen. Stat. §§ 10a-156a, 10a-55a, and 10a-55c.

This document is designed to provide faculty, staff and students with basic information about the roles, responsibilities and authority of the Fairfield University's Department of Public Safety, as well as certain other departments at the University that, in coordination with the Department of Public Safety, are part of Fairfield University's efforts to prevent, investigate and report crimes and manage emergency on campus.

This document is also designed to identify certain policies and procedures which are part of Fairfield University's overall effort to prevent, investigate and report crimes and manage emergency on campus are set forth in this document which include, but are not limited to, Fairfield University's:

- Emergency Plan
- Emergency Notification System ("Stag-Alert")
- Evacuation Procedures
- Alcohol, Controlled Substances Policy
- Weapons Policies
- Sexual Harassment Policy
- Visitor Policy

Finally, this document is designed to identify how to report a crime or emergency, as well as identify the basic mechanics of how Fairfield University responds to incidents of crime and emergency on campus.

2. Definitions

This document sets forth Fairfield University's Sexual Harassment Policy in Section 4[e]. The terms used in the Sexual Harassment Policy are defined as follows:

The term "*Sexual Harassment*" means (i) submission to sexual advances is a condition of your employment or education; (ii) acceptance or rejection of these advances or comments affects your job status, your grades, or your professional advancement; (iii) unwelcome sexual advances or comments interfere with your work or study.

The term “*Consent*” shall mean mutually understandable words or actions indicating a willingness to do the same thing, at the same time, in the same way with each other. Consent may be withdrawn at any time. Mutually understandable consent is almost always viewed under an objective, reasonable person standard. The only context in which mutually understandable consent would be viewed under a subjective standard is in the instance of a long-standing relationship where a couple have established patterns of communicating consent, but even then there must still be evidence of free and knowing participation to establish consent. Effective consent is informed consent, which is freely and actively given. Consent which is obtained through the use of fraud, force (actual or implied), threats, intimidation, or coercion is ineffective consent. Past consent does not imply future consent. Consent may never be given by a minor (in Connecticut, those not yet 18 years of age). Mentally disabled persons cannot give effective consent to sexual activity. Physically incapacitated persons cannot give consent. One who is impaired as a result of alcohol or other drug consumption (voluntary or involuntary) or who is unconscious, unaware, or otherwise physically helpless, is incapable of giving consent.

The term “*Force*” shall mean the use of physical violence and/or imposing on someone physically to gain sexual access. Force also includes threats, intimidation, implied threats, and coercion. There is no requirement that an individual resist the sexual advance or request, but the presence of resistance is a clear demonstration of non-consent.

The term “*Intercourse*” shall mean vaginal penetration by a penis, object, tongue, or finger; anal penetration by a penis, object, tongue, or finger; and oral copulation (mouth to genital contact or genital to mouth contact), no matter how slight the penetration or contact.

The term “*Sexual Contact*” shall mean intentional contact with the breasts, buttocks, groin, or genitals; or touching another with any of these body parts; or making another touch you or themselves with or on any of these body parts; and intentional bodily contact in a sexual manner even if not involving contact with, of, or by breasts, buttocks, groin, genitals, mouth, or other orifice.

The term “*Sexual Harassment*” means with respect to an individual enrolled at the institution, of any sexual advances or requests for sexual favors or any conduct of a sexual nature by an agent or employee of the institution when (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual’s academic success, (2) submission to or rejection of such conduct by an individual is used as the basis for educational decisions affecting such individual, or (3) such conduct has the purpose or effect of substantially interfering with an individual’s academic performance or creating an intimidating or hostile educational environment.

The term “*Proceeding*” includes but is not limited to any hearing conducted by the Office of the Dean of Students promulgating this policy.

The term “*result*” refers to a final conclusion of a proceeding where a student will be found either responsible or not responsible. The term, result, also includes any sanctions

referenced in this policy as well as any other orders issued by the Office of the Dean of Students.

3. Roles and Responsibilities

a. Office Responsible for Security on Campus

The Department of Public Safety is the Office primarily responsible for security on campus including, but not limited to, preventing, investigating, and reporting any violations of state or federal law and/or University regulations on campus. The Department of Public Safety reports directly to the University Executive Vice President. The Division of Student Affairs is also responsible for investigating and reporting student behavior, which violates state or federal law and/or University regulations.

The Department of Public Safety is a non-sworn proprietary organization with approximately 20 officers. Officers are trained first responders and are prepared to take action in any emergency situation that may arise on campus. Department of Public Safety Officers' conduct foot, vehicular, and bicycle patrols of the campus and resident areas 24 hours a day, 365 days a year. Department of Public Safety Officers are trained to provide emergency first aid care and are certified as "Supplemental First Responders" for the town of Fairfield. The Department of Public Safety does not provide services outside the boundaries of campus property, nor do any officially recognized student organizations exist off campus. The Department of Public Safety follows all applicable policies and laws regarding confidentiality of records and reserves the right to provide police any information obtained as a result of a criminal investigation.

