



2018 Annual Uniform Campus Crime Report

CT Public Act 14-11

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INTRODUCTION

Mitchell College (the “College”) is committed to fostering a campus environment that celebrates and develops the powers of unique minds. The College is committed to an educational and developmental process that balances the interests of individual students with the welfare of the College community as a whole. In choosing to enroll at the College, students have voluntarily entered an educational and residential community with standards of academic honesty and respect for persons and property. Students are expected to conduct themselves in a manner that is consistent with the values embraced by the College and reflected in its policies, including those contained in the Code of Student Conduct.

The purpose of the Code of Student Conduct is to express the College community’s standards of honesty, respect for persons and property, and responsible use of freedom. It describes the types of acts that are not acceptable in the College community, as well as the general process by which they will be addressed. Any student who engages in academic, sexual, or social misconduct may be subject to disciplinary action by the College.

The goal of the College’s student conduct process is not to punish students, but to protect the interests of the community and to encourage students to learn from their mistakes. Sanctions are intended to improve students’ decision-making and encourage behavior consistent with the College community’s expectations.

If a student is in trouble, has a complaint and does not know how to proceed, or has a general question about disciplinary policy, their Academic Advisor is knowledgeable about the standards of conduct and disciplinary process at Mitchell and can answer questions. Students may also speak with the Director of Student Affairs, who has extensive familiarity with the student conduct process.

Students should be aware that the student conduct process is different from criminal and civil proceedings. The College’s disciplinary processes do not attempt to duplicate or substitute for civil and criminal legal proceedings. The College has an independent interest in upholding standards of academic and social conduct, and deals with alleged violations of the Code of Student Conduct and other College policies, whether or not law enforcement agencies are involved and/or criminal charges may be pending.

APPLICATION

Students at the College are provided a copy of the Code of Student Conduct online, which can be found at <https://community.mitchell.edu/currentstudents>. Hard copies are available upon request from the Director of Student Affairs. Students are responsible for reading and abiding by the provisions of the Code of Student Conduct.

The Code of Student Conduct apply to both individual students and to College-affiliated student organizations. For purposes of this policy, a “student” is defined as someone who has matriculated and has not formally severed recognized student status with the College. Students retain this status throughout their time with the College, including academic terms, scheduled vacations, summer months, periods of leave, or off-campus study.

Disciplinary charges may not be brought against someone who has formally severed recognized student status with the College or who has graduated from the College, except when such an individual may once again be a recognized student. The College reserves the right at any time to ban any noncurrent member of the Mitchell community from being on campus or participating in College-sponsored activities. In situations where it may not be possible to resolve a case prior to a student’s graduation, the Vice President for Academic Affairs/Dean of the College (or designee) may cause the student’s degree to be withheld until the case is fully resolved.

The College has the discretion to apply the Code of Student Conduct to instances of off-campus misconduct, including but not limited to, conduct which:

1. occurs in connection with a College-sponsored event or when students are acting as representatives of the College,
2. directly affects another member of the Mitchell community, 3. directly or indirectly affects the reputation of the College, and
4. suggests a potential danger or threat to others.

PART I: MITCHELL COLLEGE CODE OF STUDENT CONDUCT

A. Social Misconduct

Mitchell College students are responsible for their conduct at all times. Any student who becomes disorderly, is involved in any disturbance, interferes with the rights of others, damages property, or individually, or as a member of a group, is involved in unacceptable social behavior on or off campus will be subject to disciplinary action by the College.

General Categories of Social Misconduct

The following categories of social misconduct illustrate the expectations of the College and provide examples of misconduct subject to College discipline. Many of these categories, and the accompanying examples, have a counterpart in the legal statutes, but the definitions in those statutes and the processes of the criminal judicial system are not part of the Code of Student Conduct. Addressing a violation of the Code of Student Conduct does not exempt the individual from prosecution by proper authorities under the criminal or civil code, and criminal or civil prosecution (or lack thereof) does not exempt the individual from being held accountable under the Code of Student Conduct.

1. Actions against persons
2. Actions against property
3. Dangerous or disorderly conduct
4. Actions against the College
5. Obstruction of the College's procedures

1. Actions Against Persons

Conduct which involves force, threat of force, or intimidation directed at an individual or group of individuals may constitute an "action against persons."

