IYRS ANNUAL SECURITY REPORT

The purpose of this annual security report is to provide IYRS's community, including students, prospective students and employees, with crime statistics (for the three previous calendar years) and other important information regarding campus safety and security, with the hopes of creating a safer and more secure environment by aiding in the prevention of crimes and enabling people to protect themselves on campus. This report is also prepared to fulfill the requirements of Title IV of the Higher Education Act of 1965, as amended, as well as the Jeanne Clery Disclosure of Campus Security Police and Campus Crime Statistics Act (the "Clery Act"). The Clery Act is a federal law requiring the colleges and universities that receive federal financial assistance to disclose annually, certain statistics and information about campus crime, safety and security policies to current and prospective students and employees.

Student Services prepares this annual security report by collecting relevant information and statistics from campus security authorities, local police and other relevant agencies. IYRS distributes a notice of the availability of this annual security report by October 1 of each year to every member of the campus community. Anyone, including students, prospective students and employees, may obtain a paper copy of this report from the Student Services at (401) 848-5777 or email tyin@iyrs.edu.

Notice of Non-Discrimination: IYRS does not discriminate on the basis of race, religion, color, national origin, age, sex, sexual orientation, gender identity or expression, genetic information, disability, status as a protected veteran, pregnancy or marital status, or any other unlawful basis, in the administration of its education policies, admission policies, scholarship and loan programs, or other school administered programs. In accordance with Title IX, IYRS does not discriminate on the basis of sex in its programs, activities or employment.

Complaints should be made to IYRS' Title IX Coordinator. Jennifer Iacovelli, VP of Student Affairs. The Title IX Coordinator can be contacted at (401) 848-5777 x 209 or at jiacovelli@iyrs.edu.

The Title IX Coordinator is responsible for monitoring compliance with Title IX and other applicable laws and regulations that prohibit discrimination and harassment. Inquiries may be referred to the Title IX Coordinator, or the United States Department of education Office for Civil Rights, or you may call (800) 421-

3481. This Policy complies with applicable legal requirements including Title IX of the Education Amendments of 1972, relevant provisions of the Violence Against Women Reauthorization Act of 2013; the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act; and other applicable federal and Rhode Island state laws.

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I. Timely Warning Reports

A timely warning is a way to alert the IYRS community to certain crimes in a manner that is timely and will aid in the prevention of similar crimes. Timely warnings will be issued for all Clery Act crimes that occur in IYRS' Clery Act geography that are reported to Student Services by campus security authorities, local police and others, which are considered by Student Services or designee to represent a serious or continuing threat to students and employees. Timely warnings will be issued as soon as pertinent information is available. Students and employees should report criminal actions or other emergencies occurring on campus to Student Services.

The VP of Student Affairs or designee is responsible for issuing the timely warning. The timely warning will be disseminated by posting the warning in campus buildings, through emails, text messages and verbal announcements (due to the small size of the campus community, verbal announcements are possible). In some instances, internal facility alarms or communication systems are activated, as applicable. For the purpose of making timely warning reports and annual statistical disclosure, students and employees should report Clery Act crimes to Jen Iacovelli, VP of Student Affairs at (401) 848-5777 x209 or jiacovelli@iyrs.edu.

IYRS does not have confidential resources, pastoral counselors or professional counselors available on campus. As such, IYRS does not have procedures for reporting crimes voluntarily and confidentially for inclusion in the institution's annual security report and Web-based report to the Department. Should students or employees wish to speak with a person confidentially, Student Services will provide them with information for contacting third-party confidential resources, upon request. Or students and employees can call any of the off-campus resources listed in this report. IYRS does not allow voluntary, confidential reporting to any employee on campus.

IYRS has communicated with local police and the United States Coast Guard requesting their cooperation in informing IYRS about crimes reported to them that may warrant timely warnings.

II. Security of and Access to Campus Facilities

IYRS keeps its facilities secure by locking doors at the close of the school day. The faculty has keys to buildings, as does the Facilities Manager. Additionally, student Shop Assistants (SAs, formerly RAs) are selected each term,

and they are provided with a key to access buildings on the weekend for students who would like to work on their projects.

Individuals gain access or are prevented from gaining access to campus facilities by IYRS employees directly or SAs during times staff and faculty are not on campus. IYRS does not have individuals monitoring access to campus buildings during the school day.

III. Security Considerations Used in the Maintenance of Campus Facilities

The Facilities Manager maintains the buildings and properties and regularly checks to make sure pathways are well lit and egress lighting is working in hallways and stairwells.

IV. Current Policies Concerning Campus Law Enforcement

IYRS does not have campus police or any security personnel. Students and Employees are encouraged to report accurately and promptly all crimes and emergencies to 911 or Newport Police, including when the victim of a crime elects to, or is unable to, make such a report. IYRS does not have any written memoranda of understanding (MOU) or any other type of written agreement with any law enforcement agencies for the investigation of alleged criminal offenses.

V. Security Procedures and Practices

The students are informed of campus security procedures and practices and crime prevention at orientation. All students are expected to conform to the IYRS safety procedures and practices at all times.

VI. Student Organizations

IYRS does not have any officially recognized student organizations with off-campus locations.

VII. Possession, Use and Sale of Alcoholic Beverages and Illegal Drugs and the Enforcement of State Underage Drinking Laws and Federal and State Drug Laws

IYRS complies with all federal and state regulations pertaining to the abuse of alcohol and drugs, including the Drug-Free Schools and Communities Act Amendments of 1989. Accordingly, IYRS requires all employees, and all students (regardless of the length of the student's program of study), to be aware of and comply with the following:

Standards of Conduct: IYRS prohibits the unlawful possession, use, or distribution of drugs and alcohol by students and employees on IYRS's property or as part of IYRS's programs and activities. IYRS also prohibits any individual from being under the influence of any alcohol or drugs (regardless of whether the use is lawful) while in the shop or while operating any IYRS machinery or equipment.

Sanctions: IYRS will impose sanctions on students and employees who violate the Standards of Conduct set forth in this Policy. Students and employees who are found responsible for violating the Standards of Conduct will be subject to sanctions up to and including dismissal from enrollment at IYRS. Termination of employment, and/or referral for prosecution. Sanctions may also include the completion of an appropriate rehabilitation program.

Federal, state, and local drug and alcohol laws provide criminal penalties for the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance, illicit drug, or alcohol. Listed below are some examples of penalties for violations of Rhode Island's controlled substances and alcoholic beverages laws:

Controlled Substances:

Any person who manufactures, delivers, or possesses with the intent to manufacture or deliver a Schedule I or II controlled substance may be imprisoned to a term up to life, and/or fined $10,000 to
$500,000. For Schedule III or IV controlled substances, such person may be imprisoned for up to twenty (20) years and/or fined up to $40,000. For Schedule V controlled substances, such person may be imprisoned up to one (1) year and/or fined up to $10,000. Any person who knowingly or intentionally possesses a Schedule I, II, III, IV, or V controlled substance in the absence of a valid prescription may be imprisoned for up to three (3) years, and/or fined $500 to $5,000. R.I.G.L. § 21-28-4.01.

Alcoholic Beverages:

Sanctions for misrepresentation of age include (i) a mandatory fine of $100 to $500, thirty (30) hours of community service, and suspension of driving privileges for thirty (30) days for the first offense; (ii) a mandatory fine of $500 to $750, forty (40) hours of community service, and suspension of driving privileges for three (3) months for the second offense; and (iii) a mandatory fine of $750 to $1,000, fifty (50) hours of community service, and suspension of driving privileges for one (1) year for the third and subsequent offenses. R.I.G.L. § 3-8-6.

Sanctions for possession of alcoholic beverages by underage persons include thirty (30) hours of community service, minimum sixty (60) day suspension of driving privileges, and (i) fines of $150 to $750 for the first offense, (ii) fines of $300 to $750 for the second offense, and (iii) fines of $450 to $950 for the third and subsequent offenses. R.I.G.L. § 3-8-10.

Sanctions for furnishing or procuring alcoholic beverages for underage persons include (i) fines of
$350 to $1,000 and/or imprisonment up to six (6) months for the first offense, (ii) fines of $750 to $1,000 and/or imprisonment up to one (1) year for the second offense, and (iii) fines of $1,000 to $2,500 and/or imprisonment up to three (3) years for the third or subsequent offenses. R.I.G.L. §§ 3-8-11.1 – 3-8-11.2.

In addition to the examples listed above, additional criminal penalties for violations of federal, state, and local drug and alcohol laws may be found at the following websites. There may be other provisions of federal, state, and local laws related to drugs and alcohol that are not included in this list.

For a list of federal drug trafficking penalties, see https://www.dea.gov/drug-information.

For a list of penalties for violations of the drug and alcohol laws of Rhode Island, see http://webserver.rilin.state.ri.us/Statutes/TITLE3/INDEX.HTM (alcoholic beverages); http://webserver.rilin.state.ri.us/Statutes/TITLE11/INDEX.HTM (criminal offenses); http://webserver.rilin.state.ri.us/Statutes/TITLE21/INDEX.HTM (food and drugs); and http://webserver.rilin.state.ri.us/Statutes/TITLE31/INDEX.HTM (motor and other vehicles).

Prevention and Resources: For information regarding alcohol and drug abuse prevention and other resources please visit: Prevention: https://www.samhsa.gov/about-us/strategic-initiatives; Resources: https://bhddh.ri.gov/substance-useaddiction; Alcohol Facts: https://www.cdc.gov/alcohol/about-alcohol-use/index.html; Drug Facts: https://www.dea.gov/factsheets.

Health Risks: The abuse of alcohol and illicit drugs can cause physical and mental injury, and some injury may be severe enough to cause death. The abuse of alcohol and illicit drugs can also negatively impact the body in many ways, including, but not limited to, creating an increased risk of cancer, cardiovascular disease, liver and kidney failure, hypertension, depression, immune and reproductive functions, and many other health problems. For more information please visit: https://addiction.surgeongeneral.gov/; https://www.niaaa.nih.gov/alcohols-effects-health; and https://www.dea.gov/resources.