The Department of Public Safety maintains a highly professional working relationship with federal law enforcement, Connecticut State Police, and the Town of Fairfield Police Department. Fairfield University and the town of Fairfield have agreed in principle to voluntarily provide mutual aid and services to each other in order to minimize the risk to town citizens, students, faculty, and staff in the event of a natural or man-made disaster. It is the right of any member of the University community to contact the Fairfield Police Department to investigate any crime. Assistance in contacting the Fairfield Police Department may be arranged through the Department of Public Safety.

The Department of Public Safety is the University's first responder to reports of crime on campus and will provide immediate assistance to a person reporting an act of sexual misconduct. Services available through the Department of Public Safety include:

- Emergency response
- Incident documentation
- Victim support
- Referral to victim resources and services

The Department of Public Safety is not itself a police department. The Department of Public Safety will inform the victim that the local police department is the vehicle through which they may pursue a criminal investigation. Whenever the Department of Public Safety receives a report

of sexual misconduct, the Department of Public Safety will independently contact the Fairfield Police Department. That does not require the victim to pursue a criminal investigation. Further, the Department of Public Safety will notify the Title IX Compliance Coordinator/Investigator of the reported incident. A detailed description of the Roles of the Department of Public Safety and Title IX Compliance Coordinator/Investigator are discussed in Section 4[e].

b. Threat Assessment Committee

In accordance with federal law, Fairfield University formed the Community Threat Assessment Team on January 1, 2014. Team members were selected by the University Executive Vice-President in collaboration with the Director of Public Safety. The Community Threat Assessment Team seeks to identify concerns in their early phases in order to work appropriately and constructively with all parties before problems escalate into violent or dangerous outcomes. The Team is comprised of representatives from Counseling and Psychological Services, Human Resources, Student Affairs, Academics Affairs and the Department of Public Safety. The Community Threat Assessment Team is in place specifically to help preserve the safety and security of the University community in collaboration with other University services. The team serves as a proactive mechanism to identify and address members of the community that may pose a danger to self, others and/or both. The team considers situations that involve students, staff members and visitors to the campus community. The team meets on an as-needed basis and is chaired by Frank Ficko, associate director of public safety. Behavioral symptoms that may trigger the team's activation include:

- Prior communications suggesting intent to commit violence
- Other concerns about the person's potential for violence
- Inappropriate interest in acts of violence
- Threatening or disruptive behavior, and
- The capacity to carry out an act of targeted violence

All team members have received training in identifying potentially at-risk students, other potentially at-risk individuals on campus and any other potential threats

to campus safety. The team meets annually at the beginning of the school year to review protocols and procedures.

Letters are sent annually to all faculty and staff regarding the existence of this committee, what it is there for, as well as reporting protocols and how to report a concern.

A Crisis Management Team, as well as a broader Incident Management/Emergency Group Team, are in place to allow immediate response by individuals performing specific roles and functions already predefined.

d. The Role of the Case Management Committee

The Case Management Committee is a group comprised of representatives from each of the schools and the College, as well as representatives from Students Affairs. The Committee serves as a proactive mechanism to identify and address students of concern. The Case Management Committee meets every other week to review behavioral concerns of a non-emergency nature that are raised to the Committee's attention by members of the University community. The Committee considers coordinated and appropriate responses in a confidential setting. Examples of student issues that would come to this group:

- Inappropriate or disturbing comments made in class,
- Worrisome writings
- Excessive class absences
- Health issues (e.g., weight loss, headaches, sleep problems, etc.),
- Death of a family member or close friend
- Suspected or known substance abuse
- Changes in behavior; aggression

The Committee is chaired by Will Johnson, associate dean of students. The Case Management Committee does not address emergencies or instances where an immediate threat is posed. In cases of emergencies or immediate threat, please notify Public Safety at (203) 254-4090. The Case Management Committee is one of many University efforts aimed at supporting a safe and responsive environment for students to thrive personally and academically. If you have any questions, please contact Associate Dean Johnson at (203) 254-4211.

Letters are sent annually to all faculty and staff regarding the existence of this committee, what it is there for, as well as reporting protocols and how to report a concern.

4. Recognizing and Responding to at-risk students

Students have many challenges to deal with during their academic experience. In addition to academic stress, there are other stressors such as being away from home, developing new relationships, handling the responsibilities of independent living, making decisions about an academic major and career planning, and their overall personal, intellectual, social and spiritual growth.

The stress may manifest as depression, eating disorders, alcohol and other drug abuse, anxiety, and poor academic performance. Early identification of such issues will help students reach their full potential.

