



University of Findlay®

Annual Security and
Fire Safety Report

September, 2019

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University of Findlay
Office of Campus Safety and
Emergency Management

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ANNUAL FIRE SAFETY REPORT

1. The Clery and Campus Save Acts

Choosing an Institution of Higher Education (IHE) is a major decision for students and their families. Along with academic, financial and geographic considerations, the issue of campus safety is a vital concern. In 1990, Congress enacted the Crime Awareness and Campus Security Act (Title II of Public Law 101-542), which amended the Higher Education Act of 1965 (HEA). This Act required all colleges and universities participating in Title IV student financial aid programs to disclose campus crime statistics and security information. The Act was amended in 1992, 1998, 2000 and 2013. The 1998 amendments renamed the Act the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act in memory of a student who was slain in her dorm room in 1986.

Commonly known as “The Clery Act”, the legislation requires IHE’s to give timely warnings of crimes that represent a threat to the safety of students or employees, and to make public their campus security policies. The Clery Act also requires IHE’s to collect statistics on crimes that occur on campus and to report the statistics to the campus community, prospective students and their families and the Department of Education. The primary goal of The Clery Act is to provide students and their families with accurate, complete and timely information on campus safety so they can make an informed comparison of their higher education options. The University of Findlay’s policies relating to The Clery Act and the institution’s crime statistics are found in this document and on the University of Findlay’s Safety and Security web page.

More information on The Clery Act is available on the Clery Center’s website at www.clerycenter.org.

The Clery Act was amended again in 2013 to address growing concerns regarding sexual assault, domestic violence, dating violence and stalking incidents on campuses nationwide. This amendment occurred through the reauthorization of the Violence Against Women Act (VAWA), and more specifically under VAWA’s Campus Sexual Violence Act (or “Campus SaVE Act”) provision, Section 304. This amendment requires expanded crime reporting obligations and the implementation of specific policies, procedures, and training related to sexual violence and intimate partner violence.

2. Timely Warnings

The University of Findlay provides Timely Warnings to the campus community of any crime(s) that present a serious and/or continuing threat to the safety of students or employees. The campus community will receive notification via email and the institution’s Oiler Alert text messaging system.

ANYONE WITH INFORMATION WARRANTING A TIMELY WARNING SHOULD CONTACT THE SECURITY OFFICE AT 419-434-4799.

Reports of crimes to a Campus Security Authority (Security Office, Student Affairs, and Campus Safety and Emergency Management [CSEM]) will be documented and assessed to determine if a serious and/or continuing threat to the safety of students or employees exists. This determination will be made by the Vice President of Student Affairs in consultation with the Chief of Police. The Chief of Police will make the determination in the Vice President's absence.

Timely Warnings contain details of the crime, a description of the suspect if known, whom to contact with information on the crime, and proactive steps to remain safe. Some information may be withheld if providing that information could risk compromising law enforcement efforts. Additionally, the names and other identifying information of victims are confidential and never included in Timely Warning notifications. Systems used to provide this notification are tested quarterly unless used to disseminate a Timely Warning or other emergency information during that quarter.

Current Timely Warnings can be viewed on the Safety and Security webpage under the Crime Alerts link (<https://www.findlay.edu/offices/student-affairs/safety-security/Campus-Alerts>).

Current students and employees can view the Emergency Procedures section of the University of Findlay's Crisis Response Plan in order to learn about the recommended procedures that will be generally followed during specific types of emergencies, and is intended to provide guidance to any person who initially discovers the emergency or who is first on the scene. This information is available at <https://www.findlay.edu/offices/student-affairs/safety-security/crisis-response>.

3. Annual Security Report

The University of Findlay prepares this Annual Security Report (ASR) in an effort to better inform our students, faculty and staff of crime on campus and University controlled properties as well as surrounding public property. The crime statistics are compiled from the past three years and are based on data from the Office of Student Affairs, Office of Campus Safety and Emergency Management, the Findlay Police Department and Hancock County Sheriff's Office. Crime statistics from the main campus, the English Farm, the Western Farm, and the All Hazards Training Center are included the annual report. Please note that these statistics represent reported cases and do not distinguish between credible incidences and false reports.

Crimes included in the Annual Security Report are those defined by The Clery Act for inclusion and occurring within the geography of the University. The geography of the University of Findlay includes any buildings and property that are part of the institution's campus, the institution's non-campus buildings and property, public property within or immediately adjacent to and accessible from the campus, and areas within the patrol jurisdiction of the Campus Safety Office.

Each year, an email notification is sent to all students, faculty and staff that provides the website address to access this report. Copies of the Annual Security Report may be printed from the University of Findlay's Office of Campus Safety and Emergency Management website (www.findlay.edu/offices/student-affairs/safety-security/) or be requested from the following offices:

- Campus Safety and Emergency Management
 - Lovett Hall, 419-434-4799
- Student Affairs
 - Old Main, 419-434-4578

4. Reporting Crimes

All persons are strongly encouraged to report crimes in a prompt and accurate manner. In the event that a crime has occurred, all students, faculty, staff and patrons of the University of Findlay are encouraged to notify the Campus Safety and Emergency Management Office for “on campus” crimes and/or local law enforcement for “off campus” crimes or in emergencies where emergency services are required.

Crimes occurring “on campus” can be reported to the **Campus Security or Campus Police** by calling 419-434-4799 or visiting the office located on the first floor of Lovett Residence Hall (201 Frazier St.). To report a crime “off campus” within the Findlay city limits, contact the **City of Findlay Police Department** non-emergency line at 419-424-7150 or 419-424-7163. For crimes occurring in the county, contact the **Hancock County Sheriff’s Office** non-emergency line at 419-422-2424. In the event of an emergency dial 911 and you will be directed to the appropriate agency. Both entities are available to take reports and investigate criminal incidents in their locality.

The University of Findlay Campus Security and Campus Police maintain a written Daily Crime Log that records, by the date the crime was reported, any crime that has occurred within the institution’s Clery geography and is reported to the Campus Safety Office. The information contained in the log includes the nature, date, time and general location of each crime. Additionally, the log also contains the disposition of the complaint, if known.

Entries are made in the log no later than two days following the report of a crime, unless disclosure of the information is prohibited by law or would jeopardize the confidentiality of the victim. Further, the University may withhold information from the crime log required by the Clery Act if there is clear and convincing evidence that the release of the information would:

- Jeopardize an ongoing criminal investigation or the safety of an individual;
- Cause a suspect to flee or evade detection; or
- Result in the destruction of evidence.

Once the threat of the adverse condition is abated, the University will fully disclose any previously withheld information in the Crime Log.

The public may access the Daily Crime Log for the most recent 60-day period during normal business hours in the Campus Safety Office in Lovett Hall. Any portion of the Daily Crime Log older than 60 days will be made available within two business days of a request for public inspection. Requests to inspect the Daily Crime Log may be made by contacting the Campus Safety Office at 419-434-4799 or in person at the Campus Safety Office in Lovett Hall.

5. Voluntary Confidential Reporting

Victims of crimes who do not wish to pursue action within either the university system or the criminal justice system can file a confidential report. With the victim's permission, the Campus Safety Office can file a report with the details of the incident without revealing the victim's identity.

The purpose of the confidential report is to comply with the victim's wish to keep the matter confidential, while taking steps to ensure the future safety of the victim and others. With such information, the Campus Safety Office can keep accurate records of the number of incidents occurring on-campus, identify criminal patterns with regard to a particular location, method or assailant, and alert the campus community to potential danger. Reports filed in this manner are counted and disclosed in the annual crime statistics for the institution.

Voluntary confidential reports of crimes can be made to the Office of Student Affairs, as identified below:

- Campus Safety Office by phone 419-434-4799, or
- In-person at the Campus Safety Office to any Campus Police/Security Officer, or
- On-line via the Silent Victim/Witness link found on the Campus Safety webpage

Because police reports are public records under state law, the Findlay Police Department cannot hold reports of crime in confidence.

6. Campus Facility Security and Access

A Campus Security Officer is available 24 hours per day, 7 days per week, 365 days per year including Christmas and major holidays. The Chief of Police and Director of Security is available from 8 a.m. to 4:30 p.m. Monday through Friday at 419-434-4601.

The Campus Safety Office is responsible for locking campus facilities at night and unlocking the facilities in the morning. During days in which class is in session, all academic buildings will be open for classes and business.

Physical Plant employees have access to all campus facilities and are responsible for the maintenance and repair of these facilities.

Vendors employed by the University of Findlay to perform work on-campus and/or campus facilities must register at the Physical Plant or Campus Safety Office and are required to wear contractor badges at all times when performing work on-campus.

7. Campus Security and Counseling Personnel

The University of Findlay employs Campus Security Officers and Campus Police Officers to provide security to the campus community. Their jurisdiction extends primarily to University owned and/or operated property.

The UF Campus Police and Security personnel maintain a close working relationship with the Findlay Police Department and Hancock County Sheriff's Office. Given this close working relationship, all crime committed by University students at off-site locations is reported by local law enforcement to the University.