Examples of actions against persons include but are not limited to the following examples:

Assault

- This includes unwanted physical contact, as well as fighting and physical altercations.

Sexual misconduct

- Please refer to the College's Sexual Misconduct and Harassment Policy for detailed definitions regarding sexual misconduct violations (*e.g., rape, sexual assault, dating violence, domestic violence, and stalking*) and the procedures for adjudicating alleged violations.

Hazing

- Mitchell College prohibits any action which recklessly or intentionally endangers the health or safety of a student for the purpose of initiation, admission into or affiliation with, or as a condition for continued membership in a student organization. Hazing includes, but is not limited to: (1) requiring indecent exposure of the body; (2) requiring any activity that would subject the person to extreme mental stress, such as sleep deprivation or extended isolation from social contact; (3) confinement of the person to unreasonably small, unventilated, unsanitary or unlighted areas; (4) any assault upon a student; (5) requiring the ingestion of any substance or any other physical activity which could adversely affect the health or safety of the individual.

Harassment, intimidation, or bullying

- This includes acts of intimidation, stalking, confrontation, verbal slurs, insults or taunts, physical force or threat of physical force made with the intention of causing fear, intimidation, ridicule, humiliation, disparagement, disruption to the educational environment, or damage to property. Such acts may be committed in person, by proxy, via telephone or cell phone, via text message, or any electronic means including social networking websites.

2. Actions Against Property

Conduct which results in damage to property of another individual or of the College, or conduct which improperly converts another's property to personal use may constitute an "action against property."

Actions against property include but are not limited to the following examples:

Theft

- To steal or knowingly possess stolen property or any item reasonably thought to be lost but not abandoned.

Damaging the property of another person or of the College

- Damaging the property of another person, or damaging College property, including one's own room.

Illegally entering College facilities

- This includes unauthorized possession, use, or duplication of College keys or cards, passwords, or other means of access.

3. Dangerous or Disorderly Conduct

Conduct dangerous to self or others, or conduct that creates a disturbance or disrupts the ability of the College to carry on its essential functions may constitute "dangerous or disorderly conduct." In accordance with the Drug-Free Schools and Communities Act, the College's standards of conduct prohibit the unlawful possession, use or distribution of illicit drugs and alcohol by students, on the College's property or as part of any of its activities.

Dangerous or disorderly conduct includes but is not limited to the following examples:

Illegally possessing, using, or distributing drugs

- This includes the possession, distribution, or the use of illegal drugs and narcotics, including but not limited to amphetamines, marijuana, cocaine, heroin, and LSD, or the misuse of legal drugs.

Violating the College's alcohol policy

- Students will be held personally responsible for complying with all aspects of Connecticut laws relating to the sale and consumption of alcohol and with Mitchell's alcohol policy. The prohibitions of the Code of Student Conduct include, but are not limited to, the following:
 1. The sale of alcoholic beverages by any person who does not have a valid license to sell such beverages;
 2. The sale of alcoholic beverages by any person to a person who has not attained the age of 21 years;
 3. Consumption, purchase, or possession of alcoholic beverages by any person who has not attained the age of 21 years;
 4. The supplying or delivery of alcoholic beverages to a person who has not attained the age of 21 years;
 5. The supplying or delivery of alcoholic beverages to a person who is intoxicated; and
 6. Possession or consumption of alcoholic beverages by any student living in Fair Haven, Harbor House, Matteson Hall, Montauk House Apartments, Moorings, or Saunders Hall.

Drugs or alcohol used in violation of this policy will be subject to confiscation. In addition to being subject to disciplinary action, the College reserves the right to involve law enforcement authorities and/or undertake legal proceedings against a student for the violation of the drug or alcohol policy. The College may also utilize its mental health resources to help students involved with drugs and alcohol.

Possessing a weapon on campus

- Weapons, and any item bearing likeness to a weapon, are prohibited on campus, including but not limited to firearms, ammunition, knives, BB or pellet guns, bows, arrows and slingshots. It is the responsibility of students to check with College Campus Safety if there is a question of whether an item would be prohibited under this policy.