As a faculty or staff member, your ongoing relationship with students allows you to detect changes in behavior that may signal a serious problem. Faculty and staff can serve as a reliable source of information about resources at the University. Some behavioral and emotional indicators include:

- Direct statements indicating distress, family problems or loss
- Angry or hostile outbursts, yelling or aggressive comments

- More withdrawn or more animated than usual
- Expressions of hopelessness or worthlessness; crying or tearfulness
- Expressions of severe anxiety or irritability
- Excessively demanding or dependent behavior
- Shakiness, tremors, fidgeting or pacing
- Physical indicators
- Deterioration in physical appearance or personal hygiene
- Excessive fatigue, exhaustion; falling asleep in class repeatedly
- Visible changes in weight; statements about change in appetite or sleep
- Noticeable cuts, bruises or burns
- Frequent or chronic illness
- Disorganized speech, rapid or slurred speech, confusion
- Unusual inability to make eye contact
- Coming to class bleary-eyed or smelling of alcohol

Faculty and staff are often the first contact for a student in distress. Following are some guidelines in approaching students about your concerns:

- Talk with the student in private and suggest counseling
- Maintain the student's self-esteem by listening with care and compassion
- When appropriate, help the student identify the problem, talk about solutions and establish a plan of action
- Check back periodically to assess progress and show interest
- Report a student of concern to the Case Management Committee at (203) 254-4000, ext. 4211

If you find yourself in an Emergency or Difficult Situation:

- Safety first! Always keep the student's and your own safety in mind as you talk to a distressed student
- Remain calm, use a low and controlled tone of voice
- Seek assistance when necessary. Call Counseling & Psychological Services at (203) 254-4000, ext. 2146 or Public Safety at (203) 254-4000, ext. 4090
- Stay with the student until help arrives

5. Security Policies and Procedures

a. Emergency Management Plan and Emergency Notification System

An Emergency Management Plan has been developed by DPS as part of its ongoing effort to protect Fairfield University students, faculty, and staff. The development of this plan is based on a realistic assessment of potential incidents that could affect our community and the capabilities to react to those situations. It is a comprehensive approach utilizing the Incident Command and National Incident Management System and may effectively be applied to any critical incident.

Fairfield University's Emergency Notification System, (ENS), "StagAlert," permits the simultaneous distribution of broadcast e-mails, text messages, and voice calls (including voice mails for calls unanswered). The system is used to distribute emergency notifications without delay in situations where a clear and active (e.g., in progress) threat or emergency exists that impacts the community and where it is recommended that the recipients take some form of action in response to the active threat or emergency. The ENS is tested twice a year at the beginning of each semester. All members of the University community are reminded to update their contact information on the my.Fairfield home page. This page also contains information on emergency procedures, including response options.

b. Evacuation Procedures

Instructions to evacuate will be issued by DPS, police, or University officials. Students, faculty, and staff are to evacuate quickly, in a calm and orderly fashion to a safe area. If necessary, First Responders will direct students, faculty, and staff to an on-campus evacuation/relocation site (Barone Campus Center, Alumni Hall or Recreation Complex Field House). Students, faculty, and staff should remain calm and assist handicapped persons or those in need and not turn off lights or equipment or lock doors to a room or building. If community members observe something unusual or suspicious, they should not touch it and notify First Responders. Students, faculty, and staff should remain in a safe area until receiving notification to return to the facility. In situations where Fairfield University is forced to evacuate the campus, Public Safety will notify the public that campus is closed and that traffic will not be allowed to enter. This notification will be made through "StagAlert" and the University web site www.fairfield.edu.

If the emergency occurs on a day and time prior to the start of classes, notification to all members of the University community will occur according to normal weather delays/closing policies and procedures. Additional Department of Public Safety personnel will be called in and assigned as needed to maintain order.

Evacuation will be performed by personal and University vehicles, shuttle bus service provided by the University contracted bus company, and assistance from the Town of Fairfield transportation system. Three designated shuttle locations are the Dolan Commons traffic circle, Alumni Hall front entrance plaza, and Quick Center front entrance plaza. Depending on the emergency, drop-off locations are: Webster Bank Arena (I-95, exit 27), University of Bridgeport (I-95, exit 27), and Sacred Heart University, (Merritt Parkway, exit 46).

If possible, depending on the nature of the emergency, shuttle bus service will also be provided to the Fairfield Metro-North train station with connection to the following transportation sites: Yellow Cab Service (203) 255-5797, Bridgeport Bus Terminal (800) 343-9999, Bridgeport Amtrak train station, New Haven Amtrak train station, Stamford Amtrak train station, and Bridgeport-Port Jefferson Ferry (203) 335-2040.

c. Drug and Alcohol Policy

Fairfield University enforces drug and alcohol regulations as required in the Drug Free Schools and Communities Act of 1988 and amendments of 1989. The unlawful possession, use, or distribution of alcohol by employees on University property, or as part of any University activity, is prohibited. Only under those conditions clearly stipulated by University guidelines is the possession or consumption of alcoholic beverages by students 21 years of age and older permitted. The Family Educational Rights and Privacy Act (FERPA) as amended in 1998 enables institutions to release to parents of students under the age of 21 information concerning alcohol or drug-related disciplinary violations.

