

University of Findlay

Serious Misconduct Disclosure Policy

I. SCOPE OF POLICY

The University of Findlay is committed to providing a safe environment for everyone. To assist the University in achieving this commitment, and in accordance with applicable University Policy and [NCAA's Policy on Campus Sexual Violence](#), every student is required to provide the disclosures outlined in Section II during the student onboarding process. Additionally, in accordance with NCAA's Policy on Campus Sexual Violence, returning student athletes are required to disclose serious misconduct on an annual basis.

II. DEFINITION

Incoming students and returning student athletes are required to disclose whether they have been disciplined through a Title IX proceeding (or other conduct-related proceeding that involve forms of sexual violence) or criminally convicted, regardless of the degree and whether the result of a plea or court determination, of any of the following:

- A. Interpersonal violence: Violence that is predominantly caused due to the relationship between the complainant (victim) and the respondent (perpetrator), including dating and domestic violence.
- B. Sexual violence: A term used to include both forcible and nonforcible sex offenses including but not limited to sexual battery, sexual assault, sexual harassment, rape, and sexual exploitation.
- C. Other acts of violence: Crimes, including felonies, such as murder, manslaughter, aggravated assault, or any assault that employs the use of a deadly weapon or causes serious bodily injury.

III. PROCEDURES

- A. All Students: Serious Misconduct Disclosure
 - 1. Incoming students must complete the "Serious Misconduct Disclosure Questionnaire" during their onboarding process. The questionnaire is completed via Workday.
- B. Student Athletes: Serious Misconduct Disclosure for returning student athletes
 - 1. Returning student athletes are required to complete the "UF NCAA Sexual Violence Acknowledgement (Returning Student-Athlete Title IX Disclosure)" on an annual basis. The acknowledgement is completed via the ARMS software system.
 - 2. In the event a student-athlete transfers from the University of Findlay to another institution, the University of Findlay Office for Civil Rights is required by the NCAA Policy to share relevant information concerning an incomplete Title IX proceeding, discipline received through a Title IX proceeding or knowledge of a criminal conviction for sexual, interpersonal or other acts of violence to the latter institution. The University will share this information in compliance with federal

and state law, including but not limited to the Family Educational Rights and Privacy Act (“FERPA”). Student athletes are asked to complete the FERPA Waiver provided in the UF NCAA Sexual Violence Acknowledgement form.

- C. The information provided on the disclosure questionnaire will be directed to the Office for Civil Rights for review and will be kept on file in accordance with the University’s record-keeping policy outlined in Section VI. A temporary registration hold may be placed on the student’s account during the review process. In some cases, it may also be necessary for Student Conduct to review the information provided. Please note that the Civil Rights/Title IX Coordinator may request an initial meeting with you to gather additional information. Disclosure of information will not automatically disqualify you from participating in the University’s education program or activity, including participation in athletics, and access to student aid.
- D. The Office for Civil Rights will gather information that reasonably yields information from the former institution(s) when recruiting an incoming student-athlete or accepting a transfer student-athlete, putting the recruiting institutional leadership on notice that the student left the institution with an incomplete Title IX proceeding, was disciplined through a Title IX proceeding or has a criminal conviction for sexual, interpersonal or other acts of violence pursuant to our written procedure. University administrators may contact the Title IX office or other appropriate campus office of the student-athlete's former institution to inquire about this information. University administrators may do the same for incoming students.
- E. Based on the information provided, the Civil Rights/Title IX Coordinator reserves the right to complete a background check.
- F. Positive disclosures on the “Serious Misconduct Disclosure Questionnaire” will be reviewed by the Office for Civil Rights and other appropriate University offices (e.g., Office of Admissions, Office of Student Affairs, Office of Campus Safety and Emergency Management, Athletic Department, etc.) to render a final admission decision and/or determine whether, if admitted, the student will be allowed certain privileges (e.g., living on campus, becoming a member of the respective varsity program, etc.).
- G. Positive disclosures on the “UF NCAA Sexual Violence Acknowledgement (Returning Student-Athlete Title IX Disclosure)” will be referred to the appropriate University office (e.g., Office for Civil Rights, Office of Student Affairs, etc.), which will address the matter in accordance with applicable University policies and procedures. The appropriate offices may review the disclosure to determine what follow-up action and/or proceedings may be necessary.

IV. FALSIFICATION OF INFORMATION & NEW INFORMATION

The University of Findlay takes matters of falsification or omission of information on the admission application and information discovered during the onboarding process seriously. Please review the University’s full policy statement [here](https://findlay.smartcatalogiq.com/current/undergraduate-catalog/admission/):

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V. NONDISCRIMINATION

The University of Findlay strives for an environment in which all individuals are treated with respect and dignity. Please review the University's full Non-Discrimination Statement [here](#).

VI. RECORDS RETENTION

The University will retain all records of each investigation instituted under this Policy for seven (7) years. Records will include all documents, recordings, or transcripts from investigations, hearings, appeals, and informal resolutions. The first date of the first record created by the University will begin the seven-year retention period. Records will be maintained for all investigations including investigations that have been dismissed, completed, or otherwise resolved.