All students, faculty, staff and patrons of the University of Findlay are encouraged to notify local law enforcement and file a report with the appropriate agency when a crime has occurred. Accurate and prompt reporting increases the chances of not only deterring crime but also the chances of identifying suspected persons.

Communication between students and the Counseling Services Staff or Campus Ministry Pastors is confidential and will not be disclosed without the prior, written consent of the student. The State of Ohio Revised Code does provide the following exceptions to this confidentiality and these exceptions will be explained during a student's first session:

- If the therapist has knowledge of abuse of a child, or person with a disability taking place in the present.
- If the counselor has knowledge of intent to harm self or others.
- If the counselor receives a court order to the contrary.
- If the counselor or graduate student is supervised and consults with a supervising staff member within Counseling Services.

8. Security Awareness and Crime Prevention Programs

In addition to patrolling, both on foot and in marked vehicles, the Campus Safety Office has programs in place in order to make students and employees aware of not only Campus Safety's presence but the available services as well.

Campus Safety participates in new student orientation to provide an overview of the services available and provide information encouraging students to be responsible for their own safety and security. Students are required to speak with Campus Safety Office representatives during orientation.

Self-defense courses are taught periodically throughout the academic year and are open to all students. Information is presented informing students about crime prevention as well as self-defense tactics.

Information on available services is also available on the Campus Safety and Emergency Management webpage and by speaking with Campus Safety representatives.

Residence Life Staff are posted on each residence hall floor and assigned to the various homes used by the University for student housing. These students have been trained in reporting crimes and issues to both Campus Security/Police and law enforcement and are aware of University policies and procedures in dealing with these situations. These students, living among the student population, afford a greater opportunity to identify and report crimes. Additionally, programs are offered to the residents by the Residence Life Staff on various topics including security and crime prevention. Small groups of this staff also actively patrol student housing facilities Monday through Friday 8pm to 12am and Saturday and Sunday 8pm to 2am.

The Oiler Alert emergency text notification system is used to disseminate emergency notification messages to the campus community when emergencies occur. These messages provide information on the emergency and provide information students and employees can use to take responsibility for their own safety and security. Students and employees are automatically enrolled in this program.

Code Blue Emergency Phones are located throughout the Main Campus, East Campus and South Campus. Phones are located in common areas, parking lots, on buildings and in walkways. When activated by pushing the red Emergency Button, the phone is immediately connected to the Campus Safety Office and Campus Security Cell Phone. Additionally, all Officers present on campus are dispatched immediately to the location of a phone that has been activated.

The University of Findlay is widely covered by security cameras operated and maintained by the Campus Safety Office. These cameras are placed on the exterior and interior of academic and housing facilities on campus as well in parking lots and common areas. Cameras provide Campus Safety with the capability to identify potential suspects and act as a physical presence working to deter crime through their presence.

9. Alcoholic Beverages

General Guidelines:

The possession, distribution, and/or consumption of alcoholic beverages are not permitted on any property owned or controlled by The University of Findlay or at functions sponsored by The University of Findlay off campus. The only time there shall be an exception to this policy is when the President, Vice President for Business Affairs, and Vice President for Student Affairs, at their sole discretion, determine that alcohol may be present at specific events/locations on or off campus and may be served to persons 21 and older with proper identification. In such cases, a [special-event form](#) granting permission for alcohol to be present and served must be completed and signed (electronic signatures are permissible) by the President, Vice President for Business Affairs, and Vice President for Student Affairs (or their designees) a minimum of two weeks before the date of the special-event. Solely the President shall govern alcohol use at the President's primary residence, unless alcoholic beverages are offered for sale at a resident event.

Student Specific Guidelines:

Any student, regardless of age, who exhibits definite signs of intoxication or who has possession of alcoholic beverages on University owned or controlled property or at a University sponsored event off campus (this includes field trips, conferences, and any other events paid for with University funds) will be subject to judicial action that may include one or more of the following: a monetary fine, probation status, counseling, community service, restitution, restriction in campus access, suspension, or dismissal. This also applies to the possession of empty alcohol containers, or “empties” used for any purpose, including decoration. The only exception to this clause shall be in cases where the event is sanctioned and approved by the University as stipulated in the General Guidelines section. In those cases, students age 21 and older would be permitted to responsibly possess and consume alcohol.

Since alcohol is not permitted on University owned or controlled properties or at University sponsored events off campus, unless the University, at its sole discretion and as stipulated in the General Guidelines section, determines that alcohol may be present at a specific event on or off campus, all persons present where an alcohol violation occurs are subject to disciplinary action regardless of age. For example, in University townhouses, cottages, apartments, residence hall rooms, special-interest houses, group houses, and fraternity and sorority houses, all persons present can be held responsible for alcohol violations occurring anywhere in the unit. In addition, any individual providing alcohol, or a location for alcohol to be consumed, to individuals under the age of 21 may be found responsible for providing/supplying alcohol to individuals under the legal drinking age; thus resulting in additional sanctions.

Employee Specific Guidelines:

Any employee, regardless of age, who exhibits definite signs of intoxication or who has possession of alcoholic beverages on University owned or controlled property or at a University sponsored event off campus will be subject to personnel action by the Human Resource Office. That action may include one or more of the following: warning, probation status, counseling, restriction in campus access, suspension, or dismissal. The only exception to this clause shall be in cases where the event is sanctioned and approved by the University as stipulated in the General Guidelines section. In those cases, employees age 21 and older would be permitted to responsibly possess and consume alcohol.

Student Organization Guidelines:

Any recognized student organization of The University of Findlay that violates the alcohol policy is subject to the following:

- First Violation - Two years of disciplinary probation* and loss of eligibility for Student Government Association funding for the organization during the probationary period.
- Second Violation (while on probation) - Extension of probation* for one year, a \$1,000 fine for the organization, continued loss of eligibility for Student Government Association funding for the organization during the probationary period, and possible loss of University recognition as an organization.
- Third Violation - Automatic loss of recognition by The University of Findlay.

*Probation terms for student groups will vary based on the type and severity of the violation, and The University reserves the right to assign probation terms as it sees appropriate.

Please note that employees accompanying/overseeing student groups on trips or overseeing on/off campus student events funded in any way by the University are required to ensure student compliance with the alcohol policy.

10. Illegal Drug Possession

The University of Findlay recognizes that the manufacturing, sale, possession, or use of illegal substances is incompatible with federal law. The University of Findlay will not permit the unlawful possession, use, or distribution of any illegal substances or paraphernalia. Violators of this policy will be subject to University sanctions up to and including possible suspension from the University of Findlay.

The possession, distribution, cultivation or use by any student or employee, of any narcotic or hallucinogenic drugs in either the refined or crude form, except under the direction of a licensed physician and as permitted by federal law, is prohibited on University owned or controlled properties and at functions sponsored by the University of Findlay off campus. Non-Medical use of prescription medication is prohibited, including taking prescription medications not prescribed to the student, distributing personal prescription medication to others, whether for a fee or for free, using the prescriptions in manners not intended by the prescribing physician (i.e. nasal ingestion), or misusing medication for a desired effect not intended by the prescribing physician.

11. Substance Abuse Education

All faculty, staff and students are encouraged to seek help early in the discovery of a problem with alcohol and/or other drugs. The earlier assistance is obtained, the less likely there will be serious, negative consequences resulting from an alcohol or drug problem. Persons seeking assistance for a substance abuse problem will not be sanctioned by the University as a result of seeking such assistance.

The University of Findlay will assist individuals needing drug or alcohol counseling and/or treatment through counseling services (419-434-4526), health services (419-434-4550) and appropriate local agencies. A high quality effort will be made to enhance the institution's capability for offering employees and students meaningful and helpful referral to treatment services when it becomes clear that neither campus prevention nor early intervention activities have met an individual's needs. Counseling Services can provide other campus and community resources.

Counseling Services provides outreach and education programming to students throughout the academic year on alcohol and drug abuse. Presentations are given to students through Residence Life programs that follow the Lifestyle Risk Reduction Model established by the Prevention Research Institute. These presentations provide information on high risk behaviors, cognitive effects of drugs and alcohol and prevention models.

Additionally, Counseling Services provides training for policy violators that also follows the Lifestyle Risk Reduction Model. Passive education programs such as "Toilet Talk" and other methods of education are performed periodically to augment regularly scheduled efforts.

Residence Life Staff receive training from Counseling Services and the Student Affairs Staff on drug and alcohol abuse prevention, identification and services available. Additionally, Resident

Assistants provide programming for each on-campus living area and typically focus on the topic of substance abuse education at least once throughout the academic year.

12. Sex Discrimination, Sexual Harassment, and Other Forms of Sexual Misconduct

I. Scope of Policy

The University of Findlay is committed to providing a safe learning and working environment free from discrimination and harassment on the basis of sex. Sex discrimination, sexual harassment, and other forms of sexual misconduct are collectively referred to as “Prohibited Conduct” and are defined in more detail below.

This Policy applies to all forms of Prohibited Conduct that occur in relation to the University’s academic, educational, extracurricular, athletic, and other programs, as well as Prohibited Conduct that occurs in relation to employment with the University. The University maintains jurisdiction over Prohibited Conduct that occurs on campus, that occurs off-campus in the context of any University programs or activities, or that occurs off-campus and has a continuing effect on campus or on any member of the University community. The Policy applies to all students, staff members, faculty members, Board of Trustees members, guests, visitors, consultants, vendors, and other members of the University Community. All Prohibited Conduct is handled according to this Policy regardless of the identities of the Complainant or Respondent.