If you have any questions about the information provided herein, need assistance or resources related to alcohol or illicit drugs, or for more information about drug or alcohol counseling, treatment, or rehabilitation or re-entry programs that are available in the community, please contact Jen Iacovelli, VP of Student Affairs, at 401.848.5777 x 209, or at jiacovelli@iyrs.edu.

VIII. **Victims of Crimes of Violence or Non-Forcible Sex Offenses**

IYRS will, upon written request, disclose to the alleged victim of a crime of violence (as that term is defined in section 16 of title 18, United States Code), or a non-forcible sex offense, the report on the results of any disciplinary proceeding conducted by IYRS against a student who is the alleged perpetrator of such crime or offense. If the alleged victim is deceased as a result of such crime or offense, the next of kin of such victim shall be treated as the alleged victim for purposes of this paragraph. IYRS is required to provide both the accused and the accuser with simultaneous written notification of any result of any institutional disciplinary proceeding that arises from an allegation of dating violence, domestic violence, sexual assault or stalking. In these cases, it is not necessary for a victim to make a written request.

Educational Programs and Campaigns to Promote the Awareness of Dating Violence, Domestic Violence, Sexual Assault and Stalking

IYRS prohibits dating violence, domestic violence, sexual assault and stalking, as they are defined for purposes of the Clery Act. IYRS provides primary and ongoing prevention and awareness programs for all incoming students and new employees, as well as current students and employees to promote awareness and to educate about

preventing dating violence, domestic violence, sexual assault and stalking. These programs are presented during each term by a trained consultant.

IX. Sexual Misconduct and Relationship Violence Policy

Purpose of this Policy

The purpose of this policy is to define prohibited conduct under Title IX of the Education Amendments of 1972 ("Title IX") and its implementing regulations (see 20 U.S.C. § 1681(a) (2018) (Title IX), which state, "No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance." (*See also* 34 C.F.R. § 106 et seq.) This policy seeks to explain IYRS's grievance procedures and processes, including, but not limited to, how to report or file a complaint and how the school will respond. In addition, this policy outlines the rights of the Complainant and the Respondent when a violation(s) of this Title IX Sexual Harassment Policy is alleged (*see* "Relevant Definitions" section below defining "Complainant" and "Respondent").

Prohibition Against Sexual Harassment

IYRS does not discriminate on the basis of sex in the education program or activity that it operates, and is required by Title IX of the Education Amendments of 1972 not to discriminate in such a manner. The requirement not to discriminate in the education program or activity extends to admission and employment. Inquiries about the application of Title IX to IYRS may be referred to the Title IX Coordinator or to the Office for Civil Rights, or both.

IYRS is committed to maintaining a safe and secure environment free from any form of unlawful discrimination, including sexual harassment as defined herein.

Scope and Applicability of This Policy

This policy applies to all IYRS community members, including faculty, adjunct faculty, staff, students, and participants in School programs or activities. In certain situations, this policy may also apply to other individuals, such as contractors, visitors, volunteers, and/or other third parties.

The policy and procedures described herein only apply to allegations of sexual harassment that meet the Title IX regulatory definition of sexual harassment and which have occurred within the School's education programs or activities in the United States. For purposes of this policy, an education program or activity includes locations, events, or circumstances over which the School exercised substantial control over both the Respondent and the context in which the Title IX sexual harassment occurs, and also includes any building owned or controlled by a student organization that is officially recognized by the School.

Role of the Title IX Coordinator

Jennifer Iacovelli, serves as IYRS's Title IX Coordinator. The Title IX Coordinator's office address is 449 Thames Street, Newport, RI 02840. The Title IX Coordinator can be contacted at (401) 848- 5777 x209 or at jiacovelli@iyrs.edu. The Title IX Coordinator is responsible for monitoring compliance with Title IX; and coordinating and implementing supportive measures, and a prompt and equitable grievance process.

Prohibited Conduct

- **Title IX Sexual Harassment**: Title IX Sexual Harassment is conduct *on the basis of sex* that satisfies one or more of the following three categories: (1) Quid Pro Quo Sexual Harassment; (2) Hostile Environment Sexual Harassment; and/or (3) Sex-Based Crimes.
- **Quid Pro Quo Sexual Harassment** occurs when an employee of IYRS conditions the provision of an aid, benefit, or service of the School on an individual's participation in unwelcome sexual conduct.
- **Hostile Environment Sexual Harassment** occurs when unwelcome conduct is determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the School's education program or activity.
- **Sex-Based Crimes** occur when conduct constitutes "sexual assault" as defined in 20 U.S.C. 1092(f)(6)(A)(v), "dating violence" as defined in 34 U.S.C. 12291(a)(10), "domestic violence" as defined in 34 U.S.C. 12291(a)(8), or "stalking" as defined in 34 U.S.C. 12291(a)(30).
- **Sexual Assault** includes the sex offenses of Rape, Sodomy, Sexual Assault with an Object, Fondling, Incest, and Statutory Rape.
- **Rape** is the carnal knowledge of a person, without the consent of that person, including instances where the person is incapable of giving consent because of their age or because of their temporary or permanent mental or physical incapacity.
- **Sodomy** is oral or anal sexual intercourse with another person, without the consent of that person, including instances where the victim is incapable of giving consent because of their age or because of their temporary or permanent mental or physical incapacity.
- **Sexual Assault with an Object** is the use of an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, without the consent of that person, including instances where the person is incapable of giving consent because of their age or because of their temporary or permanent mental or physical incapacity.
- **Fondling** is the touching of the private body parts of another person for the purpose of sexual gratification, without the consent of that person, including instances where the person is incapable of giving consent because of their age or because of their temporary or permanent mental or physical incapacity.
- **Incest** is nonforcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

- **Statutory Rape** is nonforcible sexual intercourse with a person who is under the statutory age of consent.
- **Dating Violence** means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim, and where the existence of such a relationship shall be determined based on consideration of the following factors:
    1. The length of the relationship;
    2. The type of relationship;
    3. The frequency of interaction between the persons involved in the relationship.
- **Domestic Violence** includes felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, **or** by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction.
- **Stalking** means engaging in a course of conduct directed at a specific person that would cause a reasonable person to—

    (1) fear for his or her safety or the safety of others; or

    (2) suffer substantial emotional distress.

Title IX Retaliation: Neither the School nor other person may intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by Title IX or the Title IX regulations, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under this policy.

Intimidation, threats, coercion, or discrimination, including charges against an individual for code of conduct violations that do not involve sex discrimination or sexual harassment, but arise out of the same facts or circumstances as a report or complaint of sex discrimination, or a report or formal complaint of sexual harassment, for the purpose of interfering with any right or privilege secured by Title IX or this policy, constitutes retaliation.

The School must keep confidential the identity of any individual who has made a report or complaint of sex discrimination, including any individual who has made a report or filed a formal complaint of sexual harassment, any Complainant, any individual who has been reported to be the perpetrator of sex discrimination, any Respondent, and any witness, except as may be permitted by federal or Rhode Island state law, including the conduct of any investigation, hearing, or judicial proceeding arising thereunder.

Complaints alleging retaliation may be filed according to the policy described herein.

Relevant Definitions

a. **Consent** is an affirmative and willing agreement to engage in specific forms of sexual contact with another person. Consent requires an outward demonstration, through mutually understandable words, conduct or action, indicating that an individual has freely chosen to engage in sexual activity or contact. Consent cannot be obtained through: (1) the use of coercion, intimidation, or force; or (2) by taking advantage of the incapacitation of another individual. Silence, passivity, or the absence of resistance does not imply consent.

Consent can be withdrawn at any time. When consent is withdrawn, sexual activity must immediately stop. Prior consent does not imply current or future consent; even in the context of an ongoing relationship, consent must be sought and freely given for each instance of sexual activity or contact.

b. **Coercion** is unreasonable or sustained pressure for sexual activity.

Coercive behavior differs from seductive behavior based on the type of pressure someone uses to get consent from another. When someone makes it clear that they do not want sex, that they want to stop, or that they do not want to go past a certain point of sexual interaction, continued pressure beyond that point can be coercive.

c. **Complainant** is any individual who is alleged to be the victim of sexual harassment that is prohibited under this policy.

d. **Force** is the use of physical violence and/or imposing on someone physically to gain sexual access. Force can include intimidation or implied threats to overcome an individual's resistance or produce consent. There is no requirement that a party resist the sexual advance or request, but resistance is a clear demonstration of non- consent.

e. **Incapacitation** means the person is incapable of giving consent. A person is incapacitated if that person is in a physical or mental state that causes the person to be unable to make a knowing and voluntary choice to engage in the sexual activity or contact. A person may also become incapacitated due to many factors, including the use of alcohol and/or drugs, or when the person is asleep or unconscious. When alcohol and/or drugs are involved, incapacitation requires more than impairment or intoxication. When determining incapacitation, the inquiry is whether the Respondent knew, or whether a sober, reasonable person in the Respondent's position should have known, that the Complainant was incapacitated and could not provide consent.

f. **Intimidation** is defined as overt or implied threats or acts that would cause reasonable fear of harm in another.

g. **Preponderance of the Evidence** standard is met if the greater weight of the evidence demonstrates that it is 'more likely than not" that a violation has occurred.

h. **Respondent** is any individual who has been reported to be the perpetrator of sexual harassment that is prohibited under this policy.

Privacy and Confidentiality

IYRS will make all reasonable efforts to protect the confidentiality of the Complainant, Respondent, and other necessary parties by keeping all complaints and investigations private to the extent possible and will only disclose on a "need to know" basis. IYRS will maintain as confidential any supportive measures provided to the Complainant or Respondent, to the extent that maintaining such confidentiality would not impair the ability of the School to provide the supportive measures. IYRS may reveal confidential information as permitted or required by law, to carry out the purposes of this policy, including conducting any investigation, live hearing, or proceeding arising thereunder.

Certain types of sexual harassment are considered crimes for which the School must disclose crime statistics in its Annual Security Report that is provided to the campus community and available to the public. In these instances, the school will continue to complete publicly available recordkeeping in accordance with relevant laws, including the Clery Act reporting and disclosures, without the inclusion of personally identifying information about the parties. In addition, IYRS will issue "Timely Warnings" in compliance with the Clery Act to alert the campus community about crimes that pose a serious or continuing threat to community safety.