Simple offenses, which include possession of drug paraphernalia and possession or use of small quantities of drugs, may result in a fine of up to \$300 maximum, disciplinary probation, drug education class, referral for evaluation, counseling, or Restorative Mentoring, and community service. Repeat offenses will result in dismissal or expulsion from the University. Major offenses, including the possession or use of large quantities of drugs, possession or use of certain categories of drugs other than marijuana and as defined herein (e.g., cocaine, heroin, hallucinogens, etc.), and/or the intent or potential to sell or distribute, will result in dismissal or expulsion from the University.

All Resident Advisors (RA's) are required to coordinate alcohol education programs for their assigned residence hall floors. Students documented for an alcohol violation may be referred to the University's Substance Abuse Counselor. The University also has an Alcohol and Other Drug (AOD) Committee, which meets periodically through the year to assess current and future initiatives aimed at alcohol and drug abuse, behaviors, and education. If more information is desired, please contact the Office of the Dean of Students and/or the Office of Human Resources for a copy of the Alcohol and Substance Abuse policy or read it in the Student Handbook online at www.fairfield.edu/studenthandbook.

Illegal drugs and drug paraphernalia are prohibited on the grounds of the University. The possession, sale, manufacture, or distribution of any controlled substance is in violation of University regulations and illegal under both state and federal laws. Therefore, any employee or student engaging in such illegal action will be subject to disciplinary procedures, which could result in sanctions, including termination of employment, suspension or expulsion from school, and criminal prosecution. In addition, the use and/or possession of weapons of any type, including facsimiles, except those in possession of the Department of Public Safety or a bona fide law enforcement agency, are not permitted on campus.

d. Weapons Policy

All weapons are prohibited on University property. The term “weapons” should be understood to include, but is not limited to, firearms, paint guns, BB guns, air guns, slingshots, bows and arrows, various kinds of knives other than cooking utensils, and various kinds of martial arts devices capable of being used as weapons. Facsimiles, replicas, or reproductions of weapons (e.g., “air soft” guns) are also prohibited. In addition, the possession of fireworks or other dangerous chemicals and propelling any object in such a way as to endanger safety or property are prohibited.

e. Visitor Policy

Students, faculty, and staff of Fairfield University have access to academic, recreational, and administrative facilities on campus. Access to residence halls, however, is limited to students and their guests, according to University procedures described in the Student Handbook. All residence halls have card access readers requiring University ID cards to gain entry. Resident students may use their card for entry into all residence halls from 7 a.m. to 11 p.m. After 11 p.m., cards will only open doors to the students’ assigned residence hall. Access to the residence halls by University employees is on an as-needed basis pursuant to key and access control procedures. The general public may attend cultural and recreational events on campus with their access limited only to the facilities in which these events are held. Individuals visiting students must be registered as their guests and submit a completed guest registration form through the Office of Residence Life.

f. Sexual Harassment Policy

i. Statement of Intent

Fairfield University is committed to providing a learning environment free of gender-based discrimination, including sexual harassment. Sexual misconduct is a form of sexual harassment prohibited by this policy. This policy is intended to guide students on the University’s general response policy to incidents of sexual misconduct, the resources available to victims of sexual misconduct, and the sexual misconduct prevention initiatives of the University.

ii. Definition of Sexual Harassment

According to guidelines issued by the U.S. Department of Education Office of Civil Rights and the Equal Employment Commission, the following behavior constitutes sexual harassment:

- Submission to sexual advances is a condition of your employment or education;
- Acceptance or rejection of these advances or comments affects your job status, your grades, or your professional advancement; or
- Unwelcome sexual advances or comments interfere with your work or study.

iii. Levels of Sexual Harassment

Gender Harassment: Generalized sexist remarks and behavior, which convey insulting, degrading, or sexist attitudes.

- Seductive Behavior: Unwanted, inappropriate, and offensive physical or verbal sexual advances
- Sexual Bribery: Solicitation of sexual activity or other sex-linked behavior by promise of reward
- Sexual Coercion: Coercion of sexual activity or other sex-linked behavior by threat of punishment
- Sexual Assault: Assault or rape

iv. Title IX Compliance Notice

The University does not discriminate on the basis of sex in its educational programs and activities and Title IX requires that it not discriminate in such a manner. Sexual misconduct is a form of gender-based discrimination prohibited by both this policy, Title IX, and other federal and state laws. Inquiries concerning the application of Title IX may be made to the University's Title IX Compliance Coordinator/Investigator. Consistent with Title IX, Fairfield University has designated Megan Monahan, JD as Director, Title IX and Equity Compliance.