When informed of Prohibited Conduct as defined by this Policy, the University will take prompt action in accordance with this Policy to eliminate the harassment or discrimination, prevent its recurrence, and address its effects.

II. Title IX Coordinator

While this Policy concerns discrimination on the basis of sex, gender, gender identity, and sexual orientation, a complete Notice of Non-Discrimination regarding all protected traits can be found on the University’s website in [Article X of the Student Rights and Responsibilities Statement](#). The following person has been designated to handle inquiries regarding the University’s Title IX Policy:

Skylar Mettert
Director for Greek Life, Operations Support & Title IX Coordinator
Alumni Memorial Union Office #8A
1000 N. Main Street
Findlay, Ohio 45840
Telephone: (419) 434-4570
Email: metters@findlay.edu

For further information on non-discrimination, visit <http://wdcrobcop01.ed.gov/CFAPPS/OCR/contactus.cfm> for the address and phone number of the office that serves your area, or call 1-800-421-3481.

III. Prohibited Conduct Under This Policy

This Policy prohibits sex/gender discrimination; sex/gender harassment; sexual harassment; non-consensual sexual intercourse; non-consensual sexual contact; sexual exploitation; dating violence and domestic violence (together referred to as “intimate partner violence”); stalking; and retaliation. Together, these are referred to as Prohibited Conduct.

A. Sex/Gender Discrimination

Sex/Gender Discrimination is when an individual is, on the basis of sex/gender:

- Treated differently in determining whether such person satisfies any requirement or condition for the provision of any aid, benefit, or service;
- Provided different aid, benefits, or services;
- Provided aid, benefits, or services in a different manner;
- Denied any aid, benefit, or service;
- Subjected to separate or different rules of behavior, sanctions, or other treatment;
- Treated differently concerning the domicile or residence of a student or applicant, including eligibility for in-state fees and tuition;
- Discriminated against by providing significant assistance to any agency, organization, or person which discriminates on the basis of sex/gender in providing any aid, benefit, or service to students or employees;
- Otherwise limited in the enjoyment of any right, privilege, advantage, or opportunity with regards to aid, benefits, or services; or
- Treated differently with regard to terms, conditions, or benefits of employment, or in the recruitment, consideration, or selection therefor.

Discrimination on the basis of sex/gender in employment is permissible in situations where sex/gender is a bona fide occupational qualification reasonably necessary to the normal operation of the University.

Examples of conduct that may form the basis of a Sex/Gender Discrimination complaint include, but are not limited to:

- Offering higher academic grades to students of a particular sex/gender;
- Silencing students of a particular sex/gender in classroom discussion;
- Referring to members of a particular sex by a derogatory name related to their sex.

Note that the federal regulations regarding Title IX include certain exceptions, such as single-sex housing, athletic participation, and chorus participation, that do not constitute Sex/Gender Discrimination. These limited permissible exceptions, found in Title 34 of the Code of Federal Regulations, Part 106, will be considered when determining whether Prohibited Conduct occurred under this Policy.

B. Sex/Gender Harassment

Sex/Gender Harassment is non-sexual harassment on the basis of one's sex/gender when:

- Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or grade in a program, course, or activity;
- Submission to or rejection of such conduct by an individual is used as the basis for employment or educational decisions affecting an individual; or
- Such conduct is sufficiently pervasive, offensive, or abusive to have the purpose or reasonable effect of interfering with an individual's work or educational performance, or creating an intimidating, hostile, or offensive work environment, under both an objective and subjective standard. A single incident may create a hostile environment if the incident is sufficiently severe.

The determination as to whether a hostile environment exists is based on the totality of the circumstances, including but not limited to:

- The nature and severity of the conduct;
- The type, frequency, and duration of the conduct;
- The identity of and relationship between the Respondent and the Complainant;
- The number of individuals involved;
- The age and maturity levels of the Respondent and Complainant; and
- The location of the conduct and the context in which it occurred.

C. Sexual Harassment

Sexual Harassment is unwelcome conduct of a sexual nature, including unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal, or physical conduct of a sexual nature when:

- Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, evaluation of academic work, or any aspect of a University program, course, or activity;
- Submission to or rejection of such conduct by an individual is used as the basis for employment or educational decisions affecting an individual; or
- Such conduct has the purpose or effect of unreasonably interfering with an individual's work or academic performance, or creating an intimidating, hostile, or offensive working or educational environment, under both an objective and subjective standard. A single incident may create a hostile environment if the incident is sufficiently severe.

The determination as to whether a hostile environment exists is based on the totality of the circumstances, including but not limited to:

- The nature and severity of the conduct;
- The type, frequency, and duration of the conduct;
- The identity of and relationship between the Respondent and the Complainant;

- The number of individuals involved;
- The age and maturity levels of the Respondent and Complainant; and
- The location of the conduct and the context in which it occurred.

Examples of conduct that may form the basis of a Sexual Harassment complaint include, but are not limited to:

- Making sexual propositions or pressuring for sexual favors;
- Touching of a sexual nature;
- Writing graffiti of a sexual nature;
- Displaying or distributing sexually explicit drawings, pictures, videos, or other materials;
- Performing sexual gestures or touching oneself sexually in front of others;
- Spreading sexual rumors or rating other students or employees as to sexual activity or performance;
- Circulating or showing e-mails or websites of a sexual nature;
- Direct or implied threats that submission to sexual advances is a condition of employment, promotion, good grades, recommendations, etc.;
- Sexually explicit jokes or statements, questions, or remarks about sexual activity or experience;
- Physical assault of a sexual nature.

D. Non-Consensual Sexual Intercourse

Non-Consensual Sexual Intercourse is either of the following:

- The penetration, no matter how slight, of the genitals, anus, or mouth of another person without that person's consent; or
- A sexual action taken to another person's breasts, genitals, anus, or mouth without that person's consent. Examples include, but are not limited to: manual sex; oral sex; the touching of genitals to another's mouth; mammary intercourse; and tribadism.

For the definition of "consent" and related definitions, see Section IV (Related Definitions), below.

E. Non-Consensual Sexual Contact

Non-Consensual Sexual Contact is the intentional touching of the intimate parts of another, causing another to touch one's intimate parts, or the disrobing or exposure of another individual's intimate parts, without the other person's consent. Sexual Contact may be over the clothes or skin-to-skin.

Intimate parts include the breasts, genitals, buttocks, groin, mouth, or any other part of the body touched in a sexual manner.

For the definition of "consent" and related definitions, see Section IV (Related Definitions), below.

F. Stalking

Stalking is a course of conduct directed at a specific person that would cause a reasonable person to: (A) fear for the person's safety or the safety of others; or (B) suffer substantial emotional distress.

For purposes of the definition of Stalking under this Policy:

- A "course of conduct" means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property.
- A "reasonable person" means a reasonable person under similar circumstances and with similar identities to the victim.
- "Substantial emotional distress" means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

G. Intimate Partner Violence

Intimate Partner Violence is domestic violence and/or dating violence. Violence includes physical violence, sexual violence, and the threat of physical and/or sexual violence.

Domestic violence is violence that is committed against: a current or former spouse or intimate partner; a person with whom the Respondent shares a child in common; or a family member, roommate, or household member.

Dating violence is violence committed against a person with whom the Respondent is or has been in a social relationship of a romantic or intimate nature. The existence of such a relationship will be determined based on the Complainant's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

H. Sexual Exploitation

Sexual Exploitation is taking advantage of another's sexuality in a non-consensual manner. Examples of Sexual Exploitation include, but are not limited to:

- The non-consensual viewing of nudity of another;
- The non-consensual streaming of images of sexual activity;
- The non-consensual sharing or posting of nude images of another;
- The non-consensual recording of individuals in locations in which they have a reasonable expectation of privacy (such as restrooms or locker rooms) even if the images do not capture nudity;
- Intentionally exposing one's genitals to another person in non-consensual circumstances;

- Knowingly exposing another to a sexually transmitted disease under circumstances that could reasonably lead to transmission of the disease; and
- Inducing incapacitation of another via drugs and/or alcohol for purposes of making that person vulnerable to non-consensual sexual conduct or non-consensual sexual contact.

I. Retaliation

Retaliation is an adverse action taken against a person or group of people because that person or group engaged in or intends to engage in protected conduct in good faith under this Policy.

Protected conduct includes making an allegation, filing a complaint, serving as a witness, assisting a Complainant or Respondent, or otherwise participating in any way in an investigation and/or resolution of conduct or alleged conduct implicated by this Policy.

An adverse action is one that would dissuade a reasonable person from engaging in protected conduct. The prohibition extends to adverse actions taken against friends or relatives of any person or group of people who engage in protected conduct under this Policy, if such adverse action would dissuade a reasonable person from engaging in protected conduct.

Any individual or group of individuals, including but not limited to a Complainant or Respondent, can be held accountable for Retaliation under this Policy.

