

Department of Public Safety  
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# 2020 Annual Security Report & Fire Safety Report

2017-2019 Crime  
Statistics for Uptown,  
Blue Ash,  
Clermont/UC East  
and Victory Parkway  
Campuses

## Table of Contents

Introduction .....	2
Campus Law Enforcement .....	2
Crime Reporting .....	3
Timely Warning Procedures (Safety Alerts) .....	4
Emergency Response and Evacuation Procedures .....	6
Security, Access, and Maintenance to Campus Facilities .....	11
Crime Prevention and Security Awareness Education.....	13
UC Policy on Alcoholic Beverages .....	15
UC Policy on Illegal Drug Possession and Use.....	16
Drug and Alcohol Awareness Education .....	17
Missing Students.....	18
Sex Offender Registry .....	19
Violence Against Women Reauthorization Act.....	20
Victim Notification .....	25
Clery Act Crime Statistics .....	25
Uptown Campus Crime Statistics.....	32
Blue Ash Campus Crime Statistics.....	33
Clermont/UC East Campus Crime Statistics.....	34
Victory Parkway Campus Crime Statistics.....	35
Crime Statistics Where the Location is Unknown.....	36
Footnotes .....	37
Fire Safety Report .....	38
Current Fire Safety Systems in UC Residential Facilities.....	41
2019 Statistical & Related Information Regarding Fires in Residential Facilities .....	42
2018 Statistical & Related Information Regarding Fires in Residential Facilities .....	43
2017 Statistical & Related Information Regarding Fires in Residential Facilities .....	44

## Introduction

The University of Cincinnati (“UC”) is a community of more than 57,000 students and employees who work, live, and study at campuses located in and outside of the city of Cincinnati. UC is committed to providing a safe and secure community for its students, employees, and visitors. The following Annual Security and Fire Safety Report (“Annual Report”) provides useful information and resources regarding campus safety and is submitted in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act (“Clery Act”). Pursuant to the Higher Education Opportunity Act, the Annual Report also contains the Annual Fire Safety Report, which details information and statistics regarding UC’s housing facilities.

The Annual Report includes crime statistics for the three most recent calendar years. The Annual Report will not identify the victims of crimes or persons accused of crimes. The Annual Report’s crime statistics includes crimes covered under the Clery Act that were reported to UCPD or local law enforcement, and occurred either on campus, in or on non-campus buildings or property, or on public property immediately adjacent to and accessible from the campus.

The Annual Report was compiled by UC’s Clery Compliance Coordinator, in coordination with local law enforcement agencies, and stakeholders across UC’s campuses. Current students and employees receive an email regarding the report prior to its required publication date. Potential students and employees will see the link to the report at the bottom of the website when they apply for admission or employment. Hard copies are available upon request to the Clery Compliance Coordinator. The Annual Report is also available in pdf format on [Public Safety’s Clery](#) webpage.

For answers to additional questions about UC’s compliance with the Clery Act, contact UC’s Clery Compliance Coordinator.

## Campus Law Enforcement

UC employs its own sworn law enforcement officers, the University of Cincinnati Police Department (“UCPD”). UCPD officers have arrest authority and have sworn an oath to uphold the laws of the state of Ohio. UC’s Department of Public Safety also employs non-sworn, security officers, who do not have arrest authority. UC’s security officers report to UCPD’s Chief of Police and provide non-law enforcement functions.

UC values the importance of working with local law enforcement agencies. Currently, UC is part of the Hamilton County Law Enforcement Mutual Aid Agreement and a Memorandum of Understanding (“MOU”) with the city of Cincinnati. The Hamilton County Law Enforcement Mutual Aid Agreement permits members of local law enforcement to address emergencies outside of their jurisdiction, when necessary. It also permits UC officers to patrol the areas around the Uptown Campus where many students reside. The MOU with the city of Cincinnati acknowledges the need for the two parties to work together, so that UC may ensure it meets the needs of its students, employees, and visitors.

UC also has mutual aid agreements and/or MOUs with the city of Blue Ash and Clermont County to service its regional campuses. The Blue Ash Police Department and the Clermont County Sheriff may act in criminal matters that occur within the campuses. UCPD works cooperatively with local law enforcement agencies to investigate criminal matters.

Some UC students and student organizations on UC's Uptown Campus reside off campus, within the jurisdiction of the city of Cincinnati. The Cincinnati Police Department ("CPD") will be the police agency that will respond to these locations for criminal activity and other police services when needed. UCPD works closely with CPD to educate and protect at those locations.

UCPD has offices located on all three campuses:

**Uptown Campus**

Three Edwards Center  
51 West Corry Boulevard  
Cincinnati, Ohio 42221-0215

**Blue Ash Campus**

Muntz Hall, Room 134  
9555 Plainfield Road  
Cincinnati, Ohio 45236

**Clermont Campus**

Snyder Building, Room S170  
4200 Clermont College Drive  
Batavia, Ohio 45103

UCPD may be contacted, and reports made at:

**Emergency:** 911

**Non-emergency:** 513.556.1111

**Police Administration:** 513.556.4900

**Email:** [publicsafety@uc.edu](mailto:publicsafety@uc.edu) (please note this email account is not monitored 24/7)

## Crime Reporting

UC encourages accurate and prompt reporting of all crimes to UCPD and appropriate police agencies. UCPD employs trained dispatchers who are available 24 hours a day to answer calls. UCPD will respond promptly and appropriately to each report received. When a report of a criminal nature is made, the patrol officer will gather all the information and make the initial report. When there is a need for an investigator, the report will be sent to the investigative section of UCPD for further review.

UCPD is the primary department for reporting criminal activity. However, a person may prefer to report a crime to someone else they feel more comfortable with, such as a Resident Advisor, academic advisor, mentor, coach, or the Title IX office. These individuals may be designated by UC as a Campus Security Authority ("CSA").

A CSA is defined as:

- A campus police department or a campus security department of an institution.
- Any other individual or individuals who have responsibility for campus security. This includes individuals who provide security at a campus-parking kiosk, monitor access into a campus facility, act as event security, or escort students around campus after.
- Any individual or organization specified in an institution's statement of campus security policy as an individual or organization to which students and employees should report criminal offenses.
- An official of an institution who has significant responsibility for student and campus activities, including, but not limited to, student housing, student discipline, and campus conduct 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.

When a CSA believes a crime covered under the Clery Act has been reported in good faith, the CSA must report that crime. A CSA has two options for reporting a crime: (1) call UCPD and report the information to a police officer, or (2) complete the [Reportable Incident Form](#) online. All CSA reports are assessed for a Timely Warning Notification (Safety Alert) and for disclosure in the Annual Report. For a complete list of all CSAs, please contact the Clery Compliance Coordinator at [clery@ucmail.uc.edu](mailto:clery@ucmail.uc.edu).

UC, as a public entity, is subject to Ohio's public records law (Ohio Revised Code §149.43), and therefore cannot promise confidentiality to those who voluntarily report crimes to anyone, except when reported to professional counselors or to a physician or nurse at University Health Services, when these individuals are acting in their professional capacity as professional counselors or health care providers. Under certain circumstances, professional counselors and health care providers may have a reporting obligation under state law. Questions regarding these obligations should be directed to the professional counselor and health care provider. Some off-campus reports may also be confidential (e.g., to clergy or health care professionals).

Reports will be accepted anonymously at [EthicsPoint](#) online or EthicsPoint anonymous reporting hotline 800.889.1547. EthicsPoint is an independent company for the UC community to report activities that may involve illegal, unethical, or inappropriate behavior in violation with UC's policies that you do not feel comfortable reporting through normal channels.

Professional counselors are encouraged to inform the persons they are counseling of any procedures to report crimes on a voluntary, confidential basis for inclusion in the annual disclosure of crime statistics.

Ohio Revised Code §2921.22 mandates that anyone, other than a pastoral or professional counselor, who is aware that a felony took place in the state of Ohio, must report the crime to the police.

## Timely Warning Procedures (Safety Alerts)

The Clery Act requires that UC notify the campus community of certain crimes and other emergencies that occur within the campus boundaries (which includes UC owned or controlled property on campus and public property that is within or immediately adjacent to the campus) and in non-campus properties as defined by the Clery Act. These Timely Warnings at UC are referred to as a "Safety Alert."

Although not required by federal law, additional notices may also be distributed for crimes that occur in areas outside of the Clery Act geographic areas, if the crime is deemed to pose an ongoing threat to the campus community. These distributed public safety advisories are referred to as "UC Aware."

A Safety Alert will be considered for distribution to the UC community for all Clery Act crimes that occur within the Clery Act geography that are: 1) reported to a Campus Security Authority, local police, or UCPD; and 2) are determined by UC to represent a serious or continuing threat to the students and employees. The decision to issue a UC Aware notice for an off campus crime will be made on a case by case basis depending on an assessment of factors, which include but are not limited to: the nature of the crime, the exact location, the time of the incident, the local police response and their guidance to campus officials, and the potential direct effect on the campus community.

Safety Alerts are issued as soon as the pertinent information is available. Safety Alerts are not necessarily limited to violent crimes or crimes against persons. A series of property crimes may also present a continuing threat to the campus community. The intent of the Safety Alert is to enable members of the campus community to protect themselves.

The Department of Public Safety only issues/posts Safety Alerts for incidents of:

- Murder/non-negligent manslaughter;
- Aggravated assault (cases involving assaults among known parties, such as two roommates fighting which results in an aggravated injury, will be evaluated on a case-by-case basis to determine if the individual is believed to be an on-going threat to the larger UC community);
- Robbery involving force or violence (cases including pick pocketing and purse snatching will typically not result in the issuance of a Safety Alert, but will be assessed on a case-by-case basis);
- Sexual assault (considered on a case-by-case basis depending on the facts of the case, when and where the incident occurred, when it was reported, and the information known by UCPD);
- Major incidents of arson; or
- Any Clery Act crime occurring in the UC Clery Act geography that is determined to pose a threat by UCPD's Chief of Police, or designee.

A Safety Alert notice will typically include the following, unless issuing any of this information would risk compromising law enforcement efforts:

- Date and time or timeframe of the incident;
- A brief description of the incident;
- Information that will promote safety and potentially aid in the prevention of similar crimes (crime prevention or safety tips);
- Suspect description when deemed appropriate and if there is sufficient detail (if the only known descriptors are sex and race, that will not be included in the alert);
- Police/Department of Public Safety agency contact information; and
- Other information as deemed appropriate by UCPD's Director of Public Safety, or designee.

A Safety Alert will NEVER include release of a victim's name.

In addition to information reported to UCPD, the following will occur to ensure that Safety Alerts are issued in accordance with UCPD protocol or direction:

- The Clery Compliance Coordinator, or designee, will review both UC crime reports as well as any reports shared by local law enforcement agencies daily to ascertain if any offenses require a Safety Alert.
- Every shift supervisor will monitor their staff, as well as external agency reports, for offenses that require a Safety Alert. If a report is made about an offense that may require a Safety Alert, the shift supervisor will notify the Public Information Officer and Clery Compliance Coordinator.
- The Clery Compliance Coordinator will advise the Director of Public Safety, or designee, on whether they recommend issuing a Safety Alert. The Director will evaluate the information and determine if a Safety Alert is warranted.
- Upon determining that a Safety Alert issuance is necessary, the Public Information Officer, or designee, will prepare and issue the warning as follows:

- The Safety Alert will be drafted and sent to the Director of Public Safety for review. The Director of Public Safety will review it, make changes, or give the approval to issue.
- A Safety Alert will be issued by blast email to all members of the campus community, utilizing the email list managed by UCIT for this purpose.
- Updates to the community about any case resulting in a Safety Alert may also be distributed electronically via blast email or posted on UC's website.
- Safety Alert may also be posted in campus buildings, when deemed necessary. When an alert is posted in campus buildings, it shall be printed on orange paper and be posted in the lobby/entrance area of the affected building(s) for seven days.
- The Department of Public Safety does not issue a Safety Alert for the above listed crimes if:
  - UCPD apprehends the subject(s) and the threat of imminent danger for members of the UC community has been mitigated by the apprehension.
  - UCPD was not notified of the crime in a manner that would allow the department to post a Safety Alert for the community. As a general guideline, a report that is filed more than five days after the date of the alleged incident may not allow UCPD to post a Safety Alert to the community. This type of situation will be evaluated on a case-by-case basis.
  - The event is not determined to be an ongoing threat by the Director of Public Safety, or designee.
- UC is not required to issue a Safety Alert with respect to crimes reported to pastoral or professional counselors. Any crimes reported to Women Helping Women Advocates will not be evaluated for a Safety Alert, but will solely provide statistical data at the end of the year for inclusion in the Annual Report.

Public Safety Advisories, also referred to as UC Aware, may be distributed for crimes that do not rise to the level of causing a serious or continuing threat to the UC community or for Clery Act crimes that occur outside of UC's Clery Act geography, such as a pattern of larcenies or vandalism cases. In addition, they may be distributed for other safety concerns (mulch fire, cooking fires, etc.).

## Emergency Response and Evacuation Procedures

In the event of a campus-wide emergency, UC's [emergency preparedness plan](#) provides notification instructions and operating procedures. The online emergency preparedness plan details access links to emergency alerts and procedures, as well as UC's resources and policies for emergency preparedness.

### Emergency Response

Anyone who notices a forthcoming or ongoing emergency should contact the Department of Public Safety emergency response 911. Once such an emergency has occurred and has been reported and confirmed by the Department of Public Safety and/or another law enforcement agency, the Emergency Operations Center ("EOC") will convene and determine the scope of the incident. Upon their determination, the President of UC, or designee, will activate the Emergency Management and Business Continuity Plan. When the emergency preparedness plan has been activated, the EOC will coordinate the response team in conducting recovery and restoration of operations. The EOC will fulfill many operational functions during an emergency and is the primary vehicle for implementing and managing the emergency response, working within the incident command system and, as necessary, working with additional city, county, state, or federal agencies. The on-duty Public Safety supervisor is responsible for confirming that there is

a significant emergency or dangerous situation and may initiate the emergency notification systems upon such confirmation.

UC will immediately notify the campus community upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of the UC community occurring on the campus. In a campus-wide emergency response, the on-duty Public Safety supervisor will, without delay and taking into account the safety of the community, determine the content of the notification and initiate the notification system, unless the notification will, in the professional judgment of the on-call administrator, compromise efforts to assist victims or to contain, respond to, or otherwise mitigate the emergency. The Department of Public Safety will work with the EOC to provide a coordinated and effective response to the UC community.

### Issuing an Emergency Notification

Emergency Notifications are issued via the UC Emergency Alert System (“EAS”). A full description of the EAS and its component parts is contained in the UC Emergency Operations Plan (“EOP”). Other communications paths are used for follow-up communication and outlined in the EOP.

The shift supervisor or the on-call administrator are authorized to initiate an Emergency Notification. If the shift supervisor or on-call administrator initiates the Emergency Notification, they will instruct the 911 dispatcher to begin the process. The 911 dispatcher will make a audio announcement of the emergency and give instructions to the building occupants as to the actions they need to take, using the pre-written scripts for the type of emergency. If the emergency affects only one building (such as a fire or chemical spill), this announcement will be only to the involved building. The audio announcement is the only stage of the EAS activated in this case. If the emergency affects multiple buildings or an entire campus, the announcement will be made to all buildings on the involved campus. The audio announcement is followed by complete EAS activation. The 911 dispatcher will send the Emergency Notification via text messaging (using the Rave Alert system) to all users. The text-messaging platform is limited to 140 characters. The dispatcher will use the pre-written scripts for the emergency at issue to format the text message.

The electronic message boards throughout UC will display the emergency notification information. If the emergency is ongoing, follow-up emergency notification messages will be sent every 15 minutes. The follow-up messages will confirm that the emergency is still ongoing and that members of the campus community still need to take action, such as remain in shelter. The final follow up message will confirm that the emergency is resolved and that the danger is past.

Should the incident be of a longer-duration, the on-call administrator, or designee, will send any necessary updates via email to all members of the campus community, utilizing the email list managed by UCIT for this purpose. The email message will contain updates and more detailed information than can be sent via text message.

Please note that when an Emergency Notification is sent, UC will not send a Safety Alert for the same incident. If a separate incident occurs outside of the incident that required the Emergency Notification, then a Safety Alert will be evaluated for issuance.

### Safety Notifications

UC operates a campus notification system. UC’s Department of Public Safety’s safety notifications are powered by Rave Alert, which sends text alerts and updates to students and employees with information and instructions if there is an emergency. The Department of Public Safety will use these text alerts to

notify the campus community of the nature of the emergency and the procedures to follow. Because the Department of Public Safety can send the alerts to any registered cell phone or email address regardless of physical location, parents find the alerts to be an invaluable resource for staying informed if an emergency occurs on campus. UC alerts can be delivered through the local alarm systems (such as fire alarms) and indoor/outdoor mass notification systems.

In the event of an emergency, any or all of UC's notification capabilities mentioned herein can be utilized simultaneously. All UC students are automatically enrolled in the UC Rave Alert. Employees are enrolled when they complete and/or update their directory listing by including their cell phone numbers.

Visitors and other community members can sign up to receive the alerts through the Department of Public Safety's Campus Safety Network. Access to the safety notifications is available on the Department of Public Safety's website under the [Emergency Management tab](#).

### Emergency Notification for UC Students with Disabilities

Students who request reasonable accommodations must participate in an intake meeting. During the intake meeting, if a student has a concern or question related to emergency protocols within an academic building or residence hall, Accessibility Resources will work with campus partners within Facilities Management, UCPD, Housing, or Residence Education and Development ("RED") to address the students specific questions and safety issues.

Housing maintains an ongoing database of students who live in UC housing who have requested accommodations via Accessibility Resources. If needed, this database can be accessed by Housing and RED to identify students that may require assistance in emergencies. Information about the office of Accessibility Resources can be found [here](#) or by calling 513-556-6823.