Although IYRS will make all reasonable efforts to maintain privacy and confidentiality, the school will not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence. However, the prohibition of Title IX retaliation described herein continues to apply.

Amnesty

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

Procedures Individuals Should Follow to Report a Complaint
I. Title IX Reporting Procedure

Any person (whether or not the person reporting is the person alleged to be the Complainant) may report sexual harassment in person, by mail, by telephone, or by electronic mail or submissions, using the contact information listed for the Title IX Coordinator in Appendix A or by any other means that results in the Title IX Coordinator receiving the person's verbal or written report. Such report may be made at any time (including during non- business hours) by using the telephone number or electronic mail address, or by mail to the office address, listed for the Title IX Coordinator. For purposes of this policy, IYRS will be deemed to have actual notice of allegations only when notice of said allegations is made to the Title IX Coordinator or to a School official who has authority to institute corrective measures on behalf of the School.

A reporting party may request that IYRS not investigate and/or adjudicate the report under the formal complaint procedures described herein. IYRS will make all reasonable efforts to honor the Complainant's request. However, in certain circumstances, the School may have to pursue a formal complaint. These circumstances include, but are not limited to, instances when the School has received multiple reports of misconduct by the same individual or when the conduct reported poses a compelling risk to the health and safety of the School community.

Upon receiving a report of sexual harassment, if the Title IX Coordinator is made aware of the identity of a Complainant, the Title IX Coordinator will make all reasonable efforts to promptly contact the Complainant to discuss the availability of supportive measures, consider the Complainant's wishes with respect to supportive measures, inform the Complainant of the availability of supportive measures with or without the filing of a formal complaint, and explain to the Complainant the process for filing a formal complaint.

Upon receiving a report of sexual harassment, if the Respondent is unknown or is not a faculty, staff, or student member of the School, the Title IX Coordinator will make all reasonable efforts to provide the Complainant with supportive measures, as well as information and options regarding potential criminal processes. The Title IX Coordinator may also take appropriate actions to protect the Complainant, such as providing assistance in obtaining no-trespass and restraining orders. If requested, the School will assist in filing/applying for orders of protection, restraining orders, or similar lawful orders issued by a criminal, civil, or tribal court.

Option of Confidential Reporting

Confidential reports can be made using the following form: https://forms.gle/ikWRGzahh1fPe4EJ6.

Option of Reporting to Law Enforcement

Individuals who have experienced criminal violations are encouraged to report the incident to local law enforcement and have the option to do so. Formal reporting options include contacting the police department in the jurisdiction in which the incident occurred. If a Complainant chooses to report to law enforcement or pursue a criminal process, the Complainant may simultaneously pursue a formal complaint under this policy. Individuals are advised that if there is concurrent law enforcement activity, IYRS may temporarily delay its investigative or adjudicative process.

The School can provide Complainants with information and support in the process of reporting criminal conduct to law enforcement.

Regarding the involvement of law enforcement, the Complainant has several options, including: (1) to notify law enforcement authorities; (2) to be assisted by campus authorities in notifying law enforcement authorities if the Complainant chooses; or (3) to decline to notify such authorities. The School will comply with the Complainant's request for assistance in notifying law enforcement to the extent it is consistent with law. The Complainant's choice to report to law enforcement will not impact the provision of supportive measures.

Written Explanation of Rights and Options

When an individual reports any allegation(s) of sexual assault, dating violence, domestic violence, or stalking, whether the offense occurred on or off campus, the School will provide the individual with a written explanation of rights and options.

Time Limits

There is no time limit on reporting violations of this policy, although the school's ability to respond fully may be limited with the passage of time.

Interim Actions

Emergency Removal and Administrative Leave

Upon receiving a report that a Respondent engaged in prohibited conduct described in this policy, IYRS reserves the right to remove the Respondent on an emergency basis, provided that it conducts an individualized safety and risk analysis, determines that an immediate threat to the physical health or safety of any individual arising from the allegations justifies removal, and provides the Respondent with notice and an opportunity to challenge the decision immediately following the removal. When the Respondent is a non-student employee, IYRS reserves the right to place the non-student employee on an emergency paid or unpaid administrative leave.

Supportive Measures

Supportive measures are non-disciplinary, non-punitive individualized services offered as appropriate,

as reasonably available, and without fee or charge to the Complainant or the Respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures are designed to restore or preserve equal access to the School's education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the School's educational environment, or deter sexual harassment.

The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures.

IYRS will maintain as confidential any supportive measures provided to the Complainant or Respondent, to the extent that maintaining such confidentiality would not impair the ability of the School to provide the supportive measures.

Both the Complainant and Respondent involved in either an informal or a formal resolution process have a right to receive supportive measures from the School.

Supportive measures include, but are not limited to:

- Academic Accommodations
- Protective Measures
- Financial Aid Assistance
- Employee Accommodations

Additional options and resources may be found in Appendix A.

Title IX Personnel Requirements

Training

The Title IX Coordinator(s), Investigator(s), Decision-Maker(s) (for the purposes of this policy the Appeal Officer is a Decision-Maker), and Facilitator(s) of Informal Resolution Processes receive training on:

- Prohibited behaviors as defined in this policy, including Title IX Sexual Harassment;
- The scope of the School's education program or activity as it relates to
    - Title IX complaints;
    - How to conduct the informal resolution process and formal complaint grievance processes under this policy, including investigations, live hearings, appeals, and informal resolution processes as applicable;
    - How to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias.

The Decision-Maker(s) will receive additional training on:

- Any technology to be used at a live hearing; and

- Issues of relevance of questions and evidence, including when questions and evidence about the Complainant's sexual predisposition or prior sexual behavior are not relevant.

The Investigator(s) will receive additional training on:

- Issues of relevance to create an investigative report that fairly summarizes relevant evidence.
- Any materials used to train will not rely on sex or other stereotypes and will promote impartial investigations and adjudications of formal complaints.

All Title IX training materials will be posted on the IYRS website as a part of its recordkeeping in accordance with law (*see* "Recordkeeping" section below).

In addition to the aforementioned trainings, IYRS also offers primary prevention and awareness programs, as well as educational programs and campaigns for students and employees to promote the awareness of discrimination and harassment, including dating violence, domestic violence, sexual assault, and stalking.

As required by the Clery Act, the grievance process will also be implemented by officials who, at a minimum, receive annual training on relevant issues related to sexual assault, dating and domestic violence, and stalking, and on how to conduct the Grievance Process.

Conflicts of Interest, Bias, and Impartiality

The Title IX Coordinator(s), Investigator(s), Decision-Maker(s), and Facilitator(s) of Informal Resolution Processes will make all reasonable efforts to ensure that the formal complaint grievance process is facilitated in an impartial manner.

The Title IX Coordinator(s), Investigator(s), Decision-Maker(s), and Facilitator(s) of Informal Resolution Processes may not have a conflict of interest for or against Complainants or Respondents generally or an individual Complainant or Respondent.

The parties are expected to promptly report concern(s) regarding conflict of interest or bias regarding the above listed personnel to the Title IX Coordinator as soon as reasonably possible once they become aware of the conflict of interest or bias. Upon receiving a report of conflict of interest or bias, the School will evaluate the report, and if it is determined that a conflict of interest or bias exists, the School will appoint another individual to serve in the role.

Informal Resolution Process

Overview of Process

Informal resolution does not involve a full investigation and adjudication like the formal grievance process. Rather, the informal resolution process uses mediation or other forms of dispute resolution

with the goal that the parties will arrive at a mutually agreed-upon outcome. The informal resolution process cannot be used for cases involving allegations that an employee sexually harassed a student.

In order to engage in an informal resolution process, the Complainant must first file a formal complaint with the Title IX Coordinator (*see* Filing a Formal Complaint described in the "Formal Complaint Overview" section below). The process must be deemed appropriate for informal resolution by the Title IX Coordinator, and the Complainant and Respondent must voluntarily consent in writing to participate in the process.

To complete the informal resolution process, both parties must voluntarily agree to the outcome with the understanding that the outcome is final and will not be subject to further procedures under this policy, unless there is material evidence to show that a party engaged in misrepresentation or fraudulent conduct that impacted the resolution.
Both parties reserve the right to terminate the informal resolution process and may move forward with the formal grievance process any time prior to resolution. Such termination must be provided to the Title IX Coordinator in writing.

Written Notice to the Parties

Prior to initiating an informal resolution process, the Title IX Coordinator will provide written notice to the parties that includes:

The allegations alleged by the Complainant;

- The requirements of the informal resolution process, including the circumstances under which the parties are precluded from resuming a formal complaint arising from the same allegations, provided, however, that at any time prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process and move forward with a formal complaint grievance process; and
- Any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared.

Formal Complaint Overview

Filing a Formal Complaint

A formal complaint is a document signed by a Complainant or signed by the Title IX Coordinator, alleging sexual harassment against a Respondent and requesting that the School investigate (unless the parties have met the requirements described in the "Informal Resolution Process" section and chosen to proceed with an informal resolution process as described herein). At the time of filing a formal complaint, a Complainant must be participating in or attempting to participate in the education program or activity of the School. For purposes of this policy, employment by the School

constitutes participation in the education program or activity.

A formal complaint may be filed with the Title IX Coordinator in person, by mail, or by electronic mail or submission (see Appendix A for contact information). For purposes of this definition, "document signed by a Complainant" means a document or electronic submission that contains the Complainant's physical or digital signature, or otherwise indicates that the Complainant is the person filing the formal complaint. Where the Title IX Coordinator signs a formal complaint, the Title IX Coordinator is not a Complainant or otherwise a party.

Consolidation of a Formal Complaint

IYRS may consolidate formal complaints under this policy when allegations arise out of the same facts or circumstances. In addition, a formal complaint of retaliation described herein may be consolidated with a formal complaint of sexual harassment under Title IX. Where the formal resolution process involves more than one Complainant or more than one Respondent, references made to the singular "party," "Complainant," or "Respondent" include the plural, as applicable.