Retaliation does not include good faith actions lawfully pursued in response to a report of Prohibited Conduct.

IV. Related Definitions

A. Consent

Consent is a knowing, voluntary, and affirmatively communicated willingness to participate in a particular sexual activity or behavior. It must be given by a person who has the ability and capacity to exercise free will and make a rational, reasonable judgment. Consent may be expressed either by words or actions, as long as those words or actions create a mutually understandable permission regarding the conditions of sexual activity. It is the responsibility of the person who initiates the sexual activity to ensure that consent is obtained from the other person or persons involved in the sexual activity before the activity occurs. If consent of one participant is unclear at any time, it is the responsibility of the other participant(s) to ensure that consent is present before beginning or continuing the activity.

Additional considerations include:

- Lack of protest or resistance is not consent. Nor may silence or inaction, in and of itself, be interpreted as consent.
- Previously consensual sexual activity does not imply consent to future sexual activity.
- Consent must be obtained for every sexual activity. Consent to one form of sexual activity does not constitute consent to all forms of sexual activity.

- To give consent, one must be of legal age. Under Ohio law, individuals under the age of 13 cannot give consent. Individuals at least 13 years of age but under the age of 16 cannot give consent to individuals that are 18 or older.
- Consent must be present throughout sexual activity and may be withdrawn at any time. If there is confusion as to whether there is consent or whether prior consent has been withdrawn, it is essential that the participants stop the activity until consent is reestablished.
- Consent cannot be obtained by the use of physical force, threats of physical force, physically intimidating behavior, or coercion.
- Consent cannot be given by an individual that is incapacitated.

B. Coercion

Coercion is unreasonable pressure for sexual activity that significantly compromises the voluntary nature of an individual's participation. Examples of coercion include but are not limited to threatening to harm oneself if the other person does not engage in sexual activity, or threatening to blackmail an individual if they do not engage in sexual activity.

C. Incapacitation

Incapacitation is a state in which an individual's decision-making ability is impaired to the point that the individual is unable to understand the nature or consequences of their actions.

Incapacitation may result from:

- Sleep or unconsciousness
- Temporary or permanent mental or physical disability
- The influence of alcohol, drugs, medication, or a combination of any of these substances.

Incapacitation is more than mere intoxication. An individual is incapacitated if they cannot understand the "who, what, where, when, and how" of the sexual activity.

In circumstances involving an incapacitated Complainant who otherwise appears to have consented, the Respondent will not be held responsible for not obtaining consent unless the Respondent knew or reasonably should have known that the Complainant was incapacitated. The relevant standard is whether a sober, reasonable person in the same position should have known that the Complainant was incapacitated. For purposes of an incapacitation analysis, it is irrelevant whether the Respondent was incapacitated.

V. How To Address Prohibited Conduct: Options and Resources

If you or someone you know has experienced Prohibited Conduct, the first concerns to be addressed should be to make sure the individual is safe and has access to medical care if needed. Campus Safety (419-434-4799) can provide a safety transport and assist in obtaining emergency medical assistance. Emergency assistance can also be accessed by dialing 911.

Once the individual is safe, there are three primary considerations that should be addressed:

1. The individual should consider whether they want to access resources, either on campus or off campus, to get assistance. Emergency medical assistance can be reached by dialing 911 or contacting Campus Safety at (419) 434-4799.
2. Evidence should be preserved so that it is available if needed for purposes of a University investigation and/or a criminal investigation.
3. The individual should consider whether to make a report to the University, to law enforcement, both, or neither. Note that employees of the University, unless they have been designated as “Confidential Resources” according to this Policy, are required to report all Prohibited Conduct to the Title IX Coordinator as soon as possible after learning of the incident.

A. Resources To Assist

Individuals who experience Prohibited Conduct may wish to access resources to assist with their personal needs following an incident. There are two primary types of resources: confidential resources and other resources which are not confidential.

1. Confidential Resources

Confidential Resources are not obligated to report Prohibited Conduct to the University. They are also not required to report potential criminal behavior to law enforcement except in certain very limited situations required by the Ohio Revised Code. Confidential Resources include:

On-Campus Confidential Resources

- University of Findlay Counseling Services, 307 Frazer Street, (419) 434-4526 – Provides professional, confidential counseling, advocacy, guidance, and assistance in understanding options, rights, and outcomes with regard to both the University and criminal processes.
- Cosiano Health Center, 120 West Foulke, (419) 434-4550 – Provides medical assistance, including sexual assault response assistance, to students.
- Campus Ministry Counseling, 1049 N. Main Street, (419) 434-5624 – Provides confidential consultation with clergy.

Off-Campus Confidential Resources

- Blanchard Valley Hospital, 1900 S. Main Street, (419) 423-4500 – Offers on-site Sexual Assault Nurse Examiner services through the Emergency Department.
- Open Arms Domestic Violence & Rape Crisis Services 24 Hour Hotline, (419) 422-4766, www.openarmsfindlay.com -- Can assist with emergency shelter, rape crisis, victim advocacy, and obtaining a Civil Protection Order
- National Sexual Assault Hotline, 1 (800) 656-HOPE (4673), www.rainn.org
- National Domestic Violence Hotline, 1 (800) 799-SAFE (7233), www.ndvh.org
- National Teen Dating Abuse Helpline, 1 (866) 331-9474, www.loveisrespect.org

- Ohio Sexual Violence Helpline, 1 (844) OHIOHELP (1-844-644-6435), www.oaesv.org
- Buckeye Region Anti Violence Organization (BRAVO), (866) 862-7286, www.bravo-ohio.org – Focuses on assisting the LGBTQI community
- ASHA-Ray of Hope 24-Hour Helpline, (614) 565-2918, asharayofhope.org – Focuses on assisting individuals from South Asia
- Ohio Hispanic Coalition Domestic Violence 24 Hour Hotline, (614) 746-3534 (Spanish and English), ohiohispaniccoalition.org/programs/safety/
- [Legal Aid of Western Ohio, 1800 North Blanchard Street, \(888\) 534-1432 – Provides legal assistance to low-income residents](http://www.legalaidohio.org)
- [Medical personnel, psychologists, counselors, social workers, therapists, attorneys, rape crisis counselors, and clergy members](#)

Note that there are limits to a Confidential Resource’s ability to maintain confidentiality. Confidential Resources are required to report child abuse or neglect to Children’s Services or local law enforcement. Medical professionals may also have certain legally mandated reporting responsibilities in certain serious cases, although depending on state law, the reporting requirement may only require that the professional share the date, general time, and general location of the incident. Mental health professionals are required to disclose information where there is an imminent threat of harm to self or others. Finally, pursuant to the Clery Act, anonymous statistical information for certain offenses that have been reported as occurring at campus locations must be shared with Campus Safety. The information does not include the names or any other identifying information about the persons involved in such incidents.

In some cases, an individual may not need services through a Confidential Resource immediately following the Prohibited Conduct. However, as time passes, it may be helpful to seek such assistance. Counselors found on-campus at the Counseling Center, advocates at Open Arms, and other service providers listed in this Policy can provide assistance and/or treatment in dealing with physical and emotional concerns as they may arise.

2. Other Resources

Other resources may also provide helpful support in many ways, including assisting individuals with obtaining accommodations or interim protective measures, explaining their options, and connecting them with other appropriate resources. Friends and loved ones may also be important sources of emotional support.

University resources that are not Confidential Resources are expected to handle information in a manner that respects the privacy of those involved in the situation, sharing information only as necessary. However, all employees of the University who are not listed as confidential resources, above, are required to report allegations of Prohibited Conduct to the Title IX Coordinator.

Note that under Ohio law, all individuals (except for those Confidential Resources listed above) have the obligation to report felonies to law enforcement. More information on involvement with law enforcement can be found below.

The primary non-confidential resource for all concerns regarding Prohibited Conduct is the Title IX Coordinator, who can be reached in the Alumni Memorial Union Office #8A, or by calling (419) 434-4570. In addition to providing information about this Policy, the Title IX Coordinator can provide information on existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid issues, and other services available for individuals as appropriate, regardless of where the Prohibited Conduct occurred. The Title IX Coordinator can also provide assistance in making changes to academic, working, transportation, and living situations; instituting a no-contact order; and instituting other protective measures as may be appropriate. Although the Title IX Coordinator is obligated to report felonies to law enforcement, it is not required that an individual disclose the nature of the Prohibited Conduct to the Title IX Coordinator in order to discuss resources that may be available.

In addition to the Title IX Coordinator, other non-confidential resources include:

- Office of Student Affairs, 1st Floor Old Main, (419) 434-4570
- Associate Athletic Director for Student Welfare, 211 Koehler Fitness and Recreation Complex, (419) 434-4651
- Office of Human Resources, 2nd Floor Croy Physical Education Center, (419) 434-6964
- International Admissions, 1214 North Cory Street, (419) 434-4558
- Any University of Findlay employee (aside from those designated as confidential resources, above)
- Campus Security/Police Office, 1st Floor Lovett Hall, (419) 434-4799
- Findlay Police, 319 Dorney Plaza, Room 116, 911 or (419) 424-7150
- Hancock County Sheriff, 200 West Crawford Street, (419) 424-7097
- Hancock County Prosecutor's Office, (419) 424-7089
- Hancock County Domestic Relations Court, 300 S. Main Street, (419) 424-7818
- Hancock County Clerk of Court's Office, (419) 424-7037 – Can provide forms for filing a Civil Protective Order
- Hancock County Law Library, (419) 424-7077 – Can provide names of local attorneys and their specific practice areas

B. Preserving Evidence

If an incident of Prohibited Conduct occurs, it is important to preserve evidence so that if the individual later chooses to file a Title IX complaint, to pursue criminal charges, or both, the evidence is able to be used for purposes of the investigation.