### Emergency Notifications for UC Guests and Larger Community

Visitors to campus can prepare for emergencies on campus and the surrounding area before they happen, so they can access up-to-the-minute alerts and advisories, by taking the following proactive steps:

- Follow the Department of Public Safety on Twitter @ucpublicsafety. (Anyone can create a free Twitter account at twitter.com by downloading the free Twitter mobile app.)
- Register for text alerts or Twitter notifications from the following local and regional jurisdictions:
  - City of Cincinnati Police @CincinnatiPd
  - Safer Ohio App - Ohio's multi-function, mobile public safety tool for reporting suspicious activity, requesting emergency or roadside help and monitoring traffic conditions. Get it on the App Store or Google Play.
- For UC guests who do not have access to a smartphone or are unable to join Twitter, contact the Department of Public Safety directly at 513-556-4900.
- Sign up to receive UC alerts through the Department of Public Safety's safety notifications.
- Access the safety notifications on the Department of Public Safety's website under the [Emergency Management tab](#).

### Evacuation Procedures

The following procedures are used for the undermentioned events:

- Smoke, fire, burning odors, or fire alarm activation:
  - Activate the nearest fire alarm pull station while exiting the building.
  - If possible, close all doors and windows.
  - DO NOT USE THE ELEVATORS.
  - Exit the building as quickly as possible and call 911 once outside.
  - Building Safety Points of Contact will account for all employees and visitors and advise the fire department of relevant information.
  - Building Safety Points of Contact must report missing employees/visitors and the last known locations to emergency personnel.
  - Do not reenter a building unless approved by emergency responders.
- Severe Weather:
  - Take shelter inside of a building relocation area designated for tornadoes.
  - Elevator use is restricted except for persons who are non-ambulatory.
  - Await further instruction from the Department of Public Safety before leaving the relocation area.
- Bomb Threats/Suspicious Activities:
  - Do not use cell phones or radios to make a report (e.g., cellular phones/radios could activate a bomb or suspicious device).
  - Call 911 using a landline phone.
  - Do not move or open items.
  - Remove all individuals from the immediate area, lock the door, secure the building, and assemble with your department on the sidewalk outside.
- Active Shooter:
  - RUN:
    - If you can escape an active shooting, run.
    - Run immediately-leave everything behind.
    - Encourage others to escape with you, but do not wait on them.
    - Once you are safely away from the shooter call, or have someone call, 911 and report what you know.
  - HIDE:
    - If escape appears impossible, hide.
    - Lock and barricade doors, turn off lights, silence cell phones completely, and remain quiet.
    - Take cover behind furniture or fixtures away from doorways.

- Stay away from windows.
- Prepare yourself and others for a FIGHT.
- FIGHT:
  - If running or hiding are not possible or fail, and the aggressor confronts you, fight.
  - Use items around you as weapons to fight.
  - Fight to create an opportunity to escape.

Individual building emergency plans are located on the [Department of Public Safety's Emergency Management](#) website.

### Shelter in Place

In certain emergencies, the campus community may be advised to “shelter in place” to avoid or minimize exposure to outside risks. Risks could include chemical or radioactive releases and some weather-related emergencies.

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 until it is safe to go outside.

Once shelter-in-place instructions have been communicated, students, faculty, and staff should stay in the same building they were in when they first received the message, unless otherwise advised. If outside, they should go to the nearest building and await further instructions. While it may be advisable to shelter in place in certain situations, no one can be forced to do so. Campus community members who choose not to shelter in place should vacate the premises immediately, so the building can be secured as soon as possible.

### Drills, Exercises and Tests

Clery Act regulations define a test as a regularly scheduled drill, exercise and appropriate follow-through activities, designed for assessment and evaluation of emergency plans and capabilities. UCPD conducts at least one test a year, which may be announced, but notification is not required. Testing of our emergency response and evacuation procedures will be publicized via email and the UCPD website. Each test will be documented and kept for seven years.

The following drills, exercises, and tests are conducted:

- *Fire Drills* – Consistent with the Clery Act and the Ohio Fire Code, fire drills are conducted in the academic buildings and residence halls. UC conducts fire drills in the academic buildings annually. UC conducts fire drills in the residence halls four times per academic school year, and at least one drill is conducted after sunset and before sunrise.
- *Severe Weather Notification* – The severe weather notification system is tested the first Wednesday of every month, except when severe weather is determined to be imminent by the Department of Public Safety. These tests are done via audio, email, and text messaging notifications.

- *Smoke Detector Tests* – Smoke detectors are tested monthly in all our residence halls. UC Fire Inspectors conduct these tests.
- *Sprinkler System Testing* – These tests are conducted according to the NFPA 25 standard that may be monthly, quarterly, or annually. These tests are conducted by an outside agency.
- *Fire Alarm System Testing* – These tests are conducted according to the NFPA 72 standard that may be monthly, quarterly, or annually. UC alarm technicians conduct these tests.
- *Active Shooter Exercises* – These exercises include tabletop or full-scale exercises and, in total, are conducted annually. These exercises will also be conducted at the request of a department or program.

Below is a list of the emergency response and evacuation procedure tests conducted by UCPD in 2019:

2019 Emergency Management Exercises							
Test Date	Description	Location of Test	Start Time	End Time	Test Announced	Buildings Involved	Departments that participated
10/10/19	Active Shooter Exercise	UC Clermont	10:00 AM	3:00 PM	Yes	Student Services	UC Clermont, UCPD, UCEMA, UC Fire, & UC Communications
12/04/19	New Emergency Alert Notification System	Uptown, Victory Parkway, Blue Ash & Clermont Campuses	12:00 PM	1:00 PM	Yes	All Campus Buildings	All UC Departments & Colleges
12/18/19	Active Shooter Exercise	UC Blue Ash	9:00 AM	2:00 PM	Yes	Muntz Hall	UC Blue Ash, UCPD, UCEMA, UC Fire, & UC Communications

## Security, Access, and Maintenance to Campus Facilities

As a public institution, UC has an open environment that allows individuals to move freely through its campuses. This open environment makes all members of UC’s community responsible for immediately reporting suspicious activity, incidents, or persons to UCPD. Individual vigilance is essential in helping UC’s Department of Public Safety promote campus safety and reduce campus crime. Using the Bearcat Guardian app, anonymous tips about suspicious activity may be sent to UCPD using text and images.

### Academic and Administrative Buildings

Typically, academic and administration buildings are open during regular business and class hours. Instructional facilities are generally open from 7 a.m. to 11 p.m., Monday through Friday, with modified weekend hours. The functional usage of the building may necessitate the building being open 24-hours a day/7 days a week, such as medical facilities, computer labs, and libraries. Other areas may be open for 24- hour use during exam periods or for other special needs. UCPD officers lock and unlock exterior building entrances in accordance with the building’s schedule. UCPD admits individuals to locked buildings and areas only if the individual has a valid identification and written authorization. Most UC buildings are open during normal UC business hours. For more information about the exact hours of a building, please contact the department you wish to visit.

## Student Housing

On-campus residence halls are locked 24 hours per day, with an electronic system controlling access. Residents and visitors must enter through the main entrance only. Residents use an access card to open the building door. Visitors must be escorted by a resident. While UC makes every effort to prevent access by uninvited visitors, residents must also take an active role in that effort. Residents should report strangers to the residence hall staff and avoid holding doors open for non-residents to enter. Residents are responsible for the actions of their guests. We encourage students to lock their room doors at all times.

UC's student housing may also be located off-campus. While these buildings are not located on any UC campus (and may be only partially leased through UC), UC employs full-time Resident Advisors and Community Coordinators who reside in the building. Community Coordinators are professional full-time employees who have master's degrees. Residents of UC-provided off-campus housing must comply with UC's Student Code of Conduct, including drug and alcohol policies. All criminal activities at these locations should be reported to UCPD and residence hall staff, if there is student involvement.

## Students Living Off-Campus, Non-UC Housing

When a UC student is involved in an off-campus offense, UCPD may assist with the investigation in cooperation with federal, state, or local law enforcement. UCPD may patrol off-campus areas to assist local law enforcement agencies. Local law enforcement agencies surrounding UC's campuses routinely work with, and communicate with, UCPD regarding any serious incidents occurring in the immediate areas surrounding the campuses. Criminal activity reported to UCPD by other police agencies may also be referred to the Office of Student Conduct and Community Standards for disciplinary action under the Student Code of Conduct. Many students live in the neighborhoods surrounding the Uptown Campus, which are under the primary jurisdiction of the Cincinnati Police Department.

## Outside Athletics Facilities

The outside athletic facilities and adjacent unlit areas close at dark, unless otherwise being utilized for a UC sporting event or practice. UCPD may question individuals observed using the field after hours, displaying suspicious behavior, or suspected of unlawful acts. UC's Department of Public Safety stresses that individuals should not hesitate to contact it with any concerns regarding their own or someone else's safety.

## Blue Light Help Phones

Blue Light help phones are located strategically throughout campus for safety purposes. Through these devices, persons are automatically connected with UC's communications center. UC has 300 Blue Light help phones or emergency phones throughout campus. For assistance with locating the Blue Light help phones closest to your classes, job, or along your path throughout campus, refer to the printable [campus maps](#).

## Security Maintenance of Campus Facilities

UC's Maintenance and Operations Department provides maintenance services to more than 100 UC buildings, totaling nearly 10 million square feet of space. To request maintenance, custodial, moving, and grounds services, call 513- 558-2500, Monday through Friday, 7:30 a.m. to 4 p.m. For weekends, holidays, and after hours call UCPD at 513-556-1111.

UCPD conducts interior and exterior security surveys of its buildings. For exterior checks, UCPD reports how many lights are out, creates a work order to have them fixed, and UCPD reads meters on the lights to check brightness. UCPD officers, during the course of their shift, will note lights out and Dispatch will contact Maintenance and Operations for bulb replacement.

## Crime Prevention and Security Awareness Education

UC strives to educate students and employees about the importance of campus security and the prevention of crime. UC encourages UC community members to take responsibility for their own security and the security of others. UC offers many programs throughout the year to reinforce the importance of crime prevention and security awareness.

### Crime Prevention Programs

The following are Crime Prevention Programs that are offered by UC and UCPD throughout the year:

- *Social Media Outreach* – UCPD conducts outreach to the UC community via Twitter, Instagram and Facebook. UCPD can be followed on Twitter and Instagram at @UCPublicSafety and Facebook at <https://www.facebook.com/UCPublicSafety/>.
- *Door Hangings & Signs* – Typically in fall, winter, and spring, UCPD distributes door hangers to educate students about crime prevention techniques, including how to prevent theft from automobiles and burglaries.
- *Shuttle Bus Service* – The Bearcats Transportation System and Campus Transit System provide students, faculty, staff, and visitors with safe and convenient transportation. For specific shuttle times please check the [Facilities Management Shuttle Services](#).
- *NightRide* – UCPD operates NightRide, a free nighttime transportation service, for the safety of students, faculty, and staff that need a ride within a one-mile radius of Uptown Campus. Visit [NightRide's](#) webpage for more information or call 513-556-RIDE for a ride.

### Security Awareness Programs

The following are Security Awareness Programs that are offered by UCPD and the Student Safety Board throughout the year:

- *Safety Talks* – UCPD conducts many safety talks throughout the year, including but not limited to, talks for the following groups: freshman orientation, international student orientation, medical student orientation, English as a Second Language students, sororities and fraternities, residence halls, and any other students groups or organizations who contact UCPD and request a safety talk.
- *Safety Tables* – UCPD teams with Resident Education and Development to host safety tables in each residence hall in the early weeks of each academic year. UCPD's Community Outreach

Officers and members of the Student Safety Board hand out safety information about available safety resources and talk to students about utilizing the resources to stay safe.

- *Student Safety Board* – Collaboration between UCPD and approximately 30 undergraduate students. The group works together to implement safety related educational and outreach events during the school year.
- *Safety Week* – Each year the Student Safety Board develops and implements Safety Week to create awareness about staying safe and educating students about safety-related resources. Each day of Safety Week is focused on a different safety topic such as personal safety, self-defense, mental health, and fire safety.
- *Mind What Matters* – This safety campaign is sponsored by UCPD to provide helpful tips to students, faculty, and staff to reduce their likelihood of becoming a victim of a crime.

For a complete list of programs that are offered by UCPD and the Student Safety Board please see Appendix A.

### Crime Prevention Tips

Crime prevention incorporates the theory that crime can be reduced by lessening the opportunity for crime. Suggestions promoted by UC's Department of Public Safety are:

- Do not leave your belongings unattended.
  - If you are studying and you need to grab a snack, take your belongings with you.
  - Do not set your valuables down and direct all your attention elsewhere.
- Do not leave your valuables in plain view.
  - Do not leave any belongings in your car, or if you need to, hide them before you get to your destination.
  - If you live or work in an area where your window is easily visible from the street, do not leave your valuable items in plain view. Put them in another area of the room.
- Lock the door before you leave.
  - Lock your room, car, office, and apartment, even if you will just be gone for a minute.
  - Never leave your car alone while it is running, or with the keys inside.
- Pay attention.
  - Be aware of your surroundings. Do not walk around with headphones on or while focused on your cell phone.
  - Walk in groups when possible.
  - Use campus resources, such as the Bearcat Shuttle, NightRide, and Bearcat Guardian's safety timer.

## UC Policy on Alcoholic Beverages

UC follows Ohio's liquor control laws. It is the responsibility of each student and employee to be familiar with Ohio's liquor laws, UC's policy on alcoholic beverages, and to conduct themselves accordingly.

As permitted by law, individual students and employees may purchase, possess, and/or consume beer or intoxicating liquor on campus at certain campus events, in designated campus facilities, and in campus facilities having permits issued by the Ohio Department of Commerce, Division of Liquor Control.

Restrictions in Ohio Revised Code 4301 include the following:

- It is unlawful for a person under 21 years of age to purchase, consume, possess, or transport any beer or intoxicating liquor.
- It is unlawful to knowingly and falsely misrepresent one's age to obtain alcoholic beverages and/or to misrepresent that another is of legal age for such purpose.
- It is unlawful to have in one's possession in a public place without a permit an open container of beer or intoxicating liquor.
- It is unlawful to possess an open container and/or consume any beer or intoxicating liquor in a motor vehicle.
- It is unlawful to serve and/or distribute beer and/or intoxicating liquor to a minor.

The complete list of state liquor laws and administrative regulations may be obtained from the Division of Liquor Control.

Student organizations will be permitted to schedule and/or sponsor on-campus events at which alcohol may be available only at those locations having permits issued by the Division of Liquor Control.

Student organizations that sponsor off-campus events are expected to adhere to state law. Organizations found to have violated state law may lose their status as a recognized UC student organization.

Administrative and academic units (colleges, departments) may schedule and/or sponsor on-campus student events at which beer or intoxicating liquor would be available only in designated areas within those units and only with the approval of the unit head. These events may not be all campus events and must adhere to regulations for on-campus events.

### Policy for Campus Events

The following regulations must be followed at on-campus events at which beer or intoxicating liquor are served and/or sold:

- The events must be properly authorized by the administrative unit responsible for the facility(s) to be used.
- Consumption and/or sales are permitted only within the approved area for the event.
- Non-alcoholic beverages must be available at the same place as alcoholic beverages and featured as prominently as the alcoholic beverages.

- The sponsors of the event will implement precautionary measures to ensure that alcoholic beverages are not accessible or served to persons under the legal drinking age or to persons who are intoxicated.
- The sponsors of the event must require proof of legal age for those individuals in question as to legal age.
- Marketing, advertising, and promotion of events with alcoholic beverages being served should not emphasize the serving of alcohol and/or have any drinking games there associated with the event.
- Management of licensed facilities on-campus reserve the right to limit consumption and/or sales at events in the designated facilities.

Individuals and organizations found in violation of UC regulations will be subject to disciplinary action and may be subject to action outlined under the Ohio Revised Code.

A complete copy of UC's policy on alcohol is available at Appendix B.

## UC Policy on Illegal Drug Possession and Use

In compliance with the Drug-Free Workplace Act of 1988 and the Drug-Free Schools and Communities Act of 1989, UC maintains a drug-free campus for all UC employees and students and prohibits the unlawful manufacture, distribution, dispensing, possession, or use of illicit drugs or alcohol on its campuses or as a part of any UC activity. UCPD strictly enforces laws restricting the use of illegal drugs.

The unlawful use or possession of drugs may result in disciplinary action by UC, as well as criminal charges and legal penalties. These may include, but are not limited to:

- Suspension or dismissal from UC;
- Suspension or termination from employment with UC;
- Required attendance at substance abuse education or treatment program;
- Fines as determined under federal, state, or local laws;
- Loss of driving privileges;
- Imprisonment;
- Forfeiture of personal and real property;
- Denial of federal benefits such as student financial aid; and/or
- UC may notify the parents or guardians of any student who is under the age of 21 and who has been found to be in violation of the Student Code of Conduct with respect to any federal, state, or local law or UC policy governing the use or possession of alcohol or a controlled substance. Students will receive copies of notification letters sent to their parents or guardians.

For more information regarding violations and sanctions, see the Student Code of Conduct attached at Appendix C

## Drug and Alcohol Awareness Education

UC complies with the U.S. Department of Education Alcohol and Other Drug Programs, Drug-Free Schools and Campuses Act (EDGAR Part 86) which requires institutions of higher education to conduct a [biennial review](#) and [annual notification](#) of their alcohol and other drug programs and policies.

UC offers the following drug and alcohol education programs:

- *Greek Life Initiatives* – Fraternity and Sorority Life (“FSL”) provides a variety of alcohol education to fraternity and sorority members. The purpose of these initiatives is to deter Greek students from engaging in high risk behaviors. Education is ongoing to address high-risk drinking among Greek students. The awareness initiatives conducted by FSL include:
  - Joint Homecoming Policy: All chapters are expected to follow Risk Management Guidelines for BYOB/third party vendors. In addition, all chapters must take part in a Safe Social Practices workshop.
  - Risk Management Guidelines and Community Expectations: FSL partners with UCPD to provide officers with training on risk management guidelines and community expectations.
  - Bystander Intervention: Training for all active Greek organizations with 80% of the chapter in attendance.
  - Community Guidelines and Alcohol Skills: Workshops for all council and chapter executive officers on community guidelines and alcohol skills.
- *Impact Solutions Employee Assistance Program (“EAP”)* – The purpose of UC’s EAP is to offer assessment, counseling, and referral services that are confidential and professional, which include services related to drug and alcohol prevention. Services are available to benefit-eligible employees, spouses/domestic partners, children, and other individuals who live in the employee’s home. Impact’s services are provided 24/7, 365 days a year at no cost to employees.
- *Online Alcohol Screening* – Counseling and Psychological Services offers online alcohol screening to the UC community. The goal of this screening is to provide a quick and confidential way to determine if you or someone you care about should connect with a mental health professional. The program is completely anonymous and confidential, and immediately following the brief questionnaire you will see your results, recommendations, and key resources.
- *Poster Program* – The Student Wellness Center developed this initiative to offer health and wellness 11 x 17 posters to Resident Advisors, Greek houses, and advisors to hang in their halls, houses, and offices. The posters are on a variety of health and wellness issues, including alcohol, and are created by peer educators. The purpose of this program is to bring awareness to these issues and create a culture of health and wellness across campus.
- *Resident Advisor Bulletin Board Program* – The Student Wellness Center peer educators develop a variety of bulletin boards on health and wellness topics that can be used in the residence halls by Resident Advisors. They include all information for the board and a schematic to help with arrangement of the board. The purpose of this program is to increase awareness of health and

wellness issues and to help Resident Advisors post correct information about the topics. Topics have included alcohol, marijuana, and prescription drugs.