Fire safety violations

- Possessing or producing explosives and setting fires are prohibited. In addition, firecrackers and flares are prohibited on campus. Intentionally setting off a false fire alarm, misuse of a fire extinguisher, or any action that might cause a fire in a College building will be considered a serious offense. Students who set off a false fire alarm will incur a fine that will increase for repeated incidents.

Disorderly conduct

Conduct that infringes on the freedom and activities of others, or conduct which is disruptive, harassing, or a nuisance may constitute disorderly conduct. Examples of disorderly conduct include but are not limited to:

- *Failing to leave a College building after a fire alarm has sounded or other notice of fire has been given, whether or not a drill.*
- *Urination or defecation in any location not designated for that purpose.*
- *Conduct which disrupts normal operations of the College and/or hinders access to College facilities.*

4. Actions Against the College

Conduct which involves the unauthorized accessing or alteration of documents or records controlled by the College, including class papers and examinations, or improper use of College electronic and physical resources, may constitute an “action against the College.”

Examples of actions against the College include, but are not limited to, the following:

- *Altering a College ID*
- *Tampering with College documents or records by hand or electronically*
- *Misappropriation of College funds*
- *Claiming falsely to represent the College or a College-registered organization*
- *Information, network, computer, social media account, and telephone violations*

Any user who either accesses information to which they have no right or uses an excessive amount of system resources is acting in an unethical manner. Information and Library Services reserves the right to take whatever actions are necessary to prevent a user from violating the rights of other users. Students who violate these standards for use of information, network, and computers may also be subject to disciplinary action.

5. Obstruction of College Procedures

Conduct which interferes with the regular procedures of the College, investigation of alleged offenses, the process by which they are resolved, or their outcomes, or that violates any College policy may constitute an “obstruction of College procedures.”

Examples of obstruction of College procedures include, but are not limited to, the following:

- *Refusing to identify oneself to College employees in the pursuit of their duties or to comply with appropriate instructions (e.g., refusing to provide one’s name or to disperse when asked to do so by Campus Safety or Residence Hall staff).*
- *Refusing to appear before College administrators or Campus Safety personnel charged with authority in matters of student conduct.*
- *Knowingly providing false information to any College official during any phase of the student conduct process (including the investigatory stage) or conspiring with others to do so.*
- *Harassing witnesses or others involved in the disciplinary process at any time.*
- *Violating the terms of any sanction imposed by appropriate authority (e.g., the Director of Student Affairs or Judicial Board) in a disciplinary matter.*
- *Bribing or attempting to bribe a College official.*
- *Use or possession of a forged, altered, or falsified document, including fake IDs.*
- *Assisting a person in violating a College policy or attempting to violate a College policy.*

B. Academic Dishonesty

Please refer to the College's Academic Policies and Procedures, located in the Course Catalogue (page 39-40), for detailed explanations regarding academic dishonesty (*e.g., plagiarism, multiple submission, and cheating*), and the procedures for adjudicating alleged violations.

C. Sexual Misconduct

Please refer to the College's Sexual Misconduct and Harassment Policy for detailed definitions regarding sexual misconduct violations (*e.g., rape, sexual assault, dating violence, domestic violence, and stalking*) and the procedures for adjudicating alleged violations.

PART II: DISCIPLINARY PROCESS

A. Overview of Process

Informal Response

The very nature of a residential college creates opportunities and challenges for young adults living in a community, some for the first time. It is not unusual for young adults in this situation to, on occasion, exercise poor judgment, act insensitively or without thinking, or engage in inappropriate behaviors. Consequently, many incidents (*e.g., excessive noise, roommate conflicts*) are handled informally through meetings with Residence Hall Directors and with the assistance of Resident Assistants and/or Student Affairs staff. Such cases usually do not result in formal disciplinary action or sanctions, although they may be introduced at a later date if patterns of unacceptable behavior emerge.

Minor Offenses

Minor offenses may be referred to the appropriate student affairs staff (i.e., Residence Hall Director) for resolution without a formal hearing. This process may still result in sanctions that are recorded in the student record.