1. Sexual Assault Nurse Examinations

Individuals who have experienced sexual assault may choose to seek a medical evaluation by a sexual assault nurse examiner to collect and preserve evidence. Sexual assault nurse examiners (SANEs) are specially trained professionals who will provide needed care, document the details of the assault, and collect evidence. The nurse can provide treatment for sexually transmitted infections and pregnancy prevention if needed. The individual can have a friend, family member, or crisis counselor present during physical examination.

Evidence collection may occur up to 96 hours after the assault and occurs only with the consent of the victim. The evaluation includes evidence collection, a physical examination, treatment, and/or counseling. The individual may opt out of any part of this evaluation at their own discretion. These evaluations can be obtained through the Blanchard Valley Hospital Emergency Center, and they are free regardless of whether the individual chooses to pursue criminal charges. More information can be found on their website at: <http://www.bvhealthsystem.org/services/emergency/sexual-assault-services>.

If possible, to prepare for such an evaluation, the individual should not change clothes, bathe, douche, or brush their teeth until the evidence has been collected. New undergarments and sweat suits are available to victims at on-campus and off-campus service providers.

It is highly recommended that individuals have a follow-up visit with a healthcare provider within two weeks of the assault. At this visit, the individual will receive follow-up testing, receive treatment if needed, and discuss the recovery process. Additional visits, if necessary, may be recommended by the healthcare provider.

2. Other Evidence Collection

Other physical evidence, such as bedsheets or condom wrappers, may also be important to preserve in case the individual wishes to pursue an investigation. The Title IX Coordinator can facilitate the collection of this evidence through Campus Safety.

Individuals are encouraged to preserve all potentially relevant text messages, emails, voicemails, photographs, videos, social media posts, private messages, letters, and other forms of communication. Assistance with preserving this information can be obtained through the Title IX Coordinator, Campus Safety, or Information Technology Services.

C. Filing a Report

The University encourages all individuals who may have experienced Prohibited Conduct to report the incident(s) to the University. In addition, the University encourages individuals who may have experienced potentially criminal behavior to report the incident(s) to local law enforcement. However, an individual may choose whether to make a report to the University, to law enforcement, both (at the same time or one after the other), or neither.

The University will cooperate with investigations by law enforcement and may, at the request of law enforcement, briefly delay any concurrent investigation by the University. However, the University uses this and other policies to determine what constitutes misconduct, rather than Ohio criminal laws, and therefore does not defer to law enforcement's findings in lieu of administering this Policy.

1. Title IX Coordinator

All individuals are encouraged to report Prohibited Conduct to the Title IX Coordinator, and all University employees (except confidential resources) are required to report Prohibited Conduct

to the Title IX Coordinator. Such reports may be made in person at the Student Affairs Office on the 1st Floor of Old Main, via email at metters@findlay.edu, or by telephone at (419) 434-4570. More information about reporting to the Title IX Coordinator can be found below.

2. Law Enforcement

All individuals are encouraged to report criminal conduct to Campus Safety at (419) 434-4799. Campus Safety can connect individuals to the appropriate local law enforcement agency to file a police report, and can assist with securing the scene, providing safety transports, and preserving evidence if needed. Reporting to law enforcement does not require an individual to pursue criminal charges.

Anonymous reporting of crimes is available through Campus Safety's Silent Victim/Witness Program online at <https://www.findlay.edu/offices/student-affairs/safety-security/silent-victim-witness-program>. Note that providing information anonymously may impede the University's ability to respond to and investigate the reported incident(s).

VI. The University's Grievance Process for Resolving Complaints of Prohibited Conduct

If Prohibited Conduct is reported to the University through a non-confidential resource, the Title IX Coordinator will attempt to contact the reporter to review this Policy and discuss the privacy of the process, amnesty (if appropriate), accommodations, interim measures of protection, options for informal resolution (if appropriate), and the investigation and adjudication process for formal complaints.

For purposes of the University's process, the subject of the Prohibited Conduct is referred to as the Complainant, and the alleged perpetrator of the Prohibited Conduct is referred to as the Respondent. The Complainant may or may not be the reporter of the Prohibited Conduct. Both the Complainant and the Respondent are referred to as the parties for purposes of this process. In certain circumstances, the University may serve as the Complainant in a formal complaint.

Each party has the right to bring an advisor of their choosing to any meetings or discussions relating to the formal resolution process, except that the advisor may not be a witness or otherwise have a conflicting role in the process. The advisor may advise the party directly, they may ask clarifying questions, and provide support to the party, but may not speak for the party or disrupt the investigation meeting.

Under this process, any of the Title IX Coordinator's duties may be performed by and discretion may be exercised by a designee.

A. Privacy of the Process

The University recognizes that Prohibited Conduct is a sensitive subject for all individuals involved in the underlying incident(s) as well as the process to resolve such incidents. The University is committed to maintaining the privacy of the parties involved to the fullest extent possible, and information regarding Prohibited Conduct is maintained in a secure manner and is only shared with individuals who have a need to know.

Complainants sometimes ask that their name not be disclosed to the Respondent or that no investigation or disciplinary action be pursued to address the Prohibited Conduct. In such situations, honoring the request may limit the University's ability to respond fully to the incident, including investigating and pursuing disciplinary action against the Respondent as appropriate. Complainants worried about such disclosure should remember that the University strongly prohibits retaliation against those reporting Prohibited Conduct and that it will work with the Complainant to take steps to prevent retaliation.

Although the University tries to honor such requests, there are situations in which the University must override such requests for confidentiality in order to meet its obligations under Title IX to provide a safe and nondiscriminatory environment. To determine whether it is necessary to pursue action despite a Complainant's request for anonymity or no action, the University will consider relevant factors such as the following: whether there are circumstances that suggest there is an increased risk of the Respondent committing additional acts of sexual violence or other violence; whether there have been other sexual violence complaints about the same Respondent; whether the Respondent has a history of arrests or records from a prior institution indicating a history of violence; whether the Respondent threatened further sexual violence or other violence against others; whether the sexual violence was committed by multiple Respondents; whether there are circumstances that suggest there is an increased risk of future acts of sexual violence under similar circumstances such as where a report reveals a pattern of perpetration; whether sexual violence was perpetrated with a weapon; the age of the Complainant subjected to the sexual violence; and whether the University possess other means to obtain relevant evidence.

If the University determines that it must disclose a Complainant's identity to Respondent despite a request for confidentiality, it will strive to inform the reporter prior to making this disclosure and consider whether any interim measures of protection are necessary to protect the Complainant. The University will also inform the Respondent that it was the University's decision, and not the Complainant's, to address the report.

Making an initial request for anonymity or no discipline does not preclude a Complainant from choosing to proceed with the process at a later date.

If a report discloses an immediate threat to the campus community, the University may issue a Timely Warning of the conduct in the interest of the safety and well-being of the campus community. This warning will not contain personally identifying information about the Complainant.

B. Amnesty

The University encourages any member of the campus community to report Prohibited Conduct. To encourage such reporting and the honesty of those participating in the process, the University provides disciplinary amnesty for drug and alcohol violations to students who report an incident (as a Complainant or a witness) or otherwise participate in the University's process in good faith. However, amnesty will not be provided to individuals for behavior that causes harm to another person or for the participation in or facilitation of violations of this Policy.

C. Interim Measures of Protection and Other Accommodations

The Title IX Coordinator has the authority to put in place interim measures of protection after a report is received and to facilitate other accommodations that may be needed under the circumstances. These interim measures and/or accommodations are typically instituted in consultation with one or both parties, depending on the situation. Examples of interim measures and other accommodations may include: no-contact orders; restrictions on behavior, movement on campus, access to buildings or spaces, and/or participation in campus activities; changes to academic, extracurricular, working, transportation, dining, or living arrangements; academic accommodations (such as changes for assignment due dates or alternative course completion options); and the provision of information regarding resources such as victim advocacy, housing assistance, academic support, counseling, disability services, health and mental health services, and legal assistance.

Interim suspension may also be instituted when, given the nature of the allegations, remaining on campus may be threatening or potentially injurious to the well-being or property of members of the University community. Interim suspensions are not discipline in nature and are not reflected on a student's transcript. For employees, such suspensions may be with or without pay.

Note that interim measures and other accommodations are available for both parties and may also be available for others involved in the process if appropriate.

The Title IX Coordinator is responsible for determining appropriate interim measures and accommodations and will, when possible and appropriate, consult with appropriate supervisors or administrators. The Title IX Coordinator may alter interim measures and accommodations at any point during the process as they deem appropriate.