Initial Assessment of a Formal Complaint

Upon receipt of a formal complaint, the Title IX Coordinator will evaluate whether the alleged conduct, if proven, would constitute a Title IX violation because it meets or could meet the definition of Title IX Sexual Harassment and occurred or could have occurred within the jurisdiction and scope required by Title IX as described herein. If the Title IX Coordinator determines that the conduct alleged in the formal complaint, if proven, would meet the aforementioned requirements, then the complaint will be investigated and adjudicated in accordance with the procedures outlined in this policy. If the Title IX Coordinator determines that the conduct alleged in the formal complaint, if proven, would not meet the aforementioned requirements, then the complaint will follow the dismissal process described below.

Dismissal of a Formal Complaint

Upon the decision to dismiss a formal complaint, both parties will be notified in writing and will be given the opportunity to appeal the dismissal.

IYRS shall terminate a formal complaint if:

- meet or could not meet the definition of Title IX Sexual Harassment as described herein (see the "Prohibited Conduct" section above); or
- The alleged harassment did not occur within the jurisdiction and scope required by Title IX as described herein (see the "Applicability and Scope" section above).

IYRS may terminate a formal complaint if:

- At any time during the investigation or live hearing a Complainant notifies the Title IX Coordinator in writing that the Complainant would like to withdraw the formal complaint or any allegations therein;
- The Respondent is no longer enrolled in or employed by the School; or
- There are specific circumstances that prevent the School from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein.

Formal Grievance Process Overview

Once a formal complaint (as defined above) is filed, and the Title IX Coordinator has conducted the initial assessment and determined that the alleged conduct may proceed under this Title IX policy, the formal grievance process will commence (unless the parties have met the requirements to proceed with an informal resolution process as described herein). The grievance process will include written notice of allegations, an investigation with interviews of all parties and relevant witnesses, a live hearing that includes all parties and relevant witnesses led by a Decision- Maker(s), a written determination of responsibility, and the option for appeal.

IYRS will make all reasonable efforts to provide a prompt and equitable resolution of student and employee complaints (as defined under Title IX and in the Clery Act), including providing a grievance process that treats Complainants and Respondents equitably by providing remedies to a Complainant where a determination of responsibility has been made against the Respondent, and by following its grievance process before imposition of any disciplinary sanctions or other actions that are not supportive measures. Remedies will be designed to restore or preserve equal access to the School's education program or activity. Such remedies may include the same individualized services offered as supportive measures; however, remedies need not be non-disciplinary or non-punitive and need not avoid burdening the Respondent.

Advisors

The Complainant and the Respondent are entitled to the same opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice, who may be, but is not required to be, an attorney; and the School may not limit the choice or presence of an advisor for either the Complainant or Respondent in any meeting or grievance proceeding.

Notwithstanding, the advisor must comply with the restrictions established by the School regarding the extent to which the advisor may participate in the proceedings. The restrictions are set forth

below.

- *Meetings and Investigation Interviews*: Advisors may not speak for or on behalf of any Complainant or Respondent during any meetings and/or investigation interviews. While an advisor cannot speak for or on behalf of the Complainant or Respondent during any meetings and/or investigation interviews, time will be granted for the advisor and the party to confer, if deemed appropriate, by the Investigator(s) or School personnel facilitating any meeting. The Investigator(s) and School personnel reserve the right to exclude an advisor from any meeting or investigation interview for failure to abide by these restrictions.
- *Live Hearings*: Each party must have an advisor present at the Title IX live hearing. If a Complainant or Respondent does not have an advisor present at the live hearing, the School will provide one. The School reserves sole discretion to select the advisor provided. The advisor selected will be provided without cost to the Complainant or Respondent. The role of the advisor during the live hearing is solely to conduct questioning on the Complainant's or Respondent's behalf. At the live hearing, the Decision-Maker(s) will permit each party's advisor to ask the other party and any witnesses relevant questions and follow-up questions, including those challenging credibility. It is the expectation of the School that the advisor will at all times act in a respectful and non-aggressive manner. The Decision-Maker(s) reserves the right to exclude an advisor from the live hearing for failure to abide by these restrictions. Should an advisor be excluded from the live hearing, the party will be able to choose a new advisor, or one will be provided by the School.

Advisors are required to follow all procedures described in this policy. In a situation where an advisor engages in a material violation of this policy or does not abide by reasonable instruction from the Title IX Coordinator(s), Investigator(s), Decision-Maker(s), or other School personnel, IYRS reserves the right to either limit or preclude the advisor from participation in the formal complaint grievance process. In the circumstance that an advisor is precluded from future participation, the party may select a new advisor of their choice or the School will provide an advisor for them.

Privileged Information

The School will not require, allow, rely upon, or otherwise permit questions or use of evidence that constitute, or seek disclosure of, information protected under a legally recognized privilege. Notwithstanding the foregoing, if a person holding such a privilege has waived the privilege, then the information may be used during an investigation or live hearing.

In gathering evidence, the School will not access, consider, disclose, or otherwise use a party's records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in the professional's or paraprofessional's capacity, or assisting in that capacity, and which are made and maintained in connection with the provision of treatment to the party, unless the School obtains that party's voluntary, written consent to do so.

Evidence Pertaining to Sexual History

Questions about or evidence of a Complainant's sexual predisposition is never considered relevant for the purposes of an investigative report or questioning in a live hearing.

Questions about or evidence of a Complainant's sexual history is only considered relevant for the purposes of an investigative report or questioning in a live hearing if:

- Such questions and evidence about the Complainant's prior sexual history are offered to prove that someone other than the Respondent committed the conduct alleged by the Complainant; or
- Such questions and evidence concern specific incidents of the Complainant's prior sexual history with respect to the Respondent and are offered to prove consent.

Questions or evidence about a Complainant's sexual history that do not meet one of the two exceptions described above are excluded from investigative reports and live hearings and are to be deemed irrelevant.

Written Notice of Allegations

Upon receiving a formal complaint, the Title IX Coordinator will provide written notice to all known parties that includes:

The School's grievance process, including any informal resolution process;

- The allegations alleged by the Complainant, including sufficient details known at the time and with sufficient time to prepare a response before any initial interview. "Sufficient details" include the identities of the parties involved, if known; the conduct allegedly constituting the sexual harassment, if known; and the date and location of the alleged incident(s), if known.
- A statement that the Respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the grievance process.
- Information regarding the parties' right to have an advisor of their choice, who may be, but is not required to be an attorney.
- A statement that the parties may inspect and review evidence as described in the "Investigation" section of this policy; and
- A statement that IYRS prohibits knowingly making false statements or knowingly submitting false information in bad faith at any point in the grievance process. Individuals who engage in this misconduct may be subject to disciplinary actions. Disciplinary action pursued against a party for knowingly making false statements or submitting false information in bad faith does not constitute retaliation prohibited under this policy, provided, however, that a determination regarding responsibility, alone, is not sufficient to conclude that any party made a materially false statement or provided materially false information in bad faith.

If in the course of an investigation, IYRS decides to investigate allegations about the Complainant or Respondent that are not included in the written notice of allegations described above, the Title IX Coordinator will provide written notice of the additional allegations to the parties whose identities

are known.

Investigation for the Formal Grievance Process

Overview of the Investigative Process

Once a formal complaint is filed, and once the Title IX Coordinator has conducted the initial assessment and determined that the alleged conduct may proceed under this Title IX policy, the Title IX Coordinator will appoint an Investigator(s) to conduct a formal investigation into the allegations. The appointed Investigator(s) will meet standards set out in the "Title IX Personnel Requirements" section above.
The Investigator(s) will contact the parties whose participation is invited or expected for an investigative interview and will provide written notice of the date, time, location, participants, and purpose of the meeting. Parties will be given reasonably sufficient time to prepare to participate.

The Investigator(s) will make all reasonable efforts to complete the investigative report within 60 business days. This timeline may vary depending on the size of the formal complaint, the amount of evidence to be considered, the number of persons to be interviewed, and additional factors. If the investigative report is going to take longer than 60 business days to complete, the parties and their advisors will be given notice.
The parties and their advisors are not authorized to disseminate any portion of the investigative report sent to them through electronic or hardcopy means.
Unauthorized video or audio recordings of investigative interviews are not permitted by the parties or their advisors.

Equal Opportunity Given to the Parties

All parties have an equal opportunity to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence.

Both the Complainant and the Respondent have the right to meet separately with the Investigator(s).

Both the Complainant and the Respondent are permitted to provide names of potential witnesses to the Investigator(s). The Investigator(s) will determine which of those potential witnesses, or other persons, may have relevant information about the alleged conduct; and the Investigator(s) may request statements, either orally or in writing.
Both the Complainant and the Respondent are permitted to provide other relevant evidence to the Investigator(s). For instance, evidence may include any facts or information presented in support of or opposition to an allegation, including, but not limited to, text messages, email exchanges, timelines, receipts, photographs, etc. The Investigator(s) may also consider additional documents, items, or other relevant information.

All parties will be given an equal opportunity to inspect and review any evidence obtained as a part

of the investigation that is directly related to the allegations raised in the formal complaint. This includes evidence that the School does not intend to rely on in reaching a determination regarding responsibility; and inculpatory or exculpatory evidence, whether obtained from a party or other source, so that each party can meaningfully respond to the evidence prior to the conclusion of the investigation.

Review of Evidence

All parties must submit to the Investigator(s) any evidence that they would like the Investigator(s) to consider prior to the completion of the investigative report.
Prior to the completion of the investigative report, the School will send to each party and the party's advisor, if any, the evidence subject to the parties' inspection and review in an electronic or hardcopy format. (Note: All evidence that was subject to the parties' inspection and review will be made available at the live hearing to give each party equal opportunity to refer to such evidence during the live hearing, including for purposes of questioning.)

Each party will be given 10 days to submit a written response, which the Investigator(s) will consider prior to completion of the investigative report.

Completion of the Investigative Report
Either after the Investigator(s) receives the parties' written responses or after the 10-day time limit has expired, the Investigator(s) will create an investigative report that fairly summarizes the relevant evidence.