Megan D. Monahan, JD
 Director, Title IX and Equity Compliance
 Phone: (203) 254-4000, ext. 4357
 E-mail: mmonahan@fairfield.edu

v. Incident Reporting

A student in immediate danger should get to a safe place and call the Department of Public Safety at ext. 4090 or dial 911 for the Fairfield Police Department. Similarly, students hurt and in need of medical attention should call Public Safety at ext. 4090 or dial 911. It is important to preserve evidence when reporting sexual misconduct. If possible, students should not shower or wash their clothing following sexual misconduct as that may aid in the investigation.

vi. Role of the Department of Public Safety and Title IX Director

The Department of Public Safety is the University's first responder to reports of crime on campus and will provide immediate assistance to a person reporting an act of sexual misconduct. Services available through the Department of Public Safety include:

- Emergency response
- Incident documentation
- Victim support
- Referral to victim resources and services

The Department of Public Safety is not itself a police department. The Department of Public Safety will inform the victim that the local police department is the vehicle through which they may pursue a criminal investigation. Whenever the Department of Public Safety receives a report

of sexual misconduct, the Department of Public Safety will independently contact the Fairfield Police Department. That does not require the victim to pursue a criminal investigation. Further, the Department of Public Safety will notify the Title IX Director of the reported incident.

The role of the Title IX Director includes:

- Promoting Title IX compliance policies, procedures and notifications;
- Overseeing implementation of compliance (grievance) procedures;
- Conducting investigations of sexual misconduct complaints;
- Providing guidance on Title IX compliance and University's related policies/procedures;
- Serving as a liaison to the state and federal agencies that enforce Title IX;
- Promoting employee training and education on Title IX compliance;
- Monitoring all other aspects of the University's Title IX compliance.

When an act of sexual misconduct is reported to the Department of Public Safety, the matter will be referred to the Title IX Director. The Title IX Director will contact the victim to explain their options, services, and resources available to them on and off campus. Further, as discussed in more detail below, the Title IX Director will assist the victim with filing a Title IX Sexual Misconduct Complaint.

6. Reporting Procedures and Response Policy

a. Reporting Crimes, Sexual Harassment, and Emergencies

i. General Reporting Procedures

Any student, faculty member, or employee of Fairfield University should directly report any potential criminal act or other emergency to any officer or representative of the Department of Public Safety. Callers should dial 4090 or (203) 254-4090 for immediate assistance. Calls may also be made by using one of the "Blue Light" telephones located throughout campus. This emergency telephone system is linked directly to the Public Safety office, which is located on the ground floor of Loyola Hall, Room #2. Upon receipt of the call, officers are dispatched to the site, an investigation is conducted, and appropriate action taken.

Community members must be as detailed as possible when providing a physical description of a suspect or perpetrator: For example, physical description should include height, weight, build, facial, hair, complexion, jewelry, and tattoos. Vehicle description should include make, model, color, and approximate year of manufacture, marker plate, state of origin, and any notable damage to the vehicle.

Do not disturb any crime scene so as to preserve any physical evidence that may exist.

ii. Reporting Sexual Harassment & Misconduct

1) General Reporting Procedures

A student in immediate danger should get to a safe place and call the Department of Public Safety at ext. 4090 or dial 911 for the Fairfield Police Department. Similarly, students hurt and in need of medical attention should call Public Safety at ext. 4090 or dial 911. It is important to preserve evidence when reporting sexual misconduct. If possible, students should not shower or wash their clothing following sexual misconduct as that may aid in the investigation.

Inquiries concerning the application of Title IX may be made to the University's Title IX Director. Consistent with Title IX, Fairfield University has designated Megan Monahan, JD as Director, Title IX and Equity Compliance

Megan Monahan, JD
Director, Title IX and Equity Compliance
Phone: (203) 254-4000, ext. 4357
E-mail: mmonahan@fairfield.edu

2) Reporting by University Employees

When the victim is under 18: In instances where a University employee is made aware of child abuse or neglect as defined by Connecticut General Statutes Section 17a-101b, the first question the employee must ask herself/himself is whether she/he is a mandated reporter of child abuse or neglect as defined by Connecticut General Statutes Section 17a-101(b). If the employee is a mandated reporter, she/he must comply with Connecticut's mandated reporting laws.

When a mandated reporter is made aware of child abuse or neglect (as defined above and by Connecticut General Statutes Section 17a-101(b)), she/he must call the Department of Children and Families (DCF) 24-hour hotline for reporting suspected child abuse or neglect at 1(800) 842-2288. All employees, including mandated reporters, must also report the matter to the Department of Public Safety (ext. 4090) and the Fairfield Police Department (911).

All other University employees (i.e., those who are not mandated reporters) are strongly encouraged to report suspected child abuse or neglect to the DCF hotline listed above, and are protected under Connecticut law for good faith reporting of such suspected child abuse or neglect, even if later investigation fails to substantiate abuse or neglect. Employees who are mandated reporters must still report instances of child abuse or neglect to the Department of Public Safety (ext. 4090) and the Fairfield Police Department (911).

When the victim is 18 or older: Any employee, except those who are empowered by law to maintain confidentiality, who witnesses or receives a report of sexual misconduct of a victim 18 or older, must report the incident as soon as possible to the Department of Public Safety at ext.

