



Annual Campus Security and / Fire  
Safety Report 2023

For Calendar years 2020, 2021, & 2022

**Wittenberg University  
Wittenberg Police Division  
Calendar Year 2022**

**Annual Campus Security and Fire Safety Report**

Includes crime and fire statistics for calendar years 2020, 2021, and 2022.

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## A Message from the Chief

### To the Wittenberg Community,

On behalf of the Wittenberg University Police Division, I want to welcome you to our university family. We are committed to providing a safe living and learning environment for all members of our community. As part of our ongoing effort, we also recognize that safety begins with each one of us.

In fact, the success of campus safety programs nationwide is directly tied to community involvement. All students, faculty and staff need to be alert and understand the basic facts about safety, and they need to take preventive measures to ensure their safety. Being alert to your surroundings, walking in groups, securing your valuables and avoiding excess alcohol consumption are just a few of the ways you can protect yourself. The following campus safety report outlines additional tips and available resources to help make your time with us comfortable and safe. The report has been prepared in compliance with the requirements of the Federal Crime Awareness and Campus Security Act of 1990 (The Jeanne Clery Act.).

I hope you will take some time to read this report and educate yourself about what you can do personally to make our campus a safer place. I also encourage you to contact our office immediately should you witness suspicious activity or should a security concern or situation arise.

If you have any questions about this report or your own safety as a member of the Wittenberg community, please do not hesitate to call us. We are here to assist and protect you.

Best wishes for a safe and successful year.



James M. Hutchins

Chief of Police



## OVERVIEW

This report is published in compliance with the Jeanne Clery Disclosure of Campus Security Policy as amended by the Campus Crime Statistics Act, the Higher Education Opportunity Act of 2008, and the Violence Against Women Act of 2013. The report includes information regarding campus crime and fire statistics, campus policies, and resources for campus community members for the campus in Springfield, Ohio.

The Wittenberg Police Division is charged with maintenance of statistics relative to the Campus Security and Fire Safety Report, annual report development and distribution of the report to the community, and submission of crime and fire statistics to the Department of Education. The Campus Security and Fire Safety Report is prepared in cooperation with local law enforcement agencies, Student Development, Facilities Management, Womyn's Center, the Office of Environmental Safety and Risk Management, and the offices of the Title IX Coordinators. E-mail notification of the publication of the annual Campus Security and Fire Safety Report is sent to faculty, staff and students no later than October 1 of each year.

The report is available on the Wittenberg University Police Division web site under the Special Resources section:

<http://www.wittenberg.edu/administration/security.html#>

Additional printed copies are prepared for distribution and are available at the Office of Admissions (for prospective students), the Office of Human Resources (for prospective employees) and at the Wittenberg Police Division, located on the first floor of the Recitation Annex building. Questions regarding this report should be directed to the Wittenberg Police Division, attention: Chief of Police.

## Key Campus Phone Numbers

### **On-Campus:**

Campus Emergencies: (937) 327-6363

Campus Non-Emergency Police Dispatch: (937) 327-6231

Police Office Phone: (937) 327-7307

Student Development: (937) 327-7800

Facilities Management: (937) 327-7311

Human Resources: (937) 327-7517

University Pastor: (937) 327-7411

Wittenberg Counseling Center: (937) 327-7946

Wittenberg Health Center: (937) 327-7811

## **Law Enforcement on Campus- Wittenberg Police Division**

### ***About Us***

The Wittenberg Police Division is a comprehensive full-service police agency that exists to serve and protect our students, faculty, staff, and guests. Our mission is to provide a safe and secure living and learning environment by actively collaborating with other agencies, the Clark County community and, most importantly, the campus community. Collaborating with the campus community enhances our crime prevention efforts and enables us to best support the mission of the institution. We strive to develop positive relationships with students so that we can effectively serve, mentor and educate them.

The department is dedicated to the protection of life and property; the preservation of peace, order, and safety; the enforcement of local, state, and federal laws as well as university policies and procedures. We have a responsibility to actively support students' social and co-curricular life by helping them make good decisions about the activities they engage in.

We are committed to serving the community with integrity, impartiality, sensitivity, and professionalism. Of basic importance to the department is that it is an integral part of a church-related educational institution, which respects and recognizes the individual dignity of all persons. We expect our officers to treat all people with respect and compassion. During 2020, officers received training in Diversity and Inclusion/ Preventing Biased Base Policing.

The Wittenberg University Police Division is housed in the lower level of Recitation Hall Annex on the university campus. It provides security and patrol services to the University District, 24 hours a day, seven days a week, 52 weeks a year. We continually review and adjust our patrols to ensure that we meet the changing needs of the university.

### ***Structure***

Wittenberg's Chief of Police, a full-time Wittenberg employee, supervises the Police Division. The department currently consists of the Chief of Police, one Lieutenant, one Sergeant, eight fulltime commissioned Police Officers, four part time commissioned Police Officers, one Administrative Coordinator and five full-time Dispatchers. In addition to the full-time officers, the university employs members of the Springfield Police Department (SPD) to work on a part-time special duty basis.

Wittenberg Police are sworn commissioned officers who have the power of arrest and may bear issued arms on duty. Their authority, responsibility, and commissioning are the same as required of any police officer in the State of Ohio. The Wittenberg Police receive field training and ongoing classroom training and must maintain firearms proficiency.



The university switchboard operation also reports to the Chief of Police and is located in the same office complex. Providing Police and Security dispatch services is one of the operation's primary functions. Dispatchers are responsible for disseminating information to officers, directing calls for police service, coordinating emergencies, dispatching escorts, and managing the alarm and access control systems. University dispatch is open 24 hours a day, 365 days a year. A walk-up window is located on the north side of the dispatch office – Recitation Hall Annex – where university guests, faculty, staff and students can obtain information and assistance.

### ***Jurisdiction and Police Authority***

Under the authority of the State of Ohio, section 1713.50 of the Ohio Revised Code, the Wittenberg Police Division has been established as its own police agency with primary jurisdiction within the University District. To secure services from and to continue the efficient working relationship with the Springfield Police Division, the university has established a mutual aid agreement with the City of Springfield.

Under the mutual aid agreement, Wittenberg's Chief of Police and Director of Security has the discretion to handle misdemeanor and felony investigations on a case-by-case basis, except when the Springfield Police Chief has determined a matter to be a "serious offense" in which any such investigation shall be referred to the City Police Department. The agreement gives Wittenberg Police the authority to patrol the city streets within the expanded geographic bounds described in this document and may enforce the city's codified ordinances and the laws of Ohio within that territory. The purpose of the Wittenberg Police is to enhance the response to lesser offenses and to meet needs particular to the University District. There is no intent to replace the services of the Springfield Police. The Wittenberg Police Division has an excellent working relationship with the Springfield Police and Fire Divisions as well as other surrounding law enforcement agencies. Working together, they provide services to the "University District." Because of the mutual aid agreement, the Wittenberg Police exercise secondary jurisdiction and operate only within the geographic bounds described in this document.

### **The University District**

The district includes the Wittenberg campus and surrounding university-related structures and is defined as the geographic area included within the following boundaries:

EAST: The eastern boundary is the east curb on North Limestone Street.

SOUTH: The south side edge of Buck Creek.

NORTH: The north curb of McCreight Avenue. Also included is the field north of E. McCreight (bordered by Garfield Avenue, E. First Street, E. McCreight Avenue, and N. Fountain Boulevard.)

WEST: The west curb of Plum Street is the west boundary. Also included is Bill Edwards field (bordered by McCreight Avenue, North Yellow Springs Street, St. Paris Pike and Third Street).

Also included is the Wittenberg property occupied by the Physical Plant at 225 North Fountain Avenue.

A map of campus can be found at: <http://www.wittenberg.edu/about/springfield/maps.html>.

## **Campus Security Authorities**

Campus Security Authorities are designated based on their role in student life. They are individuals most likely to have ongoing close contact with students and whom students might contact for advice in the event a crime is committed.

Some are Campus Security Authorities by default due to their function within Wittenberg University. These include athletics staff (coaches), police division employees, and Student Development staff with significant student interaction, to name a few.

Others are designated Campus Security Authorities due to some special relationship with students. For the most part, this includes student organization advisors, owing to the typically close relationship that develops between the advisor and organization members. Campus Security Authorities are identified each academic year and provided training regarding their responsibilities.

Campus Security Authorities are required to report any crime reported to them to the Wittenberg Police Division. Crimes reported to Campus Security Authorities and forwarded to the Wittenberg Police Division are included in the crime statistics for the Campus Security and Fire Safety Report. This policy is necessary so the university can comply with federal regulations regarding disclosure of campus crimes. Confidential reports that provide sufficient detailed information for classification of the offense, whether they include personally identifying information, will be included in the crime statistics and in timely notifications to the community.

Campus pastoral counselors and professional counselors, when acting as such, are not considered to be campus security authorities and are not required to report crimes for inclusion in the annual disclosure of crime statistics. As a matter of policy, they are encouraged, if and when they deem it appropriate, to inform persons being counseled of the procedures to report crimes on a voluntary basis for inclusion in the annual crime statistics.

For purposes of Campus Security Authority responsibilities, pastoral counselors and professional counselors are defined as:

***Pastoral Counselor***

An employee of an institution, who is associated with a religious order or denomination, recognized by that religious order or denomination as someone who provides confidential counseling and who is functioning within the scope of that recognition as a pastoral counselor.

***Professional Counselor***

An employee of the institution, whose official responsibilities include providing psychological counseling to members of the institution's community and who is functioning within the scope of his or her license or certification for such counseling.

**Reporting Procedures for Crime or Other Emergencies**

Wittenberg University has a number of ways for campus community members and visitors to report crimes, serious incidents, and other emergencies to appropriate University officials. Regardless of how and where you decide to report these incidents, it is critical for the safety of the entire campus community that you immediately report all incidents so that the Wittenberg Police Division can investigate the situation and determine if follow-up actions are required, including issuing a Timely Warning or emergency notification.

The Wittenberg Police Division investigates reported crimes when deemed appropriate. The Police Division webpage provides a form for confidential reporting. The university will not tolerate any retaliatory, threatening, intimidating, coercing, or discriminatory action against any individual who reports criminal violations or any act of misconduct that they believe is in violation of law or university policy.

Anyone who believes they have been a victim of a criminal offense may also elect to make a complaint outside the university by initiating civil and/or criminal charges against the offending party or parties. If you request, the university will assist you in reporting an assault and filing a criminal charge. You should be aware that the Ohio criminal and civil justice systems and the Wittenberg process for investigation, adjudication, and discipline are separate and distinct ways in which to seek redress. If any party initiates any civil, criminal or agency proceeding, the university reserves the right to initiate, to suspend, to terminate or to continue the internal proceeding.

As allowed by FERPA, when a student is accused of a policy violation that would constitute a "crime of violence" or sex offense (see definition), the university will inform the party bringing the complaint, in writing, of the final results of a hearing regardless of whether the university concludes that a violation was committed. Such release of information may only include the

alleged student's name, the violation committed, and the sanctions assigned (if applicable). In cases of sexual misconduct and other offenses covered by Title IX, only, the rationale for the outcome will also be shared with all parties to the complaint in addition to the finding and sanction(s).

### ***Reporting to University Police***

University employees and students are encouraged and obligated to accurately, voluntarily, and promptly report crimes, emergencies, potential threats, or risks to the appropriate University office(s). WPD has a dispatch center that is available by phone at 937-327-6363, for an emergency, and 937-327-6231, for non-emergencies, and in person 24 hours a day at the Recitation Hall Annex. Although many resources are available, WPD strongly encourage all crimes be reported, whether an investigation continues, to assure the University can assess all security concerns and inform the community if there is a signification threat to the University community.

All WPD incident reports involving students potentially violating University policy are forwarded to Student Development for potential action, as appropriate. WPD investigators will investigate a report when it is deemed appropriate. Additional information obtained via any investigation will also be forwarded to Student Development.

### **Reporting to Springfield Police Division (SPD)**

A person reporting a crime to WPD has the right to report the crime to the Springfield Police Division (SPD) by calling 911 or utilizing the non-emergency number 937-324-7680. WPD officers regularly discuss this option with the victim of a crime and will assist the victim with that process. There are several recognized student organizations that occupy privately owned houses within the campus boundaries; however, Wittenberg does not have any officially recognized student organizations that have housing facilities "off-campus." If SPD is contacted about incidents occurring off-campus involving Wittenberg students, SPD will typically notify WPD to inform WPD of the situation. There is no official SPD policy requiring such notification involving private property. Students in these cases may be subject to arrest by SPD and university disciplinary proceedings through Student Development.

### ***Tiger Safe Safety App***

During the summer of 2022, Wittenberg contracted with AppArmor to build a campus safety App. Tiger Safe empowers you with the tools you need to be prepared, mitigate dangers and respond appropriately to situations that occur. Tiger Safe replaced our previous App. With Tiger Safe, campus community members can:

- Make direct contact with public safety dispatchers and first responders in case of emergencies, or to share other information such as reporting a crime or a tip.
- Share your location with friends or dispatchers as you walk to your destination.
- Use mobile blue light to send your location and call public safety simultaneously
- Link to campus safety resources
- Find emergency information and what to do in an emergency.
- Access Wittenberg support resources.

## **Confidential Reporting**

If you are the victim of a crime and do not want to pursue action within the university system or the criminal justice system, or if you are a witness to a crime and do not want to reveal your identity, you may make a confidential report of the incident to WPD. The purpose of a confidential report is to maintain the reporting individual's confidentiality, while helping WPD protect the safety of the Wittenberg community. Providing this information also helps the university maintain accurate records regarding the number of incidents involving students, employees, and visitors; determine if there is a pattern of crime regarding a particular location, method, or assailant; and alert the campus community to potential dangers when appropriate. Reports filed in this manner are not excluded from Wittenberg's annual crime statistics, and when they involve allegations of sexual harassment (including sexual violence) they are made available to the University's Title IX Coordinator. You can call WPD and ask that information remain confidential or use the Witt tip application from your smart phone.

## ***Reporting to Other Campus Security Authorities***

While the University encourages all campus community members to promptly report all crimes and other emergencies directly to the WPD at 937-327-6231 or 937-327-6363, for emergencies, we also recognize that some may prefer to report to other individuals or University offices. The Clery Act recognizes certain University officials and offices as "Campus Security Authorities (CSA)." The act defines these individuals as "officials of an institution who has significant responsibility for student and campus activities, including, but not limited to, student housing, student discipline, and campus judicial proceedings. An official is defined as any person who has the authority and the duty to take action or respond to particular issues on behalf of the institution."