At least 10 days prior to the live hearing, the Investigator(s) will send a copy of the investigative report in an electronic or hardcopy format to each party; their advisors, if applicable; and the Title IX Coordinator. The parties will be given the opportunity to review the investigative report and provide a written response.

Live Hearing for the Formal Grievance Process

Role of the Decision-Maker(s)
Shortly after receiving the final investigative report, the Title IX Coordinator will appoint a Decision-Maker(s) to conduct the live hearing. The Complainant and Respondent will be notified of the identity of the Decision- Maker(s) in advance of the live hearing. If any party has concern(s) of potential bias or conflict of interest regarding the Decision-Maker(s), the party must alert the Title IX Coordinator of said concern(s) no later than two days prior to the live hearing. Upon receiving a report of bias or conflict of interest, the School will evaluate the report, and if it is determined that a conflict of interest or bias exists, the School will appoint another individual(s) to serve in the role.Prior to the live hearing, at the discretion of the School, the Decision-Maker(s) may schedule a preliminary conference with each of the parties and their advisors to provide an overview of the live hearing procedures.

Written Response to the Final Investigative Report

Prior to scheduling the live hearing, the Decision-Maker(s) will contact each party to provide a

deadline for which they can submit their written responses to the final investigative report.

Live Hearing Schedule

Promptly after receiving the parties' written responses, the Decision-Maker(s) will provide the parties, their advisors, and witnesses with written notice of the live hearing date, time, and location. In this notice, the parties will be asked to inform the Decision-Maker(s) right away if there is a scheduling conflict that would make it impossible to attend the live hearing.

Live Hearing Location and Attendance

At the request of either party, the School will provide for the live hearing to occur with the parties located in separate rooms. Live hearings may be conducted with all parties physically present in the same geographic location or, at the Title IX Coordinator's discretion, any or all parties, witnesses, and other participants may appear at the live hearing virtually. In either of the aforementioned situations, the School will provide technology that enables the participants to simultaneously see and hear each other.

The only persons permitted to attend the live hearing are the parties, their advisors, the witnesses, and designated School personnel. The witnesses are only to be in attendance at the live hearing during the time in which they are offering information or answering questions. Otherwise, the witnesses are to be waiting in a designated room (or virtual room) until called upon.

Recording of Live Hearing

The School will create an audio or audiovisual recording, or transcript of any live hearing. The choice of whether it is an audio or audiovisual recording, or transcript is made in the sole discretion of the School. The audio or audiovisual recording, or transcript will be made available to both parties for inspection and review. In compliance with disability laws, the School will ensure that all parties are properly accommodated with respect to use of technology and reliance on visual, audio, or written communication.

Standard of Evidence

Preponderance of the evidence is the standard of evidence to be used to determine whether a Respondent is responsible for the prohibited conduct alleged in the formal complaint. This is the standard of evidence that will be applied to all formal complaints of prohibited conduct described in this policy, regardless of whether the Respondent is a student or employee of the School.

Questioning During Title IX Live Hearings

At the Title IX live hearing, the Decision-Maker(s) will permit each party's advisor to ask the other party and any witnesses all relevant questions and follow-up questions, including those

challenging credibility.
Before a party or witness answers a question, the Decision-Maker(s) must first determine whether the question is relevant and explain any decision to exclude a question as not relevant. The Decision-Maker(s) has complete discretion to make relevancy determinations.

Advisors are required to engage with parties, witnesses, and the Decision- Maker(s) in a respectful and non-aggressive manner.
Questions will be asked directly, orally, and in real-time from the advisors of the parties, not from the parties themselves. Advisors are permitted to ask the other party and witnesses relevant questions and follow-up questions, including those challenging credibility.

The advisor may only ask relevant questions to each party and witness. Repetitive questions asked at the Title IX live hearing may be deemed irrelevant.
If a party or witness does not submit to questions at the Title IX live hearing, the Decision-Maker(s) will not rely on any statement of that party or witness in reaching a determination regarding responsibility. The Decision-Maker(s) is prohibited from drawing an inference regarding the determination of responsibility based solely on a party's or witness' absence from the live hearing or refusal to answer questions.

Written Determination of Responsibility
At the conclusion of the live hearing, the Decision-Maker(s) will undertake an objective evaluation of all relevant evidence (including both inculpatory and exculpatory evidence). In addition, the Decision-Maker(s) will not make any credibility determinations based on a person's status as a Complainant, Respondent, or witness. Upon a determination of responsibility using the preponderance of the evidence standard described herein, the Decision- Maker(s) will make their best effort to simultaneously issue a written determination regarding responsibility to both parties.

The written determination regarding responsibility will include:

- Identification of the allegations potentially constituting prohibited conduct;
- A description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and live hearings held;
- Findings of fact supporting the determination;
- Conclusions regarding the application of relevant policies to the facts;
- A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions imposed on the Respondent, and whether remedies designed to restore or preserve equal access to the School's education program or activity will be provided by the School to the Complainant; and
- The School's procedures and permissible bases for the Complainant or Respondent to appeal.

The determination of responsibility will be deemed final on either of the following

dates:

- If an appeal is filed, the date that the Appeal Officer provides the parties with the written determination of the result of the appeal; or
- If an appeal is not filed, the date on which an appeal would no longer be considered timely.

Remedies and Disciplinary Sanctions

Remedies will be designed to restore or preserve the Complainant's equal access to the School's education program or activity. Disciplinary sanctions may range from warnings to dismissal or termination, depending on the magnitude and specifics of the violation.

The Title IX Coordinator is responsible for effective implementation of any remedies.

Appeals for a Dismissal of a Formal Complaint and/or Determination of Responsibility

Both parties have the option to appeal a dismissal of a formal complaint and/or the determination regarding responsibility on the following bases:

1. A procedural irregularity that affected the outcome of the matter;
2. New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; and
3. The Title IX Coordinator, Investigator(s), or Decision-Maker(s) had a conflict of interest or bias for or against Complainants or Respondents generally or the individual Complainant or Respondent that affected the outcome of the matter. If it is found that a party was aware of a potential bias or conflict of interest prior to the determination regarding responsibility and the party knowingly withheld that information from the School, the party will not be permitted to raise that allegation of bias or conflict of interest on appeal.

All appeals must be submitted in writing to the Appeal Officer within 5 days of receiving the written determination of responsibility.
Within 7 business days of receiving the written appeal, the Appeal Officer will review the appeal to determine whether it falls within one of the three bases for appeal as described above. If it does, the School will promptly notify the other party when a valid appeal is filed and will implement appeal procedures equally for both parties. If it does not, the appealing party will be notified in writing.
The other party will be given 5 business days from the date of notification of the appeal to submit to the Appeal Officer a written response to the appeal.

Either after receiving the other party's written response to the appeal, or after the time for the

other party to submit a written response has expired, the Appeal Officer will make a determination regarding the outcome of the appeal within 7 business days.

Upon a determination of the outcome of the appeal, the Appeal Officer will provide written notice of the decision to both parties and will make all reasonable efforts to simultaneously notify said parties. This written notice will describe the rationale for the result of the appeal.

The School will ensure that the Appeal Officer is not the Investigator(s), Title IX Coordinator, or the Decision-Maker(s) who made the decision regarding responsibility and/or sanctioning. The Appeal Officer will abide by the procedures described in the "Title IX Personnel Requirements" section above.

Potential Delays in the Informal Resolution Process or Formal Grievance Process

IYRS will make all reasonable efforts to abide by the timelines described throughout this policy. If the timeline for any stage of the informal resolution process or the formal complaint grievance process must be changed, the Complainant and Respondent will receive written notice of the temporary delay or limited extension of timelines and the reasons for the change.

Possible reasons for temporary delays or extensions of timelines include, but are not limited to, the absence of a party or a party's advisor, concurrent law enforcement activity, the need for language assistance or accommodation of disabilities, etc.

Request for Extension of Timelines

If a party has good cause and needs an extension during the formal complaint grievance process, they can contact the Title IX Coordinator to request such extension. It is within the Title IX Coordinator's discretion to grant such a request. In the case that an extension is granted, the same extension will be given to the other party.

Recordkeeping

IYRS will document and maintain in School records for a period of seven years the following:

All materials used to train Title IX Coordinator(s), Investigator(s), Decision- Maker(s), and Facilitator(s) of Informal Resolution Processes. The School will make these training materials publicly available on its website;

Any informal resolution and the results therefrom;

- Any actions, including any supportive measures, taken in response to a report or formal complaint of sexual harassment. In each instance of actions taken in response to Title IX reports or formal complaints, the School will document the basis for its conclusion that its

response was not deliberately indifferent, and document that it has taken measures designed to restore or preserve equal access to the School's education program or activity.

- If the School does not provide a Complainant in Title IX cases with supportive measures, then the School must document the reasons why such a response was not clearly unreasonable in light of the known circumstances;

- Each formal investigation, including any determination regarding responsibility and any audio or audiovisual recording, or transcript of the live hearing;

- Any disciplinary sanctions imposed on the Respondent, and any remedies provided to the Complainant designed to restore or preserve equal access to the School's education program or activity; and Any appeal and the result therefrom.

Additional Information

Bystander Intervention refers to safe and positive options that may be carried out by an individual(s) to prevent harm or intervene when there is a risk of discrimination or sexual harassment, including sexual assault, dating and domestic violence, or stalking, against a person(s) other than the individual. Safe and positive options for bystander intervention include: recognizing prohibited conduct and situations of potential harm; understanding institutional structures and cultural conditions that facilitate violence; overcoming barriers to intervening; and identifying effective ways to intervene and take action, provided that the intervention or action can be undertaken in a way that ensures the safety of the bystander. A description of the School's educational and primary prevention and awareness programs, including bystander intervention, can be found in the School's most recent Annual Security Report.

Prevention and Awareness Programs: IYRS conducts ongoing educational and primary prevention and awareness programs for all faculty, staff and employees (including incoming students and new employees) to: promote awareness; prevent sexual misconduct and relationship violence; and to remind the entire IYRS Community of its prohibition against sexual misconduct and relationship violence, including the crimes of dating violence, domestic violence, sexual assault, and stalking.