- *Residence Hall Alcohol and Drug Programming* – A variety of educational programming is conducted in the residences halls for residents. Program content includes basic alcohol information, such as standard drink size and alcohol content, as well as low-risk drinking skills. These presentations also discuss residence hall expectations and open dialog about alcohol and other drugs.
- *Student Wellness Center Peer Education Workshops* – The workshops are conducted by peer educators from the Student Wellness Center for a variety of groups and settings including: classrooms, residence halls, Greek houses, and student organizations. The peer educators conduct programming on alcohol and focus on basic alcohol facts and how to avoid the high-risk consequences of alcohol use. These programs also include providing students with campus resources to address these issues.
- *Alcohol and Drug Sanction Classes* – The Student Wellness Center works with the Office of Student Conduct and Community Standards to provide education to students who are found in violation of UC’s alcohol and drug policy. Students are required to complete an alcohol or drug education class, which is facilitated by a UC staff member. As part of the sanction process, if the student is under 21, parents may be notified of the violation.
- *AlcoholEdu and Sexual Assault Prevention Online Education Programs* – The Student Wellness Center coordinates online education programs called AlcoholEdu and Sexual Assault Prevention for incoming undergraduate and graduate students. Students are expected to complete these trainings before arriving to campus. The online programs are approximately two hours each in length and covers topics such as alcohol and other drugs, healthy relationships, consent, and sexual assault.
- *21st Birthday Card Program* – The Student Wellness Center sends electronic 21st birthday cards to all students turning 21. The cards contain information about celebrating your 21st birthday safely. The card contains low risk drinking tips for those that choose to use alcohol on their birthday.
- *Late Night UC* - The Student Wellness Center implements late night, substance free events on a regular basis throughout spring and summer semesters. The events take place on Friday or Saturday nights to provide alternative social activities for students. The events are planned and coordinated by peer educators.
- *Bearcats Recovery Program* – The Student Wellness Center, in partnership with Counseling and Psychological Services, has developed a program for UC students who are in recovery from alcohol and drug use. The program consists of substance-free events for students in recovery, a recovery meeting, and more. Students who are in recovery or are interested in exploring recovery can participate in the weekly meetings to learn ways to support themselves and others.

## Missing Students

UC maintains a missing student notification policy for students who reside in on-campus housing. “On-campus housing” includes any residential facility for students that is located on the UC’s campus or located

off-campus but leased by UC provide residential housing for its students, even if the building is owned or maintained by another party.

### Confidential Contact

A student living in an on-campus housing facility has the right to identify a confidential contact person(s) (“CCP”) who will be contacted not later than 24 hours after the time a student is determined missing. UC will not assume that the CCP is the same individual(s) identified as the student’s general emergency contact. A CCP is only contacted for missing person purposes. Access to a student’s CCP information is restricted to authorized UC officials who may only release the information to law enforcement officers, acting in furtherance of the missing student investigation.

UC will provide students living on-campus with information on their right to identify a CCP and the process for registering the CCP’s contact information annually. A student may change the CCP at any time. To register or modify a CCP, a student may visit their housing application or contact UC Housing at (513) 556-6461.

The CCP will be contacted no later than 24 hours after the time that the student is determined missing by UCPD or local law enforcement.

If a missing student is under 18 years of age, and not an emancipated individual, UC is required to notify a custodial parent or guardian no later than 24 hours after the time the student is determined missing.

### Reporting A Missing Student

When any University employee receives a report that a resident of on-campus housing is believed to be missing, the employee must immediately contact UCPD at (513) 556-1111. UCPD will contact the Dean of Students regarding the missing student report and determine next steps related to investigating, including notifying the proper parties regarding the missing student (e.g. confidential contact, emergency contact, family). University employees, besides UCPD, should refrain from contacting the family of a missing student unless instructed to do so by UCPD.

When a student residing in on-campus housing is determined to be missing, a student or any concerned person should immediately contact either: UCPD at (513) 556-1111, 24 hours a day; a residence hall staff member at (513) 206-2644, 24 hours a day; the Dean of Students at (513) 556-4119 (during business hours); or the office of Resident Education & Development at (513) 556-6476 (during business hours).

See Appendix D for the complete policy on Missing Residents in On-Campus Housing Facilities.

### **Sex Offender Registry**

The Federal Campus Sex Crimes Prevention Act requires institutions of higher education to issue a statement advising the campus community where to obtain state law enforcement agency information regarding registered sex offenders. The act also requires sex offenders, who must register in the state, to provide notice as required by Ohio law, to each institution of higher education where the person is employed, carries on vacations, volunteers, or is a student.

In the state of Ohio, convicted sex offenders must register with the sheriff in the county within the timeframe governed by the Ohio Revised Code. Chapter 2950 of the Ohio Revised Code regulates

convicted sex offenders, establishes the sex offender registry, and provides the registration requirements for all persons convicted under this statute in the state of Ohio.

UC's Uptown Campus, Blue Ash Campus, and Reading Campus are located in Hamilton County, Ohio. The Hamilton County Sheriff provides the following website for the community to search all registered [sex offenders](#) in the County.

UC's Clermont College Campus is located in Clermont County, Ohio. The Clermont County Sheriff provides the following website for the community to search all registered [sex offenders](#) in the County.

## Violence Against Women Reauthorization Act

In alignment with the Violence Against Women Reauthorization Act, UC prohibits dating violence, domestic violence, sexual assault, and stalking. UC offers a number of educational awareness and prevention programs to help combat and prevent dating violence, domestic violence, sexual assault, and stalking. For additional and up to date information on UC's programs and policies, please visit the [Office of Gender Equity & Inclusion \(Title IX\)](#) website. Additionally, attached here at Appendix D, you can find UC's complete Title IX Sexual Harassment Policy, as well as UC's Sex- and/or Gender-Based Misconduct Policy.

### Educational Awareness and Prevention Programs

UC engages in 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.

UC's educational awareness and prevention programs begin with UC's primary prevention programs. These programs are designed and intended to prevent dating violence, domestic violence, sexual assault, and stalking before they occur. UC's primary prevention programs are required for all new employees. All new employees receive online training that covers sexual harassment as well as how to recognize and report other types of sex and gender-based harassment, discrimination, and violence. New employees complete two online trainings: (1) "Report and Prevent Sexual Misconduct" training is required for all staff, faculty, supervisors, and targeted student workers; and (2) "Anti-Harassment, Discrimination and Retaliation for Universities" training is required for all staff and faculty. Additionally, supervisors must complete "EDU: Supervisor Anti-Harassment, Discrimination and Retaliation" training. These trainings must be completed within 90 days of beginning work at UC.

All new students, including first year, transfer, graduate, and distance learners, are expected to complete Sexual Assault Prevention, an online training, that covers sexual/gender-based harassment, discrimination, and violence issues. The training includes interactive scenarios, discussions about alcohol use and sexual assault, strategies for engaging in risk reduction and bystander intervention, information on how to support survivors, and information about UC's policies, procedures, and resources. All incoming students are expected to complete the training before starting classes at UC. After students

complete Part 1, they automatically receive Part 2 of the training 45 days later. Parts 1 and 2 contain assessments that allow UC to compare behaviors and experiences before starting classes and after arriving at UC.

UC's educational outreach is a collaborative effort through the offices of UC's Department of Public Safety, Office of Gender Equity & Inclusion, Department of Women's Gender and Sexuality Studies, University Health Services, and the Division of Student Affairs, which includes, Counseling and Psychological Services, the Women's Center, and the Student Wellness Center.

See Appendix E for the complete list of primary and ongoing prevention programs that were completed in 2019.

### Bystander Intervention

Bystanders play a critical role in the prevention of sex and relationship violence. A bystander is anyone who observes an emergency or a situation where it appears like someone could use help. Even if you think it is not your place to get involved, if it appears that someone is in immediate danger, you may choose to intervene if it is safe to do so or summon help by calling the police. It is important to notify the police if you think you or someone else's safety has been threatened or is in danger.

Safe and positive options for bystander intervention include:

- Calling law enforcement, security, or another person in authority to assess the situation and intervene as appropriate.
- Asking for help from other bystanders, in particular people who may know the person engaging in the concerning behavior.

### Reporting Dating Violence, Domestic Violence, Sexual Assault, and Stalking to UC

UC has procedures in place to be responsive to those who report sexual assault, domestic violence, dating violence, and stalking. All UC employees, except those specifically designated as confidential resources, have an obligation to report incidents that may be a violation of UC's Title IX Sexual Harassment Policy and/or Sex- and/or Gender-Based Misconduct Policy ("Mandatory Reporter"). Mandatory Reporters who receive a disclosure of allegations of conduct in violation of those policies or becomes aware of information that would lead a reasonable person to believe that a violation may have occurred involving anyone covered under those policies, must report all known information immediately.

Individuals who have experienced sex or gender-based discrimination, harassment, or violence are encouraged to report their information to UC. Reports may be made in person, by mail, by telephone, by electronic email, or by electronic submission, or by any other means that results in the Title IX Coordinator receiving the verbal or written report. A report may be made at any time (including during non-business hours) by using the telephone number, electronic mail address, electronic submission, or by mail to the office address. Reports may be made anonymously, but to initiate the grievance process under the Title IX Sexual Harassment Policy, a formal complaint must be filed pursuant to the process outlined in that policy.

Reports received will be reviewed and processed in accordance with the Title IX Sexual Harassment Policy and/or the Sex- and/or Gender-Based Misconduct Policy. Please refer to Appendix F for the complete set of policies and procedures.

Contact information for making a report:

- *Primary Contact:*  
 Title IX Coordinator  
 3115 Edwards 1, 45 Corry Blvd  
 PO Box 210158  
 Cincinnati, OH 45221-0158  
 Phone: (513) 556-3349  
 Email: [titleix@ucmail.uc.edu](mailto:titleix@ucmail.uc.edu)  
 Electronic Submission Form:  
[https://cm.maxient.com/reportingform.php?UnivofCincinnati&layout\\_id=10](https://cm.maxient.com/reportingform.php?UnivofCincinnati&layout_id=10)
- *Deputy Title IX Coordinators on the regional campuses are available to assist with reporting Title IX matters to the Title IX Coordinator:*  
  
 UC Blue Ash College  
 Deputy Title IX Coordinator  
 Muntz Hall, Room 140Q  
 9555 Plainfield Drive  
 Blue Ash, OH 45236-0086  
 Phone: (513) 936-1641  
  
 UC Clermont  
 Deputy Title IX Coordinator  
 Clermont Student Services, Room 140C  
 4200 Clermont College Drive  
 Batavia, OH 45103-0162  
 Phone: (513) 732-8964
- *EthicsPoint Anonymous Reporting Hotline:*  
  
 (800) 889-1547 (800) 889-1547  
<http://www.uc.edu/af/intaudit/ethicshotline.html>

### Reporting Dating Violence, Domestic Violence, Sexual Assault, and Stalking to Law Enforcement

UC encourages accurate and prompt reporting of all crimes to UCPD and local law enforcement, if appropriate, when the victim elects to or is unable to, make such a report. Although UC strongly encourages all members of its community to report violations to law enforcement, it is the individual's choice whether or not to make such a report and the individual has the right to decline involvement with the law enforcement. If the individual chooses to report the matter to law enforcement, UC employees shall provide assistance to the individual.

UC retains the right to notify law enforcement authorities and may engage in appropriate investigatory processes when concerns exist for conduct threatening the personal safety of an individual or well-being of the UC community, with or without the individual's participation.

Reports may be made to UCPD by calling 513- 556-1111, in person at Edwards 3, 51 West Corry Blvd, or online at <https://www.uc.edu/about/publicsafety/clery/reportable-incident-form.html>. Reports may be made simultaneously to law enforcement and UC's Title IX Coordinator. When there are concurrent reports the Office of Gender Equity & Inclusion and the investigating law enforcement agency will work in collaboration whenever possible. However, the investigations are separate and done concurrently.

Speaking to a law enforcement officer does NOT obligate a person to initiate the grievance processes set forth in UC's Title IX Sexual Harassment Policy or the Sex- and/or Gender-Based Misconduct Policy.

### Confidential Reporting

If you have experienced dating violence, domestic violence, sexual assault, stalking, or other conduct set forth in UC policies constituting sexual harassment and would like to speak confidentially with someone about your reporting options, please consider contacting one of the confidential resources set forth in the Title IX Sexual Harassment Policy or the Sex- and/or Gender-Based Misconduct Policy. Reports made to UC employees, other than those specifically identified as confidential resources, must be reported to the Title IX Coordinator. Confidential reporting resources include:

- Women Helping Women:  
559 Steger Student Life Center  
513-431-1563 or 513-431-3807 (call or text Monday-Friday)  
513-381-5610 (24-hour hotline)  
[uc@womenhelpingwomen.org](mailto:uc@womenhelpingwomen.org)
- Counseling & Psychological Services:  
225 Calhoun St, Suite 200  
513-556-0648 (24-hour hotline)
- Counseling Services at UC Blue Ash:  
140 Muntz Hall  
513-745-5670
- Compass Counseling Center at UC Clermont:  
201 Student Services  
513-732-5263
- University Health Services:  
55-57 W. Daniels St, next to Daniels Hall  
513-556-2564

### Preserving Evidence

After an incident of sexual assault or domestic or dating violence, the victim should consider seeking medical attention as soon as possible to make sure they are physically well and to collect evidence, even if the victim chooses not to make a report to law enforcement.

A Sexual Assault Nurse Examination (“SANE”) is a medical forensic exam that involves gathering physical evidence from a victim’s body, their clothing, and from other items that may have been used during an assault. Typically, SANE exams are performed at any medical center. Although it is natural to want to do certain things after an assault, such as take a shower, change clothes, or wash bed linens, whenever possible, a victim should avoid these kinds of actions because they may remove valuable physical evidence.

In the state of Ohio a victim has up to 96 hours after an assault to obtain a medical-forensic exam. SANE exams can be completed even if a victim has showered, brushed their teeth, douched, or changed clothing, although evidence may be more difficult to obtain.

A SANE exam can be completed without filing a police report and is free for the victim. During a SANE exam medical professionals will also discuss options to reduce the risk of pregnancy and/or sexually transmitted diseases and can address other physical injuries related to an assault. If a victim does not opt for a SANE exam, health care providers can still treat injuries and take steps to address concerns of pregnancy and/or sexually transmitted disease at the victim’s cost.

Victims are encouraged to preserve evidence by saving text messages, instant messages, social networking pages, and other communications and by keeping pictures, logs, or other copies of documents, if they have any that would be useful in an investigation.

### Supportive and Protective Measures

Protective measures may be available by filing a complaint with law enforcement. For example, police departments may assist with civil protection orders and other measures when criminal complaints are filed. A civil protection order does not require criminal charges to be filed in order to obtain one. UC complies with Ohio laws in recognizing and enforcing orders of protection. An individual who receives an order of protection or a court ordered “stay-away” should provide a copy of the order to UCPD and UC’s Title IX Coordinator. The individual may meet with UCPD and develop a safety plan to reduce the potential risk of harm while on-campus or coming to or going from campus.

Students and employees who report a violation of the Title IX Sexual Harassment Policy and/or the Sex- and/or Gender-Based Misconduct Policy, will receive notification of their right to receive supportive measures. Supportive measures are non-disciplinary, non-punitive individualized services designed to restore or preserve equal access to UC’s education program or activity, without unreasonably burdening the other party, including measures designed to protect the safety of all parties or UC’s educational environment, or deter sexual harassment. Supportive measures include, but are not limited to: 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 and/or other parties (“no contact orders”), changes in work or housing arrangements, leaves of absence, increased security and monitoring of certain areas of campus, and other similar measures. Supportive measures are available, as appropriate, upon receipt of a report of alleged misconduct in violation of UC’s Title IX Sexual Harassment Policy and/or Sex- and/or Gender-Based Misconduct Policy. Individuals who would like to request supportive measures or who experience difficulty obtaining supportive measures that have been approved should contact the Title IX Coordinator.

Subject to other confidentiality provisions set forth in UC policies, UC shall maintain as confidential any supportive measures provided to individuals, to the extent that maintaining such confidentiality would

not impair the ability of UC to provide the supportive measures. UC will treat other information shared or received by the involved parties as private and confidential, to the extent permitted under law. UC will not publish the parties' names or identifying information in the Daily Crime log, Clery Timely Warnings, or online, as defined in section 40002(a)(20) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a)(20)).

For more information on policies and procedures, UC encourages students and employees to review the Title IX Sexual Harassment Policy and the Sex- and/or Gender-Based Misconduct Policy, attached at Appendix F.

### Resources On- and Off-Campus

UC maintains a full list of on- and off-campus resources for individuals who have experienced sex discrimination, including sexual misconduct. Frequently used on- and off-campus resources can be found in Appendix G

### **Victim Notification**

UC will, upon written request, disclose to the alleged victim of a crime of violence or a non-forcible sex offense, the report on the results of any disciplinary proceeding conducted by UC against a student who is the alleged perpetrator of such a crime or offense. If the alleged victim is deceased as a result of such crime or offense, the next of kin of such victim shall be treated as the alleged victim for purposes of this paragraph.