D. Informal Resolution

Complaints may generally be resolved through an informal resolution process unless the Title IX Coordinator determines that informal resolution is inappropriate under the circumstances. This process involves informal consultation with both parties, either together or separately, to find an acceptable resolution for both parties without invoking the formal investigative process described below. The informal process may include counseling the Complainant on ways to address the Respondent directly regarding their behavior if the Complainant is comfortable doing so, counseling of the Respondent by the Title IX Coordinator or other appropriate administrator on appropriate behavior under this Policy, a facilitated discussion between the parties, a mediated agreement between the parties, or any other informal process that is appropriate under the circumstances. Both parties are permitted to bring one advisor of their choosing to any discussions as part of the informal resolution process.

The informal resolution process is voluntary, and either party may withdraw from participation at any time. Additionally, the Complainant may choose to pursue a formal investigation and end the information resolution process at any time.

Informal resolution is not available for cases involving sexual assault or sexual violence.

E. Formal Resolution

Complainants may choose to pursue a formal resolution, or as discussed above, the University may choose to move forward with the formal resolution process. The formal resolution process has three phases: initial assessment/charges, investigation/adjudication, and appeal.

1. Initial Assessment

Upon receiving a complaint for formal resolution, the Title IX Coordinator may conduct an initial assessment to evaluate whether the complaint alleges sufficient information to suggest that Prohibited Conduct may have occurred. This determination may be based on information submitted by the Complainant, as well as information gathered by the Title IX Coordinator during a preliminary investigation.

If the Title IX Coordinator determines that there is insufficient information to suggest that Prohibited Conduct may have occurred, they will notify the Complainant. The Complainant may submit additional information if desired. The process cannot move forward unless and until the Title IX Coordinator receives information sufficient to suggest that Prohibited Conduct may have occurred.

If the Title IX Coordinator determines that the complaint alleges sufficient information to suggest that Prohibited Conduct may have occurred, they will provide written notice to both parties of the charges that will be investigated. The charges may include violations of other University policies where such charges are related to the Prohibited Conduct under investigation. In such cases, those policy violations will be addressed pursuant to this Policy and not the student conduct process.

In cases where a Respondent is unable to be identified after the initial assessment, the process will be suspended unless and until there is sufficient information to charge a Respondent.

2. Investigation/Adjudication

The University conducts a prompt, impartial, adequate, reliable, and thorough investigation of charges regarding Prohibited Conduct. Investigations will be carried out by an investigative team comprised of four trained individuals who do not have a conflict of interest or bias for or against either party. The investigative team will be comprised of two investigators, one Title IX Coordinator (or Deputy Title IX Coordinator) and one additional trained team member. The two investigators are assigned by the Title IX Coordinator and are required to keep information obtained in the investigation private except to the extent necessary to conduct the investigation or to protect the health or safety of the parties or others. In cases involving a large number of witnesses or other complex situations, additional trained, impartial investigators may be used to support the investigative team.

Investigators are charged with conducting interviews of the parties and relevant witnesses who may have information relevant to the investigation (as determined by the investigators), reviewing relevant University records, gathering other relevant information, and keeping the Title IX Coordinator updated on the progress of the investigation. Both parties will be provided the opportunity to suggest witnesses and present information to the investigators. Neither party

is required to participate in the investigation, but failure to participate may deprive the investigators of potentially helpful information.

During the course of the investigation, the investigative team may propose additional charges for the investigation as they deem appropriate. Both parties must be provided with written notice and an opportunity to respond to such additional charges.

When the investigators believe that they have gathered all relevant information, the investigative team will prepare a written Statement of Evidence that explains the evidence gathered during the course of the investigation and identifies the disputed and undisputed relevant facts of the case. Both parties will be provided the Statement of Evidence simultaneously and will be provided three business days to review the Statement of Evidence. Within those three business days, each party may submit additional evidence, submit the names of additional witnesses including what relevant evidence each may possess (if known), submit a written rebuttal, and/or request a final interview. The investigative team will review all new evidence and conduct relevant follow-up investigation as they determine is appropriate.

At the conclusion of the investigation, the investigative team will revise the Statement of Evidence if appropriate and make a Final Determination as to whether there is sufficient evidence as to whether a policy violation occurred regarding each charge. Such determinations will be made using a preponderance of the evidence standard. This means that investigative team will determine whether it is more likely than not that a violation of University policy occurred. If the investigative team members cannot agree as to the determination for a particular charge, no violation will be found because the preponderance of evidence standard has not been met. The Final Determination will be provided simultaneously in writing to both parties and will contain the revised Statement of Evidence, the determination of responsibility for each charge, the rationale for the result, and appeal rights (see below).

If any of the charges are substantiated, the Final Determination will also include sanctions against the Respondent. All sanctions are determined fairly and impartially and on a case-by-case basis. In determining the sanctions, the investigative team may consult with the Title IX Coordinator, the Director of Human Resources, the Dean of Students, the President, or other University administrators or supervisors as they deem appropriate in the situation.

Sanctions may include, as appropriate:

- Educational training
- Drug/alcohol assessment
- Mandatory counseling
- Community/campus service
- Revocation of scholarships, honors, or awards
- Housing reassignment/restrictions
- Schedule changes or restrictions
- Job/duty reassignment
- No contact orders
- No trespass orders
- Suspension (for employees, this may be with or without pay)

- Behavioral restrictions
- Restrictions on access to certain facilities or activities
- For student organizations, revocation of recognition by the University, loss of funding, and/or loss of other privileges
- Written warning
- Disciplinary probation
- Dismissal/termination

The University strives to complete all investigations/adjudications within sixty days after receiving the complaint. However, factors may delay the completion of investigations within this timeframe, including the parties' participation in an informal resolution process, the University's cooperation with a concurrent criminal investigation, the complexity of the investigation, the severity and extent of the alleged conduct, witness availability, the time necessary to receive requested medical records, and the number of witnesses. The Title IX Coordinator can extend the sixty day period for good cause with written notice to the parties of the delay and the reason for the extension of time.

The investigative team's written decision will go into effect immediately unless the Title IX Coordinator determines, in their discretion, that a temporary stay of sanctions is appropriate pending an appeal due to extraordinary circumstances. The Title IX Coordinator may add, remove, or change the protective measures that apply after a decision is rendered.

3. Appeals

Either party may request an appeal of the investigative team's decision by submitting a written notice of appeal to the Title IX Coordinator within five (5) business days from the date of the written decision. The written request for appeal must outline the reasons for the appeal, must provide any evidence or arguments in support of such appeal, and must be based on one or more of the following:

- New evidence that was unavailable at the time of the original investigation;
- Evidence of a procedural violation that substantially affected the outcome of the case;
- Evidence that the sanction received was grossly disproportionate to the conduct for which the party was found responsible; or
- Evidence that the decision of the investigative team was clearly erroneous based on the evidentiary record.

If the appeal is not based on one of the above factors, the Title IX Coordinator may reject the appeal with written notice to the appealing party. The appealing party may then submit a revised written request for appeal within five business days of the initial rejection notification. If the second request for appeal is rejected, no further appeal requests are permitted.

Upon receipt of the appeal letter, the Title IX Coordinator will forward the appeal letter, along with the final decision, to the non-appealing party, who will be provided with five (5) business days within which to respond to the appeal. No further reply will be permitted. The Title IX Coordinator will forward the appeal, the response, the Statement of Evidence, the final decision,

and any other relevant information to a trained and impartial appeals panel. The appeals panel will be comprised of a total of three University faculty and/or staff members, and may include external parties if so designated by the Title IX Coordinator.

The Title IX Coordinator, at their discretion, will designate the members of the appeals panel.

The appeals panel will be permitted to review all materials associated with the case and may ask questions of the Title IX Coordinator and investigator/s. The appeals panel is not permitted to speak with parties, advisors, or other witnesses about the case. Within ten (10) business days of receiving the appeal from the Title IX Coordinator, the appeals panel may:

- Affirm the decision;
- Reverse the determination as to charge(s) and remove or add sanctions as appropriate;
- Affirm the determination as to charge(s) but revise the sanctions; or
- Request that additional steps to be taken.

The appeals panel will issue their written decision simultaneously to both parties and include the rationale for the decision. The decision of the appeals panel shall be final.

13. Sex Offender Registration

The Clery Act requires institutions of higher education to issue a statement advising the campus community where law enforcement agency information concerning registered sex offenders may be obtained. It also requires sex offenders already required to register in Ohio to provide notice, as required under State law, to each institution of higher education in Ohio at which the person is employed, carries on a vocation, volunteers services, or is a student.

In the State of Ohio convicted sex offenders must register with the County Sheriff of the county of residence within seven days. The registry was established pursuant to 2950.14 of the Ohio Revised Code. Every person convicted on or after July 1, 1997, including juveniles tried and convicted in the courts pursuant to ORC 2950.03, whether sentenced as adults or juveniles, of an offense for which registration is required shall be required as part of the sentence imposed upon conviction to register and re-register with the County Sheriff of the residency county as provided in ORC 2950.04.