Risk Reduction is defined as options designed to decrease perpetration and bystander inaction, increase empowerment in order to promote safety, and help individuals and communities address conditions that facilitate violence. A description of the School's educational and primary prevention and awareness programs, including risk reductions, can be found in the School's most recent Annual Security Report.

Preserving Evidence: In cases of sexual violence, including sexual assault, dating and domestic

violence, and stalking, as defined herein, it is critical that the Complainant preserve evidence because doing so may assist in proving that the alleged behavior occurred and/or may be helpful in obtaining a protective order.

Resources: The School will provide written notification about existing resources and services that may be available at the School and in the community. The written information may include options for, available assistance in, and how to request changes to academic and working situations; or protective measures. The School will make requested accommodations and protective measures if they are reasonably available, regardless of whether a report is made to local law enforcement.

Violations of Rhode Island State Law: Individuals may also wish to pursue criminal charges through local law enforcement. Below are relevant violations under Rhode Island General Law:

First Degree Sexual Assault (RIGL § 11-37-2): A person is guilty of first degree sexual assault if he or she engages in sexual penetration with another person, and if any of the following circumstances exist: (1) The accused, not being the spouse, knows or has reason to know that the victim is mentally incapacitated, mentally disabled, or physically helpless. (2) The accused uses force or coercion. (3) The accused, through concealment or by the element of surprise, is able to overcome the victim. (4) The accused engages in the medical treatment or examination of the victim for the purpose of sexual arousal, gratification, or stimulation.

Second Degree Sexual Assault (RIGL § 11-37-4): A person is guilty of second degree sexual assault if he or she engages in sexual contact with another person and if any of the following circumstances exist: (1) The accused knows or has reason to know that the victim is mentally incapacitated, mentally disabled, or physically helpless. (2) The accused uses force, element of surprise, or coercion. (3) The accused engages in the medical treatment or examination of the victim for the purpose of sexual arousal, gratification, or stimulation.

Third Degree Sexual Assault (RIGL § 11-37-6): A person is guilty of third degree sexual assault if he or she is over the age of eighteen (18) years and engaged in sexual penetration with another person over the age of fourteen (14) years and under the age of consent, sixteen (16) years of age.

Stalking (RIGL § 11-59-2): Any person who: (1) harasses another person; or (2) willfully, maliciously, and repeatedly follows another person with the intent to place that person in reasonable fear of bodily injury, is guilty of the crime of stalking. "Harasses" means a knowing and willful course of conduct directed at a specific person with the intent to seriously alarm, annoy, or bother the person, and which serves no legitimate purpose. The course of conduct must be such as would cause a reasonable person to suffer substantial emotional distress, or be in fear of bodily injury. "Course of conduct" means a pattern of conduct composed of a series of acts over a period of time, evidencing a continuity of purpose. Constitutionally protected activity is not included within the meaning of "course of conduct."

Cyberstalking and Cyberharassment (RIGL § 11-52-4.2): Whoever transmits any communication by computer or other electronic device to any person or causes any person to be contacted for the sole purpose of harassing that person or his or her family is guilty of a misdemeanor.

Dating Violence (R.I.G.L. §16-22-24) "Dating violence" means a pattern of behavior where one person uses threats of, or actually uses, physical, sexual, verbal, or emotional abuse to control his or her dating partner. "Dating partner" means any person involved in an intimate association with another primarily characterized by the expectation of affectionate involvement, whether casual, serious, or long-term.

Domestic Violence (RIGL § 12-29-2): (a) "Domestic violence" includes, but is not limited to, any of the following crimes when committed by one family or household member against another: (1) Simple assault (§ 11-5-3); (2) Felony assaults (chapter 5 of title 11); (3) Vandalism (§ 11-44-1); (4) Disorderly conduct (§ 11-45-1); (5) Trespass (§ 11-44-26); (6) Kidnapping (§ 11-26-1); (7) Child-snatching (§ 11-26-1.1); 13 (8) Sexual assault (§§ 11-37-2, 11-37-4); (9) Homicide (§§ 11-23-1 and 11-23-3); (10) Violation of the provisions of a protective order entered pursuant to § 15-5-19, chapter 15 of title 15, or chapter 8.1 of title 8 where the accused has knowledge of the order and the penalty for its violation, or a violation of a no-contact order issued pursuant to § 12-29-4; (11) Stalking (chapter 59 of title 11); (12) Refusal to relinquish or to damage or to obstruct a telephone (§ 11-35-14); (13) Burglary and Unlawful Entry (chapter 8 of title 11); (14) Arson (chapter 4 of title 11); (15) Cyberstalking and cyberharassment (§ 11-52-4.2); (16) Domestic assault by strangulation § 11-5-2.3; (b) "Family or household member" means spouses, former spouses, adult persons related by blood or marriage, adult persons who are presently residing together or who have resided together in the past three (3) years, and persons who have a child in common regardless of whether they have been married or have lived together, or persons who are, or have been, in a substantive dating or engagement relationship within the past one year which shall be determined by the court's consideration of the following factors: (1) The length of time of the relationship; (2) The type of the relationship; (3) The frequency of the interaction between the parties. (c) "Protective order" means an order issued pursuant to § 15- 5-19, chapter 15 of title 15, or chapter 8.1 of title 8. (d) "Victim" means a family or household member who has been subjected to domestic violence.

Complaints and inquiries regarding the application or enforcement of this policy should be made to the School's Title IX Coordinator. Inquiries regarding the application of Title IX and its implementing regulations may be referred to the Title IX Coordinator, or to the United States Department of Education, Office for Civil Rights, at OCR@ed.gov or (800) 421-3481. This policy is in compliance with applicable legal requirements, including Title IX of the Education Amendments of 1972, relevant provisions of the Violence Against Women Reauthorization Act of 2013, the Clery Act, and other applicable federal and Rhode Island state laws.

Policy Revision

IYRS reserves the right to revise this policy at any time in its sole discretion. Revised policies will be posted on the School's website.

X. Code of Student Conduct & Student Grievance Process

Students at IYRS are expected at all times to conduct themselves in a manner consistent with good citizenship. Individual behavior can have either a positive or a negative effect on the IYRS community. As such, students must be mindful of how their behavior impacts those around them; and refrain from any actions that violate or infringe upon the rights of others to ensure that all students may complete their educational program in a safe and secure environment.

CODE OF STUDENT CONDUCT:
Students found responsible for committing or attempting to commit the following violations (either on or off campus) during their enrollment at IYRS will be subject to sanctions:

I. Conduct Affecting Others

a. Threatening or causing harm to any person or behaving in a manner that would offend or frighten any person.
b. Endangering the health or safety of others.
c. Violating IYRS's Sexual Misconduct and Relationship Violence Policy.
d. Harassing or discriminating against an individual on the basis of race, religion, color, national origin, age, sex, sexual orientation, gender identity or expression, genetic information, disability, status as a protected veteran, pregnancy or marital status, or any other unlawful basis.
e. Violations of the Code of Student Conduct that are committed with bias, hatred or animus based on race, religion, color, national origin, age, sex, sexual orientation, gender identity or expression, genetic information, disability, status as a protected veteran, pregnancy or marital status, or any other unlawful basis.
f. The provision of alcohol and/or other drugs to an individual for the purpose of committing or facilitating sexual misconduct. (The sexual misconduct does not have to actually occur for the individual to be found responsible for the provision of alcohol and/or other drugs).
g. Hazing.
h. Retaliation against any individual who reports a complaint or participates in the Student Grievance Process.

II. Conduct Affecting the IYRS Community

a. Failing to adhere to IYRS rules regarding safety and security.
b. Failing to adhere to IYRS rules regarding technology use.
c. Failing to comply with the directions of IYRS employees and/or representatives acting in the performance of their official duties.
d. Intentionally initiating or causing a false report to be made.
e. Unauthorized use of IYRS's name, logo or seal.

f. Academic dishonesty.
g. Conduct that interferes with student learning or the mission of IYRS.
h. Failing to participate in the Student Grievance Process when requested by an IYRS employee to do so.

III. Conduct Affecting Property

a. Intentionally or negligently damaging IYRS property or the property of others.
b. Tampering with fire safety or emergency equipment.
c. Possessing the property of others without consent from the owner.

IV. Violations of IYRS's Alcohol and Drugs Policy

a. Failing to adhere to the Standards of Conduct outlined in IYRS's Alcohol and Drugs Policy (**Note:** IYRS offers Medical Amnesty. If students are seeking medical attention for themselves or others, or reporting a violation of IYRS's Sexual Misconduct and Relationship Violence Policy, IYRS will not pursue Code of Student Conduct charges for alcohol or drug violations against the reporting student(s) and/or the student(s) involved in the incident).

V. Violations of IYRS Rules, Standards and Policies

a. Failing to adhere to any IYRS rule, standard or policy.
b. Failing to adhere to shop safety rules and standards.
c. Habitually arriving late to class and or mandatory events or meetings.
d. Failing to dress appropriately and/or in accordance with safety rules.
e. Failing to maintain a clean shop environment.

SANCTIONS

One or more of the following sanctions may be assigned if a student is found responsible for violating the Code of Student Conduct:

I. Warning:

Verbal or written notice that a violation of the Code of Student Conduct has occurred. Future violations may result in more severe sanctions. A notation of the warning may be reflected in the student's education records.

II. Loss or Restriction of Privileges:

Limitation or removal of specific privileges. The loss or restriction of privileges will be outlined in writing for the student and a notation of the loss or restriction of privileges may be reflected in the student's education records. Failure to abide by the loss or restriction of privileges will result in additional sanctions.

III. Educational Assignment:

Specific educational assignment(s) directly related to the violation committed. A notation of the specific educational assignment(s) may be reflected in the student's education records. Failure to complete the educational assignment(s) by the due date will result in additional sanctions.

IV. Community Service:
A designated number of hours of community service that the student must complete. The community service must be appropriate to the violation(s) for which the student was found responsible. A notation of the community service may be reflected in the student's education records. It is the responsibility of the student to find an appropriate non-profit organization for the community service and provide IYRS with a letter from the non-profit organization confirming that the required number of hours were completed. Failure to complete the community service by the due date will result in additional sanctions.