Formal Disciplinary Action

When it is neither possible nor appropriate to resolve a conflict or disciplinary matter informally, the conflict will be resolved through a more formal disciplinary process. Where the alleged violation involves social misconduct, the process will be governed by Part B below. Where the alleged violation involves academic dishonesty, the process will be governed by the Academic Dishonesty Policy. Where the alleged violation involves sexual misconduct or harassment, the process will be governed by the College's Sexual Misconduct and Harassment Policy.

Accommodations for Disabilities

A student may request an accommodation relating to any aspect of the disciplinary process (including but not limited to a formal hearing). Students making such requests must follow the appropriate process for requesting an accommodation through the Disability Access Coordinator. The Disability Access Coordinator will make a determination regarding the request and notify the appropriate parties.

B. Social Misconduct Disciplinary Process

Reports of Alleged Violations

Any member of the Mitchell College community may file a report concerning alleged social misconduct by any student. Reports can be filed with Campus Safety or with a Residence Hall Director. Campus Safety or the Residence Hall Director will memorialize the report in writing.

Student Notification

The student will be notified of all alleged violations by means of their Mitchell College email address on file with the Registrar's Office. Typically, this notification will be provided within 48 hours of the filing of a written report.

Investigations of Alleged Violations

The Director of Campus Safety or the Director of Student Affairs will review the written report and determine whether the reported conduct requires investigation. Where an investigation is required, Campus Safety will typically conduct such investigation.

The Director of Student Affairs will review the investigation report and, if the Director determines that the case should move forward, the student will be offered the opportunity to participate in a pre-hearing conference.

Pre-Hearing Conference

The Director of Student Affairs will facilitate the pre-hearing conference, and the student's Academic Advisor will be present as the student's Support Person. The student will also have the option of bringing up to four (4) additional members of their support network to the pre-hearing conference. The disciplinary process is not a legal process and attorneys may not be Support Persons.

During the pre-hearing conference, the Director of Student Affairs will review with the student:

- The disciplinary process, as described in the Code of Student Conduct,
- Reports regarding the alleged violation of the Code of Student Conduct,
- The student's rights and responsibilities, and
- Options for resolution of the matter, if appropriate.

The student may choose to reach an agreement or to admit to the violation(s) and accept the proposed sanction(s). If the student chooses to admit to the violation(s) and accept the sanction(s) at the pre-hearing conference, no later appeal will be permitted. If the student chooses to contest the allegation(s), a formal hearing will be scheduled.

Pre-hearing conferences are provided for the benefit of the student and students are not required to participate in a prehearing conference.

Formal Hearing Guidelines

Where a pre-hearing conference does not resolve the case, or where a student elects not to participate in a pre-hearing conference, the Director of Student Affairs will forward the written report and any investigation report to the Judicial Board.

The purpose of a formal hearing is to determine whether a violation of the Code of Student Conduct occurred, and if so, to assign sanctions.

Judicial Board Composition

The Judicial Board at any given hearing will be comprised of selected faculty and staff. The Respondent will be notified of the members selected to serve on their Judicial Board to ensure that there is no conflict of interest.

Rights of Respondent

The student accused of social misconduct (the "Respondent") will be afforded the following rights with respect to the hearing:

- To be notified of all alleged violations of the Code of Student Conduct.
- To be informed about the hearing process.
- To be provided a reasonable period of time to prepare for the hearing.
- To be notified of the proposed information to be presented and to know the identity of witnesses who have been called to speak at the hearing.
- To be present at the pertinent stages of the hearing process.
- To be accompanied by a Support Person during the portions of the hearing in which the student is participating.
- To respond to allegations and offer testimony at the hearing.
- To call witnesses who can offer relevant testimony.
- To present relevant evidence.
- To question witnesses and challenge evidence.

Support Person

The Respondent has the right to have his/her Academic Advisor in attendance at a formal hearing to offer support and limited assistance. The Respondent is responsible for presenting his/her own case. Support Persons may consult with and assist the Respondent in doing so, but are not permitted to speak for or present the case on behalf of the Respondent, unless permitted by the Judicial Board. In cases where the Complainant is another student, the Complainant also has the right to a Support Person, as described above.