4090. The Department of Public Safety will notify the Title IX Director and the Fairfield Police Department.

When providing this report, a University employee may initially be able to exclude personally identifiable information (e.g., the name of the victim, the name of the accused individual, and/or other identifying details about witnesses, etc.). In an initial report, the reporting individual should disclose at a minimum the nature of the behavior reported, along with date, time and/or location if known. The Title IX Director will guide employees with regard to how much detail is needed in an initial report. Subsequent to an initial report (or at the time of the initial report if there is an emergency or an immediate risk of harm) campus officials may need additional information in order to fulfill the University's obligations under law, including specifically, Title IX.

Further, while University employees must report information they receive, it is not their responsibility to investigate or confirm what is reported to them. University officials within the appropriate offices will determine the appropriate next steps, including ensuring that victims have been made aware of available on- and off-campus resources.

While a University employee may advise the victim of sexual misconduct that any conversation they have with the victim will be private (will not be shared unnecessarily with others), they may not tell a victim that the conversation will be confidential unless that employee is subject to privilege by law to maintain confidentiality of an adult victim.

The law extends to a limited number of University employees the privilege to offer confidentiality to the adult victim and not to disclose communications with the victim. Typically, these are clinical employees who work within the Office of Counseling & Psychological Services, the Student Health Center, or clergy within Campus Ministry. Others accorded this privilege include: 1. licensed marital and family therapists; 2. licensed social workers; 3. licensed professional counselors; 4. licensed psychologists; 5. psychiatrists licensed as physicians and substantially acting as psychiatrists; and 6. physicians and other medical professionals acting within a medical professional/patient relationship, including those recognized by the Privacy Rule of the Health Insurance Portability and Accountability Act (HIPAA).

3) Self Reporting

Victims of sexual misconduct are strongly encouraged to file a standard, formal incident report with the Department of Public Safety.

An incident report will include, among other things, the name of the victim and the name of the alleged offender, if known. Upon the filing of an Incident Report, the Department of Public Safety will act as first responder as detailed in this policy and refer the matter to the Title IX Director for investigation. The Department of Public Safety will also determine whether law enforcement or other authorities should be notified.

A victim who directly reports sexual misconduct has the opportunity to be in greater control of the situation and may feel a greater sense of empowerment. Direct reporting also can be important for the safety of the entire University community. Victims have the right to report

sexual misconduct to the Department of Public Safety without further participation in the investigatory process. A victim can choose to initiate a criminal complaint through law enforcement and/or initiate a Title IX Sexual Misconduct Complaint with the Title IX Director. Victims should understand, however, that by choosing to not participate in the University's disciplinary process, the University's response to the incident may be limited.

Reports of sexual misconduct can also be made anonymously with the Department of Public Safety, meaning that the report does not contain the name of the victim or the offender.

An Anonymous Report will be kept in the file of the Department of Public Safety and recorded with the Fairfield University Department of Public Safety for purposes of the Jeanne Clery reporting disclosure requirements. Anonymous Reports allow Fairfield University to track reported incidents of sexual misconduct and to provide the victim with information about options and resources available to her/him. An Anonymous Report does not constitute a formal Incident Report, a Police Report, or a Title IX Sexual Misconduct Complaint.

Victims of sexual misconduct are also encouraged to contact the Fairfield Police Department directly by calling 911. Filing a criminal report with the Fairfield Police Department is different than filing an incident report with the Fairfield University Department of Public Safety. If a student files a criminal report with the Fairfield Police Department, the police will determine if a criminal investigation will occur and if the case will be referred for prosecution.

b. Responses to Crimes, Sexual Harassment, and Emergencies

i. Response to Emergencies

Fairfield University's Emergency Notification System, (ENS), "StagAlert", permits the simultaneous distribution of broadcast e-mails, text messages, and voice calls (including voice mails for calls unanswered). The system is used to distribute emergency notifications without delay in situations where a clear and active (e.g., in progress) threat or emergency exists that impacts the community and where it is recommended that the recipients take some form of action in response to the active threat or emergency. The ENS is tested twice a year at the beginning of each semester. All members of the University community are reminded to update their contact information accessible on the my.Fairfield home page. This page also contains information on emergency procedures, including response options.

Instructions to evacuate will be issued by DPS, police, or University officials. Students, faculty, and staff are to evacuate quickly, in a calm and orderly fashion to a safe area. If necessary, First Responders will direct students, faculty, and staff to an on-campus evacuation/relocation site (Barone Campus Center, Alumni Hall or Recreation Complex Field House). Students, faculty, and staff should remain calm and assist handicapped persons or those in need and not turn off lights or equipment or lock doors to a room or building. If community members observe something unusual or suspicious, they should not touch it and notify First Responders. Students, faculty, and staff should remain in a safe area until receiving notification to return to the facility. In situations where Fairfield University is forced to evacuate the campus, Public Safety will notify the public that campus is closed and that traffic will not be allowed to enter. This notification will be made through "StagAlert" and the University web site www.fairfield.edu.

ii. Response to Crimes, Generally

The Department of Public Safety is authorized by Fairfield University to prevent, investigate, and report any violations of state or federal law and/or University regulations on campus. Student behavior, which violates state or federal law and/or University regulations, may also be investigated and reported by authorized staff of the Division of Student Life.