V. Restitution:
Reimbursement by the student to IYRS, appropriate individuals or organizations for damage, personal injury, or misappropriation. A notation of the restitution may be reflected in the student's education records. Failure to make restitution by the due date will result in additional sanctions.

VI. Probation:
A specific probationary period. The student may continue enrollment at IYRS during the specific probationary period, however, if the student is found responsible for any additional violations of the Code of Student Conduct during the probationary period, enrollment at IYRS may be suspended or revoked. A notation of the probation may be reflected in the student's education records.

VII. Deferred Suspension:
A deferment of suspension from enrollment at IYRS for a specific period of time. During the deferred suspension, the student may continue enrollment at IYRS. If the student is found responsible for the same or similar violation(s) during the deferred suspension, the student's enrollment at IYRS will be immediately suspended or terminated. A notation of the deferred suspension may be reflected in the student's education records.

VIII. No Contact Order:

Restrictions placed on a student's contact with another individual(s). A notation of the no contact order may be reflected in the student's education records. Failure to abide by the no contact order will result in additional sanctions, which may include an interim suspension.

IX. Interim Suspension:
A temporary removal from campus. If it is determined that a student's continued presence on campus may constitute an immediate threat of harm to the student, to other individuals, and/or to IYRS property, Student Services or designee may temporarily suspend the student from being on campus pending the resolution of the Student Grievance Process. Prior to issuing the interim suspension, the student will be given the opportunity to show why the interim suspension should not be implemented, including the opportunity to challenge the evidence that IYRS is relying upon in imposing the interim suspension. In determining the appropriateness of the interim suspension, the rights of the student and the risk of threat to the IYRS community will be taken into consideration.

Interim suspensions may also be used when a student is facing criminal charges and wishes to postpone the Student Grievance Process pending resolution of the student's criminal case.

During an interim suspension, the student may not be on campus without written permission from Student Services or designee. A notation of the interim suspension may be reflected in the student's education records.

X. Suspension:
Suspension from enrollment at IYRS for a designated period of time. During the suspension period, the student must remain off campus unless the student has received verbal or written permission to be on campus from an employee of IYRS. At the end of the suspension period, the student will be eligible for reenrollment provided there is no other encumbrance upon the student's return (financial or otherwise). A notation of the suspension will be reflected in the student's education records.

XI. Dismissal:
Permanent removal from enrollment at IYRS without the possibility of future readmission. The student must remain off campus unless the student has received written permission to be on campus from an employee of IYRS. A notation of the dismissal will be reflected in the student's education records and may be noted on the student's transcript.

Student Grievance Process (#24)

For purposes of the Student Grievance Process, the person making the complaint (i.e., alleging that a violation of the Code of Student Conduct has occurred), or the person who was directly impacted by the violation(s), will be referred to as the "Complainant." The student responding to the complaint (i.e., the student accused of violating of the Code of Student Conduct) will be referred to as the "Respondent." *Please note that due to privacy laws, including the Family Educational Rights and Privacy Act (FERPA), in the majority of Student Grievance Processes, the Complainant will not be entitled to receive any information regarding the Student Grievance Process, including the findings and/or sanctions pertaining to the Respondent.*

The Student Grievance Process will be conducted by officials who, at a minimum, receive annual training on relevant issues (including issues related sexual misconduct, relationship violence and other crimes of violence, if applicable) and on how to conduct the Student Grievance Process in a way that protects safety and promotes accountability.

I. Standard of Evidence:
The preponderance of the evidence standard (more likely than not) will be used for investigating and making findings.

II. Notice of Potential Violation(s)
When Student Services or designee becomes aware of a potential violation(s) of the Code of Student Conduct, Student Services or designee will meet with the Complainant and provide the Complainant with detailed information about the Complainant's rights and responsibilities under the Student Grievance Process, if applicable, as well as information regarding resources and interim measures, if appropriate.

III. Threat Assessment
When Student Services or designee becomes aware of a potential violation of the Code of Student Conduct, Student Services or designee will (in collaboration with other staff/faculty, as appropriate) conduct an initial threat assessment to determine whether there is reasonable cause to believe that the Respondent poses a continuing, significant threat of harm to the health, safety, and welfare of others or to the IYRS community, and whether interim measures are necessary to alleviate or mitigate that risk.

IV. Making a Complaint
Complaints alleging violations of the Code of Student Conduct may be made by submitting a written Complaint to Student Services or designee. Except in limited circumstances that involve

protecting the health and safety or mission of the IYRS community and its members, the Student Grievance Process will not be initiated unless a written Complaint has been submitted. Specifically, in some limited instances, to protect the health and safety or mission of the IYRS community and its members, it may be necessary for IYRS to initiate the Student Grievance Process against the Respondent even if a written Complaint has not been submitted. *For more information about a Complainant's rights in cases involving sexual misconduct or relationship violence, please see IYRS's Sexual Misconduct and Relationship Violence Policy*.

V. Meeting with the Respondent:
If IYRS is proceeding with the Student Grievance Process, Student Services or designee will schedule a Preliminary Meeting with the Respondent. At the Preliminary Meeting, the Respondent will be provided with details about the allegations, the Student Grievance Process and the potential sanctions that may be imposed if the student is found responsible for the behavior.

At the conclusion of the Preliminary Meeting, the Respondent may: (I) admit responsibility and execute a written Waiver of the Student Grievance Process (at which point the Respondent will be assigned a sanction(s) and the Student Grievance Process will be concluded); or (II) request that the alleged violation(s) be adjudicated in accordance with the Student Grievance Process. A Respondent who executes a written Waiver of the Student Grievance Process is not entitled to an appeal.

If the Respondent fails to appear at the Preliminary Meeting after proper notification, Student Services or designee may place a conduct hold on the Respondent's records, or proceed with the Student Grievance Process without the Respondent's participation.

The Student Grievance Process constitutes the institution's formal student grievance process.

VI. Informal Resolutions
Certain Complaints may be resolved informally. Student Services or designee will have discretion to determine whether an informal resolution is appropriate given the circumstances.

VII. Investigation and adjudication:
If the matter is not resolved informally and the Respondent requests that the alleged violation be adjudicated in accordance with the Student Grievance Process, Student Services or designee will appoint an investigator(s). The investigator will conduct an investigation, issue a finding regarding responsibility and assign sanctions if necessary. Student Services or designee will have the discretion to appoint an internal investigator(s) and/or an external investigator(s).

VIII. Investigation:
IYRS will ensure an adequate, reliable and impartial investigation of all complaints alleging violations of the Code of Student Conduct. The investigation may include interviews with the

Respondent (and the Complainant if the allegation(s) involves sexual misconduct, relationship violence or other crimes of violence), relevant witnesses, and a review of any other relevant evidence (including text messages and other social media) if applicable. The investigator will determine, in the investigator's sole discretion, what information is relevant. Character evidence will not be considered; and pattern evidence (evidence of previous conduct) will only be considered if the previous conduct is so substantially similar to the conduct cited in the instant matter to indicate a pattern of behavior. Additionally, medical and counseling records are privileged and confidential. Therefore, those records will not be required to be disclosed.

In cases involving sexual misconduct, past sexual history will typically not be considered except possibly where consent is at issue. Specifically, prior consensual sexual activity between the Complainant and the Respondent, while not determinative, may be relevant to determining whether consent was sought and received. Past sexual history may also be considered under very limited circumstances, for example, to explain injury. However, consent to one sexual act will never be considered to constitute consent to another sexual act.

At the conclusion of the investigation, the investigator will complete an Investigation Report.

IX. Investigation Report:
Once the Investigation Report has been completed, Student Services will schedule a meeting with the Respondent (and with the Complainant if the allegation(s) involves sexual misconduct, relationship violence or other crimes of violence) to review the Investigation Report. The Respondent (and the Complainant if the allegation(s) involves sexual misconduct, relationship violence or other crimes of violence) will have the opportunity to respond to the investigator in writing, within three (3) business days after reviewing the Investigation Report, to offer additional comments, ask clarifying questions, clarify information previously shared, suggest additional witnesses, or identify any other relevant information or evidence to assure the thoroughness and sufficiency of the investigation. If, in the sole discretion of the investigator, no further inquiry is required, the investigation will be deemed complete and final. If, in the sole discretion of the investigator, further inquiry is necessary, the investigator will follow up on the information before finalizing and completing the investigation.

X. Adjudication and Sanctions:
Once the investigation is deemed by the investigator to be complete and final, the investigator will make a finding of "Responsible" or "Not Responsible" for each alleged violation. Thereafter, Student Services or designee will issue sanction(s) for each "Responsible" finding. Student Services or designee may consider prior violations of the Code of Student Conduct for which the Respondent was found Responsible only when determining what sanction(s) to impose.

XI. Notice of Outcome:
Once a sanction(s) has been determined, the Student Services Manager will provide the

Respondent (and simultaneously to the Complainant, in cases involving sexual misconduct, relationship violence or other crimes of violence) with a written Notice of Outcome, which will include the finding(s), rationale and sanction(s) (if applicable).

XII. Appeal:

The Respondent (and the Complainant in cases involving sexual misconduct, relationship violence or other crimes of violence) has the right to appeal and participate in the appeal process if: (1) the Student Grievance Process was not followed; (2) new (material) evidence has come to light, which was not reasonably available prior to the issuing the Notice of Outcome; and/or (3) the sanction(s) is clearly contrary to the weight of the evidence.

Requests for appeal must be submitted in writing to the Student Services Manager or designee within three (3) business days following delivery of the Notice of the Outcome. Appeals are heard by the Student Services Manager or designee and will be strictly limited to the grounds for appeal outlined above. The Student Services Manager or designee is an impartial decision-maker and will conduct the appeal in an impartial manner.

If the appeal is denied, the matter will be closed, and the investigator's decision will be final. If the appeal is granted, the Student Services Manager or designee may: (1) remand the case for a new investigation (the results of the new investigation, including the finding(s) and sanction(s) will be final and not subject to further appeal); or (2) make modifications to the sanction(s) imposed. The Student Services Manager or designee will provide written Notice of Outcome of the Appeal to the Respondent (and simultaneously to the Complainant, in cases involving sexual misconduct, relationship violence or other crimes of violence) within a reasonable period of time. The decision of the Student Services Manager or designee regarding the appeal will be final.