While the University has identified several CSAs, we officially designate the following offices:

<b>Official</b>	<b>Campus Address</b>	<b>Phone Number</b>
<b>Wittenberg Police Division</b>	Recitation Annex	937-327-6231
<b>Office of Human Resources</b>	Recitation Hall, Room 46	937-327-7515
<b>Office of the Dean of Students</b>	Shouvlin Center, 737 North Fountain Ave.	937-327-7800
<b>Office of Student Conduct</b>	Shouvlin Center, 737 North Fountain Ave.	937-327-7800
<b>Office of Residence Life, including all RAs, CAs &amp; ACs</b>	Shouvlin Center, 737 North Fountain Ave.	937-327-7800
<b>Title IX Office</b>	Shouvlin Center, 737 North Fountain Ave.	937-327-7800
<b>Athletic Office</b>	Health PE Building, Room 301	937-327-6458

### ***Voluntary, Confidential Reporting***

If you are the victim of a crime and do not want to pursue action within the University system or the criminal justice system, you may still want to consider making a confidential report. Confidential resources on Wittenberg’s campus include counselors, physicians, and nurses at the Health and Counseling Center and clergy when the person is acting within her or his professional capacity. You can also report to Project Woman, Springfield’s off-campus rape crisis center. Project Woman offers a wide range of programs and services to protect, educate, and empower those affected by domestic violence and/or sexual assault. The purpose of a confidential report is to maintain the reporting individual’s confidentiality, while helping WPD protect the safety of the Wittenberg community. Providing this information also helps the university maintain accurate records regarding the number of incidents involving students, employees, and visitors; determine if there is a pattern of crime with regard to a particular location, method, or assailant; and alert the campus community to potential dangers when appropriate. Reports filed in this manner are not excluded from Wittenberg’s annual crime statistics, and when they involve allegations of sexual harassment (including sexual violence) they are made available to the Title IX coordinator.

For gender-based crimes (e.g. sexual assault, rape, domestic violence, dating violence, stalking) when reporting to a WPD Officer and/or Wittenberg's Title IX Coordinator or designee, a victim of a crime may state his or her preference that no further investigation action proceed. All reasonable steps will be taken to honor that request while allowing Wittenberg personnel to meet their responsibility to provide a safe, nondiscriminatory environment for all students, staff and faculty.

WPD encourages everyone that has become a victim of crime to come forward and report it to the police. However, on occasion and depending on the nature of the crime the victim may decide not to press charges. This is the victim's option. Just because a report is filed with the police department does not mean that criminal charges have to be filed. Students may also contact Wittenberg Dispatch to report a crime and withhold their personal information. Based on the nature and/or seriousness of the incident the university may not be able to guarantee anonymity but will do everything in our power to honor a confidential report.

### ***Pastoral and Professional Mental Health Counselors***

Campus pastoral counselors and professional counselors, when acting as such, are not considered to be campus security authorities and are not required to report crimes for inclusion in the annual disclosure of crime statistics. As a matter of policy, they are encouraged, if and when they deem it appropriate, to inform persons being counseled of the procedures to report crimes on a voluntary basis for inclusion in the annual crime statistics.

### ***Response to Reported Incidents***

Reports may be made to the Dean of Students or designee for review and potential action by calling 937-327-7806 or by accessing the online reporting forms at <https://www.wittenberg.edu/student-life/student-development/reporting-incidents-campus>.

In addition, a call to WPD at 937-327-6231 will connect the caller to one of the dispatchers who are available 24 hours a day. In response to a call, WPD will take the required action, either dispatching an officer or asking the victim to report to WPD to file an incident report. All reported crimes will be investigated by the University and may become a matter of public record. WPD incident reports involving students are forwarded to the Dean of Students or designee for review and possible referral for disciplinary action through the student conduct process, as appropriate. In reports involving gender-based discrimination and/or sexual misconduct, including sexual assault, dating violence, domestic violence, and stalking, WPD reports are forwarded to the Title IX Coordinator or designee for follow up and possible referral for action through the Title IX grievance procedures.

WPD Officers, the Title IX Coordinator, the Director of Student Conduct and Deputy Title IX Coordinator, the Director of Human Resources and Deputy Title IX Coordinator or others as

denoted in the Student Handbook and University policies will follow up a report when it is deemed appropriate. Additional information obtained via an investigation will also be forwarded to the appropriate person/office. If assistance is required from the Springfield Police Department or the Springfield Fire Department, WPD will contact the appropriate unit where warranted, although any member of the Wittenberg community should always feel, and are encouraged, to also report incidents that could constitute crimes to local law enforcement.

### ***Daily Crime and Fire Log***

The Wittenberg Police Division maintains a Daily Crime and Fire Log. The log is published daily with the exception of weekends and holidays. It is available for public view at the Police Division during business hours (8:00 AM to 5:00 PM Monday through Friday, except university holidays or closings). The log lists all incidents of crime and actual fires in residence halls that have occurred within the past sixty days. Additionally, the log records the nature, date, time, general location, and disposition of the complaint, if known.

WPD monitors the local Springfield Police frequencies to stay current with any incidents that may affect the Wittenberg community. Additionally, the Daily Crime Log contains reports of all crimes that occurred within the patrol jurisdiction of WPD.

### ***Student Discipline***

As a church-related institution, we are committed to the principles of self-discipline and self-governance that require that misconduct be reported and that appropriate sanctions be imposed when violations are found.

Wittenberg views the administration of student discipline as a part of the total educational process that not only protects the academic community but also assists the student in personal development. The goal of our disciplinary process is to promote the student's learning by examining how a pattern of conduct is a detriment to the educational process.

Unless a specific university policy dictates adjudication by a particular person or board, the Dean of Students or designee will determine how incidents will be adjudicated. Area Coordinators or the Director of Student Conduct and Deputy Title IX Coordinator normally are the first to meet with the alleged student. The online Student Handbook outlines the university's policies related to student discipline and includes a guide that indicates what type of disciplinary action is appropriate, given the nature of the offense. It should be emphasized that actual decisions always take into account the attitude and situation of the alleged student.

### ***Notification of Hearing Outcomes***

The outcome of a campus hearing is part of the education record of the responding student and is protected from release under the Federal Education Rights and Privacy Act (FERPA), except



under certain conditions. As allowed by FERPA, when a student is accused of a policy violation that would constitute a “crime of violence”, or sex offense, upon written request, the university will inform the complainant of the final results of a hearing regardless of whether the university concludes that a violation was committed. Such release of information may only include the alleged student’s name, the violation committed, and the sanctions assigned (if applicable). In cases of sexual assault, dating violence, domestic violence, or stalking, the complainant will be provided with the written result at the same time as it is received by the respondent. The result will include the rationale for the result and the sanctions, as well as information about any appeals process that may be available. Complainants will also be notified, at the same time as the respondent, of any change to the result, and when such results become final.

Notification of hearing outcomes will be made in writing and may be delivered by one or more of the following methods: in person by the Dean of Students’ designee; mailed to the local or permanent address of the student as indicated in official university records; or emailed to the student’s university-issued email account. Once mailed, emailed and/or received in-person, such notice will be presumptively delivered. In cases of sexual discrimination or misconduct, gender-related violence, and other crimes of violence, notice of the outcome will be delivered to all parties simultaneously, meaning without substantial delay between the notifications to each. If the alleged victim is deceased as a result of such crime or offense, the next of kin of such victim shall be treated as the alleged victim for purposes of this paragraph.

## **Citizen Complaints**

The Wittenberg Police Division will investigate all allegations of misconduct by members of the department. If a concern arises regarding the conduct of a member of the Wittenberg Police Division, complaint forms are available from the on-duty dispatcher or shift supervisor. Community members may request to speak to the shift supervisor by calling (937) 327-6231 and reporting the complaint to the dispatcher so that it is officially recorded. Information such as date, time and location of the service, name or description of the officer, and a full description of the dissatisfaction or inappropriate behavior are essential for the proper investigation of the complaint. The shift supervisor will assist in completing the form and forward it to the Chief of Police. If the complaint is against the shift supervisor, the complaint should be made directly to the Chief of Police on the next business day.

## **Emergency Response and Evacuations**

Wittenberg University will immediately notify the campus community upon the confirmation of a significant emergency or dangerous situation occurring on the campus, involving an immediate threat to the health or safety of students and employees on campus. In accordance with the Higher Education Act of 1965, the University has implemented a comprehensive communications system with the primary method of communication being the Rave (Text and

Email) to provide prompt warning notifications and alerts of immediate threats to the health and safety of members of the campus community. The University may also use additional communication methods, including outdoor mass notification system, University website notices, Public Address System (where available), and building fire alarm systems.

Members of the Wittenberg community are encouraged to sign up for emergency text notification through Wittenberg University's Rave. Additionally, all students are automatically signed up to receive immediate email and text message notifications. Students may opt out of the text message notifications if they choose.

WPD is primarily responsible for confirming that there is a significant emergency or imminent threat to the health and safety of the members of the campus community. Other Wittenberg University administrators, the local first responder agencies and/or the National Weather Service, may assist WPD in confirming an emergency. For example, WPD may consult with the Clark County Health department to confirm a pandemic flu outbreak, etc. The Office of University Communications, WPD, and/or Student Development have access to the systems to notify the campus community of immediate threats that have occurred and necessitate evacuation, shelter in place, or other action on the part of students, employees, and campus visitors.

Typically, the University provides follow-up information to the community using the same method that used to transmit the initial alert. In the event of a failure in the systems (technology) listed above, the University may use face-to-face communication. Additionally, the Wittenberg University website will be updated.

Members of the larger community, such as parents, neighbors, etc. interested in receiving information about emergencies on campus may access the Wittenberg University website at [www.wittenberg.edu](http://www.wittenberg.edu) and via local and/or national news coverage.

## **Emergency Preparedness**

Emergency preparedness and information on what to do in an emergency can be found on the Safety website at <http://www.wittenberg.edu/administration/security/response.html> information is also available on Wittenberg University website.

In an emergency, it is important to remember three things: do not take unnecessary risks; there is no substitute for remaining calm; and always use common sense. University departments are responsible for developing emergency action plans and continuity of operations plans for their staff and areas of responsibility. The University conducts emergency response exercises each year, such as tabletop exercises, field exercises, and tests of the emergency notification systems on campus. These tests are designed to assess and evaluate the emergency plans and capabilities of the institution. Drills and exercises may be announced or unannounced.

When a serious incident occurs that causes an immediate threat, the first responders to the scene will be WPD, Springfield Police/Fire/EMS, as well as other jurisdictions, as applicable. These agencies work together under a NIMS Unified Command structure to manage the incident. General information about the emergency response and evacuation procedures for Wittenberg University is publicized each year as part of the institution's Clery Act compliance efforts. Wittenberg University will notify the University community of its emergency notification, emergency response, and evacuation procedures via email, in conjunction with at least one drill or exercise each calendar year. Information related to emergency notifications and emergency guidelines can be found at the Wittenberg University Safety website <http://www.wittenberg.edu/administration/security/response.html> .

### ***Emergency Evacuation Procedures***

Three evacuation drills are coordinated by WPD during the fall semester for all Residential Halls. Students learn the locations of the emergency exits in the buildings and are provided guidance about the direction they should travel when exiting each facility for a short-term building evacuation. WPD does not tell residents in advance about the designated locations for long-term evacuations because those decisions are affected by time of day, location of the building being evacuated, the availability of the various designated emergency gathering locations on campus, and other factors such as the location and nature of the threat. In both cases, WPD staff on the scene will communicate information to students regarding the developing situation or any evacuation status changes.

The purpose of evacuation drills is to prepare building occupants for an organized evacuation in case of fire or another emergency. At Wittenberg, evacuation drills are used as a way to educate and train occupants on fire safety issues specific to their building. During the drill, occupants 'practice' drill procedures and familiarize themselves with the location of exits and the sound of the fire alarm. In addition to educating the occupants of each building about the evacuation procedures during the drills, the process also provides the University an opportunity to test the operation of fire alarm system components.

Evacuation drills are monitored by WPD to evaluate egress and behavioral patterns. Reports are prepared by participating departments which identify deficient equipment so that repairs can be made immediately. Recommendations for improvements are also submitted to the appropriate departments/offices for consideration.

Students receive information about evacuation and shelter-in-place procedures during their first-floor meetings and during other educational sessions that they can participate in throughout the year. The resident advisors are trained in these procedures as well and act as an on-going resource for the students living in residential facilities.

## **Shelter-in-Place Procedures--What it Means to "Shelter-in-Place"**

If an incident occurs and the buildings or areas around you become unstable, or if the air outdoors becomes dangerous due to toxic or irritating substances, it is usually safer to stay indoors, because leaving the area may expose you to that danger. Thus, to "shelter-in-place" means to make a shelter of the building that you are in, and with a few adjustments this location can be made even safer and more comfortable until it is safe to go outside.

## **Basic "Shelter-in-Place" Guidance**

If an incident occurs and the building you are in is not damaged, stay inside-seeking an interior room-until you are told it is safe to come out. If your building is damaged, take your personal belongings (purse, wallet, keys, etc.) and follow the evacuation procedures for your building (close your door, proceed to the nearest exit, and use the stairs instead of the elevators). Once you have evacuated, quickly seek shelter at the nearest University building. If police or fire department personnel are on the scene, follow their directions.

## **How You Will Know to "Shelter-in-Place"**

A shelter-in-place notification may come from several sources, including the WPD, Staff members, other University employees, the federal or Springfield government, SPD, or other authorities utilizing the University's emergency communications tools.

## **How to "Shelter-in-Place"**

No matter where you are, the basic steps of shelter-in-place will generally remain the same. Should the need ever arise, follow these steps, unless instructed otherwise by local emergency personnel:

- If you are inside, stay where you are. Collect any emergency shelter-in-place supplies and a telephone to be used in case of emergency. If you are outdoors, proceed into the closest building quickly or follow instructions from emergency personnel on the scene.
- Locate a room to shelter inside. It should be:
  - An interior room;
  - Above ground level; and
  - Without windows or with the least number of windows. If there is a large group of people inside a particular building, several rooms maybe necessary.
- Shut and lock all windows (tighter seal) and close exterior doors.
- Turn off air conditioners, heaters, and fans.
- Close vents to ventilation systems as you are able. (University staff will turn off ventilation as quickly as possible.)
- Make a list of the people with you and ask someone (Staff, faculty, or other staff) to call the list in to WPD so they know where you are sheltering. If only students are present, one of the students should call in the list.
- Turn on a radio or TV and listen for further instructions.

- Make yourself comfortable.

## **Safety Communications**

Desiring to provide a secure environment for our students, our faculty and staff, and our visitors who live, study and socialize on our hilly wooded campus, the university employs a proactive crime prevention approach to criminal activity. Communication is a key ingredient to this approach.