Additional Guidelines

- Formal rules of process, procedure and/or technical rules of evidence, such as are applied in criminal or civil court, are not required in these proceedings.
- Admission of any person to the hearing shall be at the discretion of the Director of Student Affairs.
- In hearings involving more than one accused student, the Director of Student Affairs will determine whether hearings are scheduled jointly or separately.
- If a Respondent or Complainant, after receiving notification, does not appear for a hearing, the hearing will proceed without the student(s).
- All procedural questions will be determined by the Judicial Board.

Judicial Board Findings and Sanctions

Once all testimony has been heard, the hearing will be closed. The Judicial Board will then deliberate, and the Director of Student Affairs (or his/her designee) will preside over deliberations. The Judicial Board will determine whether, based upon a preponderance of the evidence, a violation has occurred (i.e., whether it is more likely than not that a violation occurred). Judicial Board decisions are reached by a majority vote. If the Judicial Board determines that a violation occurred, it will assign appropriate sanctions. Decisions are communicated to the Respondent verbally at the conclusion of the deliberations. Written notification is provided as soon as possible.

Sanctions are meant to assign accountability and to provide an opportunity for students to learn from their mistakes and make better choices in the future. In most cases first offenses of a minor nature will receive lesser sanctions than more serious violations and/or repeated offenses. The Judicial Board may modify or combine any of the options listed below, or determine its own sanctions. Disciplinary sanctions may be imposed upon groups and organizations as well as individuals. More than one sanction may be imposed at one time.

Disciplinary Sanctions

- **Warning:** Written notification that the student's behavior is unacceptable and that continuation or repetition of such conduct may result in more severe disciplinary action.
- **Disciplinary Probation:** A written reprimand including a statement that any further violation of College policy may result in suspension or expulsion.
- **Interim Suspension:** Immediate separation from the College for a period of time to: ○ ensure safety and well-being of people and property; or ○ prevent disruption or interference of normal operations of the College.
- **Suspension:** Termination of a student's enrollment at the College for a specified period of time. This may also include restricting access to campus or College events during the suspension.
- **Expulsion:** Permanent termination of enrollment, including no further access to campus or any College events without written approval from the Director of Student Affairs.

Additional Sanctions

- **Restitution:** Reimbursement for damage to or misappropriation of property. At the discretion of Student Affairs staff, this may take the form of work, community service, or other compensation such as service to the College community.
- **Judicial Educator Session:** An online session that will educate the student on a particular topic.
- **Chemical Health Assessment:** Performed by a qualified chemical dependency counselor for the purpose of determining possible patterns of abuse. The student is encouraged to follow the treatment recommendation(s) provided by the counselor.
- **Counseling Services:** Performed by a qualified counselor or therapist. The student is encouraged to follow the treatment recommendation(s) provided by the counselor or therapist.
- **Revocation of Privileges:** Exclusion from College housing, loss of right to host events/gatherings in residence hall spaces, or to participate in extracurricular College activities, and removal from other activities (e.g., participation in an off-campus program).
- **Other:** The Judicial Board may choose to administer a sanction not mentioned above.

Appeal Procedures

Students found to have violated the Code of Student Conduct may appeal the findings and/or the sanctions to the appropriate authority, as described below, within five (5) business days of receipt of written notification of the decision:

- Where a decision was rendered by Student Affairs staff, the Director of Student Affairs will hear the appeal.
- Where a decision was rendered by the Judicial Board, the Vice President of Academic Affairs/Dean of the College will hear the appeal.

Appeals may be granted on the basis of one or more of the following:

- Procedural errors that may have substantially impacted the final decision;
- The availability of relevant new information, not available previously, that may have substantially affected the decision;
- The sanctions imposed are substantially inconsistent with past College responses.

The right of appeal is contingent upon participation in the investigative and hearing processes.

C. Academic Dishonesty Disciplinary Process

Please refer to the College's Academic Policies and Procedures, located in the Course Catalogue (page 39-40), for detailed explanations regarding academic dishonesty (*e.g., plagiarism, multiple submission, and cheating*), and the procedures for adjudicating alleged violations.