### **Clery Act Crime Statistics**

The Clery Compliance Coordinator is responsible for maintaining UC'S Department of Public Safety and UCPD statistics and making reasonably good-faith efforts to obtain statistics from other law enforcement agencies as necessary to allow the institution to comply with its reporting requirements under the Clery Act. Use of the statistics for Clery Act related purposes is contingent upon the statistics being provided in a timely, accurate and properly categorized manner. Local law enforcement agencies from which records are requested include, but are not limited to, Cincinnati Police Department, Batavia Police Department, Blue Ash Police Department, and Reading Police Department.

Statistics in the Annual Report are based upon the allegations reported to UC through its Department of Public Safety and compiled by the Clery Compliance Coordinator based upon communications with local law enforcement and Campus Security Authorities ("CSA"). No formal police report is required for a crime to be included in UC's crime statistics, as CSA reports are reviewed for inclusion. These statistics are compiled using definitions from the FBI's Uniform Crime Reporting, Violence Against Women Reauthorization Act, and the Ohio Revised Code, where applicable.

Crimes required by the Clery Act to be reported annually to the UC community, include: criminal homicide (murder and negligent/non-negligent manslaughter); sex offenses (forcible and non-forcible); robbery; aggravated assault; burglary; motor vehicle theft; arson; hate crimes (including previously listed crimes plus larceny-theft, simple assault, intimidation or destruction/damage/vandalism of property that are motivated by bias); dating violence; domestic violence; stalking; and arrests and referrals for disciplinary action for any of the following: (a) liquor law violations, (b) drug law violations and (c) weapons law violations.

Locations where Clery Act Crimes must be recorded: 1) on campus, 2) on public property within or immediately adjacent to and accessible from the campus, and 3) in or on non-campus buildings or property that the institution owns or controls.

### Daily Crime Log

UC shall maintain a daily crime log of all reported crimes. This log will be available for public inspection at the security desk of any UC campus, as defined herein, upon request as well as posted on the [Public Safety Crime Log](#) webpage. For a printed copy, please contact the Clery Compliance Coordinator at 513-556-4900.

The daily crime log will record all crimes reported to UC's Department of Public Safety, UCPD, and CSAs, including the nature of the crime, date and time the crime occurred, date and time crime was reported, general location of each crime, and the disposition, if known. Crimes shall be entered in the crime log in the order that they are received.

All entries shall be made within two business days of the initial report being made to the Department of Public Safety through the following sources: direct report to the Department of Public Safety, CSAs, Office of Student Conduct and Community Standards, and local law enforcement.

If, within 60 days, new information becomes available about a reported crime, the crime log shall be updated. Information is not required to be disclosed in the daily crime log when:

- Disclosure of the information is prohibited by law;
- Disclosure would jeopardize the confidentiality of the victim; or
- There is clear and convincing evidence that the release of such information would jeopardize an ongoing criminal investigation or the safety of an individual, may cause a suspect to flee or evade detection, or could result in the destruction of evidence. In any of these cases, the information may be withheld until that damage is no longer likely to occur from the release of the information.

### Clery Act Crime Definitions

For purposes of this policy, UC utilizes the following definitions based upon federal regulations and Ohio state law, where applicable:

*Aggravated Assault* – An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm. It is not necessary that injury result from an aggravated assault when a gun, knife or other weapon is used which could or probably would result in a serious potential injury if the crime were successfully completed.

*Arson* – The willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle, aircraft, or personal property of another kind.

*Burglary* – The unlawful entry of a structure to commit a felony or a theft. For reporting purposes, this definition includes: unlawful entry with intent to commit a larceny or a felony, breaking and entering with

intent to commit a larceny, housebreaking, safecracking, and all attempts to commit any of the aforementioned.

*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.

\*Ohio Revised Code does not define dating violence.

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

- A current or former spouse or intimate partner of the victim;
- A person with whom the victim shares a child in common;
- A person who is cohabitating with or has cohabitated with, the victim as a spouse or intimate partner;
- 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
- 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.

Pursuant to Ohio Revised Code § 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.

\*For the complete text of Ohio Revised Code §2919.25 see: <http://codes.ohio.gov/orc/2919.25>.

*Drug Abuse Violations* – Violations of state and local laws relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs. The relevant substances include: opium or cocaine and their derivatives (morphine, heroin, codeine), marijuana, synthetic narcotics (Demerol, methadone), and dangerous non-narcotic drugs (barbiturates, Benzedrine).

*Hate Crimes* – Any Clery Act reportable offense and larceny-theft, simple assault, intimidation, destruction, damage or vandalism of property for which the evidence shows that the victim was intentionally selected because of the perpetrator’s bias or because the perpetrator perceived the victim to be a member of one of the bias categories. The bias categories include: race, gender, gender identity, religion, sexual orientation, ethnicity, national origin, and disability.

*Liquor Law Violations* – Violations of state or local laws or ordinance prohibiting: the manufacture, sale, transportation, furnishing, possession of intoxicating liquor, maintaining unlawful drinking places, bootlegging, operating a still, furnishing liquor to minor or intemperate person, using a vehicle for illegal transportation of liquor, drinking on a train or public conveyance, all attempts to commit any of the aforementioned. (Drunkenness and driving under the influence are not included in this definition.)

*Motor Vehicle Theft* – Theft or attempted theft of a motor vehicle, including mopeds, motorized scooters and golf carts. (All cases where automobiles are taken by persons not having lawful access, even though the vehicles are later abandoned, including joy riding, will be classified as motor vehicle theft.)

*Murder/Non-Negligent Manslaughter* – The willful (non-negligent) killing of one human being by another. Deaths caused by negligence, attempts to kill, assaults to kill, suicides, accidental deaths and justifiable homicides are excluded.

*Robbery* – Taking or attempting to take anything from value of the care, custody, or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear.

*Sexual Assault* – An offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI’s UCR program. A sex offense is “any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.”

*Rape* – The 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.

Pursuant to 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 judgement 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.

\*For the complete text of Ohio Revised Code § 2907.02 see <http://codes.ohio.gov/orc/2907.02v1>.

*Fondling* – The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of the victim’s age or because of the victim’s temporary or permanent mental incapacity.

Pursuant to Ohio Revised Code § 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 others person to have sexual contact when any of the following applies:
- a. The offender knows that the sexual contact is offensive to the other person, or one of the other person, or is reckless in that regard.
  - b. 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.
  - c. The offender knows that the other person, or one of the other persons, submits because of being unaware of the sexual contact.

\*For the complete text of Ohio Revised Code § 2907.06 see <http://codes.ohio.gov/orc/2907.06>.

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

Pursuant to Ohio Revised Code § 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:
- a. The offender knowingly coerces the other person to submit by any means that would prevent resistance by a person of ordinary resolution.
  - b. 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.
  - c. The offender knows that the other person submits because the other person is unaware that the act is being committed.
  - d. The offender is the other person's natural or adoptive parent, or stepparent, or guardian, custodian, or person in loco parentis of the other person.

\*For the complete text of Ohio Revised Code § 2907.03 see <http://codes.ohio.gov/orc/2907.03>.

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

Pursuant to Ohio Revised Code § 2907.04 Unlawful sexual conduct with a 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.

\*For the complete text of Ohio Revised Code § 2907.04 see <http://codes.ohio.gov/orc/2907.04>.

*Stalking* – Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for their safety, the safety of others, or suffer substantial emotional distress. For the purposes of this definition, the following will apply:

- 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 means 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.

Pursuant to Ohio Revised Code § 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. No person, through the use of any electronic method of remotely transferring information, including, but not limited to, any computer, computer network, computer program or computer system, shall post a message with purpose to urge or incite another to commit a violation of division (A)(1) of this section.

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

\*For the complete text of Ohio Revised Code § 2902.211 see <http://codes.ohio.gov/orc/2903.211>.

*Unfounded Crimes* – A crime may be withheld or subsequently removed from the crime log and the statistics in the rare situation in which: 1) a sworn or commissioned law enforcement officer conducted a full investigation of the reported crime; and 2) based upon the full investigation and evidence, made a formal determination that the crime report is false or baseless and therefore, unfounded.

*Weapon Law Violations* – The violation of laws or ordinances dealing with weapon offenses, regulatory in nature, such as: manufacture, sale or possession of deadly weapons, carrying deadly weapons, concealed or openly, furnishing deadly weapons to minors, aliens possessing deadly weapons, and all attempts to commit any of the aforementioned.

### Clery Act Categories of Crime Location

The statistics will be categorized separately as offenses that occur in the following places:

*On-Campus* – Any building or property owned or controlled by UC that is reasonably contiguous to one another and directly supports or relates to UC’s educational purposes. Also includes any building or property within UC’s campus, or reasonably contiguous to it, that UC owns but does not control, is frequently used by students, and is used to support UC’s educational purposes.

*On-Campus Residence Halls* – Any student housing facility that is owned or controlled by UC or is located on property that is owned or controlled by UC, and is within the reasonably contiguous geographic area that makes up the campus. Besides the normal on-campus residence halls, the following block leases are also residence halls: UPA, U Square, 101 E. Corry, University Edge, The Deacon, and Bellevue Gardens.

*Non-Campus* – Buildings or property owned or controlled by a student organization that is officially recognized by UC. Or any building or property owned or controlled by UC that is used in direct support of or in relation to, UC’s educational purposes, is frequently used by students, and is not within the same adjacent or contiguous geographic area of UC.

*Public Property* – Public property including parks, thoroughfares, streets, sidewalks, and parking facilities, within the campus or immediately adjacent to and accessible from the campus.

*Outside Agencies and International Sites* – The Department of Public Safety Clery Compliance Coordinator requests and gathers crime statistics from law enforcement as well as UC program coordinators within the sites jurisdiction and reports the data to the Department of Public Safety.

If you have any questions the Clery Compliance Coordinator can be reached by phone at 513-556-4900 or email at [clery@ucmail.uc.edu](mailto:clery@ucmail.uc.edu).

## Uptown Campus Crime Statistics

Offense	On Campus <sup>A</sup>			Residence Facilities <sup>B</sup>			On Campus Total <sup>C</sup>			Non-Campus <sup>D</sup>			Public Property <sup>E</sup>			Unfounded <sup>F</sup>		
	2019	2018	2017	2019	2018	2017	2019	2018	2017	2019	2018	2017	2019	2018	2017	2019	2018	2017
Murder/Non-negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Manslaughter by Negligence	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Rape	1*	2	2	14*	7	9	15	9	11	7*	2	3	0	0	0	1	1	0
Fondling	4	2	4	5	2	1	9	4	5	0	0	0	0	1	0	0	1	1
Statutory Rape	0	0	0	0	0	0	0	0	0	4*	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	4	1	0	0	0	0	4	1	0	0	0	1	4	1	4	0	0	1
Aggravated Assault	6	13	0	10	11	1	16	24	1	1	5	5	5	6	3	0	0	0
Burglary	24	28	49	22	14	15	46	42	64	7	6	14	0	0	0	2	4	2
Motor Vehicle Theft	12	5	15	0	0	0	12	5	15	1	0	2	0	0	0	0	1	0
Arson	0	0	0	1	0	0	1	0	0	0	0	0	0	0	0	0	0	0
Domestic Violence	0	0	2	0	0	0	0	0	2	6*	0	0	0	0	0	1	0	0
Dating Violence	2	6	0	6	6	5	8	12	5	5*	0	3	0	1	2	0	0	0
Stalking	12*	16	5	4	13	4	16	29	9	0	0	3	0	0	3	0	0	0
<b>Arrests</b>																		
Liquor Law Violations	4	1	3	5	1	2	9	2	5	0	0	0	0	0	1	NA	NA	NA
Drug Law Violations	5	3	10	2	6	3	7	9	13	2	1	0	0	1	2	NA	NA	NA
Weapon Law Violations	0	0	0	0	0	1	0	0	1	0	0	0	0	1	0	NA	NA	NA
<b>Disciplinary Referrals</b>																		
Liquor Law Violations	3	6	6	431	391	460	434	397	466	1	0	40	0	0	0	NA	NA	NA
Drug Law Violations	13	34	40	57	65	186	70	99	226	1	0	15	0	0	0	NA	NA	NA
Weapon Law Violations	0	0	0	0	1	1	0	1	1	0	0	0	0	0	0	NA	NA	NA

### Hate Crimes<sup>G</sup>

2019  
1 incident of Vandalism based on Religion that occurred on a non-campus property

2018  
No crimes to report

2017  
1 incident of Defacing Property based on Race and Sexual Orientation that occurred on campus in a residence hall  
1 incident of Defacing Property based on Gender that occurred on campus

\*Totals include data reported by Women Helping Women, based on the advocates knowledge and determination of location.

## Blue Ash Campus Crime Statistics

Offense	On Campus <sup>A</sup>			Residence Facilities <sup>B</sup>			On Campus Total <sup>C</sup>			Non-Campus <sup>D</sup>			Public Property <sup>E</sup>			Unfounded <sup>F</sup>		
	2019	2018	2017	2019	2018	2017	2019	2018	2017	2019	2018	2017	2019	2018	2017	2019	2018	2017
Murder/Non-negligent Manslaughter	0	0	1	NA	NA	NA	0	0	1	0	0	0	0	0	0	0	0	0
Manslaughter by Negligence	0	0	0	NA	NA	NA	0	0	0	0	0	0	0	0	0	0	0	0
Rape	0	0	0	NA	NA	NA	0	0	0	0	0	0	0	0	0	0	0	0
Fondling	0	0	1	NA	NA	NA	0	0	1	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	NA	NA	NA	0	0	0	0	0	0	0	0	0	0	0	0
Incest	0	0	0	NA	NA	NA	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	1	0	0	NA	NA	NA	1	0	0	0	0	0	0	0	0	0	0	0
Aggravated Assault	1	0	0	NA	NA	NA	1	0	0	0	0	0	0	0	0	0	0	0
Burglary	0	2	0	NA	NA	NA	0	2	0	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	NA	NA	NA	0	0	0	0	0	0	0	0	0	0	0	0
Arson	0	0	0	NA	NA	NA	0	0	0	0	0	0	0	0	0	0	0	0
Domestic Violence	0	0	1	NA	NA	NA	0	0	1	0	0	0	0	0	0	0	0	0
Dating Violence	1	0	0	NA	NA	NA	1	0	0	0	0	0	0	0	0	0	0	0
Stalking	8	2	0	NA	NA	NA	8	2	0	0	0	0	0	0	0	0	0	0
<b>Arrests</b>																		
Liquor Law Violations	0	0	0	NA	NA	NA	0	0	0	0	0	0	0	0	0	NA	NA	NA
Drug Law Violations	0	0	0	NA	NA	NA	0	0	0	0	0	0	0	0	0	NA	NA	NA
Weapon Law Violations	0	0	0	NA	NA	NA	0	0	0	0	0	0	0	0	0	NA	NA	NA
<b>Disciplinary Referrals</b>																		
Liquor Law Violations	0	0	0	NA	NA	NA	0	0	0	0	0	0	0	0	0	NA	NA	NA
Drug Law Violations	1	0	0	NA	NA	NA	1	0	0	0	0	0	0	0	0	NA	NA	NA
Weapon Law Violations	0	0	0	NA	NA	NA	0	0	0	0	0	0	0	0	0	NA	NA	NA

**Hate Crimes<sup>G</sup>**

2019  
No crimes to report

2018  
No crimes to report

2017  
No crimes to report

### Clermont/UC East Campus Crime Statistics

Offense	On Campus <sup>A</sup>			Residence Facilities <sup>B</sup>			On Campus Total <sup>C</sup>			Non-Campus <sup>D</sup>			Public Property <sup>E</sup>			Unfounded <sup>F</sup>		
	2019	2018	2017	2019	2018	2017	2019	2018	2017	2019	2018	2017	2019	2018	2017	2019	2018	2017
Murder/Non-negligent Manslaughter	0	0	0	NA	NA	NA	0	0	0	0	0	0	0	0	0	0	0	0
Manslaughter by Negligence	0	0	0	NA	NA	NA	0	0	0	0	0	0	0	0	0	0	0	0
Rape	0	0	0	NA	NA	NA	0	0	0	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	NA	NA	NA	0	0	0	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	NA	NA	NA	0	0	0	0	0	0	0	0	0	0	0	0
Incest	0	0	0	NA	NA	NA	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	NA	NA	NA	0	0	0	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	NA	NA	NA	0	0	0	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	NA	NA	NA	0	0	0	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	NA	NA	NA	0	0	0	0	0	0	0	0	0	0	0	0
Arson	0	0	0	NA	NA	NA	0	0	0	0	0	0	0	0	0	0	0	0
Domestic Violence	0	0	0	NA	NA	NA	0	0	0	0	0	0	0	0	0	0	0	0
Dating Violence	0	0	0	NA	NA	NA	0	0	0	0	0	0	0	0	0	0	0	0
Stalking	1	0	0	NA	NA	NA	1	0	0	0	0	0	0	0	0	0	0	0
<b>Arrests</b>																		
Liquor Law Violations	2	0	0	NA	NA	NA	2	0	0	0	0	0	0	0	0	NA	NA	NA
Drug Law Violations	0	0	0	NA	NA	NA	0	0	0	0	0	0	0	0	0	NA	NA	NA
Weapon Law Violations	0	0	0	NA	NA	NA	0	0	0	0	0	0	0	0	0	NA	NA	NA
<b>Disciplinary Referrals</b>																		
Liquor Law Violations	0	0	0	NA	NA	NA	0	0	0	0	0	0	0	0	0	NA	NA	NA
Drug Law Violations	0	1	1	NA	NA	NA	0	1	1	0	0	0	0	0	0	NA	NA	NA
Weapon Law Violations	0	0	0	NA	NA	NA	0	0	0	0	0	0	0	0	0	NA	NA	NA