### ***Emergency Notifications and Timely Warnings***

Wittenberg's Chief of Police or his designee will issue an emergency notification or timely warning to alert students, faculty, and staff when a situation arises that constitutes a reportable crime under the Clery Act or presents a potentially serious or continuing threat to the campus community. Emergency notifications are issued for incidents that pose an imminent safety concern for the campus, i.e. an active crime in progress on or near the campus or a recently committed crime with a suspect at large. Timely warnings are issued when the division becomes aware of crimes that it considers, under the circumstances, to represent a threat to students and employees. For example, timely warnings may be issued when the division becomes aware of similar incidents or a pattern occurring on or near the campus, such as a pattern of burglaries or car break-ins that involve similar modes of entry.

As a matter of practice, the university will keep all victim information confidential. Confidential victim information may be released if the investigation of the incident requires its release.

Emergency Notifications and timely warnings are generally sent via e-mail. The text messaging alert system will also be activated when there is an imminent and significant threat to members of our campus community.

The decision to issue an emergency alert or timely warning is made on a case-by-case basis considering all the facts surrounding the incident. Whenever practicable, the Chief of Police will consult with the president's office or a member of the president's senior staff before issuing an alert. A balancing of a variety of factors weighs into the decision of whether or not to issue an alert. Factors include:

- Is there a risk of compromising law enforcement efforts?
- Is there a continuing danger to the community?
- Is the crime random or targeted to a specific individual?
- Has a suspect been taken into custody?
- Have the facts been confirmed?

We have contracted with Rave to give us the ability to send emergency messages in the form of text and email. Since being able to communicate quickly with all members of the Wittenberg community is critical to our ability to respond effectively if a crisis were to occur, we subscribe all members of the campus community through automated processes. It's important to provide Human Resources with a valid cell phone number if you wish to receive these emergency messages. Students must provide a valid cell phone number on the biographical page in self-service. All members who have a Wittenberg email address will automatically receive emergency messages through that address. Additionally, Tiger Safe can be downloaded to your mobile device which enables you to receive emergency messages through push notifications.

We are fortunate to enjoy an excellent working relationship with the Springfield Police and Fire Divisions as well as other surrounding law enforcement agencies. In fact, we share a radio frequency with them, and we employ City officers to work special duty. We maintain regular communications with SPD investigative officers, and we regularly collaborate in training programs. Because of our ongoing collaboration, the local emergency response agencies know our officers, our campus and our buildings. This enables us to immediately deploy all available resources in the event of a crisis. It also ensures timely sharing of important information to help solve active cases that are of concern to the university and, even more importantly, helps to prevent criminal activity.

## **Safety & Security Services and Programs**

### ***Campus Security Committee***

The Campus Police Advisory Committee is comprised of representatives from senior administration, student life, Wittenberg police, and the student body, and meets at least twice a semester to review campus activity. Valuable ideas and issues concerning campus safety, security, and crime prevention are exchanged. The committee collaborates to mitigate campus safety concerns.

### ***Residential and Fraternity and Sorority Life Partners***

Wittenberg Police and Residence Life have combined efforts to communicate important safety information to students who live in the residence halls. The residence hall staff holds a general information program at the beginning of each academic year. Security issues such as access to residence halls, crime reporting, emergency procedures, and general safety guidelines are discussed. Throughout the year, additional security meetings are held as necessary. A residence hall liaison officer is assigned to each residence hall to work closely with the students in preventing security problems and solving problems in that particular facility.

Sorority and fraternity houses are also encouraged to inform and update their members and residents on proper security procedures. The Wittenberg Police Division offers programs and

provides safety recommendations to all affiliated sorority and fraternity houses, and to the owners and residents of the many independent living units in the University District.

### ***Bike Patrol***

Bicycles specially equipped for the Police and Security officers are used by selected officers in the performance of their duties. The bike patrol is an effective crime prevention tool.

Additionally, while patrolling the interior areas of the campus, officers are given the opportunity to become closer to the community and citizens that we serve.

### ***Response to Illness or Injury***

Wittenberg Police and Security officers have been trained to provide emergency response and assistance in medical care. All Police and Security officers are trained in first aid and CPR techniques. In addition, a board-certified physician and registered nurses' staff the Wittenberg Health and Counseling Services Center.

### ***Sexual Offender Notification***

In accordance with the Campus Sex Crimes Prevention Act of 2000, which amends the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act, the Jeanne Clery Act and the Family Educational Rights and Privacy Act of 1974, Wittenberg University is providing a link to the Ohio State Sex Offender Registry. All sex offenders are required to register in the state of Ohio and to provide notice of each institution of higher education in Ohio at which the person is employed, carries a vocation, or is a student.

Members of the campus community may obtain information provided by the State of Ohio regarding registered sex offenders by contacting the Clark County Sheriff Department or by visiting the following link: <http://www.clarkcountysheriff.com/>. In addition, photos of sex offenders who have registered in our area are posted and available to the campus community in the Wittenberg Police Division.

In addition to the above notice to the State of Ohio, all sex offenders are required to deliver written notice of their status as a sex offender to Wittenberg University's Chief of Police no later than three (3) business days prior to their enrollment in, employment with, volunteering at or residence in Wittenberg University. Such notification may be disseminated by Wittenberg University to, and for the safety and well-being of, the Wittenberg University community, and may be considered by Wittenberg University for enrollment and discipline purposes.

### ***Access to Buildings***

The Police Division is responsible for the unlocking of the administrative and academic campus buildings in the morning and securing them in the evenings. Most buildings are open to the

public during normal business hours. There is no controlled access during these hours. However, these buildings are secured and patrolled each evening by the Police Division. Individuals can remain in academic and administrative buildings or enter them in the evening hours only after obtaining proper authorization. An exception to this policy is Hollenbeck Hall. A 24- hour access computer room is available for student use within this building. After 11:30 p.m. access to the remainder of the building is restricted as above.

### ***Tiger Transport***

WPD provides a transport service for students which enhances their safety when walking after dark. Students can call 937-327-6231 and ask the dispatcher for a transport to academic, administrative buildings, residence halls, campus houses, parked cars, and many other destinations within the University District. The dispatcher will need to know the student's name, phone number, current location and the location where the student is going.

### ***Lost and Found***

You can contact the Wittenberg Police Division to check on lost items of personal property, or to turn in found items. In order to maintain a central location for persons seeking lost property, faculty, staff and students are encouraged to forward any “found” items to the Wittenberg Police.

### ***Vehicle Lockouts and Jump Starts***

Wittenberg Police and Security will assist students, faculty/staff and visitors with motor vehicle lockouts and will offer jump-starts to individuals needing assistance with weak or dead batteries on campus and the surrounding area. A Liability Release Form must be completed and signed by the driver or owner of the vehicle before the officer can aid.

### ***Bicycle Registration***

Students may register their bicycles at the Wittenberg Police Division any time after the second week of fall semester. To register a bicycle, the following information is needed: manufacturer, serial number, color, and special equipment. This is a free service. Students with bicycles are encouraged to secure them with shackle-type, high-security locks.

### ***Maintenance and Security of Campus Facilities***

As part of the university’s overall safety programs, the Wittenberg Police Division monitors and reports on the physical condition of all campus buildings, to make sure that all locks, fire alarm boxes, and other security measures are in good working order.

It evaluates and reports on the overall security of the campus on a routine basis, and upon request, provides safety surveys to the owners and residents of independent living units in the



University District. Those evaluations and reports consider such matters as proper and effective lighting, the elimination of obscuring shrubbery, and the improvement of traffic patterns.

### ***Firearms Policy***

The possession or use of firearms, dangerous weapons, or other materials that endanger the campus community is strictly prohibited, except that pursuant to R.C. 2923.126(B)(5), handguns may be kept in a locked motor vehicle on campus. This prohibition applies to all university employees, students, vendors, customers, and guests. The prohibition includes weapons carried about the person and maintenance and storage of any weapon in any property owned, leased, or controlled by Wittenberg. Weapons discovered on university premises in violation of this policy could result in criminal prosecution, as well as discipline through the University.

Weapons used for demonstration and educational purposes are to be stored at the Wittenberg Police Department until the time of class or demonstration. All such weapons are to be carried in cases in accordance with Ohio law. Members of the university community should immediately report violations of this policy to the Wittenberg Police Division.

### **Campus Housing Safety**

Although the residence halls are generally safe environments, they are not without crime. The majority of crimes in the residence halls involve the theft of personal property. Few of these thefts involve forced entry, and most offenses fall into the category of “crimes of opportunity.”

Officers patrol the residence halls daily to reduce the opportunities for crime. Additionally, each residence hall is equipped with cameras at each entrance and exit. Officers have used the cameras to solve numerous crimes and return stolen property to residents.

Here are some useful safety tips that may keep you from falling victim to crime:

- Do not prop open locked residence hall doors. You will be placing everyone else at risk.
- Never let anyone into the hall unless you positively know him or her as a resident. If they claim to be visiting a friend, instruct them to call them on the phones provided at the entrance to each residence hall.
- Lock your door when sleeping.
- Lock your door when you leave, regardless of the length of time you plan to be gone.
- Keep small items of value, such as wallets, money, and jewelry out of sight.
- Do not leave notes on your door announcing that no one is in. This invites theft.
- Do not take in overnight guests whom you do not know.
- Do not allow door-to-door salespeople to enter your room. University ordinances prohibit soliciting and the alleged salesperson may be “casing” your room for later theft.

- Report all thefts or suspicious persons in the building immediately to the University Police.

Report to the residence hall staff all doors, locks and windows that are in need of repair.

### ***Access to Residence Halls***

The residence halls are locked 24 hours a day. Each resident is issued a door access credentials when moving into a residence hall. Keys and door access credentials are the property of Wittenberg University and are non-transferable. Duplication is prohibited. Students may not lend or borrow keys. Guests of students are welcome in university residence halls on a limited basis. Guests must be escorted at all times. The Wittenberg Police Division and residence hall staff are responsible for ensuring that these policies are maintained and enforced.

### **Prevention and Awareness Program**

Educating the campus community about personal safety and security practices is an important element of our security plan. Police and security conduct an ongoing Security Awareness Program to reinforce basic safety precautions. The goal is to keep security and safety in the forefront of the minds of our campus members.

Most crimes occurring on college campuses are crimes of opportunity that can be prevented. You can help by taking away the opportunity. We have prepared these safety tips to help reduce the opportunity for you to become a victim of crime.

### ***Tips for Staying Safe***

- Report suspicious activity immediately by calling #6363.
- Walk, jog, or bike with friends.
- Use the escort service at #6231.
- Lock your doors when you are not in your room. Most thefts occur while the resident is still in the building.
- Park in well-lit, designated parking areas. Lock your car, and lock valuables in the trunk or hide them from view.
- Use a high-security shackle lock to secure your bike. Secure lock through the bicycle frame and quick detachable wheel to a stationary object.
- Mark all your books with your name in two or more specific places. Do not leave your books unattended.
- Do NOT drink and drive.
- Avoid isolated, dark areas.
- Know your limits with alcohol, and do not accept drinks from others.
- Tell a friend where you are going and when you will return.

- Body language counts! Walk with confidence. Show that you are aware and in control.
- Before driving, lock your doors and put on your seatbelt.
- Always sign in to Witt Secure when using campus WiFi.
- Report the loss or theft of keys or valuables immediately to University Police.

As part of this program, informational updates and advisories are circulated to the community on security items of particular importance. Personal safety tips are included on the university Police Division's Web page including information on bicycle theft preventions, break-ins and burglary prevention, telecommunication harassment, sexual assault, vehicle protection tips and other general security information.

Everyone is encouraged to assume responsibility for his or her own personal safety and the security of personal belongings. It is important that you understand the basic facts about safety and are familiar with the university's emergency response protocol. This information is available on the Police Division Web page.

## **Missing Persons Policy**

Wittenberg University regards the safety of the members of our campus community as the highest priority. This policy contains the procedures for Wittenberg University concerning missing students who reside in on-campus housing, in accordance with the requirements of the Higher Education Opportunity Act of 2008 (HEOA). The purpose of this is to promote the safety and welfare of members of the university community through compliance with HEOA requirements.

Missing student reports will be immediately referred to the Wittenberg Police Division. The appropriate university faculty, staff and the student's parents/guardians or other persons so designated by the student, once permitted, will be notified.

If you believe a student is missing, you should notify the Wittenberg Police Division (327-6363) or Dean of Students Office (327-7800) immediately and provide as much information as possible. These offices will immediately start an investigation to determine the location of the missing student.

If it is determined that a student is missing, Wittenberg Police or the Dean of Students will begin calling the persons designated as the emergency contact by the student. In no circumstance will the notifications be made later than the maximum twenty-four-hour requirement after the time the student is determined missing, which is required by federal law. The students' contact information will be registered confidentially. This information will be accessible to authorized campus officials and law enforcement and will not be disclosed outside of a missing person investigation. Additionally, if the student is under the age of eighteen and is not emancipated,

the university must notify the student's custodial parent or guardian within twenty-four hours of the determination that the student is missing, in addition to notifying any additional contact person designated by the student.

Wittenberg Police will conduct a thorough investigation to determine the location of the missing student. This may include interviews with known acquaintances, family members, faculty, residence hall staff, and others who may individually or collectively aid in the investigation. The investigation may also include checking the student's residence, student's vehicle and calling the student's cell phone.

The HEOA requires institutions of higher education to provide students the option of designating an emergency contact person who is not necessarily a parent or legal guardian whom the institution may contact if the student is deemed missing. Students wishing to register a contact person may do so on the Portal or by contacting Student Development at 327-7800. The emergency contact person designated by the student will become the primary contact person during the investigation. If no contact person is designated, the university reserves the right to contact parents or guardian.

## **Substance Abuse Prohibitions**

Wittenberg University, as a church- related school in partnership with the supporting synods of the Evangelical Lutheran Church in America, respects and defends the Church's position that substance abuse is destructive of God's good gift of personhood.

The university recognizes alcohol and other drug dependency as an illness and a major health problem. The university also recognizes drug abuse as a potential health, safety, and security problem. Students needing help in dealing with such problems are encouraged to contact one of the many alcohol and other drug resources available on campus or in the City of Springfield.

*Illegal use, possession, sale, of alcohol, including underage drinking, will not be tolerated and if found, could result in an arrest by University Police as well as disciplinary action through the Office of Student Conduct up to and including dismissal.*

*Illegal use, possession, or sales of illegal drugs will not be tolerated and if found, could result in an arrest by the University Police as well as disciplinary action through the Office of Student Conduct up to and including dismissal.*

Students are held responsible for their behavior when under the influence of alcohol and other drugs in the same manner in which they are held responsible for their behavior when not under

the influence. The Dean of Students or a designee(s) has the option of revoking the privilege to consume alcohol of an individual, any organization, or off-campus property lease if recurring patterns of irresponsible behavior should occur. Similarly, illegal and/or irresponsible use of alcohol or other drugs may subject employees to dismissal, termination from employment, and referral for prosecution.