XIII. Timeframe for the Student Grievance Process:

IYRS will make its best efforts to complete the Student Grievance Process (including the investigation and appeal process) within ninety (90) business days of receipt of the Complaint. However, because the length of investigations may vary due to the complexity and unique factors of each case, the timeframe outlined herein may be extended for good cause. The Respondent (and the Complainant in cases involving sexual misconduct, relationship violence or other crimes of violence) will be provided with periodic status updates as necessary.

XIV. Law Enforcement:

IYRS will comply with law enforcement requests for cooperation. Such cooperation may require IYRS to temporarily suspend an investigation, for a short period, while law enforcement gathers evidence. IYRS will promptly resume its investigation as soon as it is notified by law enforcement

that its evidence gathering process is complete.

XV. Confidentiality:
IYRS will keep all complaints and investigations private to the extent possible, and information will be disclosed only on a "need to know" basis. It is the expectation of IYRS that all individuals involved in the Student Grievance Process will also maintain confidentiality and share information only on a "need to know" basis. However, individuals are not restricted from discussing and sharing information related to complaints made by or against them with others who may support or assist them in presenting their case in the Student Grievance Process.

XVI. Requests for Anonymity or No Action:
If the Complainant requests anonymity or asks IYRS not to take any action, IYRS will strongly consider the Complainant's request. However, in certain circumstances, IYRS may not be able to grant the Complainant's request due to various factors, including when there is a risk of imminent harm to an individual or others or a threat to the health and safety of the IYRS community.

XVII. Conflicts of Interest:
The Respondent (and the Complainant if the allegation(s) involves sexual misconduct, relationship violence or other crimes of violence) may notify the Student Services Manager or designee in writing if there is a concern that the investigator assigned creates a conflict of interest. The Student Services Manager or designee will make adjustments only if a substantiated conflict of interest exists.

XVIII. Retaliation:
Retaliation is prohibited against any individual who reports a complaint or participates in the Student Grievance Process.

XI. Sex Offender Registration

In Rhode Island, categories of convicted sex offenders are registered with the local police department in their respective municipalities. In Newport, sex offenders must register with the Newport Police Department. Persons seeking information related to the sex offenders registry and access to related information should contact the Newport Police Department or the Sex Offenders Community Notification Unit with the Rhode Island Parole Board at 462-0905, or online at www.paroleboard.ri.gov.

XII. Significant Emergency or Dangerous Situation Involving an Immediate Threat to the Health or Safety of Students or Employees Occurring on the Campus

IYRS will immediately notify the campus community upon confirmation of a significant

emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on the campus. Confirmation means that an IYRS official(s) have verified that a legitimate emergency or dangerous situation exists. Confirmation doesn't necessarily mean that all of the pertinent details are known or even available. When a significant emergency or dangerous situation occurs, the following Emergency Coordination is implemented: Internal facility alarms or communication systems (RAVE) are activated as applicable to notify facility personnel of the event. Requirements for regulatory agency notifications are assessed and notification to the appropriate authorities is made based on the situation involved.

Any individual can report an emergency by contacting 911, Newport Police 401-847-1212 or Newport Fire 401-846-2211.

Emergency Coordinators (Primary Emergency Coordinator: Tucker Neale, Facilities Manager, and the Secondary Emergency Coordinator: Bill Kenyon, Director of Student Success), will confirm that there is a significant emergency or dangerous situation. Information regarding a significant emergency or dangerous situation will be provided to the community. IYRS will, without delay, and taking into account the safety of the community, determine the content of the notification and initiate the notification system, unless issuing a notification will, in the professional judgment of responsible authorities, compromise efforts to assist a victim or to contain, respond to or otherwise mitigate the emergency. As soon as IYRS has confirmed that a significant emergency or dangerous situation exists, IYRS will take into account the safety of the campus community; determine what information to release about the situation; and begin the notification process. The only reason IYRS would not immediately issue a notification for a confirmed emergency or dangerous situation would be if doing so would compromise efforts to assist a victim; contain the emergency; respond to the emergency; or otherwise mitigate the emergency. Emergency Coordinators, as defined below, will be the responsible authorities in instances of significant emergencies or dangerous situations. IYRS disseminates emergency information to individuals and/or organizations outside of the campus community via press release.

XIII. **Emergency Response and Evacuation Procedures**

The Primary Emergency Coordinator: Tucker Neal, Facilities Manager and the Secondary Emergency Coordinator: Bill Kenyon are designated as Emergency Coordinators and are authorized to commit necessary resources to implement any emergency response or evacuation procedures. They are thoroughly familiar with all operations and activities and are on call 24 hours a day. The Emergency Coordinators

are trained in emergency response.

Emergency response is based on the degree, nature and safety of the situation. In the event of an emergency, students and employees should maintain a safe distance from immediate danger. The Emergency Coordinators or their designees will secure the area and notify IYRS management and nearby work areas which may be affected.

For emergency assistance, students and employees should call 911 and state the nature and location of the emergency and send someone to meet emergency personnel. In the event of a fire or explosion, the Newport, RI Fire Department should be notified by dialing 911(or 401-846-2211) on a nearby telephone, and by pulling a fire alarm box. In the event of a fire in its early-stage development, an attempt may be made by area personnel to extinguish using portable fire extinguishers. Contain the spill to prevent horizontal and vertical migration, as quickly as possible. Absorbent booms or sand bags may be utilized for containment. Internal facility alarms or communication systems are activated, as applicable, to notify facility personnel of the event. Requirements for regulatory agency notifications are assessed and notification to the appropriate authorities is made based on the situation involved.

During an emergency, the Emergency Coordinator will take reasonable mitigation measures as appropriate. This includes stopping processes and operations, collecting released waste, and recovering or isolating containers. Applicable employees are trained in specific actions to be taken in response to an emergency. Additionally, Emergency Coordinators are trained in portable fire extinguisher response and are capable of using extinguishing equipment as needed. These extinguishers are inspected monthly, serviced annually, and located so that travel distance to each extinguisher location is kept to a minimum. Additional fire extinguishing capability includes strategically located fire hose hook-up. Fire alarms and portable fire suppression equipment are located in proximity to each hazardous waste management area in the buildings.

Telephones for internal and external communications are available in each building. Additionally, operations personnel routinely carry internal/external communication devices (e.g., cell phones). The facility telephone system may be used to report an imminent emergency or event perceived as a threat to the Emergency Coordinators. The Emergency Coordinators are trained in the recognition of and response to emergency alerts. When notice is given (audio alerts or verbal intercommunication), personnel are to follow applicable emergency shutdown procedures and evacuate the area as follows: Proceed along designated primary exit route, or

alternate route as deemed necessary to the unit assembly point. Do not stop to retrieve personal belongings. Always carry your vehicle keys so a prompt exit is possible; If in a different unit during an evacuation event, exit the building with personnel from that area; Do not re-enter the building until the ALL CLEAR notice is provided by either the Newport Fire Department, the Newport Police Department or the Emergency Coordinators. Primary, secondary routing and designated assembly areas are posted throughout the facility.

IYRS, through its Facilities Manager, conducts drills for emergency response and evacuation each term.

XIV. Crime Statistics

Annual crime statistics (January – December) are based on incidents reported within the Clery geography.

TOTAL CRIMES FOR MAIN CAMPUS

CRIME CATEGORY	REPORTED CRIMES		
	2023	2024	2025
A. Murder and Non---negligent Manslaughter	0	0	0
B. Negligent Manslaughter	0	0	0
C. Sex Offenses---Forcible	0	0	0
D. Rape	0	0	0
E. Fondling	0	0	0
F. Sex Offenses---Non-Forcible	0	0	0
G. Incest	0	0	0
H. Statutory Rape	0	0	0
I. Robbery	0	0	0
J. Aggravated Assault	0	0	0
K. Burglary	0	0	0
L. Motor Vehicle Theft	0	0	0

M. Arson	0	0	0
VAWA (VAWA stats not federally mandated to track until 2014)			
1. Domestic Violence	0	0	0
2. Dating Violence	0	0	0
3. Stalking	0	0	0
Arrests for:	**2023**	**2024**	**2025**
1. Liquor Law Violations	0	0	0
2. Drug Law Violations	0	0	0
3. Illegal Weapons Possession	0	0	0
Disciplinary Action (but not arrested):	**2023**	**2024**	**2025**
1. Liquor Law Violations	0	0	0
2. Drug Law Violations	0	0	0
3. Illegal Weapons Possession	0	0	0

CRIME CATEGORY BY LOCATION (MAIN CAMPUS)

CRIME CATEGORY	ON CAMPUS			NON---CAMPUS PUBLIC PROPERTY		
	2023	**2024**	**2025**	**2023**	**2024**	**2025**
A. Murder and Non---negligent Manslaughter	0	0	0	0	0	0
B. Negligent Manslaughter	0	0	0	0	0	0
C. Sex Offenses---Forcible	0	0	0	0	0	0
D. Rape	0	0	0	0	0	0

E. Fondling	0	0	0	0	0	0
F. Sex Offenses---Non-Forcible	0	0	0	0	0	0
G. Incest	0	0	0	0	0	0
H. Statutory Rape	0	0	0	0	0	0
I. Robbery	0	0	0	0	0	0
J. Aggravated Assault	0	0	0	0	0	0
K. Burglary	0	0	0	0	0	0
L. Motor Vehicle Theft	0	0	0	0	0	0
M. Arson	0	0	0	0	0	0

VAWA OFFENSES						
1. Domestic Violence	0	0	0	0	0	0
2. Dating Violence	0	0	0	0	0	0

3. Stalking	0	0	0	0	0	0
ARRESTS FOR:						
1. Liquor Law Violations	0	0	0	0	0	0
2. Drug Violations	0	0	0	0	0	0
3. Illegal Weapons Possessions	0	0	0	0	0	0
DISCIPLINARY ACTION (but not arrested):						
1. Liquor Law Violations	0	0	0	0	0	0
2. Drug Violations	0	0	0	0	0	0
3. Illegal Weapons Possessions	0	0	0	0	0	0