**Hate Crimes<sup>G</sup>**

2019  
No crimes to report

2018  
No crimes to report

2017  
No crimes to report

## Victory Parkway Campus Crime Statistics

Offense	On Campus <sup>A</sup>			Residence Facilities <sup>B</sup>			On Campus Total <sup>C</sup>			Non-Campus <sup>D</sup>			Public Property <sup>E</sup>			Unfounded <sup>F</sup>		
	2019	2018	2017	2019	2018	2017	2019	2018	2017	2019	2018	2017	2019	2018	2017	2019	2018	2017
Murder/Non-negligent Manslaughter	0	0	0	NA	NA	NA	0	0	0	NA	NA	NA	0	0	0	0	0	0
Manslaughter by Negligence	0	0	0	NA	NA	NA	0	0	0	NA	NA	NA	0	0	0	0	0	0
Rape	0	0	0	NA	NA	NA	0	0	0	NA	NA	NA	0	0	0	0	0	0
Fondling	0	0	0	NA	NA	NA	0	0	0	NA	NA	NA	0	0	0	0	0	0
Statutory Rape	0	0	0	NA	NA	NA	0	0	0	NA	NA	NA	0	0	0	0	0	0
Incest	0	0	0	NA	NA	NA	0	0	0	NA	NA	NA	0	0	0	0	0	0
Robbery	0	0	0	NA	NA	NA	0	0	0	NA	NA	NA	0	0	0	0	0	0
Aggravated Assault	0	0	0	NA	NA	NA	0	0	0	NA	NA	NA	0	0	0	0	0	0
Burglary	1	0	2	NA	NA	NA	1	0	2	NA	NA	NA	0	0	0	1	0	0
Motor Vehicle Theft	0	0	0	NA	NA	NA	0	0	0	NA	NA	NA	0	0	0	0	0	0
Arson	0	0	0	NA	NA	NA	0	0	0	NA	NA	NA	0	0	0	0	0	0
Domestic Violence	0	0	0	NA	NA	NA	0	0	0	NA	NA	NA	0	0	0	0	0	0
Dating Violence	0	0	0	NA	NA	NA	0	0	0	NA	NA	NA	0	0	0	0	0	0
Stalking	0	0	0	NA	NA	NA	0	0	0	NA	NA	NA	0	0	0	0	0	0
<b>Arrests</b>																		
Liquor Law Violations	0	0	0	NA	NA	NA	0	0	0	NA	NA	NA	0	0	0	NA	NA	NA
Drug Law Violations	0	1	0	NA	NA	NA	0	1	0	NA	NA	NA	0	0	0	NA	NA	NA
Weapon Law Violations	0	0	0	NA	NA	NA	0	0	0	NA	NA	NA	0	0	0	NA	NA	NA
<b>Disciplinary Referrals</b>																		
Liquor Law Violations	0	0	0	NA	NA	NA	0	0	0	NA	NA	NA	0	0	0	NA	NA	NA
Drug Law Violations	0	0	0	NA	NA	NA	0	0	0	NA	NA	NA	0	0	0	NA	NA	NA
Weapon Law Violations	0	0	0	NA	NA	NA	0	0	0	NA	NA	NA	0	0	0	NA	NA	NA

**Hate Crimes<sup>G</sup>**

2019  
No crimes to report

2018  
No crimes to report

2017  
No crimes to report

## Crime Statistics Where the Location is Unknown

Offense	Unknown Location <sup>H</sup>		
	2019	2018	2017
Murder/Non-negligent Manslaughter	0	0	0
Manslaughter by Negligence	0	0	0
Rape	30	65*	10
Fondling	1	2*	0
Statutory Rape	0	0	0
Incest	0	1*	0
Robbery	0	0	0
Aggravated Assault	0	0	0
Burglary	0	0	0
Motor Vehicle Theft	0	0	0
Arson	0	0	0
Domestic Violence	10	0	2
Dating Violence	8	28*	1
Stalking	3	8*	1

\*Women Helping Women ("WHW")<sup>I</sup> submitted statistical data only for the purpose of this report. WHW does not track the locations of their clients' assaults. For 2018, WHW provided services to students who reported the following crimes:

- 61 incidents of Rape
- 1 incident of Fondling
- 1 incident of Incest
- 27 incidents of Dating Violence
- 8 incidents of Stalking

## Footnotes

- A. Does not include residence halls.
- B. Only includes residence halls.
- C. Combination of On Campus and Residence Facilities.
- D. Non-Campus statistics include police reports taken from other law enforcement agencies. Every effort has been made to comply with the definitions contained in the Handbook for Campus Safety and Security Reporting, but public property statistics provided by outside agencies are not independently verified by UC and may include reports of crimes that occurred in private residences, businesses, or in other non-campus locations.
- E. Public Property statistics include police reports taken from other law enforcement agencies. Every effort has been made to comply with the definitions contained in the Handbook for Campus Safety and Security Reporting, but public property statistics provided by outside agencies are not independently verified by UC and may include reports of crimes that occurred in private residences, businesses, or in other non-campus locations.
- F. Unfounded crimes are reported crimes investigated by law enforcement authorities and found to be false or baseless. Only sworn or commissioned law enforcement personnel may find a reported crime as “unfound.” When a crime statistic has been disclosed and is “unfounded” in a subsequent year, the crime statistics will be revised and a notation will be made to explain the revision. Unfounded statistics are not included in the Campus Total for the crime statistics, they are counted in a separate row.
- G. Hate Crimes are crimes that manifest evidence that the victim was intentionally selected because of the victim’s actual or perceived race, religion, sexual orientation, gender, ethnicity, or disability. Reportable hate crimes include the offenses of Aggravated Assault, Arson, Burglary, Manslaughter- Negligent, Murder and Non-Negligent Manslaughter, Motor Vehicle Theft, Robbery, Forcible Sex Offenses, Non-Forcible Sex Offenses, other hate crimes involving bodily injury, Larceny-Theft, Intimidation, Destruction/Damage/Vandalism or Property, and Simple Assault.
- H. Where UC cannot rule out the possibility that the incident occurred on Clery Act geography, statistics are still reported and included in a separate Crime Statistics Chart. Statistics may include reports that have been made to campus security authorities other than UCPD or local law enforcement. Although these reports are not always reported to UCPD, or independently investigated and verified by UCPD as having occurred, lack of verification does not necessarily reflect on the report’s veracity.
- I. WHW is a community based organization and independent of UC that provides confidential advocates to UC students and employees. Because WHW is confidential, WHW did not track the geographic location of where its clients were assaulted in 2018. Therefore, the incidents reported by WHW for inclusion in the Crime Statistics Chart may include crimes not typically reportable under the Clery Act because the crime occurred outside of UC’s Clery Act geography. Because the geographic location of the incidents reported by WHW could not be verified, those statistics were still reported and included in the Crime Statistics Chart under “Unknown Location.”

## Fire Safety Report

The Higher Education Opportunity Act, requires institutions that maintain on-campus student housing facilities to publish an annual fire safety report. UC's Department of Public Safety is responsible for creating the annual fire report, submitting annual fire statistics, and maintaining the fire log. The fire log can be viewed [here](#).

All campus housing fires must be reported to UC's 911 Communications Center, which notifies the Director of Public Safety, Director of Housing, UCPD, and UC Emergency Management. In the event of a fire, and if the person is able to do so without self-endangerment, then activates the nearest pull station and calls 911. If you find evidence or hear of a fire that has been extinguished and are unsure whether the fire has been reported, please contact UC's Communication Center at 513-556-1111. When calling, please provide as much information as possible about the location, date, time, and cause of the fire.

If you have any questions or concerns regarding any of the statistics and information in this report, please contact UC Fire Prevention at 513-556-4989.

### Number of Regular Mandatory Supervised Fire Drills

All campus-housing facilities had four evacuation drills conducted by UC's Fire Prevention Unit. They were conducted on March 11, June 14, August 29, and October 28, 2019.

### Policies on Portable Electrical Appliances, Smoking, and Open Flames

UC's practice is to supply at least one small refrigerator in every room or suite. The type and number of units provided varies based on room capacity. Additional microwaves, refrigerators, or micro-fridges are prohibited in Calhoun, Dabney, Daniels, and Siddall Halls. Residents who, for medical reasons, need to request an exception to this policy should direct their request, in writing, to the Residence Coordinator. In Turner, Schneider, and Campus Recreation Center Halls, one additional microwave per suite is permitted. No additional refrigerator may exceed 4.0 cubic feet and no additional microwave may exceed 600 watts.

The following appliances/devices are prohibited (exceptions for medical reasons will be considered in consultation with the office of Accessibility Resources):

- Air Conditioners (all residence facilities are 100 percent air conditioned);
- Broilers;
- Candles;
- Electric skillets, indoor/outdoor grills, including George Foreman grills, griddles, sandwich makers, and woks;
- Fryers;
- Halogen lamps;
- Hot plates;
- Hot oil popcorn poppers;

- Laser sights/lasers;
- Space heaters;
- Toaster ovens;
- Waffle iron/makers;
- Candles, incense, and any open flames (candles and incense may be used for religious rites only in the designated public areas scheduled in advance with the Residence Coordinator and Department of Public Safety); and
- Smoking is prohibited on all UC campuses.

See the [Guide to Living on Campus](#) for more information regarding prohibited items and conduct in the dorms.

### Fire Safety Education and Training Programs for Students, Faculty, and Staff

Faculty, students, and staff who work in areas equipped with fire extinguishers, and may be required to use them, must attend annual hands-on fire extinguisher training. Others may obtain training through an interactive fire extinguisher web-based training program.

All members of the housing staff, including Resident Advisors, complete fire safety education annually prior to students' arrival on campus. The housing staff participates in residence hall evacuation drills where fire conditions are simulated using a smoke/fog machine. Housing staff also take part in hands-on fire extinguisher training, fire department ladder/rescue evacuation drills, and fire safety seminars. Students are required to complete online training.

More information on web-based and hands-on training can be found [here](#).

### Procedures for Student Housing Evacuation

In the event of a fire alarm, evacuation is required. When a fire alarm sounds, quickly get a coat, shoes, your keys, and identification. Look through the viewer of your room door to check the hall for smoke or fire. Feel your room door with the back of your hand. If the door is cool, and you do not see any smoke or fire in the area, exit your room, lock your door, and leave the building using the nearest stairwell. Always know two ways out, never use elevators during a fire alarm, and proceed directly outside to the pre-determined meeting location for the respective building.

Evacuation is required for all fire alarms. Failing to evacuate or "hiding" is very dangerous and illegal. An actual fire may not always be evident in the building area in which you are located. Failure to evacuate may result in legal charges.

If you are unable to evacuate your room because of smoke or fire in the hallway or disability (permanent or temporary), close your room door and get low to the ground where the air is fresher. Block the gap under your door and vents with wet towels or other clothing type material. Open your room drapes or blinds. If you are on the ground floor, escape through a window if possible. If you are on any other floor, hang an item like a sheet or towel from your window to draw attention to yourself and wait for further assistance from the fire department. In Campus Rec Center Hall, if you cannot evacuate the building due

to disability, if possible, evacuate to the nearest area of rescue assistance, typically marked on a stairwell landing. All residents should become familiar with these locations in advance of an emergency.

### Fire Alarm Activation for Smoke, Fire, or Burning Odors

If you see smoke, fire, or smell a burning odor, take the following actions:

- Activate the nearest fire alarm pull station while exiting the building.
- If possible, close all doors and windows.
- DO NOT USE THE ELEVATORS.
- Exit the building as quickly as possible and call 911 once outside.
- Building Safety Point of Contacts will account for all employees and visitors and advise the fire department of relevant information.
- Building Safety Point of Contacts must report missing employees/visitors and the last known locations to emergency personnel.
- Do not reenter a building unless approved by emergency responders.

Individual building emergency plans are located on the [Department of Public Safety's Emergency Management](#) website.

### Plans for Future Improvement in Fire Safety

As of this time, it is the intention of the University of Cincinnati to begin the renovation of Calhoun Hall in 2022.

## Current Fire Safety Systems in UC Residential Facilities

Residential Facilities	Address	Fire Alarm Monitoring	Full Sprinkler System <sup>1</sup>	Smoke Detection	Fire Extinguisher Devices	Evacuation Plans
Bellevue Garden Apts	215 Martin Luther King	X	X	X	X	X
Bellevue Garden Apts	223 Martin Luther King	X	X	X	X	X
Bellevue Garden Apts	231 Martin Luther King	X	X	X	X	X
Bellevue Garden Apts	239 Martin Luther King	X	X	X	X	X
Calhoun Hall	240 Calhoun St	X	X	X	X	X
Campus Rec Center	2800-2840 Bearcat Wy	X	X	X	X	X
Dabney Hall	101 W Daniels St	X	X	X	X	X
Daniels Hall	45 W Daniels St	X	X	X	X	X
Marian Spencer Hall	2911 Scioto Ln	X	X	X	X	X
Morgens Hall	2831 Scioto Ln	X	X	X	X	X
Scioto Hall	2921 Scioto Ln	X	X	X	X	X
Siddall Hall	2540 Corbett Dr	X	X	X	X	X
Stratford Bldg 1	2657 Clifton Ave	X	X	X	X	X
Stratford Bldg 2	2653 Clifton Ave	X	X	X	X	X
Stratford Bldg 3	2661 Clifton Ave	X	X	X	X	X
Stratford Bldg 4	2646 Stratford Ave	X	X	X	X	X
Stratford Bldg 5	2650 Stratford Ave	X	X	X	X	X
Stratford Bldg 6	2659 Stratford Ave	X	X	X	X	X
Stratford Bldg 7	2649 Stratford Ave	X	X	X	X	X
Stratford Bldg 8	2647 Stratford Ave	X	X	X	X	X
Stratford Bldg 9	2645 Stratford Ave	X	X	X	X	X
Stratford Bldg 10	2643 Stratford Ave	X	X	X	X	X
Stratford Bldg 11	2641 Stratford Ave	X	X	X	X	X
Stratford Bldg 12	2639 Stratford Ave	X	X	X	X	X
Stratford Bldg 13	2637 Stratford Ave	X	X	X	X	X
Stratford Bldg 14	2635 Stratford Ave	X	X	X	X	X
Stratford Bldg 15	2633 Stratford Ave	X	X	X	X	X
Stratford Bldg 17	2647 Clifton Ave	X	X	X	X	X
Stratford Bldg 18	2643 Clifton Ave	X	X	X	X	X
Stratford Bldg 19	2639 Clifton Ave	X	X	X	X	X
Stratford Bldg 20	2629 Clifton Ave	X	X	X	X	X
Stratford Bldg 21	2625 Clifton Ave	X	X	X	X	X
Schneider Hall	60 W Daniels St	X	X	X	X	X
Turner Hall	45 W University Ave	X	X	X	X	X
University Park Apts	2545 Dennis St	X	X	X	X	X
University Park Apts	140 Calhoun St	X	X	X	X	X
University Park Apts	220 Calhoun St	X	X	X	X	X

<sup>1</sup>Sprinklers both in common areas and individual rooms

## 2019 Statistical & Related Information Regarding Fires in Residential Facilities

Residential Facilities	Address	Total	Cause	Injuries	Deaths	Property Damage
Bellevue Garden Apts	215 Martin Luther King	0		0	0	\$0
Bellevue Garden Apts	223 Martin Luther King	0		0	0	\$0
Bellevue Garden Apts	231 Martin Luther King	0		0	0	\$0
Bellevue Garden Apts	239 Martin Luther King	0		0	0	\$0
Calhoun Hall	240 Calhoun St	1	Unintentional: rechargeable skate board caught fire	0	0	\$50,000-99,999
Campus Rec Center	2800-2840 Bearcat Wy	0		0	0	\$0
Dabney Hall	101 W Daniels St	0		0	0	\$0
Daniels Hall	45 W Daniels St	1	Arson: poster set on fire	0	0	\$0-99
Marian Spencer Hall	2911 Scioto Ln	0		0	0	\$0
Morgens Hall	2831 Scioto Ln	0		0	0	\$0
Scioto Hall	2921 Scioto Ln	0		0	0	\$0
Siddall Hall	2540 Corbett Dr	0		0	0	\$0
Stratford Bldg 1	2657 Clifton Ave	0		0	0	\$0
Stratford Bldg 2	2653 Clifton Ave	0		0	0	\$0
Stratford Bldg 3	2661 Clifton Ave	0		0	0	\$0
Stratford Bldg 4	2646 Stratford Ave	0		0	0	\$0
Stratford Bldg 5	2650 Stratford Ave	0		0	0	\$0
Stratford Bldg 6	2659 Stratford Ave	0		0	0	\$0
Stratford Bldg 7	2649 Stratford Ave	0		0	0	\$0
Stratford Bldg 8	2647 Stratford Ave	0		0	0	\$0
Stratford Bldg 9	2645 Stratford Ave	0		0	0	\$0
Stratford Bldg 10	2643 Stratford Ave	0		0	0	\$0
Stratford Bldg 11	2641 Stratford Ave	0		0	0	\$0
Stratford Bldg 12	2639 Stratford Ave	0		0	0	\$0
Stratford Bldg 13	2637 Stratford Ave	0		0	0	\$0
Stratford Bldg 14	2635 Stratford Ave	0		0	0	\$0
Stratford Bldg 15	2633 Stratford Ave	0		0	0	\$0
Stratford Bldg 17	2647 Clifton Ave	0		0	0	\$0
Stratford Bldg 18	2643 Clifton Ave	0		0	0	\$0
Stratford Bldg 19	2639 Clifton Ave	0		0	0	\$0
Stratford Bldg 20	2629 Clifton Ave	0		0	0	\$0
Stratford Bldg 21	2625 Clifton Ave	0		0	0	\$0
Schneider Hall	60 W Daniels St	0		0	0	\$0
Turner Hall	45 W University Ave	0		0	0	\$0
University Park Apts	2545 Dennis St	0		0	0	\$0
University Park Apts	140 Calhoun St	0		0	0	\$0
University Park Apts	220 Calhoun St	0		0	0	\$0