### ***Substance Abuse Education and Prevention***

Believing that we have the responsibility to provide education about alcohol use and intervene in situations where individuals misuse and abuse the chemical, Wittenberg University consistently sponsors awareness programming and support services across campus. For example, in recent years, Wittenberg and its Office of Student Development have:

- Instituted a no-keg policy across campus.
- Incorporated various programs into Welcome Week to educate incoming students on alcohol and other drug abuse; the ins and outs of university policy; and tips to safe drinking habits if you choose to consume alcohol.
- Implemented the use of alcohol education through Vector Solutions which is an evidence-based online course.
- Provides alcohol-free programming initiative through the residence halls, the Witt Wednesday series, and Witt Late Nights.
- The university has also expanded its education and intervention efforts to include other drug abuse and has instituted a Safe Harbor policy to assist students with recovery of alcohol and drug abuse.

The university will intervene out of concern for both the individual and the wider community. Our alcohol and drug abuse prevention and education programs are coupled with strict enforcement of our policies.

Additionally, the university provides many educational opportunities to the Wittenberg community, including its resident advisors, peer mentors, student managers, area coordinators, police and security officers, and faculty, staff, and students, in order to sensitize them to the implications and effects of alcohol and drug use, misuse, abuse and addiction. Residence hall staff is trained annually on alcohol use and drug abuse prevention. They are taught proper intervention techniques, how to be aware of and to recognize the signs of the use and abuse of controlled substances, and how to properly report drug and alcohol use.

Throughout the year, programs are provided in residence halls and fraternity and sorority houses. These programs focus on the use of alcohol and other drugs, the legal implications associated with their use and the health risks of alcohol and other drug abuse.

The *Student Handbook* contains the university's full policy and related procedures governing alcohol and drug-related offenses, and also describes and reproduces federal and state law on drug-related offenses.

Trained counselors are available to talk to any student or employee upon request.

## **Policies Regarding Sexual Misconduct and Gender-Related Violence**

Wittenberg University's [Title IX Policy](#) and procedures concerning sex discrimination, sexual harassment, sexual misconduct, domestic violence, dating violence, stalking, and sex/gender-based stalking complaints prohibit violent acts, which can be crimes as well.

Wittenberg University utilizes similar standards and definitions as the Ohio Revised Code. Victims of these behaviors are protected by federal laws, specifically Title IX, and the Clery Act, which mandates the contents of this report.

- Annual Title IX Notification  
<https://www.wittenberg.edu/titleix>

It is the policy of Wittenberg University to notify the campus law enforcement office when a sexual assault occurs, typically without providing identifying information about the incident, unless a victim wishes that information to be shared, or an emergency requires disclosure. Victims have the option to notify law enforcement directly, or to be assisted in doing so by campus authorities. If requested, campus officials can facilitate reporting to law enforcement, but may also respect a victim's request not to do so.

### ***Prevention and Awareness Programs***

In an effort to reduce the risk of sexual misconduct as well as the crimes of rape, sexual assault, sexual harassment, stalking, dating violence, and domestic violence occurring among its students, Wittenberg University utilizes a range of campaigns, strategies, and initiatives to promote awareness, education, risk reduction, and prevention programming.

It is the policy of Wittenberg University to offer programming to identify and prevent domestic violence, dating violence, sexual harassment, sexual assault, and stalking each year. Educational programs are offered to raise awareness for all incoming students and employees and are often conducted during new student and new employee orientation and throughout an incoming student's first semester. Programs and other campaigns offered throughout the year to all students and employees include strong messages regarding not just awareness, but also primary prevention (including normative messaging, environmental management, and bystander intervention), and discuss institutional policies on sexual misconduct as well as the Ohio Revised Code definitions of domestic violence, dating violence, sexual assault, stalking, and consent in

reference to sexual activity. Programs also offer information on risk reduction that strives to empower victims, how to recognize warning signals and how to avoid potential attacks and do so without victim-blaming approaches. Programs are informed by evidence-based research and/or are assessed for their effectiveness.

Bystander engagement is encouraged through safe and positive intervention techniques and by empowering third-party intervention and prevention such as calling for help, using intervention-based apps, identifying allies, and/or creating distractions. Bystander empowerment training highlights the need for those who intervene to ensure their own safety in the intervention techniques they choose and motivates them to intervene as stakeholders in the safety of the community when others might choose to be bystanders.

For a complete list of Programming and Training for Sexual Misconduct, Gender-Based Violence and Stalking for 2022, see Appendix 1.

### ***Reporting and Supportive Measures***

In the event that sexual misconduct, gender-based violence, or the crimes of sexual assault, stalking, dating violence or domestic violence do occur, Wittenberg University takes the matter very seriously. Wittenberg employs supportive and protective measures such as emergency removals and/or no contact orders in any case where a student's behavior represents a risk of violence, threat, pattern, or predation. If a student is accused of sexual misconduct, other gender-based violence, or the crimes of rape, sexual assault, sexual harassment, stalking, dating violence, or domestic violence, s/he is subject to action in accordance with the Title IX Policy. A student wishing to officially report such an incident may do so by contacting:

- Casey Gill, Title IX Coordinator, Vice President for Student Development and Dean of Students  
737 N. Fountain Ave, Shouvlin Center 101, (937) 327-7800  
[gillc@wittenberg.edu](mailto:gillc@wittenberg.edu)
- Mary Beth Walter, Deputy Title IX Coordinator and Director of Human Resources  
Recitation Hall, (937) 327-7520 (faculty/staff wishing to report)  
[walterm@wittenberg.edu](mailto:walterm@wittenberg.edu)
- Robin Schreck, Deputy Title IX Coordinator and Director of Student Conduct  
737 N. Fountain Ave, Shouvlin Center 101, (937) 327-7800  
[schreckr@wittenberg.edu](mailto:schreckr@wittenberg.edu)
- Katie Robinson, Deputy Title IX Coordinator and Senior Woman Administrator  
Head Women's Soccer Coach  
HWA Room 227, (937) 327-6496  
[robinsonk6@wittenberg.edu](mailto:robinsonk6@wittenberg.edu)

Or filing a report online at <https://www.wittenberg.edu/title-ix/report-incident>.

Anyone with knowledge about sexual discrimination, sexual misconduct, gender-based violence, or the crimes of rape, sexual assault, sexual harassment, stalking, dating violence, or domestic violence is encouraged to report it immediately. Supportive measures for victims are available from the campus whether a victim chooses to report to local and/or campus law enforcement, and irrespective of whether a victim pursues a formal complaint through the Wittenberg resolution process. Upon receipt of a report of sexual misconduct, the University will provide notification to students and employees about supportive measure which may include counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between parties, changes in work or housing locations, leave of absence, increased security and monitoring of certain areas of the campus, and other similar measures within both the University and in the community. Finally, the University will provide students and employees with an explanation of their rights and options when they report that they have been a victim of dating violence, domestic violence, sexual assault, or stalking.

### ***What to Do If You Are a Victim***

If you are the victim of sexual misconduct, gender-based violence, or the crimes of rape, acquaintance rape, sexual assault, sexual harassment, stalking, dating violence, or domestic violence, some, or all of these safety suggestions may guide you after an incident has occurred:

1. Go to a safe place and speak with someone you trust. Tell this person what happened. If there is any immediate danger, contact 937-327-6363 if you are on campus or call 911 if you are off campus.
2. Consider securing immediate professional support (e.g., counseling, victim advocacy, medical services, etc.) to assist you in the crisis.
3. If you are on campus during regular business hours, you may go to Matthew West, Director of Student Counseling; Pastor Tracy Paschke-Johannes; as well as the Project Woman Campus Advocate, Emily Parsons (or Project Woman designee). These are all confidential resources.
4. After regular business hours, or in any situation where a victim wishes, local resources are also available and may be able to provide confidential assistance.
  - Project Woman  
525 East Home Road, Springfield, OH 45503, (937) 328-5308  
[www.projectwomanohio.org](http://www.projectwomanohio.org)



- Project Woman **24-Hour Crisis Line**  
1-800-634-9893  
(937) 325-3707  
tty (937) 399-5096

5. For your safety and well-being, immediate medical attention is encouraged. Further, being examined as soon as possible, ideally within 120 hours, is important in the case of rape or sexual assault. The hospital will arrange for a specific medical examination at no charge or can work with you to arrange state reimbursement.
  - To preserve evidence, it is recommended that you do not bathe, shower, douche, eat, drink, smoke, brush your teeth, urinate, defecate, or change clothes before receiving medical attention. Even if you have already taken any of these actions, you are still encouraged to have prompt medical care, and evidence may still be recoverable.
  - Typically, if police are involved or will be involved, they will obtain evidence from the scene, and it is best to leave things undisturbed until their arrival. They will gather bedding, linens or unlaundered clothing, and any other pertinent articles that may be used for evidence. It is best to allow police to secure items in evidence containers, but if you are involved in transmission of items of evidence, such as to the hospital, secure them in a clean **paper** bag or clean sheet to avoid contamination.
  - If you have physical injuries, photograph or have them photographed, with a date stamp on the photo.
  - Record the names of any witnesses and their contact information. This information may be helpful as proof of a crime, to obtain an order of protection, or to offer proof of a campus policy violation.
  - Try to memorize details (e.g., physical description, names, license plate number, car description, etc.), or even better, write notes to remind you of details, if you have time and the ability to do so.
  - If you obtain external orders of protection (e.g., restraining orders, injunctions, protection from abuse), please notify the Wittenberg Police Division or the campus Title IX Coordinator so that those orders can be observed on campus.
6. Even after the immediate crisis has passed, consider seeking support from Wittenberg Tiger

Counseling; Wittenberg's Pastor Tracy Paschke-Johannes and Reverend Charmaine Webster; the Project Woman Campus Advocate, Emily Parsons (or Project Woman designee), and/or Project Woman, the local rape crisis center.

7. Contact the Vice President for Student Development and Dean of Students and Title IX Coordinator, Director of Human Resources and Deputy Title IX Coordinator and/or Director of Student Conduct and Deputy Title IX Coordinator if you need assistance with Wittenberg-related concerns, such as no-contact orders or other protective measures.
  - Casey Gill, Title IX Coordinator, Vice President for Student Development and Dean of Students  
737 N. Fountain Ave, Shouplin Center 101, (937) 327-7800  
[gillc@wittenberg.edu](mailto:gillc@wittenberg.edu)
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  - Robin Schreck, Deputy Title IX Coordinator and Director of Student Conduct  
737 N. Fountain Ave, Shouplin Center 101, (937) 327-7800  
[schreckr@wittenberg.edu](mailto:schreckr@wittenberg.edu)
  - Katie Robinson, Deputy Title IX Coordinator and Senior Woman Administrator  
Head Women's Soccer Coach  
HWA Room 227, (937) 327-6496  
[robinsonk6@wittenberg.edu](mailto:robinsonk6@wittenberg.edu)

The Project Woman Campus Advocate, will also assist in any needed advocacy for students and employees who wish to obtain protective or restraining orders from local authorities

- Wittenberg University Project Woman Campus Advocate  
Crisis Line: 1-800-634-9893  
Appointments: (937) 328-5308

Wittenberg University is able to offer reasonable academic support, changes to living arrangements, transportation resources or modifications, escorts, no contact orders, counseling services access, and other supports and resources as needed by a victim. Wittenberg University is also able to offer information about legal assistance, visa/immigration assistance, and student financial aid considerations for victims.

### ***Definitions***

Wittenberg University defines forms of gender-based violence and sexual misconduct it prohibits

in the Title IX Policy. Many of these forms of misconduct are also violations of Ohio criminal and/or civil law.

### **Legal Definitions**

See Appendix 2 for the following definitions under Ohio State Law.

- Sex offenses general definitions
- Rape
- Sexual battery
- Unlawful sexual conduct with a minor
- Gross sexual imposition
- Menacing by stalking
- Domestic violence (criminal)
- Felonious assault
- Domestic violence definitions – hearing (civil)
- Dating violence\*

\*Dating violence is not specifically defined in Ohio state criminal statutes.

### **University Definitions**

See Appendix 3 for the following definitions outlined in Wittenberg University's Title IX Policy.

- Coercion
- Consent
- Dating Violence
- Domestic Violence
- Domestic Violence – Non-Title IX
- Force
- Harassment on the Basis of Sex
- Incapacitation
- Retaliation
- Sex Discrimination
- Sexual Exploitation
- Sexual Harassment
  - Quid Pro Quo
  - Unwelcome Conduct
  - Sexual Assault
- Sexual Harassment – Non-Title IX
- Sexual Misconduct
- Stalking

- Stalking – Non-Title IX

### **Violence Against Women Act Definitions**

See Appendix 4 for the following definitions taken from the Violence Against Women Act and the U.S. Code. Reporting of statistics under the Clery Act uses federal offenses definitions that allow comparability across campuses, regardless of the state in which the campus is located. These definitions are as follows:

- Advisor
- Awareness Programs
- Bystander Intervention
- Dating Violence
- Domestic Violence
- Fondling
- Incest
- Ongoing Prevention and Awareness Campaigns
- Prevention Programs
- Primary Prevention Programs
- Proceeding
- Prompt, Fair and Impartial Proceeding
- Rape
- Result
- Sexual Assault
- Sex Offense
- Stalking
- Statutory Rape
- Unfounded Crime

### ***Campus Procedures for Addressing Sexual Misconduct, Dating Violence, Domestic Violence, Stalking, Sexual Harassment, and Other Acts of Sex and Gender Discrimination***

#### **Sanctions, Protective Measures, and Rights of Victims**

For offenses including sexual misconduct or other gender-based violence, which typically include the crimes of domestic violence, dating violence, sexual harassment, sexual misconduct, and stalking, sanctions range from warning to dismissal. Serious and violent incidents of sexual assault usually result in suspension, dismissal, or termination of employment. Lying to investigators (and/or failing to participate in an investigation) can result in additional consequences under the

Title IX Policy. Wittenberg University will not permit retaliation against any individual for the purpose of interfering with any right or privilege secured by Title IX or its implementing regulations, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under the Title IX regulations. Appropriate sanctions will be imposed on anyone engaged in such activity.

### Title IX Policy

Procedurally, when Wittenberg University receives a report of sexual misconduct, gender-based violence, or other sex or gender discrimination, the campus Title IX Coordinator is notified. If the victim wishes to access local community agencies and/or law enforcement for support, Wittenberg University will assist the victim in making these contacts. The Title IX Coordinator or Deputy Coordinator will offer assistance to victims as available and appropriate in the form of supportive/protective measures such as counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between the parties, changes in work or housing locations, leaves of absence, increased security and monitoring of certain areas of the campus, and other similar measures. If the victim so desires, that individual will be connected with a counselor on- or off-campus, as well as an on- or off-campus victim's advocate. No victim is required to take advantage of these services and resources, but Wittenberg University provides them in the hopes of offering help and support without condition or qualification. A summary of rights, options, supports, and procedures is provided to all victims, whether they are students, employees, guests, or visitors.