In addition, all persons convicted of violations under the laws of The United States or any other State substantially similar to an offense for which registration is required shall provide to the local agency all necessary information for inclusion with an Ohio County Sheriff within seven days of establishing a residence with the Ohio County. Any person required to register shall also be required to re-register within seven days following any change of residence, whether within the county or any other county. The University of Findlay Security Office maintains a web link with the Hancock County Sheriff's Office web page for Registered Sex Offenders within Hancock County.

14. Emergency Response and Evacuation

The University of Findlay has developed a comprehensive Crisis Response Plan that is all-hazards based and covers the emergency response and evacuation procedures for the campus. Current students and employees can view the Emergency Procedures section of the University of Findlay's Crisis Response Plan in order to learn about the recommended procedures that will be generally followed during specific types of emergencies, and is intended to provide guidance to any person who initially discovers the emergency or who is first on the scene. This information is available at <https://www.findlay.edu/offices/student-affairs/safety-security/crisis-response>.

Students, faculty and staff will be notified of a significant emergency or dangerous situation through a variety of emergency notification systems. The primary method by which the University will notify the campus community is through the Oiler Alert text messaging system. Students and employees are automatically enrolled in the system and will receive text messages in the event of an emergency. Other methods include Blue Light Phone speakers in outdoor locations, email, and computer pop-up alerts.

These notification systems are activated by the Core Emergency Response Team that consists of the President, Vice Presidents of Student Affairs, Business Affairs, Academic Affairs, Enrollment Management and University Advancement. The Chief of Police and Director of Security, Director of the Physical Plant, and Chief Information Officer are also members of this team.

Initial activation of the notification systems begins with either the V.P. of Student Affairs, or Chief of Police receiving information regarding an emergency on campus. If confirmation is needed, additional information will be gathered through the Campus Safety Office or contacting the affected area of campus. Upon confirmation either the V.P. or Chief of Police will send the notification to the campus community. These notifications are sent without delay, and with as much information necessary for students and employees to respond appropriately.

The University will weigh the safety of the campus community to determine the content of notifications and will withhold information if, in the professional judgment of the responsible authorities, the release of information will compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency.

Emergency notification systems are tested quarterly unless used to disseminate information regarding an emergency condition on campus during that quarter. Tests of emergency notification systems and evacuation procedures are announced in advance of the tests.

15. Missing Student

Any individual contacting the University of Findlay to report a missing student will be referred to the Office of Safety and Security (located in Lovett Residence Hall) so an official report can be filled. Once the missing student report is filed with the Office of Campus Safety and Emergency Management, the matter will be immediately communicated to the Vice President for Student Affairs and the Chief of Police and Director of Security.

The Campus Safety Office will immediately initiate an investigation of the matter and will attempt to contact the missing student by utilizing the emergency contact information provided by the student. This information is collected from the student annually by the institution and remains confidential and accessible only by those with a need to access the information. If the student reported as missing is under the age of 18 and is not emancipated, the University must notify the custodial parent, guardian, or contact person designated in University records.

If attempts to contact/locate the missing student are unsuccessful, the Chief of Police and Director of Security, the Vice President for Student Affairs, and/or his/her designee will notify local law enforcement within 24 hours of the determination that the student is missing and the University will assist local law enforcement as requested until the matter is resolved.



University of Findlay®

Annual Fire Safety Report

September, 2019

PREPARED BY:
University of Findlay
Office of Campus Safety and
Emergency Management

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1. Fire Safety Report

Fire prevention at the University of Findlay is led by the Office of Campus Safety and Emergency Management. Other partners include the University of Findlay's Offices of Student Affairs, and Physical Plant as well as the City of Findlay Fire Department.

This report provides information and data pertaining to fire safety at the University of Findlay. The data and information contained in this document are reported annually in compliance with legal requirements set forth by the Clery Act. Information in this report, aim to provide the information and data required by Federal law, as well as the situational awareness required to further develop and enhance the culture of safety and preparedness on the University's campus.

2. Reporting

Active fires should be reported to the Findlay Fire Department immediately by contacting 911. Only employees who have been trained in the use of fire extinguishers should attempt to extinguish incipient (small) fires by using this equipment. All others must contact the Fire Department.

To report that a fire has occurred on campus (non-emergency) and has been extinguished so that it may be included in the Fire Log, please contact the Campus Safety Office at 419-434-4799. Reports can also be made by contacting Student Affairs at 419-434-4578.

When reporting an extinguished fire, provide as much information as possible including: location, date, time, cause of fire, how the fire was extinguished, and who extinguished the fire.

3. Annual Fire Safety Report

The University of Findlay prepares the Annual Fire Safety Report (ASR) in conjunction with the Annual Security Report. Data is collected and reported for the previous three years for each on-campus student housing facility. The data includes the number of fires and cause of each fire, the number of persons who received fire-related injuries that resulted in medical treatment, the number of fire related deaths, and the value of property damage caused by a fire.

Each year, an email notification is sent to all students, faculty and staff that provides the website address to access this report. Copies of the Annual Fire Safety Report may be printed in PDF format from the University of Findlay's Office of Campus Safety and Emergency Management website (<https://www.findlay.edu/offices/student-affairs/safety-security/fire-safety-report>) or be requested from the following offices:

- Office of Campus Safety and Emergency Management
 - Lovett Hall, 419-434-4799
- Student Affairs
 - Old Main, 419-434-4578

4. Fire Prevention and Education

The University of Findlay takes an active role in fire prevention. This is accomplished in many ways and requires the collaborative efforts of individuals and departments across the campus community along with partnering agencies such as the Findlay Fire Department.

Of all activities undertaken to prevent fire, building inspections and plan review provide the best opportunity to ensure the campus community is adequately protected in the event of a fire and that any mitigation actions that can be taken to prevent fires have been performed. Building inspections allow the University to monitor and maintain its buildings for compliance with the Ohio Fire Code, local ordinances, and University policies.

All University buildings and facilities are inspected annually by the Findlay Fire Department Fire Inspector. A report is generated by the Inspector and submitted to the Campus Safety and Physical Plant Offices. Compliance issues raised by the report and/or recommendations for mitigation actions are reviewed by both offices and addressed in a timely manner.

Fire safety education is required for staff and students of Residence Life, Security, and Maintenance. Education is provided annually and is job specific. Physical Plant and Campus Safety personnel are instructed in the causes and types of fires, and fire extinguisher use.

Residence Life Staff including Resident Directors and Resident Assistants are instructed in University Fire policies, fire prevention, fire causes and types, and fire extinguisher use. Additionally, Resident Directors and Resident Assistants participate in a residence hall evacuation exercise. The University places the RDs and RAs in rooms in a residence hall and fill the hallways with smoke using smoke machines. The participants are then required to exit the building in a safe manner.

Residence Life staff provide programming throughout the year to residents on fire prevention and safety.

All students and employees should use the following guidelines in case of a fire in any University building:

All employees, especially those in certain occupations (e.g. laboratory, facilities management, food service, residential life, etc...), should learn to use a fire extinguisher. Call the Office of Campus Safety and Emergency Management to set up a fire extinguisher training program. See the Evacuation/Shelter in Place procedures for more information on how to exit a building.

If you discover a fire inside a building:

1. Activate the fire alarm system.
2. Immediately exit the building, closing doors behind you. DO NOT USE ELEVATORS.
3. Call 911, give the exact location of the fire and your location.
4. Call Office of Campus Safety and Emergency Management at x-4799

If you discover a fire outside a building:

1. Call 911, give the exact location of the fire and your location.
2. Do NOT activate the building fire alarm system.
3. Call Office of Campus Safety and Emergency Management at x-4799.

Once fire alarm is activated:

1. Walk (DO NOT RUN) to the nearest exit.
2. Assist persons with special needs.
3. Feel doorknobs or doors with the back of your hand. If it feels hot, do not open it – the fire may be on the other side of the door.
4. If the door is not hot, open it slowly. If the hallway is clear of smoke, walk to the nearest fire exit and exit the building.
5. Close doors behind you.
6. Notify fire personnel if you suspect someone is trapped inside the building.
7. Gather outside at a designated assembly area, and do not attempt to re-enter the building until instructed to by Campus Safety or the Findlay Fire Department.

If you are trapped in a room

1. Wet and place cloth material around and under the door to prevent smoke from entering the room.
2. Close as many doors as possible between you and the fire.
3. Be prepared to signal someone outside, but DO NOT BREAK GLASS until absolutely necessary (outside smoke could be drawn into the room).

If you are caught in smoke:

1. Drop to your hands and knees and crawl toward the nearest exit.
2. Stay low, as smoke will rise to ceiling level.
3. Breathe shallowly through nose and use a filter such as a shirt or towel.

If you are forced to advance through flames (which should be a last resort):

1. Hold your breath.
2. Move quickly.
3. Cover your head and hair with a blanket or large coat.
4. Keep your head down and your eyes closed as much as possible.

Using a fire extinguisher:

Building occupants are not required to fight fires. Individuals who have been trained in the proper use of a fire extinguisher and are confident in their ability to cope with the hazards of a fire may use a portable fire extinguisher to fight small fires. Firefighting efforts must be terminated when it becomes obvious that there is risk of harm from smoke, heat or flames, whichever comes FIRST.