## 2018 Statistical & Related Information Regarding Fires in Residential Facilities

Residential Facilities	Address	Total		Cause	Injuries	Deaths	Property Damage
Bellevue Garden Apts	215 Martin Luther King	0			0	0	\$0
Bellevue Garden Apts	223 Martin Luther King	0			0	0	\$0
Bellevue Garden Apts	231 Martin Luther King	0			0	0	\$0
Bellevue Garden Apts	239 Martin Luther King	0			0	0	\$0
Calhoun Hall	240 Calhoun St	0			0	0	\$0
Campus Rec Center	2800-2840 Bearcat Wy	0			0	0	\$0
Dabney Hall	101 W Daniels St	0			0	0	\$0
Daniels Hall	45 W Daniels St	0			0	0	\$0
Marian Spencer Hall	2911 Scioto Ln	1		Unintentional: hairdryer	0	0	\$0-99
Morgens Hall	2831 Scioto Ln	0			0	0	\$0
Scioto Hall	2921 Scioto Ln	0			0	0	\$0
Siddall Hall	2540 Corbett Dr	0			0	0	\$0
Stratford Bldg 1	2657 Clifton Ave	0			0	0	\$0
Stratford Bldg 2	2653 Clifton Ave	0			0	0	\$0
Stratford Bldg 3	2661 Clifton Ave	0			0	0	\$0
Stratford Bldg 4	2646 Stratford Ave	0			0	0	\$0
Stratford Bldg 5	2650 Stratford Ave	0			0	0	\$0
Stratford Bldg 6	2659 Stratford Ave	0			0	0	\$0
Stratford Bldg 7	2649 Stratford Ave	0			0	0	\$0
Stratford Bldg 8	2647 Stratford Ave	0			0	0	\$0
Stratford Bldg 9	2645 Stratford Ave	0			0	0	\$0
Stratford Bldg 10	2643 Stratford Ave	0			0	0	\$0
Stratford Bldg 11	2641 Stratford Ave	0			0	0	\$0
Stratford Bldg 12	2639 Stratford Ave	0			0	0	\$0
Stratford Bldg 13	2637 Stratford Ave	0			0	0	\$0
Stratford Bldg 14	2635 Stratford Ave	0			0	0	\$0
Stratford Bldg 15	2633 Stratford Ave	0			0	0	\$0
Stratford Bldg 17	2647 Clifton Ave	0			0	0	\$0
Stratford Bldg 18	2643 Clifton Ave	0			0	0	\$0
Stratford Bldg 19	2639 Clifton Ave	0			0	0	\$0
Stratford Bldg 20	2629 Clifton Ave	0			0	0	\$0
Stratford Bldg 21	2625 Clifton Ave	0			0	0	\$0
Schneider Hall	60 W Daniels St	0			0	0	\$0
Turner Hall	45 W University Ave	0			0	0	\$0
University Park Apts	2545 Dennis St	0			0	0	\$0
University Park Apts	140 Calhoun St	0			0	0	\$0
University Park Apts	220 Calhoun St	0			0	0	\$0

## 2017 Statistical & Related Information Regarding Fires in Residential Facilities

Residential Facilities	Address	Total	Cause	Injuries	Deaths	Property Damage
Bellevue Garden Apts	215 Martin Luther King	0		0	0	\$0
Bellevue Garden Apts	223 Martin Luther King	0		0	0	\$0
Bellevue Garden Apts	231 Martin Luther King	0		0	0	\$0
Bellevue Garden Apts	239 Martin Luther King	0		0	0	\$0
Calhoun Hall	240 Calhoun St	0		0	0	\$0
Campus Rec Center	2800-2840 Bearcat Wy	0		0	0	\$0
Dabney Hall	101 W Daniels St	0		0	0	\$0
Daniels Hall	45 W Daniels St	0		0	0	\$0
Marian Spencer Hall	2911 Scioto Ln	0		0	0	\$0
Morgens Hall	2831 Scioto Ln	0		0	0	\$0
Scioto Hall	2921 Scioto Ln	0		0	0	\$0
Siddall Hall	2540 Corbett Dr	0		0	0	\$0
Stratford Bldg 1	2657 Clifton Ave	0		0	0	\$0
Stratford Bldg 2	2653 Clifton Ave	0		0	0	\$0
Stratford Bldg 3	2661 Clifton Ave	0		0	0	\$0
Stratford Bldg 4	2646 Stratford Ave	0		0	0	\$0
Stratford Bldg 5	2650 Stratford Ave	0		0	0	\$0
Stratford Bldg 6	2659 Stratford Ave	0		0	0	\$0
Stratford Bldg 7	2649 Stratford Ave	0		0	0	\$0
Stratford Bldg 8	2647 Stratford Ave	0		0	0	\$0
Stratford Bldg 9	2645 Stratford Ave	0		0	0	\$0
Stratford Bldg 10	2643 Stratford Ave	0		0	0	\$0
Stratford Bldg 11	2641 Stratford Ave	0		0	0	\$0
Stratford Bldg 12	2639 Stratford Ave	0		0	0	\$0
Stratford Bldg 13	2637 Stratford Ave	0		0	0	\$0
Stratford Bldg 14	2635 Stratford Ave	0		0	0	\$0
Stratford Bldg 15	2633 Stratford Ave	0		0	0	\$0
Stratford Bldg 17	2647 Clifton Ave	0		0	0	\$0
Stratford Bldg 18	2643 Clifton Ave	0		0	0	\$0
Stratford Bldg 19	2639 Clifton Ave	0		0	0	\$0
Stratford Bldg 20	2629 Clifton Ave	0		0	0	\$0
Stratford Bldg 21	2625 Clifton Ave	0		0	0	\$0
Schneider Hall	60 W Daniels St	0		0	0	\$0
Turner Hall	45 W University Ave	0		0	0	\$0
University Park Apts	2545 Dennis St	0		0	0	\$0
University Park Apts	140 Calhoun St	0		0	0	\$0
University Park Apts	220 Calhoun St	0		0	0	\$0

Appendix A

<b>Date</b>	<b>Program Name</b>	<b>Department</b>	<b>Program Description</b>	<b>Target Audience</b>	<b>Primary or Ongoing Prevention</b>
Weekly	New Employee Orientation	UCPD Community Engagement	Awareness	UC Employees	Primary
Monthly	Short Vine Community Meeting	UCPD Community Engagement	Awareness / Collaboration	Community Members	Ongoing
Monthly	Corryville Community Meeting	UCPD Community Engagement	Awareness / Collaboration	Community Members	Ongoing
Monthly	Uptown Consortium Safety Committee	UCPD Community Engagement	Awareness / Collaboration	Community Members	Ongoing
Monthly	CUF Neighborhood Community meeting	UCPD Community Engagement	Awareness / Collaboration	Community Members	Ongoing
Monthly	CUF Business Association meeting	UCPD Community Engagement	Awareness / Collaboration	Community Members	Ongoing
Bi-Monthly	Board of Trustees meeting	UCPD Community Engagement	Awareness / Collaboration	Community Members	Ongoing
Weekly	Problem properties/good neighbor talks	UCPD Community Engagement	Education about being a good neighbor	Students	Primary
Weekly	Burglary follow up/burglary and theft awareness and prevention	UCPD Community Engagement	Education about burglary prevention	Students	Primary
Requested/ Needed	CEPTED/safety assessments of buildings	UCPD Community Engagement	Safety Assessments	Community Members	Primary
Requested/ Needed	Safety talks for student groups	UCPD Community Engagement	Awareness / Collaboration	Students	Primary
Requested/ Needed	Safety talks for Greek Life Fraternity's and Sorority's	UCPD Community Engagement	Awareness / Collaboration	Students	Primary
Requested/ Needed	Safety talks for Staff groups	UCPD Community Engagement	Awareness / Collaboration	UC Employees	Primary
Requested/ Needed	Active shooter and De-escalation presentations	UCPD Community Engagement	Awareness / Collaboration	Community Members	Primary

Appendix A

Requested/ Needed	Input on new Construction projects for PDC	UCPD Community Engagement	Safety Assessments	UC Employees	Primary
Requested/ Needed	Spotlight information sessions, open houses and Safety talks for high school students and their parents	UCPD Community Engagement	Awareness / Collaboration	Students	Primary
Requested/ Needed	Transfer student orientation	UCPD Community Engagement	Awareness / Collaboration	Students	Primary
Requested/ Needed	College of Business grad student orientation	UCPD Community Engagement	Awareness / Collaboration	Students	Primary
Requested/ Needed	Medical Student Orientation	UCPD Community Engagement	Awareness / Collaboration	Students	Primary
Requested/ Needed	College of Pharmacy Orientation	UCPD Community Engagement	Awareness / Collaboration	Students	Primary
Requested/ Needed	International Student orientation	UCPD Community Engagement	Awareness / Collaboration	Students	Primary
Requested/ Needed	Parking Employee Safety presentation	UCPD Community Engagement	Awareness / Collaboration	UC Employees	Primary
Requested/ Needed	Hughes High School open nights talks	UCPD Community Engagement	Awareness / Collaboration	Community Members	Primary
Requested/ Needed	Set up and interview student interns and job shadowing	UCPD Community Engagement	Awareness / Collaboration	Students	Primary
Requested/ Needed	Bicycle theft awareness, bicycle registration, U Lock distribution, Bicycle events	UCPD Community Engagement	Awareness / Education	Students	Primary
Requested/ Needed	Career fairs, wellness fairs, and demonstrations	UCPD Community Engagement	Awareness / Education	Students	Primary
Requested/ Needed	Tours of UCPD and Campus	UCPD Community Engagement	Awareness / Education	Community Members	Primary

Appendix A

Yearly	Shop with a cop	UCPD Community Engagement	Outreach / Collaboration	Community Members	Primary
Yearly	Annual Campus Lighting Survey	UCPD Community Engagement	Safety Assessments	Community Members	Primary

**3361:10-17-07                      Conduct and ethics: university alcohol policy.**

(A)    Introduction.

It is the goal of the university of Cincinnati to maintain an on campus environment that is conducive to intellectual, emotional, and social growth of all members of its community. The university of Cincinnati has established the following policy governing the possession, sale, and consumption of alcohol on its campuses. It is the university's intention through these policies to be clear about university consequences attributed to irresponsible or illegal usage of alcohol on campus.

(B)    Alcohol policy.

The university shall implement and enforce the laws of the state of Ohio as stated in the Ohio Revised Code. It is the responsibility of each student, staff, and faculty member to be familiar with the requirements of the Ohio Revised Code and the provisions of this policy and to conduct themselves accordingly.

As permitted by law individual students, faculty and/or staff may purchase, possess and/or consume beer or intoxicating liquor on campus at certain campus events, in designated campus facilities and in campus facilities having permits issued by the Ohio department of liquor control.

Restrictions in the Ohio Revised Code include the following:

- (1)    It is unlawful for a person under 21 years of age to purchase, consume, possess, or transport any beer or intoxicating liquor.
- (2)    It is unlawful to knowingly and falsely misrepresent one's age to obtain alcoholic beverages and/or to misrepresent that another is of legal age for such purpose.
- (3)    It is unlawful to have in one's possession in a public place without a permit an open container of beer or intoxicating liquor.
- (4)    It is unlawful to possess an open container and/or consume any beer or intoxicating liquor in a motor vehicle.

- (5) It is unlawful to serve, distribute beer and/or intoxicating liquor to a minor.

These laws are contained in Chapter 4301 of the Ohio Revised Code. The complete text of the state liquor laws and administrative regulations may be obtained from the department of campus security, campus library, or the Ohio department of liquor control.

Student organizations will be permitted to schedule and/or sponsor on-campus events at which alcohol would be available only at those locations having permits issued by the Ohio department of liquor control.

Student organizations that sponsor off-campus events are expected to adhere to state law. Organizations found to have violated state law may be subjected to the loss of registered status.

Administrative and academic units (colleges, departments) are permitted to schedule and/or sponsor on-campus student events at which beer or intoxicating liquor would be available only in designated areas within those units and only with the approval of the unit head. These events may not be all campus events and must adhere to regulations for on-campus events

- (C) Policy for campus events.

The following regulations must be followed at on-campus events at which beer or intoxicating liquor are served and/or sold:

- (1) The events must be properly authorized by the administrative unit responsible for the facility(s) to be used.
- (2) Consumption and/or sales are permitted only within the approved area for the event.
- (3) Non-alcoholic beverages must be available at the same place as alcoholic beverages and featured as prominently as the alcoholic beverages.
- (4) The sponsors of the event will implement precautionary measures to ensure that alcoholic beverages are not accessible or served to persons under the legal drinking age or to persons who are intoxicated.

**3361:10-17-06**

- (5) The sponsors of the event must require proof of legal age for those individual in question as to legal age.
  - (6) Marketing, advertising and promotion of events with alcoholic beverages being served should not emphasize the serving of alcohol and/or have any drinking games there associated with the event.
  - (7) Management of licensed facilities on-campus reserve the right to limit consumption and/or sales at events in the designated facilities.
- (D) Policy violations and sanctions.

Individuals and organizations found in violation of university regulations will be subject to disciplinary action and may be subject to action outlined in the Ohio Revised Code.

To be enacted.

Effective: March 29, 1993

Replaces: Rule 3361:40-5-06 (which was effective 2/15/91)

Certification: Sally A. Clark signature  
Sally A. Clark  
Interim Clerk, Board of Trustees

Date: March 9, 1993

Promulgated under R.C. Section 111.15  
Rule Amplifies: R.C. 3345.21-25  
R.C. 3361.03  
R.C. 4301.

**Title:** Conduct, rights and responsibilities: Student code of conduct.  
**Division:** 40: Students  
**Number:** 40-5-05

(A) Introduction

(1) Preamble

(a) Bearcat bond

In pursuit of its mission to develop educated and engaged citizens to enrich the global community, the University of Cincinnati (“university”) aspires for its students to demonstrate high standards of integrity and conduct. As a guide to community members to obtain this objective, in spring of 2012, the bearcat bond was endorsed by faculty senate, graduate student governance association, and student government. The bearcat bond identifies community values essential to fostering a safe and scholarly environment. The bearcat bond states the following:

“As a member of the University of Cincinnati, I will uphold the principles of a just community and the values of respect, responsibility, and inclusiveness. I will promote the highest levels of personal and academic honesty and aspire continuously to better myself, the bearcat community, and the world.”

Although there is no policy that expressly states that students are bound to the bearcat bond, the spirit of the bearcat bond is incorporated in university policy, and most especially, in the student code of conduct (S.C.O.C.).

- (b) The University of Cincinnati serves the people of Ohio, the nation, and the world as a premier, public, urban research university dedicated to undergraduate, graduate, and professional education, experience-based learning and research. We are committed to excellence and diversity in our students, faculty, staff, and all of our activities. We provide an inclusive environment where innovation and freedom of intellectual inquiry flourish. Through scholarship, service, partnerships, and leadership, we create opportunity, develop educated and engaged citizens, enhance the economy and enrich our university, city, state and global community.

When students are admitted to and attend the university, they accept the rights and responsibilities of membership in the university’s academic *and* social community. Just as the university has set high standards for membership, the university has established high standards for acceptable and unacceptable behavior for the bearcat community and its members; thus, university standards of conduct, while falling within the limits of the law, may exceed local, state, or federal requirements.

The purpose of the S.C.O.C. is to inform students of their rights and responsibilities, identify procedures to address student behavior that conflicts with community values reflected in university policies, and recommend potential sanctions, interventions, and measures designed to educate and safeguard the bearcat community and its members.

- (c) The authority for the S.C.O.C. is found in section 3345.21 of the Ohio Revised Code. The university disciplinary system is separate and independent of any criminal or civil proceeding. If a student is undergoing civil or criminal action for the same behavior which forms the basis of disciplinary action at the university, the university may still continue the disciplinary process as outlined in the S.C.O.C.
- (d) Students are responsible for knowing and honoring the university's S.C.O.C. and other rules and policies of the University of Cincinnati. The S.C.O.C. is not a contract between the university and the student. The university reserves the right to change the S.C.O.C. at any time during the student's term of enrollment.
- (e) The university has a duty to take reasonable efforts to make the S.C.O.C. available for students. The division of student affairs will regularly circulate the S.C.O.C. along with other rules, regulations, and policies, which directly affect students at the University of Cincinnati. The University will also provide notice to students when changes are made to the S.C.O.C. The S.C.O.C. will be available for review in the following locations: the office of the university ombuds, the office of student conduct and community standards, and the university's student conduct and community standards web page.
- (f) To assure compliance with federal, state, and local laws, orders of the court or other governmental authority, and university rules and policies, the university board of trustees may revise the S.C.O.C. in consultation with the office of general counsel without regard to university rule 3361:40-05-03.

(2) Student rights and responsibilities

- (a) The S.C.O.C. is applied consistently with university rule 3361:40-5-01. The S.C.O.C. will not be interpreted or applied in any way that infringes upon constitutionally protected rights and privileges, such as those under the First, Fourth, Fifth, and Fourteenth Amendments of the United States Constitution.
- (b) Students are responsible for maintaining established standards of scholarship and conduct essential to the educational mission and community life of the university.
- (c) The S.C.O.C. is administered in accordance with applicable federal, state, and local laws, court and other governmental authority orders, and university rules and policies.

(3) Jurisdiction

The University of Cincinnati reserves the right to respond to conduct that undermines, interferes with, or obstructs the safety and security of the university community or that adversely affects the integrity or interests of the educational mission or functions of the university.

(a) Students

- (i) The term “student” as used in the S.C.O.C. means an individual who has been accepted for admission to the university, registered for classes, enrolled at the university, or otherwise entered into any other relationship with the university to take or audit classes. Student status lasts until an individual graduates, withdraws from the university, is dismissed, or is not in attendance for two (2) complete fifteen (15) week consecutive semesters.
- (ii) Students who violate the S.C.O.C. are subject to appropriate disciplinary action. In addition, students enrolled in the university’s college of law or college of medicine are subject to their respective honor codes. Conduct not covered by an honor code will fall under the jurisdiction of the S.C.O.C. All other colleges with licensure or professional codes governing conduct are subject to the procedural requirements of the S.C.O.C.

(b) Student organizations

- (i) The term “student organization” refers to any number of students who have completed the necessary requirements to be registered and recognized by the university.
- (ii) Student organizations that violate the S.C.O.C. are subject to appropriate disciplinary action. Groups of students who are not registered or recognized as an organization, or who are actively seeking registration and recognition from the university, may be charged as individuals or as a group under the S.C.O.C.