### **Formal Complaint, Informal and Formal Resolutions**

#### A. Formal Complaint

Anyone who wishes to file a formal complaint for informal or formal resolution may do so by contacting a Title IX Coordinator or Deputy Title IX Coordinator. Formal complaints must be in writing, must be signed by the complainant, and must request that the University investigate the allegation. Formal complaints will be handled by the Title IX office. When the respondent is a faculty member, the Director of Human Resources/Title IX Coordinator will seek the participation of the respondent's supervisor and/or the Provost when notifying the respondent of the formal complaint.

#### B. Informal Resolution

Where a formal complaint has been submitted and the parties agree to engage in informal resolution in lieu of an investigation, a trained facilitator is appointed to help the parties reach a mutually satisfactory resolution. The facilitator does not make a determination about whether the University's Policy has been violated. However, a record of the incident

and its resolution is maintained in the files of the Title IX Office. Generally, the facilitator meets separately with the complainant and respondent. Examples of resolutions include the range of supportive measures previously described, an apology, counseling requirements, targeted and/or broad-based training and educational programming relevant for individuals or groups, access restrictions, and any other remedy that can be tailored to the involved individuals to achieve the goals of this policy.

### C. Formal Resolution

Disciplinary action against a respondent may only be taken through Formal Resolution procedures. If the complainant files a formal complaint, Wittenberg University will initiate the adjudication process to take immediate and corrective action through individual and community remedies. Wittenberg University seeks to resolve all reports within 90 business days of the initial reports. The Formal Resolution process requires an objective evaluation of all relevant evidence – including both inculpatory and exculpatory evidence – and provides that credibility determinations may not be based on a person’s status as a complainant, respondent or witness. Determinations as to whether the University’s policy has been violated are made using a preponderance of the evidence standard. Proceedings are conducted using the prompt, fair and impartial process outlined in the Title IX Policy. The process is conducted by officials who receive training at least annually on the issues related to dating violence, domestic violence, sexual assault and stalking, and on how to conduct an investigation and hearing process that protects the safety of the victims and promotes accountability.

Procedures detailing the investigation and resolution processes of the Wittenberg University can be found in the [Title IX Policy](#) (pages 21-32)

The Title IX Coordinator is responsible for promptly responding to individuals who experience sexual misconduct by offering supportive measures, following a fair grievance process to resolve formal complaints of sexual misconduct, and provide remedies to complainants where the formal resolution process determines that a policy violation occurred. All parties will be provided with the same opportunities to have others present during any University disciplinary proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice. The University does not limit the choice of advisor or presence for any party during any meeting or disciplinary proceeding. The Coordinator is also responsible for assuring that training is conducted annually for all advocates, investigators, hearing officers, panelists, and appeals officers that encompass a hearing process that protects the safety of victims and promotes accountability. Training will focus on sexual misconduct, domestic violence, dating violence, sexual assault, stalking, sexual harassment, retaliation, and other behaviors that can be forms of

sex or gender discrimination covered by Title IX and Clery Act. Training will help those decision-makers in the process of protecting the safety of victims and promoting accountability for those who commit offenses. Training materials can be found online at <https://www.wittenberg.edu/title-ix/training-materials>

### **Privacy and Confidentiality**

The University aspires to treat all inquiries and complaints about Prohibited Conduct under the Title IX Policy with respect to privacy. Privacy means that the information will be shared only with other individuals who have a “need to know” such information to implement this Policy, including to provide supportive measures. The University shall protect the privacy of individuals involved in a report of Prohibited Conduct under the Title IX Policy to the extent allowed by law and College Policy. The University is committed to protecting the privacy of individuals involved in a report of Prohibited Conduct under the Title IX Policy, and will balance individual privacy with its obligation to conduct a thorough review of allegations to protect the parties and the broader community and maintain an environment free from Prohibited Conduct under the Title IX Policy. The University will maintain as confidential any accommodations or protective measures provided in relation to a report of Prohibited Conduct, to the extent that maintaining such confidentiality would not impair the ability of the University to provide the accommodations or protective measures. Where the University must complete publicly available recordkeeping for purposes of the Clery Act, it will do so without the inclusion of personally identifiable information regarding the complainant. The University counselors and campus pastors are considered to be confidential resources and are not obligated to report an incident to University officials. To the extent permitted by law, these individuals are permitted to maintain the client privilege of confidentiality. The University’s Memorandum of Understanding with Project Woman provides for confidential victim advocates to Wittenberg students and employees. Information held by confidential resources shall not be shared except in certain circumstances, such as where the information indicates imminent threat to the health and safety of others, or where the individual is obligated to report child abuse or neglect.

### **Advisors, Support Persons, and Attorneys**

All parties are entitled to advice and support during the Title IX process. In addition, the parties may consult the Title IX Coordinator or Deputy Title IX Coordinators for assistance with supportive measures or with questions about the policy or process.

1. Advisor: In any administrative meeting, investigative meeting, or hearing, the complainant and respondent may choose to be assisted by an advisor of their choice. The parties may select their own advisor, or may select an advisor from a list of campus community members or partners who have undergone Title IX training to guide a party through the informal or formal resolution process. An outside advisor may request an opportunity to meet with the Title IX Coordinator, or designee,

in advance of participating in the proceedings to be informed about Wittenberg University's expectations regarding confidentiality of the process. The advisor may accompany the party to any Wittenberg investigative meeting, administrative meeting, or hearing. Attorneys and any others serving as advisors must adhere to the expectations of the role as described in this Policy.

2. Support Persons: A complainant or respondent may also choose to be assisted by an emotional support person of their choice during all meetings and investigative interviews. Because of concerns related to confidentiality as expressed by the U.S. Department of Education, hearings may not be attended by emotional support persons unless otherwise required by law.

The support person who attends meetings and investigative interviews cannot be a witness in the proceedings. The support person is a silent and nonparticipating presence who is there solely to observe and provide moral support during the hearing itself. The support person may not delay, disrupt, or interfere with any meeting or interview.

Absent extenuating circumstances, witnesses and others involved in an investigation or hearing are not entitled to have a support person present. The role of advisors is described in detail on pages 20 and 21 of the [Title IX Policy](#).

### **Process Outcome (Result) and Appeal Process**

Once complete, the parties will be informed, in writing, of the outcome (result), including the finding, the sanctions (if any), and the rationale therefor. Delivery of this outcome to the parties will occur without undue delay between notifications. All parties will be informed of Wittenberg University's appeal processes, and their rights to exercise a request for appeal. Should any change in outcome occur prior to finalization, all parties will be timely informed in writing, and will be notified when the results of the resolution process become final.

### **Protections for Whistleblowers**

Both Title IX and the Clery Act provide protections for whistleblowers who bring allegations of non-compliance with the Clery Act and/or Title IX to the attention of appropriate campus administrators. Wittenberg University does not retaliate against those who raise concerns of non-compliance. Any concerns should be brought to the immediate attention of the campus Title IX Coordinator - Casey Gill, Vice President and Dean of Students - and/or to officials of the U.S. Department of Education.

### **Clery Compliance and FERPA**

Compliance with the provisions outlined in the Violence Against Women Act does not constitute a violation of section 444 of the General Education Provisions Act (20 U.S.C. 1232g), commonly known as the Family Educational Rights and Privacy Act of 1974 (FERPA).



## **HATE CRIMES**

For purposes of this report, hate crimes include any Clery reportable crime, any other crime involving bodily injury, and any crime of theft, simple assault, intimidation, and destruction/damage/vandalism of property, reported to the Wittenberg Police Division, a local law enforcement agency, or a campus security authority, that manifests evidence that the victim was selected because of the perpetrator's bias. Categories of bias are race, religion, gender, gender identity, sexual orientation, ethnicity/national origin, and disability.

There were no reported incidents of hate crimes at Wittenberg University in calendar years 2020, 2021 or 2022.



## Unfounded Crime Reports

Wittenberg University removes all unfounded crimes from the annual security report. To classify a reported crime as “unfounded” it must be fully investigated by a sworn police officer. After completing the investigation, the evidence must prove that the claim is false and baseless and therefore “unfounded.” The recovery of stolen property, the low value of stolen property, the refusal of the victim to cooperate with the prosecution, and the failure to make an arrest has no bearing on an ‘unfounded’ classification.

## Site Code Descriptions

The following site codes are used in the crime statistics chart presented on the previous page. The term “**on campus**” means any building or property owned or controlled by an institution of higher education within the same reasonably contiguous geographic area of the institution and used by the institution in direct support of, or in a manner related to, the institution’s educational purposes, including residence halls; and property within the same reasonably contiguous geographic area of the institution that is owned by the institution but controlled by another person, is used by students, and supports institutional purposes.

**On-Campus Residential** facilities for students are a subset of the “on campus” category, and include crimes reported to have occurred in residence halls, apartments, and houses in the reasonably contiguous geographic area, that are owned or controlled by the institution. Crimes listed in this category are also listed in the “on campus” category.

The term “**non-campus**” means any building or property owned or controlled by a student organization recognized by the institution; and any building or property (other than a branch campus) owned or controlled by an institution of higher education that is used in direct support of, or in relation to, the institution’s educational purposes, is used by students, and is not within the same reasonably contiguous geographic area of the institution.

The term “**public property**” means all public property that is within the same reasonably contiguous geographic area of the institution, such as a sidewalk, a street, or other thoroughfare, or parking facility, and is adjacent to a facility owned or controlled by the institution if the facility is used by the institution in direct support of, or in a manner related to, the institution’s educational purposes.

# University Boundaries



## BY NUMBER

- |   |  |  |
|---|--|--|
| 1. Barbara Deer Kuss Science Center               | 13. Hollenbeck Hall                                  | 24. Sprecher Place Apartments                            |
| 2. Bayley Alumni House/Advancement                | 14. Margaret Ermarth Institute for Public Humanities | 25. Susan Hirt Hagen Center for Civic & Urban Engagement |
| 3. Benham-Pence Student Center                    | 15. Joseph C. Shoulin Center                         | 26. Synod Hall   |
| 4. Benjamin Prince House                          | 16. Keller Place Apartments                          | 27. THE STEEMER  |
| 5. Blair Hall                                     | 17. Koch Hall  | 28. Thomas Library                                       |
| 6. Carnegie Hall                                  | 18. Krieg Hall                                       | 29. Tower Hall   |
| 7. Chakeres Memorial Theatre                      | 19. Matthes Honors House                             | 30. Weaver Chapel  |
| 8. Commencement Hollow                            | 20. Morris J. Knauss Student Residences              | 31. Weaver Observatory                                   |
| 9. COMPASS: Sweet Success Center                  | 21. Myers Hall                                       | 32. William A. McClain Center for Diversity              |
| 10. Ferncliff Hall                                | 22. New Hall   | 33. Woodlawn Hall  |
| 11. Firestine Hall                                | 23. Recitation Hall/Admission                        |  |
| 12. Health, Wellness, and Athletics Complex (HWA) |  |  |

## Non-Campus Properties

The following non-campus properties were owned or controlled by Wittenberg University during the periods listed. Crimes reported at these locations are reflected in the non-campus section of the crime statistics table.

LOCATION	ADDRESS	DATES
South Charleston, Ohio	8200 Pitchin Road South Charleston, Oh. 45368	1/1/22-12/31/22

## Fire Safety

### *Fire Safety Systems*

All residence hall rooms and hallways are equipped with smoke detectors and have standard equipment such as fire extinguishers and alarms. The specific systems vary by building. Complete building sprinkler systems will be included in all future building projects.

*Tower Hall, Firestine Hall, Myers Hall, Ferncliff Hall, Woodlawn Hall* – Complete building fire detection and alarm systems, including in-room detection.

*New Residence Hall, Sprecher Apartments, Keller Apartments* – Complete building fire detection and alarm systems, including in-room detection and complete building sprinkler systems.

*Polis House* – Common area fire detection and alarm system, stand alone in-room, battery-operated smoke detectors and complete building sprinkler system.

### *Fire Reporting*

Wittenberg Police monitors the status of all fire detection and Fire reporting systems in residence halls and apartments. If a fire is occurring, contact Wittenberg Police by calling the emergency line at 937-327-6363. If a fire has occurred and has been handled and needs to be reported, call the non-emergency line at 937-327-6231. A paper copy of the fire log is available for viewing at the Wittenberg Police Division 24 hours a day.

### ***Room Smoke Detectors***

Smoke detectors are installed in each residence hall room and are not to be obstructed or tampered with in any way. The physical plant department is responsible for replacing the smoke detector batteries in residence hall rooms. Students in rental properties must replace their own batteries. Any tampering with smoke detectors may result in a minimum \$50 fine.

### ***Safety Education and Training***

At the beginning of each academic year, student resident advisors (RAs) participate in a 2.5 hour fire safety training with the Springfield Fire Department, Wittenberg Police and Physical Plant personnel. In addition to a presentation from the assistant fire chief, they watch two videos, learn how to use a fire extinguisher by extinguishing a controlled fire and participate in a “smoke out” in Tower Hall. Residents of student rental properties are required to attend a Safe Living Workshop each fall, a component of which is a fire safety film and discussion. During the year 2020, RAs received all of their training remotely. The training was approved by the Springfield Fire Division.

### ***Procedures for Evacuation***

At the beginning of the school year, the professional residence hall staff ensures that the residence hall students are properly informed about fire safety and the evacuation plan for their respective building. Evacuation maps are posted on each floor.

## **Fire Prevention**

Fire prevention is the shared responsibility of all members of the university community. Awareness is one of the best weapons in maintaining a safe, fire-free environment. You should take the following precautions to protect yourself and others while on campus:

1. Report any condition that creates a fire hazard (trash in the corridors or stairwells, missing fire extinguishers, blocked floor exits or stairwells, etc.) to Wittenberg Police or your Area Coordinator.
2. Know where the fire extinguishers are located. Learn how to operate them. If you need training, free training is offered by the Wittenberg Police.
3. Know the location of the fire alarms and how to activate them.
4. Know where the nearest exits are and be prepared to use an alternative exit, if necessary. Plan how you would escape through each of these exits in case of a fire.
5. Know the location of the fire stairwells.
6. Treat fire drills as real emergencies. Remember, practice becomes routine, which expedites evacuation, prevents confusion, and minimizes panic. During fire drills or a real fire, follow the instructions of the Wittenberg Police and Security, Springfield Fire Department firefighters, and other emergency responders.
7. Never use an elevator to evacuate a building.