Upon learning of a crime that has, or is about to occur, officers are dispatched to the site, an investigation is conducted, and appropriate action taken. Depending on the nature of the crime, Fairfield Police or other agencies may be contacted and requested to assist in the investigation.

iii. Response to Sexual Misconduct

1) Filing a Complaint

A Title IX Sexual Misconduct Complaint is in effect a request by a victim for the University to investigate an alleged incident of sexual misconduct and to take disciplinary action against the accused. A Title IX Sexual Misconduct Complaint may be filed with the Title IX Director. Either the Director or an assigned Title IX Investigator will assist a victim procedurally in filing a complaint, and will let them know their options as well as the services and recourse which are available to them on and off campus.

A Title IX Sexual Misconduct Complaint is independent of an Incident Report filed with the DPS. A Title IX Sexual Misconduct Complaint is an invocation of the student's right to have the incident handled through University disciplinary proceedings, while an Incident Report alerts the DPS of alleged sexual misconduct and to provide first responder assistance to a victim of sexual misconduct. A Title IX Sexual Misconduct Complaint can be filed with a Title IX Director at any time. While it is the victim's choice whether or not to file a Title IX Sexual Misconduct Complaint, victims are encouraged to do so. A victim may also file a complaint with law enforcement. When requested, a member of DPS will accompany a victim to the police and will assist in filing a report with the police.

2) Investigations

The Title IX Director or assigned Investigator will conduct a prompt, thorough, and impartial investigation into all incidents of sexual misconduct they are made aware of. The investigation conducted by a Title IX Director is independent from any investigation by law enforcement; however, a Title IX Director will look to coordinate with law enforcement to access their investigative findings to supplement their fact gathering efforts.

The specific investigatory steps taken by a Title IX Director or assigned Investigator will vary depending upon the nature of the allegations of sexual misconduct among other factors. A typical Title IX Sexual Misconduct investigation may include: Interviewing and taking statements from the victim, the accused, and any witnesses; Compiling and verifying statements; Gathering/obtaining documentation; Reviewing any physical evidence; Conducting appropriate research; Drafting reports; Taking statements from the complainant and the accused.

The Title IX Director will inform the victim if he/she receives a report of sexual misconduct from a third party (e.g., the Department of Public Safety or University employee) and seek to obtain the victim's consent to investigate the incident before commencing the investigation.

If a victim of sexual misconduct makes a request for confidentiality or a request not to investigate, the Title IX Director will take all reasonable steps to investigate and process the matter consistent with the victim's request. In all cases in which a victim requests that their name and other identifiable information not be disclosed to the alleged perpetrator, the University will evaluate the request in context of its obligation to provide a safe non-discriminatory environment for all students. In weighing the victim's request, the University will consider such factors as the seriousness of the alleged sexual misconduct, the victim's age, whether there have been other complaints against the accused, and the accused's right to receive information about allegations against him or her. The University retains the discretion to disclose, among other things, a victim's name and other identifiable information, as may be necessary to conduct their investigation. In such cases, the Title IX Compliance Director will inform the victim if he/she cannot maintain confidentiality.

Typically, the fact finding portion of the investigation will be concluded within 60 days of the filing of a Title IX Sexual Misconduct Complaint and/or receipt of notice of an incident of sexual misconduct. However, the timeframe may vary depending upon the complexity of the investigation, unavoidable delays, and/ or the severity and extent of the sexual misconduct.

At the conclusion of a fact-finding portion of the investigation, the Title IX Director will share their findings with the Office of the Dean of Students. Based on the findings of the investigation, the Office of the Dean of Students will decide whether to pursue charges under the Student Code of Conduct.

3) Disciplinary Process

Fairfield University will initiate disciplinary proceedings under the Code of Conduct set forth in the Student Handbook, which can be found at www.fairfield.edu/studenthandbook, upon the conclusion of the fact finding portion of the investigation and recommendation of the Office of the Dean of Students to pursue charges. The disciplinary procedures will be conducted in a manner consistent with Title IX requirements and protections.

University procedures are designed to provide a prompt, impartial response for resolution of Title IX Sexual Misconduct Complaints, as well as to provide reasonable remedial measures if it is determined that the sexual misconduct policy has been violated. The University reserves the right to pursue disciplinary proceedings against an accused even if a victim does not file a Title IX Sexual Misconduct Complaint. Further, reasonable interim (pre-disciplinary hearing) corrective actions for the benefit of the victim will be made available to a victim as well. Remedial corrective actions include, but are not limited to, no-contact orders, on-campus housing changes, escorts, ensuring the victim and accused do not attend the same classes, counseling services, medical services, academic support services, etc. When providing a victim

with remedial corrective options, the Title IX Director will seek to minimize the burden on the victim as much as is reasonably possible.