(c) On- and off-campus behavior

- (i) The S.C.O.C. applies to student conduct that occurs on any university campus or on university owned, leased, or controlled premises and conduct that occurs during remote or online learning or other University related events or activities.
- (ii) The S.C.O.C. also applies to off-campus conduct when the behavior or the presence of a student or student organization, in the university’s sole judgment, impairs, obstructs, or interferes with the mission or process or functions of the university. Factors

considered by the university include, but are not limited to, the following:

- a. Whether the student was acting as a representative of the university;
  - b. The seriousness of the offense that occurred;
  - c. Injuries to students or others;
  - d. The extent of danger posed to the community;
  - e. Whether a student organization was involved;
  - f. Whether the incident could result in a felony charge; or
  - g. Whether weapons, drugs, or alcohol were involved.
- (iii) The university reserves the right to take disciplinary action for conduct when the student or student organization—in the university’s sole judgment—poses an obvious threat of serious harm to any member of the university community or when such conduct has continuing effects that effectively deny community members access to resources and opportunities, unreasonably interfere with community working and living environment, or deprive community members of protected rights, in a university program or activity. This action may be taken to address behaviors that occur before, between, during or after academic periods.
- (d) Riotous behavior
- (i) Section 3333.38 of the Ohio Revised Code focuses on the riotous behavior of students on and around university campuses. The law has two separate penalty provisions—denial of financial aid and expulsion.
  - (ii) Regarding financial aid, paragraph (B) of section 3333.38 of the Ohio Revised Code generally provides that an individual who is convicted of, pleads guilty to, or is adjudicated a delinquent child for committing aggravated riot, riot, failure to disperse, or misconduct at an emergency, shall be ineligible to receive any student financial assistance supported by state funds for two years from the time the individual applies for financial assistance.
  - (iii) Regarding expulsion, paragraph (C) of section 3333.38 of the Ohio Revised Code generally provides that a student who is convicted of, pleads guilty to, or is adjudicated a delinquent child for committing aggravated riot or riot, shall immediately be dismissed from the university. Moreover, no Ohio public university or college shall admit an individual who has been convicted of either aggravated riot or riot for one academic year after the individual applies for admission.
  - (iv) Action taken as a result of section 3333.38 of the Ohio Revised

Code does not limit the University of Cincinnati's ability to otherwise discipline students under the S.C.O.C.

(e) Reporting Misconduct

- (i) To determine whether student behavior in question is academic or nonacademic misconduct, the dean of the student's home college (or designee) and the dean of students (or designee) must consult to determine whether the matter shall be handled as academic or nonacademic misconduct, and shall notify the appropriate administrator and all parties.
- (ii) With the exception of student behavior that potentially violates Title IX, reports of nonacademic misconduct concerning a student or student organization must be reported to the office of student conduct and community standards ("S.C.C.S.") in person, by telephone, email, or U.S. mail. Reports or inquiries can also be submitted by using the online reporting form accessible on S.C.C.S.'s webpage.
- (iii) All reports or inquiries involving potential violation of Title IX must be reported to the Title IX coordinator by telephone, email, U.S. mail, or in person. Reports or inquiries can also be submitted by using the online reporting form accessible on the university's Title IX webpage.
- (iv) Instances of academic misconduct must be reported to the college conduct administrator as well as to S.C.C.S.

(f) Title IX

- (i) The university president has authority to create and implement policies to bring the university in compliance with Title IX regulations and applicable laws. The president may delegate this authority to the proper university department, who must work in consultation with the office of general counsel and in coordination and collaboration with other appropriate university offices.
- (ii) Students should refer to university Title IX policies for information on jurisdiction, definitions, hearings, and other related procedures.

(4) Definitions

(a) Timelines

Listed timelines exclude weekends, holidays, term breaks, and anytime when the university is closed or classes are not in session. Timelines may also be extended for other extenuating circumstances.

(b) Notification

All written notices to students are considered received upon delivery to a student's current local or permanent address on record with the university by United States or campus mail, by bearcat online electronic messaging (university email) with delivery notification, or to the student in person. Notice is deemed adequate unless the student demonstrates that the notice substantially impaired their ability to prepare for any review or hearing. Students are responsible for ensuring that their local and permanent addresses on record with the university are current and that they regularly check their university email.

(c) Standard of proof

The standard of proof used to determine whether a student has violated the S.C.O.C. is based on a preponderance of evidence, meaning more likely than not. Upon receipt of a complaint, all students are considered not responsible unless this standard is met.

(d) Adviser

Students and student organizations may elect to have an adviser of their choice. An adviser may consult with a student verbally or in writing in a quiet, non-disruptive manner, but the adviser may not participate as a spokesperson or vocal advocate in meetings or hearings. Students are required to notify S.C.C.S. or the college conduct administrator (C.C.A.) seventy-two (72) hours prior to any meetings or hearings if the adviser is an attorney. The conduct process will not be delayed to accommodate an adviser's schedule. Therefore, a student should select an adviser whose schedule permits attendance at the scheduled date and time. Advisers may not be present for any party who does not attend the meeting or hearing.

(e) Diminished capacity

Being under the influence of drugs or alcohol will not diminish or excuse a violation of the S.C.O.C.

(f) Sanctions for violations

A student found responsible for violating the S.C.O.C. will be subject to sanctions, up to and including dismissal. More than one sanction may be imposed for a single violation. A single act may constitute a violation of more than one regulation.

(g) Disciplinary records file

All disciplinary records and files, including those resulting in a finding of "responsible," are maintained in S.C.C.S. for a period of at least seven (7) years from the date of resolution. Disciplinary records relating to

academic misconduct are maintained by the director of S.C.C.S. Discipline records are educational records as defined by the Family Educational Rights and Privacy Act of 1974 (F.E.R.P.A.) and subject to the protections and release provisions found within.

(h) Educational conferences

The university reserves the right to schedule an educational conference to discuss the behavior of students and its impact on the mission of the University of Cincinnati. Conferences may result in an action plan agreed on by all parties to address the behavior. If the student fails to attend the education conference or if the action plan is not honored, the university reserves the right to initiate a formal review under the S.C.O.C.

(i) Home college

The home college is the college in which the student is matriculated at the time of the alleged misconduct. The vice provost for undergraduate affairs (or designee) will serve as the home college for non-matriculating undergraduate students, and the dean of the graduate school (or designee) will act as the home college for non-matriculating graduate students. In matters involving students enrolled in multiple colleges, the vice provost for undergraduate affairs will act as the home college.

(j) Withdrawal

If a student withdraws from the university before a disciplinary process has been completed, the process may continue or a hold may be placed on the student's account to prevent future registration until the disciplinary action has been resolved.

(k) Refund

The regular refund schedule outlined in university publications will apply in the event of a suspension or dismissal from university housing or the university.

(l) Policy on amnesty

(i) The university's primary concern is the health, safety, and welfare of its members. To maintain a safe and scholarly community, the university encourages students to report code of conduct violations and crimes involving a victim, including sexual misconduct.

(i) To encourage reporting, the University of Cincinnati has the discretion not to pursue certain non-violent code violations such as use of alcoholic beverages or drugs related to the incident. Amnesty may be applied to parties, bystanders, witnesses, students, or student organizations who participate in the conduct

process, or students who seek assistance for themselves or other students experiencing an alcohol and/or other drug-related emergency. Amnesty will be determined on a case-by-case basis, in an equitable manner so as not to interfere with the rights of the parties, at the discretion of the director of S.C.C.S. (or designee).

- (ii) Students receiving amnesty may still be required to participate in an educational conference.

(m) Educational response

The university may administer an educational response(s) to address student behavior. Educational responses are intended to incorporate values of the university community and allow an opportunity for students to grow as responsible members of the university community. While educational responses are not sanctions, they may be administered as a result of a student's behavior even if the behavior does not warrant a procedural review. In such cases where behavior does not warrant a procedural review, the conversation may be documented and kept on file in S.C.C.S. but is not considered disciplinary.

(B) Academic misconduct

(1) Academic integrity and honor pledge

- (a) In pursuit of its teaching, learning and research goals, the University of Cincinnati aspires for its students, faculty, and administrators to reflect the highest ethical standards defined by the center for academic integrity as “a commitment, even in the face of adversity, to six fundamental values: honesty, trust, fairness, respect, responsibility, and courage.” Although not all students are subject to a college honor code or pledge, every student is bound by the academic misconduct provisions of this code which are enforced, in part, to ensure academic integrity.
- (b) Some faculty members and academic units may require students to sign a pledge before taking tests or when submitting assignments. Honor pledges serve primarily as a teaching tool; unless a college has a mandatory honor code, pledges are used at the discretion of the instructor without imposition of a disciplinary sanction for students who honestly do passing work but object to a signed affirmation.

(2) Jurisdiction

- (a) Each college dean appoints a college conduct administrator (“C.C.A.”) who is responsible for the administration of undergraduate academic misconduct procedures. The head of each graduate program or C.C.A. (or designee) oversees the administration of academic misconduct procedures for graduate students in that graduate program. Undergraduate

program directors may have departmental responsibility for advising instructors and students with misconduct issues.

- (b) Complaints of academic misconduct shall be initiated by the instructor in whose course the alleged misconduct occurred or in the absence of an instructor, with the academic unit head or the dean (or designee). Supervisors or authorized staff involved in the testing or evaluation process, including testing center personnel and testing proctors, may also initiate complaints of academic misconduct.
- (c) When academic misconduct triggers university rule 3361:10-17-05, the academic misconduct process described herein will not commence until after the completion of the research misconduct investigation conducted pursuant to university rule 3361:10-17-5.

(3) Academic misconduct definitions

(a) Aiding and abetting academic misconduct

Knowingly helping, procuring or encouraging another person to engage in academic misconduct.

(b) Cheating

Any dishonesty or deception in fulfilling an academic requirement such as:

- (i) Use or possession of unauthorized material or technological devices.
- (ii) Obtaining unauthorized assistance or accessing, reviewing, or obtaining answers from another person or source.
- (iii) Furnishing unauthorized assistance or answers to another person.
- (iv) Possessing, using, distributing, or selling unauthorized copies of academic materials.
- (v) Representing academic work by another person as one's own.
- (vi) Doing academic work in place of another person.
- (vii) Obtaining unauthorized access to the computer files of another person or agency or altering or destroying those files.

(c) Fabrication

The falsification of any information, research statistics, lab data, or

citation in an academic exercise.

(d) Plagiarism

- (i) Submitting another's published or unpublished work in whole, in part, or in paraphrase, as one's own without fully and properly crediting the author with footnotes, quotation marks, citations, or bibliographic references.
- (ii) Submitting as one's own original work, material obtained from an individual, agency, or the internet without reference to the person, agency, or webpage as the source of the material.
- (iii) Submitting as one's own original work material that has been produced through unacknowledged collaboration with others without release in writing from collaborators.
- (iv) Submitting one's own previously written, oral, or creative work without modification and instructor permission.

(e) Violating ethical or professional standards

Violations of any ethical or professional standards as outlined by the academic college.

(4) Procedures for academic misconduct

Students suspected of academic misconduct, whether acknowledging involvement or not, will be allowed to continue in the course without prejudice pending completion of the disciplinary process. If a student chooses to withdraw from a course during their academic misconduct process, the process will continue and the student is responsible for meeting all deadlines and processes below. If the misconduct occurs at the end of an academic semester or break, the process will continue following the timeline once classes are in session, unless otherwise agreed to by all parties involved. The student is responsible for honoring all deadlines and processes below. All dates listed are in business days when classes are in session, as outlined in section (A)(4)(a). If the resolution impacts a grade or status of a class, the C.C.A. will notify the registrar as applicable.

(a) Faculty-student resolution

(i) Notice of allegation

a. First notice: Notification Form

- i. Within ten (10) days of discovering the alleged misconduct, the instructor will provide the student with notice of their alleged violation via the notification form. The notification form will include the alleged violation, a

description of the alleged misconduct, the instructor's recommended sanctions, and the student's options for resolution.

- ii. On this form, the instructor has the option to request a review meeting, which is a meeting between the instructor and student to discuss the allegation. The student may have an adviser at that meeting. This meeting must be scheduled within five (5) days of receiving the notification form.
  - a. After the review meeting, the instructor has five (5) days to:
    - i. Dismiss the allegation and the case will be considered resolved.
    - ii. Move forward with the allegation and provide a resolution form (final notice) to the student outlining the alleged misconduct and proposed sanctions.
- iii. Student response to notification form

The student has five (5) days to return the notification form to the instructor and in writing choose to do one of the following:

- a. Accept responsibility and the proposed sanction(s). If a student accepts responsibility and sanctions, the instructor will notify the C.C.A. of the resolution within five (5) days of receiving it from the student and the sanctions will be imposed.
- b. Challenge the finding or sanctions and request a review meeting, if one has not already been held pursuant to (B)(4)(a)(i)(a)(ii). If the instructor does not respond to this request within five (5) days, the allegation(s) will be dismissed. After a review meeting, the instructor has five (5) days to:
  - 1. Dismiss the allegation and the case will be considered resolved.
  - 2. Move forward with the allegation and provide a resolution form (final notice) to the student outlining the alleged misconduct and proposed sanctions.

c.

b. Final notice: resolution form

i. The student has five (5) days to respond in writing to the instructor. The student may choose to:

a. Accept responsibility for the violation(s) and agree to the sanctions.

1. The instructor will notify the C.C.A. of the college in which the misconduct occurred and the sanction(s) will be imposed.

2. The C.C.A. will record the resolution and provide a copy to the director of S.C.C.S. and the C.C.A. of the student's home college.

b. Accept responsibility but challenge a sanction and request a college hearing panel (C.H.P.).

c. Deny responsibility and request a C.H.P.

If the student denies responsibility or challenges the sanction, the instructor will ask the C.C.A. of the college in which the misconduct occurred to convene a C.H.P.

ii. If the student fails to respond to the resolution form within five (5) days then the academic sanction(s) is final.

(b) Resolution by college hearing panel

(i) College hearing panel members

a. When a faculty-student resolution is not achieved, the C.C.A., as soon as reasonably possible, convenes a C.H.P. of the college in which the alleged misconduct occurred. The C.H.P. will conduct a hearing on the alleged misconduct, issue a factual determination, and determine appropriate sanctions, if applicable.

b. The C.H.P. consists of: the hearing chair, one representative

selected by the college faculty, and one representative selected either by the college tribunal or student government for undergraduates or by the graduate college tribunals or graduate student governance association for graduate students. The hearing is chaired by the C.C.A. (or designee). The hearing chair only votes in the event of a tie.

- c. Either the respondent or the instructor alleging misconduct may challenge participation of any panel member on the grounds of conflict of interest. Challenges must be submitted in writing to the hearing chair within three (3) days after the parties have been notified of the panel composition. The challenge must specify reasons that would prevent the individual from being unbiased with respect to the hearing proceedings. The hearing chair decides whether the challenge has merit. If the challenge is granted, a substitute will be appointed and the same option to challenge exists. If the hearing chair is challenged, the dean of the college (or designee) determines the validity of the challenge and either replaces or retains the hearing chair.

(ii) Hearing participants

- a. Hearings are closed to the public.
- b. Presence at hearings is restricted to those individuals involved, except as otherwise noted.
- c. Faculty or staff alleging misconduct must participate in the hearing in-person or via video conference. If the respondent chooses not to attend the hearing, the respondent's written statements will be reviewed and evaluated based on the information available.
- d. The respondent may elect to have an adviser of their choice with them at the hearing. An adviser may consult with the student in writing, or verbally in a quiet, non-disruptive manner. The adviser may not actively participate as a spokesperson or vocal advocate in the hearing. Students are required to notify the hearing chair seventy-two (72) hours prior to the hearing if the adviser is an attorney. Delays in the hearing process will not be allowed due to the scheduling conflicts of an adviser, therefore a student should select an adviser whose schedule permits attendance at the scheduled date and time for the C.H.P. Advisers may not be present for any party who does not attend the hearing.

- e. The university ombuds may be present as an observer.
  - f. All parties will be afforded the opportunity to have witnesses participate in the hearing. Witnesses must participate in-person or via video conference. Both parties must disclose to the hearing officer the identity of the witnesses, a summary of what each witness will speak to, and submit any other evidence five (5) days after receiving a notice of hearing letter. The hearing chair will provide a list of the witnesses and any other submitted evidence to the parties generally five (5) days prior to the hearing. The hearing chair, in consultation with the C.H.P., reserves the right to limit the number of witnesses. During the hearing, witnesses are present only when giving testimony.
- (iii) Hearing procedures
- a. During the hearing only relevant information will be considered. The hearing chair and the C.H.P. have the right to determine if testimony and other evidence is relevant and may place time limitations on testimony and on opening and closing statements. The parties have the right to submit written questions to be asked of each party and witnesses who participate in the hearing. The hearing chair, in consultation with the C.H.P., has the right to review and determine which written questions will be asked.
  - b. When more than one (1) student is involved in the same allegation of misconduct, they have the right to separate hearings. Students may have their cases consolidated and heard at the same time. Such requests must be made to the hearing chair at least forty-eight (48) hours prior to the scheduled hearing. The C.H.P. has the right to maintain separate hearings. If the C.H.P. wishes to consolidate the hearings, the C.H.P. must ask each student if they are comfortable consolidating the hearing or if they wish to be heard separately. All parties and the C.C.A. (or designee) must agree to the hearing consolidation.
  - c. C.H.P. hearings, but not deliberations, are recorded by the university. Any record of the hearing will be subject to F.E.R.P.A. All respondents will have post-hearing access to inspect the recorded hearing. To maintain confidentiality, parties are not permitted to retain a copy of the recorded hearing.
- (iv) Post-hearing procedures
- a. The C.H.P. will seek to reach a consensus in adjudicating

cases. In the event there is no consensus, a majority vote will determine the outcome. In the event of tie votes, the hearing chair will vote.

- b. Within three (3) days, the hearing chair of the C.H.P. will notify the student of the C.H.P.'s decision and appeal procedures. If the student does not appeal within the specified appeal time, the decision is final and the sanctions imposed take effect. When a student is involved in an academic misconduct case outside their home college, the C.C.A. will forward a copy of the final resolution to the student, the student's home college C.C.A., and S.C.C.S. within ten (10) days after the resolution. If a student has no home college, the C.C.A. will forward a copy of the final resolution to the vice provost for undergraduate affairs (or designee) for undergraduate students, or the dean of the graduate school (or designee) for graduate students.

(5) Disciplinary sanctions for academic misconduct

Sanctions will be determined based on the severity of the misconduct. Multiple sanctions may be imposed should the behavior warrant it. Examples of disciplinary sanctions include the following:

(a) Academic disciplinary action

Includes altering a grade or assigning a failing grade for the assignment, examination, or course.

(b) Academic disciplinary reprimand

Written notification to students informing them that their behavior is unacceptable and that this incident may be taken into consideration if misconduct reoccurs.

(c) Academic disciplinary probation

Imposes specific restrictions or places extra requirements on the student for a specified period. These may vary with each case and may include action not academically restrictive in nature, such as restriction from participation in college activities or other requirements. Disciplinary action should be consistent with the philosophy of providing constructive learning experiences as a part of the probation. A student may be required to meet periodically with designated persons. Any further misconduct on the student's part during the period of probation may result in additional sanctions, including disciplinary suspension or dismissal.