### ***Candle and Incense Policy***

Candles, oil lamps, and incense are prohibited in the residence halls. With prior permission from the Area Coordinator, students may burn birthday cake candles and candles necessary for the observation of religious holidays. Incense may not be burned in the residence halls.

### ***Electrical Appliances***

Because electrical appliances have the potential to be hazardous if misused or not kept in proper repair, students may only bring items that are on the approved list of residence hall room appliances found in the Student Handbook.

The following list of items may not be used in university residence halls. Some of these items constitute a serious fire hazard; others invite either rodents or potential damage to physical facilities. The item is confiscated if it is found in a residence hall, and a fine is assessed.

- Hoverboards of any kind
- Candles, incense, plug-in air fresheners, oil lamps, oil or wax warmers, or any item with an open flame
- Triple/quad sockets, plug multipliers, or power strips; extension cords that are not UL approved or have visible signs of fraying or breakage
- Portable cooking or warming devices including toasters, convection/toaster ovens, slow cookers, pressure cookers, waffle irons, griddles/grills, hot plates, electric pans/skillets/woks, oil fryers, rice cookers, hot pots, oil popcorn poppers, bread machines, microwaves, etc., and any items with exposed heater coil/element
- Heaters or air conditioning units of any type
- Appliances over 120 volts AC, 60 cycles, 200 watts, or 2 amps
- Halogen, oil, lava, or sun/heat lamps
- Homemade or store-bought lofts (any loft other than those available through [www.bedloft.com](http://www.bedloft.com))
- Microwave or microfridge other than the microfridge available through the university approved ([www.bedloft.com](http://www.bedloft.com)). Converter boxes that alternate power between a stand-alone microwave and refrigerator are not allowed.
- Pets (any type, except fish – maximum one 10 gallon aquarium per student)
- Power tools, spotlight/floodlight, wireless router, or other devices which have potential to disrupt community
- Firearms, weapons, fuel/flammable liquids, or other dangerous or hazardous material
- Water-filled furniture or apparatuses such as waterbeds, pools of any kind, hot tubs, or liquid-filled containers of any kind over 10 gallons
- Otherwise acceptable small appliances such as coffeepots or irons that are not UL approved or do not have an auto-shut off feature

- Homemade or home-modified appliances

### ***Smoking Policy***

Wittenberg is dedicated to providing a healthy, comfortable and productive work environment for its employees and students and is committed to upholding The Ohio Smoke-Free Workplace Act, which prohibits “smoking” in a “public place” or a “place of employment.”

As such, smoking/vaping is prohibited in all university vehicles and buildings, and in the areas immediately adjacent to the entrances or exits from those buildings.

All residence halls are smoke-free environments, and smoking/vaping is prohibited throughout the halls, both in student rooms and public areas. The first response for violation of the smoking policy will be a fine. A second violation will result in additional fines. Further violations will result in more serious judicial action. Educational sanctions may be mandated at any time.

### ***False Fire Alarms***

False fire alarms are serious violations of the law and create life-threatening safety concerns. The Wittenberg Police will arrest and the Clark County Municipal Court Prosecutors Office will prosecute individuals who cause a false fire alarm. In addition, disciplinary action will be taken through the Office of Student Conduct.

### ***Fire Drills***

Fire drills are held not less than three times during each academic year in all residence halls, and full evacuation is required within a reasonable time. Halls that do not meet strict requirements for evacuation are retested during the term. Springfield Fire Division officials are notified in advance of drills and may attend to monitor performance.

### ***Fireworks Policy***

The possession or use of firecrackers, fireworks or other explosive devices are strictly prohibited in university buildings and on university property and is sufficient cause for immediate disciplinary action.

### ***Plans for Future Improvement***

Wittenberg University maintains a prioritized list of projects to upgrade older fire systems, enhance the capabilities of existing systems, or install new fire safety systems in existing buildings in accordance with local/state fire codes. Currently the University does not have any plans for future improvements to fire safety.



### Fire Safety Systems and Drills in Wittenberg Student Residential Facilities

Address or Building	Fire Alarm Monitoring	Partial Sprinkler System	Full Sprinkler System	Smoke Detection	Fire Extinguisher Devices	Evacuation Plans and Placards	Fire Drills
Ferncliff Hall	yes		no	panel	yes	yes	yes / 3 times a year
Firestine Hall	yes		no	panel	yes	yes	yes / 3 times a year
Myers Hall	yes		no	panel	yes	yes	yes / 3 times a year
Polis House	no	hallways only		panel hallway/ local rooms	yes	yes	yes / 3 times a year
New Residence Hall	yes		yes	panel	yes	yes	yes / 3 times a year
Tower Hall	yes	stand pipe only		panel	yes	yes	yes / 3 times a year
Woodlawn Hall	yes		no	panel	yes	yes	yes / 3 times a year
302 Bill Edwards				local			
304 Bill Edwards				local			
314 Bill Edwards				local			
26 Cassilly				local			
26- 1/2 Cassilly				local			
3 Cassilly #5				local			
3 Cassilly #6				local			
5 Cassilly				local			
27 College				local			
29 College				local			
30 College #1				local			
30 College #2				local			
30- 1/2 College				local			
32 College				local			
34 College				local			
34- 1/2 College				local			
40 College				local			
102 College				local			

Address or Building	Fire Alarm Monitoring	Partial Sprinkler System	Full Sprinkler System	Smoke Detection	Fire Extinguisher Devices	Evacuation Plans and Placards	Fire Drills
113 College				local			
118 College				local			
119 College				local			
120 College				local			
124 College				local			
126 College				local			
152 College				local			
154 College				local			
164 College				local			
165 College				local			
167 College				local			
221 College				local			
222 College				local			
222- 1/2 College				local			
226 College				local			
618 Faculty Court				local			
619 Faculty Court				local			
620 Faculty Court				local			
624 Faculty Court				local			
626 Faculty Court				local			
628 Faculty Court				local			
630 Faculty Court				local			
631 Faculty Court				local			
633 Faculty Court				local			
634 Faculty Court				local			
635 Faculty Court				local			
636 Faculty Court				local			
637 Faculty Court				local			
638 Faculty Court				local			
639 Faculty Court				local			

Address or Building	Fire Alarm Monitoring	Partial Sprinkler System	Full Sprinkler System	Smoke Detection	Fire Extinguisher Devices	Evacuation Plans and Placards	Fire Drills
640 Faculty Court				local			
641 Faculty Court				local			
607 Fountain				local			
609 Fountain				local			
732 Fountain				local			
732- 1/2 Fountain				local			
740 Fountain				local			
801 Fountain				local			
802 Fountain				local			
803 Fountain				local			
804 Fountain				local			
825 Fountain #1				local			
825 Fountain #2				local			
825 Fountain #3				local			
825 Fountain #4				local			
825 Fountain #5				local			
825 Fountain #6				local			
835 Fountain				local			
839 Fountain				local			
841 Fountain				local			
907 Fountain				local			
909 Fountain				local			
917 Fountain				local			
933 Fountain				local			
KELLER Place #1	yes		yes	panel			
KELLER Place #2	yes		yes	panel			
KELLER Place #3	yes		yes	panel			
KELLER Place #4	yes		yes	panel			
KELLER Place #5	yes		yes	panel			
KELLER Place #6	yes		yes	panel			
KELLER Place #7	yes		yes	panel			
KELLER Place #8	yes		yes	panel			

Address or Building	Fire Alarm Monitoring	Partial Sprinkler System	Full Sprinkler System	Smoke Detection	Fire Extinguisher Devices	Evacuation Plans and Placards	Fire Drills
KELLER Place #9	yes		yes	panel			
KELLER Place #10	yes		yes	panel			
KELLER Place #11	yes		yes	panel			
KELLER Place #12	yes		yes	panel			
1109 Lowry				local			
1115 Lowry				local			
15 Madison				local			
217 McCreight				local			
221 McCreight				local			
108 Northern				local			
110 Northern				local			
472 Park Place				local			
472 1/2 Park Place				local			
474 Park Place				local			
474- 1/2 Park Place				local			
483 Park Place				local			
483-1/2 Park Place				local			
505 Park Place				local			
508 Park Place				local			
508-1/2 Park Place				local			
511 Park Place				local			
511-1/2 Park Place				local			
SPRECHER Place #1	yes		yes	panel			
SPRECHER Place #2	yes		yes	panel			
SPRECHER Place #3	yes		yes	panel			
SPRECHER Place #4	yes		yes	panel			
SPRECHER Place #5	yes		yes	panel			
SPRECHER Place #6	yes		yes	panel			
SPRECHER Place #7	yes		yes	panel			

Address or Building	Fire Alarm Monitoring	Partial Sprinkler System	Full Sprinkler System	Smoke Detection	Fire Extinguisher Devices	Evacuation Plans and Placards	Fire Drills
SPRECHER Place #8	yes		yes	panel			
SPRECHER Place #9	yes		yes	panel			
SPRECHER Place #10	yes		yes	panel			
SPRECHER Place #11	yes		yes	panel			
SPRECHER Place #12	yes		yes	panel			
SPRECHER Place #13	yes		yes	panel			
SPRECHER Place #14	yes		yes	panel			
SPRECHER Place #15	yes		yes	panel			
SPRECHER Place #16	yes		yes	panel			
8 Stoughton				local			
10 Stoughton				local			
472 Wittenberg				local			
472-1/2 Wittenberg				local			
474 Wittenberg				local			
474-1/2 Wittenberg				local			
480 Wittenberg #1				local			
480 Wittenberg #2				local			
480 Wittenberg #3				local			
480 Wittenberg #4				local			
484 Wittenberg Eco-House				local			
504 Wittenberg				local			
504-1/2 Wittenberg				local			
517 Wittenberg				local			
517-1/2 Wittenberg				local			
520 Wittenberg				local			
Address or Building	Fire Alarm Monitoring	Partial Sprinkler System	Full Sprinkler System	Smoke Detection	Fire Extinguisher Devices	Evacuation Plans and Placards	Fire Drills

Address or Building	Fire Alarm Monitoring	Partial Sprinkler System	Full Sprinkler System	Smoke Detection	Fire Extinguisher Devices	Evacuation Plans and Placards	Fire Drills
520-1/2 Wittenberg				local			
521 Wittenberg				local			
521-1/2 Wittenberg				local			
522 Wittenberg				local			
522-1/2 Wittenberg				local			
525 Wittenberg				local			
527 Wittenberg				local			
608 Wittenberg				local			
616 Wittenberg				local			
616-1/2 Wittenberg				local			
628 Wittenberg				local			
630 Wittenberg				local			
1009 Woodlawn				local			
1011 Woodlawn				local			
1018 Woodlawn				local			
1023 Woodlawn				local			
1101 Woodlawn				local			
1101-1/2 Woodlawn				local			
1114 Woodlawn				local			
1118 Woodlawn				local			
1120 Woodlawn				local			
1126 Woodlawn				local			
455 Woodlawn				local			
461 Woodlawn				local			
461-1/2 Woodlawn				local			
481 Woodlawn				local			
483 Woodlawn				local			
Woodlawn 487				local			
507 Woodlawn				local			
509 Woodlawn				local			
608 A Woodlawn				local			

Address or Building	Fire Alarm Monitoring	Partial Sprinkler System	Full Sprinkler System	Smoke Detection	Fire Extinguisher Devices	Evacuation Plans and Placards	Fire Drills
608 B Woodlawn				local			
611 Woodlawn				local			
615 Woodlawn				local			
617 Woodlawn				local			
619 Woodlawn				local			
625 Woodlawn				local			
629 Woodlawn				local			
908 Woodlawn				local			
910 Woodlawn				local			
916 Woodlawn				local			
920 Woodlawn				local			
954 Woodlawn				local			

**Fire Statistics for Wittenberg Student Residential Properties  
2020, 2021, 2022**

Address	Number of Fires 2022	Number of Fires 2021	Number of Fires 2020	Case Number	Cause of Fire	Number of Persons Treated at Medical Facility	Number of Deaths	Property Damage in Dollars
Sprecher Place Apartments	0	0	1	2010-13257	Accidental-Food caught fire on stove top-	0	0	\$ -
455 Woodlawn Avenue	0	0	1	2010-14591	Intentional-Bag of cat feces	0	0	\$ -
Sprecher Place Apartments	1	0	0	2208-09083	Accidental-Dish soap fire	0	0	\$-
New Residence Hall	1	0	0	2209-11597	Accidental-Food caught on fire in Microwave	0	0	\$350.00
602 North Wittenberg Avenue KD House	1	0	0	2212-14470	Accidental-Overheated furnace motor	0	0	\$500.00



## Appendix 1: Programming/Training- Sexual Misconduct, Gender-Based Violence and Stalking for Calendar Year 2022

### Appendix 1

<b>Sexual Misconduct Prevention Programming 2022-2023</b>			
Program	Date	Facilitator	Audience
Title IX Module	5/17/2022	Vector Solutions	First year students
SART Meeting	7/27/2022	Robin Schreck	SART Members
RA Title IX Training	8/15/2022	Robin Schreck/Casey Gill	Resident Advisors
Tiger Team Title IX Training	8/22/2022	Robin Schreck/Casey Gill	Tiger Team (Orientation Leaders)
SART Meeting	8/24/2022	Robin Schreck	SART Members
The Halls II	9/13/2022	Robin Schreck/Emily Parsons	All students
SART Meeting	9/15/2022	Robin Schreck	SART Members
Sharing Saturday: Share DV Hotline	10/1/2022	Robin Schreck	All students, faculty, staff, community
Shelter Donation Begins	10/3/2022	Robin Schreck/Emily Parsons	All students, faculty, staff, community
Tabling Tuesday	10/4/2022	Robin Schreck	All students, faculty, staff, community
Lunch & Learn: Domestic Violence Signs and Resources	10/5/2022	Project Woman	faculty and staff
Warning Sign Wednesday	10/5/2022	Robin Schreck	All students
Take Back the Night	10/6/2022	Emily Parsons	All students, faculty, staff, community
Light Up Witt	10/6/2022	Robin Schreck	All students
Domestic Violence & Immigration Video Share	10/7/2022	Robin Schreck	All students, faculty, staff, community
Sharing of link to help friends and family of domestic violence	10/8/2022	Robin Schreck	All students, faculty, staff, community