The Chief of Police and Director of Security will assess the situation, and notify the Emergency Operations Team members if appropriate. The Office of Campus Safety and Emergency Management has the primary responsibility for managing fire emergencies with the Findlay Fire Department. Unauthorized re-entry into a building during a fire emergency is not permitted. Violators of this policy are subject to University and state fire code sanctions.

5. Fire Safety Systems and Drills

Fire safety systems and drills work together to promote the safety and wellbeing of students, faculty, staff, and visitors. Fire safety systems provide detection capabilities, fire suppression and the opportunity to evacuate a building early in the onset of a fire.

The University of Findlay has a mixture of residence halls, cottages, townhouses, apartments, and homes that are all used for student housing. All residence halls and the UF Cottages are equipped with central alarm monitoring capabilities that immediately alert the Findlay Fire Department in the event of a fire. Smoke detectors and fire extinguishers are found in all student housing on campus and the Haven and Cottages also have fire safety systems (sprinklers) in place.

The University holds two fire drills per academic year for each student residence on-campus.

6. Student Housing Fire Policies

Appliances - Due to potential fire hazards, maintenance issues, and cleanliness concerns, the University of Findlay reserves the right to prohibit any appliance that constitutes a potential risk. As a fire safety precaution, all small appliances (e.g., curling irons, hair dryers...) must have an auto shutoff feature and be connected to UL-approved power strips to stop the flow of electricity when overloaded.

On-campus residents living in University owned housing are permitted to have small refrigerators (6.0 cubic feet maximum) and small microwave ovens (under 800 watts), and coffee-makers with an auto-shut off feature. All other kitchen appliances (e.g., toasters, George Foreman grills, crock pots, induction plates...) are not permitted outside of designated kitchens in house/apartment style housing. More information on permitted appliances is available through the housing webpage or the Office of Student Affairs.

Candles and Incense – The burning of candles, incense, potpourri burners, lanterns or any other type of open flame is strictly prohibited. This also applies to the possession or evidence of use of these items. Candle warmers are permitted in open areas of a room, away from flammable items.

Cooking – Only microwaves or other non-open flame/heating element appliances may be used to cook within student rooms.

Extension Cords – UL-approved power strips with a built-in 15-amp overload protection may be used. All other extension cords and outlet extenders are not permitted. The use of power strips in series (one connected to another) is also prohibited.

Fire Safety and Prevention - All University faculty, staff, students and guests are expected to adhere to all fire-safety procedures. This includes the vacation of any building during a fire-drill. University fire safety procedures will be explained to every University resident at the beginning of the academic year.

The tampering or removal of any fire safety equipment (e.g., smoke detectors, sprinkler systems, extinguishers...) is not permitted. Blocking or impeding exits or entrances to any University owned property is not permissible at any time.

The intentional lighting of a fire in any capacity is prohibited without express written permission from the Facilities Office and/or the Physical Plant. All approved fires must be kept within the established guidelines, and contained within a University approved location.

Fireworks & Flammable Materials – The storage or use of fireworks or flammable materials (e.g., gasoline, kerosene, lighter fluid, propane, pressurized tanks, charcoal...) in/on University owned or controlled property or at a University affiliated event off campus is prohibited. University maintained grill locations may have charcoal and lighter fluid for grilling purposes only.

Lighting – All halogen light fixtures, lava lamps and grow lamps are not permitted in University housing. Portable incandescent and fluorescent lights are permitted.

Prohibited and Restricted Items - For health, safety, legal, and insurance liability reasons, the following items are strictly prohibited from all University property and University events. This list is not exhaustive. Additional restrictions may also apply.

- Water-filled structure or furniture (e.g., waterbeds, pools, hot tubs...)

- Any appliances exceeding 800 Watts

- Non-University owned space heating units

- Non-University owned air conditioning units

- Power tools (e.g., saws, sanders, drills...)

- Darts and dart boards

- Weightlifting apparatus (e.g., exercise machines, free weights over 25lbs., pull-up bars...)

- Fog/smoke machines

- Gas appliances

Tobacco-Free Campus Policy

Mission

The 100% Tobacco-Free Campus Policy is part of the university's commitment to creating a healthy campus for all members of the University of Findlay community. The policy is designed to be positive and supportive of health and well-being for all.

Policy Definitions

a. Tobacco product: Any product containing, made, or derived from tobacco or nicotine, that is intended for human consumption or is likely to be consumed, whether smoked, heated, chewed, absorbed, dissolved, inhaled, snorted, sniffed, or ingested by any other means, including, but not limited to, a cigarette, a cigar, pipe tobacco, chewing tobacco, snuff, or snus. (Tobacco product also means electronic cigarettes and any component or accessory used in the consumption of such a device, such as filter, rolling papers, pipes, and substances used in electronic cigarettes, whether or not they contain nicotine.)

b. Smoking: Inhaling, or exhaling smoke, aerosol or vapor from any lighted or heated cigar, cigarette, pipe, or any other product, whether natural or synthetic, made of tobacco, nicotine, tobacco, marijuana, or another plant, that is intended for inhalation. Smoking includes being in possession of a lighted or heated cigar, cigarette, pipe or any other tobacco product intended for inhalation, or an electronic cigarette that is turned on or otherwise activated.

c. Electronic cigarette (e-cigarette): Any product that can be used by a person to deliver nicotine, or any other substance, through the inhalation of aerosol or vapor from the product. The term includes, but is not limited to, devices manufactured, distributed, marketed, or sold as e-cigarettes, e-cigars, e-pipes, or under any other product name or descriptor.

d. Litter: garbage, trash, waste, rubbish, ashes, cans, bottles, wire, paper, cartons, boxes, glass, cigarette remnants, chew, or anything else of an unsightly or unsanitary nature.

e. Facilities: all buildings owned and/or controlled by the University of Findlay and including shelters, gazebos, indoor and outdoor athletic facilities, indoor and outdoor theatres, walkways, sidewalks owned and maintained by the University of Findlay, University housing, and parking lots.

Policy Statement

Smoking and the use of tobacco products, tobacco-related devices, and e-cigarettes are prohibited in all facilities owned or leased by the University of Findlay and on the grounds of any property owned or leased by the University. Use of tobacco is also prohibited in any vehicle or equipment owned, leased or operated by the University of Findlay.

Policy Applications

All persons on University of Findlay property must comply with this 100% Tobacco-Free Campus Policy. Impacted individuals include: all employees, students, vendors, contractors and guests of the University of Findlay. Persons observing a violation of this policy should, if feasible, and in a respectful and polite manner, inform the violator about the 100% Tobacco-Free Campus Policy by directing their attention to the appropriate signage. Continued or repeated non-compliance with the policy should not be handled by individuals but should instead be reported to campus authority including, when appropriate, the office of campus security.

Signage indicating the University of Findlay is a tobacco-free environment will be posted throughout University property at building entrances and other appropriate locations.

The University of Findlay Tobacco-Free policy will be included in organizational guidelines and student/faculty handbooks and related materials.

Effective Date: This policy will take effect on August 1, 2018.

Violations (Visitors)

If visitors (vendors, contractors, and guests) fail to comply with the 100% Tobacco-Free Campus Policy upon request, they will be asked to leave the campus.

Violations (Employees)

University of Findlay Employees in violation of the 100% Tobacco-Free Campus Policy University policy will be sanctioned according to the University policies and procedures that pertain to employees.

Violations (Students)

Students in violation of the 100% Tobacco-Free Campus Policy will be sanctioned according to University policies and procedures that pertain to students.

Tobacco Cessation Education and Resources

Student and UF Employees: The Cosiano Health Center offers a variety of resources to help students quit tobacco use. Free one-on-one consultations are available for students to receive information on cessation aids and/or medications. University of Findlay Counseling services can assist with behavioral modifications and relapse. For more information, go to the University of Findlay website www.findlay.edu (Health Services) or call the Cosiano Health Center (419)434-4550.

The Fresh Start Program from the American Cancer Society is a group-based cessation program offered on the University of Findlay campus. The program is comprised of four one-hour sessions, lead by a certified facilitator.

Blanchard Valley Hospital also offers many different resources to help encourage cessation. For more information, visit the hospital website (www.bvhealthsystem.org) or call (419)425-5676.

UF Employees: The UMR (University of Findlay's third party insurance administrator) offers resources to employees who enroll in the university's health insurance plan. Information can be found on their website: <https://member.umar.com>.

Property Included

University of Findlay property as defined in the following boundary maps, including any property owned, operated, and controlled by the university.

[Main Campus/Armstrong Sports Complex](#)

[Western Farm](#)

[English Farm](#)

[All Hazards Training Center](#)

[Rieck Center](#)

7. Future Improvements in Fire Safety

The University of Findlay strives to continuously improve its fire prevention and safety efforts. Future fire prevention efforts at the University will continue to focus on sustaining fire prevention activities and assessment and adoption of new fire safety practices and education opportunities in the future.

Feedback and comments on current or future fire prevention activities is welcomed and encouraged by the Offices of Student Affairs and Campus Safety. Anyone with feedback on current programs or activities or new ideas for fire prevention programs should contact the Office of Campus Safety and Emergency Management at 419-434-4799.