D. Disciplinary Records

Records of disciplinary actions (other than suspensions and expulsions) imposed by the Student Affairs staff and the Judicial Board are maintained in the confidential student conduct database maintained by the Director of Student Affairs until graduation or until two years after withdrawal from the College. These records include a description of the violation of College policy and the resulting sanctions. These records are not noted on the student's transcript.

Records of disciplinary suspensions are maintained for five years after the student's separation from the College. Suspensions are coded "withdrew" on the academic transcript.

Records of expulsion are maintained for ten years after the student's separation from the College and recorded permanently on the student's academic transcript as "disciplinary dismissal."

E.Prevention and Awareness

Self Defense: Certified Campus Safety staff members offer women's self-defense training at least once each semester. This program that teaches women how to be their own protector. This 3hour program is an excellent way to equip young women with confidence building; practical skills to raise awareness and avoid dangerous situations while learning physical skills for self-defense.

Bystander Intervention: Mitchell College encourages all community members to educate themselves about interpersonal violence and share this info with friends. Confront friends who make excuses for other people's abusive behavior, speak up against racist, sexist, and homophobic jokes or remarks. A good bystander is someone who models pro-social behaviors and intervenes when a potentially dangerous situation occurs.

Personal Safety: Personal safety is first and foremost an individual responsibility. Ask yourself, "Through my actions and behaviors, am I increasing the chances that I may become the victim of a crime?" Personal safety has to start with the use of your common sense, easily ignored in our busy everyday lives.

Resident Hall Security: Most students living on campus bring expensive property with them including computers, printers, stereo systems, television sets, Blu-Ray players, and game systems. All these items make desirable targets for a thief.

Illegal Downloading and Internet Security: Downloading or distributing copyrighted material, such as music, videos, movies, games, or photographs, across the College computer network system via e-mail, FTP, www, Chat, ICQ, Torrent, etc., is illegal and in violation of federal, state, and local laws, including the College Code of Conduct.

Mandatory Education for all First Year Residential Students:

Each year all-incoming first year students are required to take attend Freshman Orientation, which includes Title IX and student conduct topics along with personal safety, active shooter safety and campus safety. This training is mandatory and make-up sessions are made available to ensure all incoming, first year residential and commuter students, are provided this vital information.

Domestic violence awareness month (October).

Various awareness and prevention programming throughout the month, such as; workshops on healthy relationships.

Sexual assault awareness month (April)

Various awareness and prevention programming throughout the month, such as: Take Back the Night, workshops on consent and healthy communication and bystander intervention programs as they relate to sexual violence.

Most all of the programs and/or workshops are operated through the Sexual Assault Task Force Team in conjunction with the Sexual Assault Crisis Center of Easter CT, INC. All programs and workshops are available to the campus community upon request. Departmental examples for programming outreach include areas on campus such as, Athletics, the Office of Campus Life, the Student Government Association and other clubs and organizations.

F.Mitchell College/Resource Information

- Department of Campus Safety:
EMERGENCY: DIAL 4590 from any campus phone, or,
860-443-0214 from non-campus or cellular phones
Routine Calls dial 860-941-9316
- Emergency Preparedness
<http://www.mitchell.edu/campussafety>
- RAVE Alert System
<http://mitchell.edu/getrave>
- Reporting Crime and Police Response
<http://www.mitchell.edu/campussafety/>
- Clery Act Crime Statistics (3) year previous to the current year
<http://www.mitchell.edu/campussafety/clery/>

G. Sexual Offenses on Campus

Overview

The following information has been extracted from the College's Annual Campus Security and Fire Safety Report provided to the US Department of Education per the Jeanne Clery Act, detailing offenses that occurred during the 2018 calendar year. Also included in this section are the adjudications of disciplinary action(s), and anonymous/confidential reporting that occurred during the same cycle.

Sexual Offenses on Campus	2018	Final Adjudication of Disciplinary Action(s)
Sexual Assault	4	(3) – Student perpetrator, found responsible, expelled from Mitchell College / banned from College property (1) – Student perpetrator, found responsible, suspended from Mitchell College for the remainder of the Academic year & banned from College property for the balance of the academic year
Intimate Partner Violence	0	
Stalking	1	(1) Non-student perpetrator, banned from College property
Anonymous/Confidential reports or disclosures	1	One report remained anonymous this reporting cycle