Self-Defense Workshop	10/9/2022	Robin Schreck/Warrior Silat	All students
Purple Ribbon Day	10/10/2022	Robin Schreck	All students, faculty, staff, community
Clotheline Project Begins	10/10/2022	Robin Schreck	All students, faculty, staff, community
Tabling Tuesday	10/11/2022	Robin Schreck	All students, faculty, staff, community
Warning Sign Wednesday	10/12/2022	Robin Schreck	All students
Poetic Epiphany Share	10/13/2022	Robin Schreck	All students, faculty, staff, community
Barriers to Leaving Abusers Share	10/14/2022	Robin Schreck	All students, faculty, staff, community
Warning Sign Wednesday	10/19/2022	Robin Schreck	All Students
National Purple Shirt Day	10/20/2022	Robin Schreck	All students, faculty, staff, community
SART Meeting	10/20/2022	Robin Schreck	SART Members
Violence Against Women-It's a Men's Issue Share	10/21/2022	Robin Schreck	All students, faculty, staff, community
Myths and Realities of Domestic Violence	10/22/2022	Robin Schreck	All students, faculty, staff, community
Green Dot Training	10/24/2022	Robin Schreck	All students
Table Tuesday	10/25/2022	Robin Schreck	All students, faculty, staff, community
Legal Clinic	10/26/2022	OAESV	All students, faculty, staff, community
Warning Sign Wednesday	10/26/2022	Robin Schreck	All students
A Call To Men Share	10/28/2022	Robin Schreck	All students, faculty, staff, community
The Bystander Effect: The Science of Empathy Share	10/29/2022	Robin Schreck	All students, faculty, staff, community
SART Meeting	11/17/2022	Robin Schreck	SART Members

Self-Defense Workshop	12/1/2022	Robin Schreck/Warrior Silat	All students
Trauma-Informed Response Training	12/15/2022	Project Woman	Witt PD
Trauma-Informed Response Training	1/6/2023	Project Woman	Witt PD
Awareness Posters	1/13/2023	Robin Schreck	Residential Bulletin Boards, Bulletin Boards in the Student Center
Grab & Go Kits	2/14/2023	Robin Schreck	all students
5k	4/1/2023	Breaking Free to Be	All students, faculty, staff, community
QR Share: Rape Culture	4/3/2023		All students, faculty, staff, community
Teal Tuesday Tabling	4/4/2023	Robin Schreck	All students, faculty, staff, community
QR Share: LGBTQueering the Narrative of Sexual Violence	4/5/2023	Paige Leigh Baker-Braxton, TEDxChicago	All students, faculty, staff, community
Shake and Paint	4/6/2023	Robin Schreck/Brie W	all students
What were you wearing exhibit	4/10/23-4/14/23	Project Woman	All students, faculty, staff, community
QR Share: Reimagining Masculinity; My Journey as a Male Sexual Assault Survivor	4/10/2023	Landon Wilcock, TEDxQueensU	All students, faculty, staff, community
Sexual Health Fair	4/11/2023	Project Woman/Womyn's Center	All students, faculty, staff, community
Teal Tuesday Tabling	4/11/2023	Robin Schreck	All students, faculty, staff, community
Consent Trivia	4/12/2023	Project Woman/Womyn's Center	all students
Karaoke Night	4/13/2023	Project Woman/Womyn's Center	all students

QR Share: A Broken Trust: Sexual Assault on Tribal Land	4/14/2023	Scripps News Investigates	All students, faculty, staff, community
QR Share: Men Can Be Sexually Assaulted Too	4/15/2023	CJ Krainock, TEDxRexburg	All students, faculty, staff, community
How To Support A Friend	4/17/23- 4/19/23	Project Woman	resident hall studens
Teal Tuesday Tabling	4/18/2023	Robin Schreck	All students, faculty, staff, community
QR Share: Black Girls and Sexual Violence	4/20/2023	Deja Lewis- Nwalipenja, TEDxDrewUniversity	All students, faculty, staff, community
QR Share: For Migrant Women Farmworkers, Abuse often comes with the job	4/24/2023	FRONTLINE Documentary	All students, faculty, staff, community
Teal Tuesday Tabling	4/25/2023	Robin Schreck	All students, faculty, staff, community
Denim Day	4/26/2023	Womyn's Center/Project Woman	All students, faculty, staff, community
QR Share: It Matters WHY You Think Rape is Wrong	4/28/2023	Shreena Thakore, TEDxLSRCollege	All students, faculty, staff, community

## Appendix 2 – Ohio Legal Definitions per Ohio Revised Code

### **2907.02 Rape**

(A) (1) No person shall engage in sexual conduct with another who is not the spouse of the offender or who is the spouse of the offender but is living separate and apart from the offender, when any of the following applies:

(a) For the purpose of preventing resistance, the offender substantially impairs the other person's judgment or control by administering any drug, intoxicant, or controlled substance to the other person surreptitiously or by force, threat of force, or deception.

(b) The other person is less than thirteen years of age, whether or not the offender knows the age of the other person.

(c) The other person's ability to resist or consent is substantially impaired because of a mental or physical condition or because of advanced age, and the offender knows or has reasonable cause to believe that the other person's ability to resist or consent is substantially impaired because of a mental or physical condition or because of advanced age.

(2) No person shall engage in sexual conduct with another when the offender purposely compels the other person to submit by force or threat of force.

### **2907.01 Sex offenses general definitions** As used in sections 2907.01 to 2907.38 of the Revised Code:

(A) "Sexual conduct" means vaginal intercourse between a male and female; anal intercourse, fellatio, and cunnilingus between persons regardless of sex; and, without privilege to do so, the insertion, however slight, of any part of the body or any instrument, apparatus, or other object into the vaginal or anal opening of another. Penetration, however slight, is sufficient to complete vaginal or anal intercourse.

(B) "Sexual contact" means any touching of an erogenous zone of another, including without limitation the thigh, genitals, buttock, pubic region, or, if the person is a female, a breast, for the purpose of sexually arousing or gratifying either person.

(C) "Sexual activity" means sexual conduct or sexual contact, or both.

(D) "Prostitute" means a male or female who promiscuously engages in sexual activity for hire, regardless of whether the hire is paid to the prostitute or to another.

(E) "Harmful to juveniles" means that quality of any material or performance describing or representing nudity, sexual conduct, sexual excitement, or sado-masochistic abuse in any form to which all of the following apply:

(1) The material or performance, when considered as a whole, appeals to the prurient interest of juveniles in sex.

(2) The material or performance is patently offensive to prevailing standards in the adult community as a whole with respect to what is suitable for juveniles.

(3) The material or performance, when considered as a whole, lacks serious literary, artistic, political, and scientific value for juveniles.

(F) When considered as a whole, and judged with reference to ordinary adults or, if it is designed for sexual deviates or other especially susceptible group, judged with reference to that group, any material or performance is "obscene" if any of the following apply:

(1) Its dominant appeal is to prurient interest;

- (2) Its dominant tendency is to arouse lust by displaying or depicting sexual activity, masturbation, sexual excitement, or nudity in a way that tends to represent human beings as mere objects of sexual appetite;
- (3) Its dominant tendency is to arouse lust by displaying or depicting bestiality or extreme or bizarre violence, cruelty, or brutality;
- (4) Its dominant tendency is to appeal to scatological interest by displaying or depicting human bodily functions of elimination in a way that inspires disgust or revulsion in persons with ordinary sensibilities, without serving any genuine scientific, educational, sociological, moral, or artistic purpose;
- (5) It contains a series of displays or descriptions of sexual activity, masturbation, sexual excitement, nudity, bestiality, extreme or bizarre violence, cruelty, or brutality, or human bodily functions of elimination, the cumulative effect of which is a dominant tendency to appeal to prurient or scatological interest, when the appeal to such an interest is primarily for its own sake or for commercial exploitation, rather than primarily for a genuine scientific, educational, sociological, moral, or artistic purpose.
- (G) "Sexual excitement" means the condition of human male or female genitals when in a state of sexual stimulation or arousal.
- (H) "Nudity" means the showing, representation, or depiction of human male or female genitals, pubic area, or buttocks with less than a full, opaque covering, or of a female breast with less than a full, opaque covering of any portion thereof below the top of the nipple, or of covered male genitals in a discernibly turgid state.
- (I) "Juvenile" means an unmarried person under the age of eighteen.
- (J) "Material" means any book, magazine, newspaper, pamphlet, poster, print, picture, figure, image, description, motion picture film, phonographic record, or tape, or other tangible thing capable of arousing interest through sight, sound, or touch and includes an image or text appearing on a computer monitor, television screen, liquid crystal display, or similar display device or an image or text recorded on a computer hard disk, computer floppy disk, compact disk, magnetic tape, or similar data storage device.
- (K) "Performance" means any motion picture, preview, trailer, play, show, skit, dance, or other exhibition performed before an audience.
- (L) "Spouse" means a person married to an offender at the time of an alleged offense, except that such person shall not be considered the spouse when any of the following apply:
- (1) When the parties have entered into a written separation agreement authorized by section 3103.06 of the Revised Code;
  - (2) During the pendency of an action between the parties for annulment, divorce, dissolution of marriage, or legal separation;
  - (3) In the case of an action for legal separation, after the effective date of the judgment for legal separation.
- (M) "Minor" means a person under the age of eighteen.
- (N) "Mental health client or patient" has the same meaning as in section 2305.51 of the Revised Code.
- (O) "Mental health professional" has the same meaning as in section 2305.115 of the Revised Code.
- (P) "Sado-masochistic abuse" means flagellation or torture by or upon a person or the condition of being fettered, bound, or otherwise physically restrained.

### **2907.03 Sexual battery**

(A) No person shall engage in sexual conduct with another, not the spouse of the offender, when any of the following apply:

- (1) The offender knowingly coerces the other person to submit by any means that would prevent resistance by a person of ordinary resolution.
- (2) The offender knows that the other person's ability to appraise the nature of or control the other person's own conduct is substantially impaired.
- (3) The offender knows that the other person submits because the other person is unaware that the act is being committed.
- (4) The offender knows that the other person submits because the other person mistakenly identifies the offender as the other person's spouse.
- (5) The offender is the other person's natural or adoptive parent, or a stepparent, or guardian, custodian, or person in loco parentis of the other person.
- (6) The other person is in custody of law or a patient in a hospital or other institution, and the offender has supervisory or disciplinary authority over the other person.
- (7) The offender is a teacher, administrator, coach, or other person in authority employed by or serving in a school for which the state board of education prescribes minimum standards pursuant to division (D) of section 3301.07 of the Revised Code, the other person is enrolled in or attends that school, and the offender is not enrolled in and does not attend that school.
- (8) The other person is a minor, the offender is a teacher, administrator, coach, or other person in authority employed by or serving in an institution of higher education, and the other person is enrolled in or attends that institution.
- (9) The other person is a minor, and the offender is the other person's athletic or other type of coach, is the other person's instructor, is the leader of a scouting troop of which the other person is a member, or is a person with temporary or occasional disciplinary control over the other person.
- (10) The offender is a mental health professional, the other person is a mental health client or patient of the offender, and the offender induces the other person to submit by falsely representing to the other person that the sexual conduct is necessary for mental health treatment purposes.
- (11) The other person is confined in a detention facility, and the offender is an employee of that detention facility.
- (12) The other person is a minor, the offender is a cleric, and the other person is a member of, or attends, the church or congregation served by the cleric.
- (13) The other person is a minor, the offender is a peace officer, and the offender is more than two years older than the other person.

### **2907.04 Unlawful sexual conduct with minor**

(A) No person who is eighteen years of age or older shall engage in sexual conduct with another, who is not the spouse of the offender, when the offender knows the other person is thirteen years of age or older but less than sixteen years of age, or the offender is reckless in that regard.

### **2907.05 Gross sexual imposition**

(A) No person shall have sexual contact with another, not the spouse of the offender; cause another, not the spouse of the offender, to have sexual contact with the offender; or cause two or more other persons to have sexual contact when any of the following applies:

(1) The offender purposely compels the other person, or one of the other persons, to submit by force or threat of force.

(2) For the purpose of preventing resistance, the offender substantially impairs the judgment or control of the other person or of one of the other persons by administering any drug, intoxicant, or controlled substance to the other person surreptitiously or by force, threat of force, or deception.

(3) The offender knows that the judgment or control of the other person or of one of the other persons is substantially impaired as a result of the influence of any drug or intoxicant administered to the other person with the other person's consent for the purpose of any kind of medical or dental examination, treatment, or surgery.

(4) The other person, or one of the other persons, is less than thirteen years of age, whether or not the offender knows the age of that person.

(5) The ability of the other person to resist or consent or the ability of one of the other persons to resist or consent is substantially impaired because of a mental or physical condition or because of advanced age, and the offender knows or has reasonable cause to believe that the ability to resist or consent of the other person or of one of the other persons is substantially impaired because of a mental or physical condition or because of advanced age.

(B) No person shall knowingly touch the genitalia of another, when the touching is not through clothing, the other person is less than twelve years of age, whether or not the offender knows the age of that person, and the touching is done with an intent to abuse, humiliate, harass, degrade, or arouse or gratify the sexual desire of any person.

### **2907.06 Sexual imposition**

(A) No person shall have sexual contact with another, not the spouse of the offender; cause another, not the spouse of the offender, to have sexual contact with the offender; or cause two or more other persons to have sexual contact when any of the following applies:

(1) The offender knows that the sexual contact is offensive to the other person, or one of the other persons, or is reckless in that regard.

(2) The offender knows that the other person's, or one of the other person's, ability to appraise the nature of or control the offender's or touching person's conduct is substantially impaired.

(3) The offender knows that the other person, or one of the other persons, submits because of being unaware of the sexual contact.

(4) The other person, or one of the other persons, is thirteen years of age or older but less than sixteen years of age, whether or not the offender knows the age of such person, and the offender is at least eighteen years of age and four or more years older than such other person.

(5) The offender is a mental health professional, the other person or one of the other persons is a mental health client or patient of the offender, and the offender induces the other person who is the client or patient to submit by falsely representing to the other person who is the client or patient that the sexual contact is necessary for mental health treatment purposes.



### **2903.211 Menacing by stalking**

(A) (1) No person by engaging in a pattern of conduct shall knowingly cause another person to believe that the offender will cause physical harm to the other person or cause mental distress to the other person. In addition to any other basis for the other person's belief that the offender will cause physical harm to the other person or the other person's mental distress, the other person's belief or mental distress may be based on words or conduct of the offender that are directed at or identify a corporation, association, or other organization that employs the other person or to which the other person belongs.

(2) No person, through the use of written communication or any electronic method of remotely transferring information, including, but not limited to, any computer, computer network, computer program, r-computer system, or telecommunication device shall post a message or use any intentionally written or verbal graphic gesture with purpose to do either of the following:

(a) Violate division (A) (1) of this section:

(b) Urge or incite another to commit a violation of division (A) (1) of this section.

(3) No person, with a sexual motivation, shall violate division (A) (1) or (2) of this section.

### **2919.25 Domestic violence**

(A) No person shall knowingly cause or attempt to cause physical harm to a family or household member.

(B) No person shall recklessly cause serious physical harm to a family or household member.

(C) No person, by threat of force, shall knowingly cause a family or household member to believe that the offender will cause imminent physical harm to the family or household member.