It should be noted that while the Code of Conduct and procedures on sexual harassment do provide voluntary informal mediation of complaints, mediation is generally not considered an appropriate process for responding to sexual misconduct complaints, and in such cases in which mediation may be appropriate, the victim has a right to end the mediation process at any time and begin a formal complaint process.

In most circumstances where sexual misconduct is alleged, both the victim and the accused will meet separately with the Title IX Director and will be provided with a written statement setting forth the rights both parties have when going through the disciplinary process. After reviewing the written statement, both the victim and the accused can ask questions of the Office of the Dean of Students and have the hearing process explained in greater detail. Both the victim and the accused are entitled to opportunities to present relevant statements and witnesses during a formal conduct proceeding.

When the hearing is held, all appropriate steps will be taken to ensure both a full and fair examination of the evidence, as well as the protection of the rights and safety of the victim. The standard of proof for these cases is more likely than not (also known as a preponderance of the evidence standard), and the definitions as well as the description of consent as used herein shall apply.

The hearing process typically is concluded within 30 days from the date the Office of the Dean of Students makes a recommendation to initiate disciplinary proceedings. A notice of outcome will be sent to both the victim and the accused within two business days of the conclusion of the disciplinary hearing. When a determination of responsibility is made, the victim will be notified of the decision as well as sanctions assigned. In cases of sexual misconduct, the typical sanction is dismissal or expulsion, as well as no-contact orders.

7. Training

All members of the Department of Public Safety attend monthly training seminars on a variety of disciplines ranging from Management of Aggressive Behavior to Critical Incident Response. In addition, all officers are required to maintain their National Registry license as Emergency Medical Technician's (EMT) and attend recertification classes as required. Several officers are certified Victim Advocates of the University's Sexual Assault Response Team (SART) and "on-call" 24 hrs a day, 7 days a week.

In addition, all members of the Threat Assessment Committee have received training in identifying potentially at-risk students, other potentially at-risk individuals on campus and any other potential threats to campus safety. The team meets annually at the beginning of the school year to review protocols and procedures.

8. References

Access to the Security Plan is available online at www.fairfield.edu/securityprotocolplan for all current and prospective students and employees. Compliance requirements include distribution of the annual Campus Security Report by October 1 of each year. Communication describing the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics, and how to access the report, are distributed annually to all faculty, staff, prospective employees and students. A hard copy of the report is available to anyone upon request by contacting the Department of Public Safety (203) 254-4090, or stopping by the office located on the ground floor of Loyola Hall, room 2.

Any questions pertaining to this report can be brought to the attention of the University Clery Compliance Coordinator, Frank Ficko, from the Department of Public Safety. A copy of the report is available for review on the Department of Public Safety page of the Fairfield University web site at www.fairfield.edu/clery.

The policies and procedures discussed in this document may be accessed at www.fairfield.edu/handbook.

9. Signatures

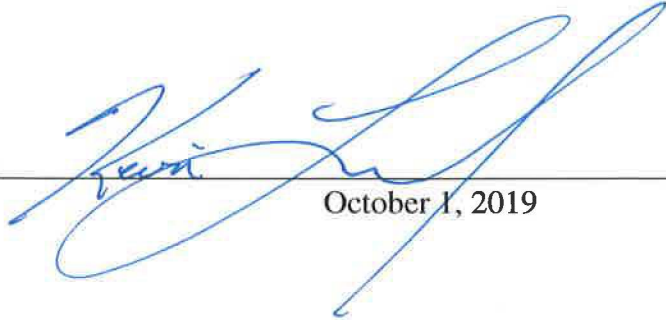
Under Public Act 13-3 (PA 13-3) Section 92 Institutions of Higher Learning should have provided an updated Security Protocol Plan to the Department of Emergency Services and Public Protection (DESPP) by October 1, 2013.

By July 01, 2015, and every two years thereafter, each Institution must conduct an internal review of the Security Protocol Plan with the Campus Police or Security Chief and determine revision needs. REVISED plans must then be submitted to DESPP by August 01, 2015 and by the August 01 date of the next two year interval every two years thereafter.

DESPP requires evidence that a review of the plan has been conducted. Each institution shall have all plan review participants provide their names, positions, and signatures on a review signatory page, which will need to be submitted to DESPP. This completed dated signatory page must be sent to DESPP with or without a REVISED Plan each two-year interval for which a review meeting is required.

IN WITNESS WHEREOF,
We have set our hands on the date below written:

Kevin Lawlor
Executive Vice President and COO
Fairfield University



October 1, 2019

Todd A. Pelazza
Director of Public Safety
Fairfield University



October 1, 2019