### **2903.11 Felonious assault**

(A) No person shall knowingly do either of the following:

(1) Cause serious physical harm to another or to another's unborn;

(2) Cause or attempt to cause physical harm to another or to another's unborn by means of a deadly weapon or dangerous ordnance.

(B) No person, with knowledge that the person has tested positive as a carrier of a virus that causes acquired immunodeficiency syndrome, shall knowingly do any of the following:

(1) Engage in sexual conduct with another person without disclosing that knowledge to the other person prior to engaging in the sexual conduct;

(2) Engage in sexual conduct with a person whom the offender knows or has reasonable cause to believe lacks the mental capacity to appreciate the significance of the knowledge that the offender has tested positive as a carrier of a virus that causes acquired immunodeficiency syndrome;

(3) Engage in sexual conduct with a person under eighteen years of age who is not the spouse of the offender.

### **3113.31 Domestic violence definitions - hearings.**

(A) As used in this section:

(1) "Domestic violence" means the occurrence of one or more of the following acts against a family or household member:

(a) The occurrence of one or more acts against a family or household member:

(i) Attempting to cause or recklessly causing bodily injury;

- (ii) Placing another person by the threat of force in fear of imminent serious physical harm or committing a violation of section 2903.211 or 2911.211 of the Revised Code;
- (iii) Committing any act with respect to a child that would result in the child being an abused child, as defined in section 2151.031 of the Revised Code;
- (iv) Committing a sexually oriented offense.

## Appendix 3 – Wittenberg University Definitions

**Coercion** – Unreasonable pressure or persuasion, duress, cajoling and/or compulsion to engage in unwanted sexual activity. Coercion is the overriding of a person’s free will to give consent. Can be identified by the following factors: intensity, frequency, duration and/or isolation.

**Consent** - Defined as words or actions that show a knowing and voluntary agreement to engage in mutually agreed-upon sexual activity. Effective consent cannot be gained by force, by ignoring or acting in spite of the objections of another, or by taking advantage of the incapacitation of another, where the respondent knows or reasonably should have known of such incapacitation. Effective consent is also absent when the activity in question exceeds the scope of prior effective consent. In the State of Ohio, persons 13 years of age or younger cannot give effective consent, and persons under the age of 16 cannot give consent to individuals 18 or older.

**Dating Violence** – Violence committed by a person— (A) who is or has been in a social relationship of a romantic or intimate nature with the victim; and (B) where the existence of such a relationship shall be determined based on a consideration of the following factors: (i) The length of the relationship. (ii) The type of relationship. (iii) The frequency of interaction between the persons involved in the relationship.

**Domestic Violence** – Includes felony or misdemeanor crimes of violence committed on the basis of sex: by a current or former spouse of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against an adult or youth victim who is protected from that person’s acts under the domestic or family violence laws of the jurisdiction.

**Domestic Violence – Non-Title IX** is conduct that rises to the level of Domestic Violence as described above, but is not on the basis of sex.

**Force** – Physical force, violence, threat, intimidation or coercion.

**Harassment on the Basis of Sex** is defined as unwelcome verbal, visual, or physical conduct on the basis of one’s sex, gender, gender identity, gender expression, or sexual orientation when:

- Submission to or rejection of such conduct is an explicit or implicit condition of any individual’s employment, evaluation of academic work, or participation in any College education program or activity; or
- Submission to or rejection of such conduct by an individual is used as the basis for decisions affecting the individual or
- Such conduct has the purpose or effect of unreasonably interfering with an individual’s work or academic performance, i.e. it is sufficiently severe, pervasive, or persistent as to create an intimidating, hostile, or offensive work or educational environment under both an objective and subjective standard.

***Incapacitation*** – Incapacitation occurs when an individual lacks the ability to make informed, rational judgments regarding the participation in sexual activity. Incapacitation is defined as the inability, temporarily or permanently, to give consent because an individual is mentally and/or physically helpless, asleep, unconscious, or unaware that sexual activity is occurring. In addition, persons with certain intellectual or development disabilities may not have the capacity to give consent. Where alcohol or other drugs are involved, incapacitation is a state beyond intoxication. Consent cannot be obtained by taking advantage of another individual’s incapacitation. Evaluating incapacitation requires an assessment of how the consumption of alcohol and/or drugs affects an individual’s decision-making ability, awareness of consequences, ability to make informed judgments, capacity to appreciate the nature of the sexual act, and the level of consciousness. In other words, a person may be considered unable to give valid consent due to incapacitation if the person cannot appreciate the who, what, where, when, why, or how of a sexual interaction. In order to be found responsible for Prohibited Conduct under the Title IX Policy by way of incapacitation negating consent, the Respondent must have either known or should have known of the Complainant’s incapacitation based on objectively and reasonably apparent indications of impairment when viewed from the perspective of a sober, reasonable person in the Respondent’s position. Being intoxicated or drunk is never a defense to Prohibited Conduct under the Title IX inculpatory.

***Retaliation*** – consists of the intimidation, threatening, coercing, or discriminating against any individual for the purpose of interfering with any right or privilege secured by Title IX or its implementing regulations, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under the Title IX regulations. Intimidation, threats, coercion, or discrimination, including charges against an individual for code of conduct violations that do not involve sexual discrimination or Sexual Harassment – Title IX, but arise out of the same facts or circumstances as a report or complaint of sex discrimination, or a report or form complaint of Sexual Harassment – Title IX, constitutes retaliation.

***Sex Discrimination*** – When an individual is, on the basis of sex:

- 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 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.

Note that discrimination on the basis of sex in employment is permissible in situations where sex 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 Discrimination complaint include, but are not limited to:

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

***Sexual Exploitation*** – Taking sexual advantage of another person without Consent, and includes, but is not limited to:

- causing or attempting to cause the Incapacitation of another person in order to gain sexual advantage over such other person or in order to allow another to gain sexual advantage over the other person;
- Prostituting another or causing another person to be prostituted;
- Photographing or transmitting identifiable images of private sexual activity and/or intimate parts (including genitalia, groin, breast, or buttocks) of another person;
- Allowing third parties to observe private sexual acts;
- Engaging in voyeurism;
- Knowingly or recklessly exposing another person to a significant risk of sexual transmitted infection, including HIV.

***Sexual Harassment – Title IX*** is defined by the federal Title IX regulations. It is distinguishable from Sexual Harassment – Non-Title IX due to the definition itself, as well as because the presence of a Sexual Harassment – Title IX claim is required for a hearing under this Policy, assuming that certain jurisdictional requirements are met as described below.

***Sexual Harassment – Title IX*** is conduct on the basis of sex that satisfies one or more the following:

- **Quid Pro Quo** – An employee of the institution conditioning the provision of an aid, benefit or service of the college on an individual’s participation in unwelcome sexual conduct;
- **Unwelcome Conduct** – Unwelcome conduct that reasonable person would determine is so severe, pervasive, and objectively offensive that it effectively denies a person access to Wittenberg University’s education program and activities;

- **Sexual Assault** – an offense classified as a forcible or non-forcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation, to include instance in which
  - **Rape:** The penetration, no matter how slight, of the vagina or anus with any body part of object, or oral penetration by a sex organ of another person, without the consent of the complainant, including instances in which the complainant is incapable of giving consent.
  - **Fondling:** The touching of the private body parts of another person for the purpose of sexual gratification, forcibly and/or against that person’s will; or, not forcibly or against the person’s will where the complainant is incapable of giving consent because of their youth or because of their temporary or permanent mental incapacity.
  - **Incest:** Nonforcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law. In Ohio, marriage is prohibited between individuals nearer of kin than second cousins.
  - **Statutory Rape:** Nonforcible sexual intercourse with a person who is under the statutory age of consent. In Ohio, no person may have sex with a child under the age of 13, nor may a person over the age of 18 have sex with a child under the age of 16.

**Sexual Harassment – Non-Title IX** is defined as unwelcome sexual advances, requests for sexual favors, and other verbal, visual, or physical conduct of a sexual nature when: Discrimination includes non-sexual harassment on the basis of one’s sex when:

- submission to or rejection of such conduct is an explicit or condition of an individual’s employment, evaluation of academic work, or participation in any College education program or activity;
- submission to or rejection of such conduct by an individual is used as the basis for decisions affecting an individual; or
- Such conduct has s the purpose or effect of unreasonably interfering with an individual’s work or academic performance, i.e. it is sufficiently severe, pervasive, or persistent as to create an intimidating, hostile, or offensive work or educational environment, under both an objective and subjective standard.

The determination of whether an environment is “hostile” must be based on a totality of the circumstances. These circumstances could include but not limited to:

- The nature and severity of the speech or conduct;
- The frequency of the speech or conduct;
- Whether the conduct was physically threatening;
- Whether the speech or conduct was humiliating;
- The effect of the speech or conduct on the complainant’s mental and/or emotional state;
- Whether the speech or conduct was directed at more than one person;
- Whether the speech or conduct arose in the context of other discriminatory conduct;

Whether the statement is a mere utterance of an epithet, which engenders offense in an employee or a student or offends by mere discourtesy or rudeness.

Although no exhaustive listing of behaviors that constitute sexual harassment is possible, some examples include: unwelcome sexual flirtations or advances; repeated sexually oriented kidding, teasing, joking and flirting; verbal abuse of a sexual nature; graphic commentary about an individual's body, sexual prowess or presumed sexual deficiencies; displaying of pornographic materials on personal computers; and displaying objects or pictures that are sexual in nature.

***Sexual Misconduct*** – Domestic violence, dating violence, sexual assault, sexual harassment, stalking and sexual exploitation that falls outside the scope of the University's Title IX Policy could be subject to adjudication under the Student Code of Conduct.

***Stalking*** – Is a course of conduct on the basis of sex 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.

This includes Cyber-stalking which is the use of e-mail, internet, instant messaging, social media, or other electronic devices to harass or abuse another person.

***Stalking – Non-Title IX*** is conduct that rises to the level of Stalking as described above, but is not on the basis of sex.

## **Appendix 4 – Violence Against Women Act**

**Advisor:** Any individual who provides the accuser or accused support, guidance, or advice.

**Awareness Programs:** Community-wide or audience specific programming, initiatives, and strategies that increase audience knowledge and share information and resources to prevent violence, promote safety and reduce perpetration.

**Bystander Intervention:** Safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is a risk of dating violence, domestic violence, sexual assault, or stalking. Bystander intervention includes:

- Recognizing situations of potential harm; and
- Understanding institutional structures and cultural conditions that facilitate violence, overcoming barriers to intervening, identifying safe and effective intervention options, and taking actions to intervene.

**Dating Violence:** Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim.

- The existence of such a relationship shall be determined based on the reporting party'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.
- For the purposes of this definition, dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
- Dating violence does not include acts covered under the definition of domestic violence.
- Any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

**Domestic Violence:** A felony or misdemeanor crime of violence committed

- By a current or former spouse or intimate partner of the victim;
- By a person with whom the victim shares a child in common;
- By a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner;
- By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred; or
- By any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.



**Fondling:** The touching of the private parts of another person for the purposes of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.

**Incest:** Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

**Ongoing Prevention and Awareness Campaigns:** Programming, initiatives, and strategies that are sustained over time and focus on increasing understanding of topics relevant to and skills for addressing dating violence, domestic violence, sexual assault, and stalking, using a range of strategies with audiences throughout the institution.

**Prevention Programs:** Programs to prevent dating violence, domestic violence, sexual assault, and stalking. Comprehensive, intentional, and integrated programming, initiatives, strategies, and campaigns intended to end dating violence, domestic violence, sexual assault, and stalking that:

- Are culturally relevant, inclusive of diverse communities and identities, sustainable, responsive to community needs, and informed by research or assessed for value, effectiveness, or outcome; and
- Consider environmental risk and protective factors as they occur on the individual, relationship, institutional, community, and societal levels.

Programs that prevent dating violence, domestic violence, sexual assault, and stalking include both primary prevention and awareness programs directed at incoming students and new employees and ongoing prevention and awareness campaigns directed at students and employees.

**Primary Prevention Program:** Programming, initiatives, and strategies informed by research or assessed for value, effectiveness, or outcome that are intended to stop dating violence, domestic violence, sexual assault, and stalking before they occur through the promotion of positive and healthy behaviors that foster healthy, mutually respectful relationships and sexuality, encourage safe bystander intervention, and seek to change behavior and social norms in health and safe direction.

**Proceeding:** All activities related to a non-criminal resolution of an institutional disciplinary complaint, including, but not limited to, fact finding investigations, formal or informal meetings, and hearings. Proceeding does not include communications and meetings between officials and victims concerning accommodations or protective measures to be provided to a victim.

**Prompt, Fair, and Impartial Proceeding:** A proceeding that is completed within reasonably prompt timeframes designate by an institution's policy, including a process that allows for the

extension of timeframes for good cause and with written notice to the accuser and the accused of the delay and the reason for the delay; Conducted in a manner that:

- Is consistent with the institution's policies and transparent to the accuser and accused;
- Includes timely notice of meetings at which the accuser or accused, or both may be present;
- Provide timely and equal access to the accuser, the accused, and appropriate officials to any information that will be used during informal and formal disciplinary meetings and hearings; and
- Conducted by officials who do not have a conflict of interest or bias for or against the accuser or the accused.

**Rape:** Penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.

**Result:** any initial, support measures, and final decision by any official or entity authorized to resolve disciplinary matters within the institution. The result must include any sanctions imposed by the institution.

**Risk Reduction:** Options designed to decrease perpetration and bystander inaction, and to increase empowerment for victims in order to promote safety and to help individuals and communities address conditions that facilitate violence.

**Sexual Assault:** "Sexual assault" means an offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI's Uniform Crime Reporting system.

**Sex Offense:** Any act, sexual in nature directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.

**Stalking:** Engaging in a course of conduct directed at a specific person that would cause a reasonable person to

- Fear for the person's safety or the safety of others; or
- Suffer substantial emotional distress.

For the purposes of this definition:

- *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.
- *Reasonable person* means a reasonable person under similar circumstances and with similar identities to the victim.

- *Substantial emotional distress* mean significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.
- Any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

***Statutory Rape:*** Sexual intercourse with a person who is under the statutory age of consent.

***Unfounded Crimes:*** An institution may withhold, or subsequently remove, a reported crime from its crime statistics in rare situations where sworn or commissioned law enforcement personnel have fully investigated the reported crime and based on the results of this full investigation and evidence, have made a formal determination that the crime report is false or baseless and therefore “unfounded.” Only sworn or commissioned law enforcement personnel may “unfound” a crime report for purpose of reporting. The recovery of stolen property, the low value of stolen property, the refusal of the victim to cooperate with the prosecution, and the failure to make an arrest do not “unfound” a crime report.