(d) Academic disciplinary college suspension

Prohibits the student from attending and/or enrolling in courses within a particular academic college for a specified period of time. The student may enroll in courses offered by other academic colleges. The sanctioning administrator shall determine the effective beginning and ending date of the suspension.

(e) Academic disciplinary university suspension

University suspension prohibits the student from being present on specified university owned, leased, or controlled property without permission of the sanctioning administrator or their designee, and the student is prohibited from enrolling or participating in remote or online classes or other remote or online University events or activities, for a specified period of time. The sanctioning administrator shall determine the effective beginning and ending date of the suspension. Students placed on university disciplinary suspension must comply with all suspension requirements. A student seeking to attend the university after the conclusion of a suspension shall first request permission to re-enroll from S.C.C.S. and then apply for readmission to their college.

(f) Academic disciplinary college dismissal

Permanently prohibits the student from attending and/or enrolling in classes in a particular academic college. The student may continue attending classes in other academic colleges.

(g) Academic disciplinary university dismissal

Permanently prohibits the student from attending class at the university and from re-enrolling at the university.

(h) Academic disciplinary educational sanctions or responses

Sanctions designed to develop the student's behavior by incorporating values of the university community and allowing an opportunity for students to grow as responsible members of the university community. This may include service to the college and restrictions on the right of access to the college or university. Students should review their colleges' specific policies regarding possible sanctions for academic misconduct.

(C) Nonacademic misconduct

(1) Nonacademic misconduct definitions

(a) Aiding and abetting

Helping, procuring, or encouraging another person to engage in nonacademic misconduct.

(b) Alcohol

Possesses, consumes, or distributes alcoholic beverages on campus in unlicensed facilities, except during events or in circumstances authorized by university officials; failing to comply with state law or university policy regarding use, transportation, or sale of alcoholic beverages. Possession of containers designed for alcohol beverages in unauthorized locations and/or while underage. Containers include, but are not limited to: alcohol boxes, flasks, empty alcohol bottles/cans. Behavior that evidences public intoxication.

(c) Bullying

Any intentional written, verbal, electronic, or physical act directed toward another that is unwelcome and sufficiently severe, pervasive, or persistent to interfere with an individual's work, academic, or university course, program or activity participation, or the benefits derived therefrom, or creates an environment that a reasonable person would consider intimidating, hostile, or offensive. The determination of whether an environment is "intimidating, hostile, or offensive" is based on a totality of the circumstances, though a single or isolated incident may be severe enough on its own. Bullying does not include participating in constitutionally protected activities.

(d) Destruction of property

Damages, destroys, defaces, or alters the property of the university or the property of another person or entity.

(e) Dishonesty and misrepresentation

Provides false information, written or oral, including, but not limited to, possessing or presenting false identification, forgery, alteration, or misuse of university documents or records.

(f) Disruption or obstruction

Disrupts, obstructs, or interferes with university functions, activities, or the pursuit of the university mission, including, teaching, research, administration, or disciplinary proceedings.

(g) Disturbing the peace

Disturbs the peace, including but not limited to: disorderly conduct, failure to comply with an order to disperse, or fighting.

(h) Drugs or narcotics

Uses, manufactures, distributes, buys, sells, offers for sale, or possesses illegal drugs, narcotics, drug paraphernalia, or unauthorized use or unauthorized possession of prescription medication.

(i) Failure to comply or identify

Failure to comply with the directions of university officials or law enforcement officers acting within the scope of their duties or posted or written rules; this includes, but is not limited to, failure to evacuate during an emergency and/or failing to identify oneself to any of these persons when requested to do so.

(j) Failure to comply with sanctions

Failure to comply with sanctions imposed as a result of disciplinary action outlined in the S.C.O.C.

(k) False charges or statements

Intentionally making false charges or allegations of misconduct, including, but not limited to making or providing false statements as a part of an investigation or at university hearings.

(l) False report of emergency

Causes, makes, or circulates a false report or warning of a fire, explosion, crime or other catastrophe or emergency; including, but not limited to, activating a false fire alarm.

(m) Harassment or discrimination

- (i) Discriminatory harassment is unwelcome conduct based on the targeted individual's perceived or actual race, color, religion, national origin, ancestry, disability, genetic information, sex, age, sexual orientation, military status (including veteran status), parental status (including status as a foster parent), pregnancy, gender identity or expression, or any other status protected by law that: (1) explicitly or implicitly becomes a term or condition of employment or participation in a university course, program, or activity; or (2) is sufficiently severe, pervasive, or persistent to interfere with an individual's work, academic, or university course, program or activity participation, or the benefits derived therefrom, or creates an environment that a reasonable person would consider intimidating, hostile, or offensive. The determination of whether an environment is "intimidating, hostile, or offensive" is based on a totality of the circumstances,

though a single or isolated incident may be severe enough on its own. Discriminatory harassment does not include participating in constitutionally protected activities. Allegations of sexual harassment as defined by title IX are subject to University title IX policies and procedures established under section (A)(3)(f) of this rule.

- (ii) Discrimination takes place when an individual receives adverse treatment based on perceived or actual race, color, religion, national origin, ancestry, disability, genetic information, sex, age, sexual orientation, military status (including veteran status), parental status (including status as a foster parent), pregnancy, gender identity or expression, or any other status protected by law that is sufficiently serious as to deny or limit the individual's ability to obtain the benefits of university's programs or activities. Allegations of sex discrimination are subject to University title IX policies and procedures established under section (A)(3)(f) of this rule.

- (n) Hazing

Hazing includes

considered hazing when the initiation or admission into, or continued affiliation with, a group or organization is directly or indirectly conditional upon performing that activity. In no event shall the willingness of an individual to participate in such activity serve as a defense in cases of hazing.

- (o) Misuse of identification documents

Unauthorized transferring, lending, using, or altering a university identification card or any other record or instrument of identification.

- (p) Misuse of safety equipment

Unauthorized use or alteration of firefighting equipment, safety devices, fire alarms, fire extinguishers, or other emergency safety equipment.

- (q) Misuse of university information technology

Theft, misuse, or illegal use of university information technology resources such as computer hardware or software, electronic mail or information, podcasts, voice mail, telephone, fax, including but not limited to:

- (i) Unauthorized entry into a file to use, read or change the contents, or for any other purpose.

- (ii) Unauthorized transfer or distribution of a file.
- (iii) Unauthorized access to or use of another individual's identification and/or password.
- (iv) Use of information technology to interfere with the work of another student, faculty member, or university official or with normal operations of the university.
- (v) Use of information technology for unauthorized posting of copyrighted materials or obscenities as defined in section 2907.01(F) of the Ohio Revised Code.

(r) Passive participation

Knowingly being in the presence of any form of misconduct identified in the S.C.O.C. after one has had a reasonable opportunity to remove themselves.

(s) Physical abuse or harm, or threat of physical abuse or harm

Acts which cause or reasonably could cause physical harm to any person are prohibited. Actions that specifically threaten or cause a person to reasonably believe that the offender may cause physical harm are also prohibited. Examples of prohibited behavior include, but are not limited to, assault, battery, stalking, telephone harassment, sex or gender-based violence, threats, intimidation, physical abuse of another, dating violence, domestic violence, and any other speech or conduct not protected under the first amendment that threatens the health or safety of any person.

(t) Public endangerment

Actions that endanger others including, but not limited to: dropping objects from buildings, activating a false fire alarm, or tampering with safety equipment.

(u) Residence hall rules and regulations

Violating the terms and conditions of the university housing agreement, university lease agreement, or of published rules and regulations of the office of resident education and development (RED), office of housing, or university dining facilities.

(v) Retaliation, intimidation

Threats or acts of retaliation or intimidation made to another person in response to the implementation of the S.C.O.C. or university rules and policies.

- (w) Smoking rule  
  
Violating university rule 10-17-06 on tobacco and smoke free environment.
- (x) Theft or receipt of stolen property  
  
Theft of property or services of the university, any person, or entity.  
Unauthorized possession of property known to be stolen or that may be identified as property of the university, any person, or entity.
- (y) Trespass and unauthorized access  
  
Unauthorized access into or onto any university or other entity's property, building, room, structure or facility
- (z) Unauthorized use of property or services  
  
Unauthorized use or possession of property or resources of the university, any person, or entity.
- (aa) Unauthorized use of university keys  
  
Unauthorized use, distribution, duplication, or possession of any keys issued for any university building, laboratory, facility, room, or vehicles.  
Keys are defined as any mechanism used to access locked areas.
- (bb) University policies or rules  
  
Any violation of published university rules or policies.
- (cc) Violation of federal, state, or local law  
  
Violation of any federal, state, or local law where the effect is interference with university activities or an identifiable individual's university work or academic activities.
- (dd) Violation of probation  
  
Violating the S.C.O.C. while on university disciplinary probation or violating the specific terms of that probation.
- (ee) Weapons  
  
With the exception of provisions identified in the Ohio Revised Code Section 2923.1210, use, storage, or possession of a firearm, explosive device of any description, ammunition, or anything used to threaten, harm, or disrupt the university community including, but not limited to:

firecrackers, compressed air or spring activated guns, pellet guns, BB guns, paintball guns, water guns, nerf guns, knives of any type, or any other items which would reasonably be deemed threatening by a reasonable person.

(2) Hearing procedures for nonacademic misconduct

(a) Complaint and notice

(i) Complaint

Any person, department, organization, or entity may file a complaint alleging a violation of the S.C.O.C. by a student or student organization. Both the complainant, when applicable, and the respondent shall receive concurrent notice of the complaint.

The director of S.C.C.S. may assign a complaint to an appropriate university office to conduct an investigation prior to the initiation of the S.C.C.S. adjudication process.

(ii) Notice

- a. After reviewing a complaint, if the director of S.C.C.S. (or designee) determines there is jurisdiction under the S.C.O.C. to adjudicate the complaint, the director of S.C.C.S. (or designee) will initiate the disciplinary process by giving the student or student organization written notice of the alleged violations. The written notice describes the date, time, and location of the alleged violation(s) and inform the student or student organization about the reported circumstances underlying the alleged violation(s). The notice will state the date, time, and location of the procedural review and the name of the review administrator.

(iii) Procedural review

- a. The purpose of the procedural review is to review the alleged violations, give the complainant and respondent an opportunity to be heard and provide a statement, provide an explanation of the disciplinary process, discuss the student's or student organization's options for resolution, receive the range of sanctions if responsible, determine responsibility if further investigation is not necessary, and advise the student or student organization of recommended sanctions for the alleged violations if found responsible.
- b. Students or student organizations may elect to have an

adviser present who may consult with the student in writing or verbally in a quiet, non-disruptive manner but the adviser may not actively participate as a spokesperson or vocal advocate in the proceeding. Students or student organizations are required to notify the S.C.S.S. seventy-two (72) hours prior to the procedural review if the adviser is an attorney.

- c. Procedural reviews may be rescheduled at the discretion of S.C.C.S.
  - d. If a student or student organization fails to attend a procedural review, S.C.C.S. may schedule an administrative review committee (A.R.C. hearing).
- (iv) Options for resolution through procedural review
- a. A student or student organization may be found not responsible following a procedural review. If a student or student organization is found not responsible, their case will be considered resolved and closed.
  - b. If a student or student organization is found responsible following a procedural review, then no later than three (3) days from receipt of the finding, the student or student organization shall notify the S.C.C.S. in writing whether the student or student organization:
    - i. Accepts responsibility for the violation(s) and agrees to accept the sanction(s) imposed by the review administrator.
    - ii. Accepts responsibility but disputes the proposed sanction(s) and requests that the sanction(s) be determined by an A.R.C.
    - iii. Does not accept responsibility and requests a hearing before an A.R.C.
  - c. If the respondent fails to notify the S.C.C.S. of the option selected within three (3) days of the procedural review, an A.R.C. hearing will be scheduled.
  - d. For certain matters, S.C.C.S. encourages students or student organizations charged in the same incident and who choose to have an A.R.C. hearing, to have their cases consolidated. S.C.C.S. reserves the right to request consolidation of hearings if all parties and S.C.C.S. agree for all cases to be

heard together.

- e. Alternative resolution process: Based on the nature of the incident and the willingness of the members involved, S.C.C.S. may recommend to the parties that the matter be addressed through an educational conference or mediation. Such mediation sessions shall be conducted by a person chosen by S.C.C.S. who has been trained in mediation. No such resolution shall be conducted unless the respondent and the person(s) harmed by the student's misconduct consent to the mediation and/or alternate resolution process.

(b) Resolution by administrative review committee hearing

(i) Administrative review committee members

- a. A pool of members will be available to serve on the A.R.C. This pool will consist of no fewer than five (5) faculty and staff selected by the director of S.C.C.S. in consultation with academic colleges, no fewer than ten (10) student representatives selected by S.C.C.S. in consultation with student government association, and no fewer than four (4) graduate or professional students selected by S.C.C.S. in consultation with the graduate student governance association.

The A.R.C. is composed of the hearing chair, two (2) faculty or staff selected from the A.R.C. pool, and four (4) undergraduate student representatives selected from the A.R.C. student pool for undergraduate cases or two (2) graduate students selected from the A.R.C. student graduate pool for graduate cases.

For cases of non-title IX sexual harassment, the A.R.C. shall consist of the hearing chair and three (3) faculty or staff selected from the A.R.C. pool.

- b. The hearing chair shall be the director of the S.C.C.S. (or designee).
- c. A quorum is present for undergraduate cases when the hearing chair, one (1) faculty or staff, and three (3) student representatives are present. A quorum is present for graduate cases when the hearing chair, one (1) faculty or staff, and two (2) student representatives are present. A quorum is present for non-title IX cases of sexual harassment and discrimination when the hearing chair and two (2) faculty or staff are present. The hearing chair

will only vote in the case of a tie by the committee.

- d. The complainant or respondent may challenge participation of any committee member on the grounds of conflict of interest. Challenges must be submitted in writing to the hearing chair within three (3) days of notice of the committee composition. The challenge must specify reasons that would prevent the individual from being unbiased with respect to the hearing proceedings. The hearing chair decides whether the challenge has merit. If the challenge is granted, a substitute will be appointed and the same option to challenge shall exist. If the hearing chair is challenged, the dean of students (or designee) shall determine the validity of the challenge and either replace or retain the hearing chair.

(ii) Hearing participants

- a. Hearings are closed to the public.
- b. Presence at hearings shall be restricted to the parties involved (complainants and respondents) except as otherwise noted.
- c. Complainants, when applicable, alleging violations of the S.C.O.C. are strongly encouraged to participate in the hearing in-person or via video conference. In matters requiring credibility assessments, complainants are required to participate in the hearing in-person or via video conference. If the respondent chooses not to attend the hearing, the respondent's written statement will be reviewed and evaluated based on the information available.
- d. The complainant and respondent may elect to have an adviser present who may consult with the student in writing or verbally in a quiet, non-disruptive manner but the adviser may not actively participate as a spokesperson or vocal advocate in the hearing. The complainant and the respondent are required to notify the hearing committee chair seventy-two (72) hours prior to the hearing if the adviser is an attorney. A student or student organization should select an adviser whose schedule allows attendance at the scheduled date and time for the A.R.C. hearing, delays due to scheduling conflicts of advisers will not be considered. Advisers may not be present for any party who does not attend the hearing.
- e. The university ombuds may be present as an observer.

- f. Both parties will be afforded the same opportunities to have witnesses present for hearings. Only statements from witnesses who participate in the hearing in-person or via video conference will be considered by the A.R.C. Both parties must disclose to the hearing officer the identity of the witnesses, a summary of what each witness will speak to, and submit any other evidence five (5) days after receiving a notice of hearing letter. The hearing chair will provide a list of the witnesses and any other submitted evidence to the parties generally five (5) days prior to the hearing. The hearing chair, in consultation with the A.R.C., reserves the right to limit the number of witnesses. Witnesses are present only when giving testimony.
- g. The hearing chair reserves the right to make appropriate and/or reasonable accommodations as required under law and/or to secure the safety and comfort of all parties and witnesses during a conduct proceeding.

(iii) Hearing procedures

- a. Committee hearings are recorded by the university. Committee deliberations will not be recorded. Any record of the hearing will be subject to F.E.R.P.A. All parties may have post-hearing access to inspect the recorded hearing. To maintain confidentiality, parties are not permitted a copy of the recorded hearing.
- b. During the hearing only relevant information will be considered. The hearing chair, in consultation with the A.R.C., determines if testimony and other evidence is relevant and may place time limitations on testimony and opening and closing statements.
- c. The respondent and the complainant will have the right to submit written questions to be asked of all witnesses who participate in the hearing. The hearing chair, in consultation with the A.R.C., has the right to review and determine which written questions will be asked. Only relevant questions will be considered.
- d. Complainants and respondents will be given an opportunity to present a closing statement. At the close of the hearing, the A.R.C. will deliberate privately to determine if the respondent violated the S.C.O.C.

(iv) Post-hearing procedures

- a. The A.R.C. will seek to reach consensus in adjudicating

cases. In the event there is no consensus, a majority vote will determine the outcome. In the event of tie votes, the hearing chair will render a vote. Within three (3) days, the hearing chair will notify the student of the A.R.C. decision and appeal procedures.

- b. If the student does not appeal within the specified appeal time, the outcome and sanctions imposed take effect.
- c. Victims of crimes of violence, including violent crimes as defined in the section 2901.01 of the Ohio Revised Code will receive concurrent notification of results of the campus disciplinary proceedings.

(3) Sanctions and interim measures for nonacademic misconduct

- (a) The university may impose interim measures to protect the rights, ensure the safety, or address the concerns of students, staff, faculty, and the university community.
- (b) Students and student organizations found responsible for violating the S.C.O.C. will be subject to sanctions. Sanctions are designed to promote the university's educational mission, maintain safety, and deter behavior that violates the S.C.O.C. Behavior that is harmful to the university community or so deleterious to the educational process may require more stringent sanctions such as removal from activities, courses, residence hall, or the university. Remedies also may be provided to the parties or the campus community, as appropriate.
- (c) Implementation of sanctions is immediate or as defined.
- (d) Disclosures
  - (i) The University of Cincinnati may notify the parents or guardians of any student who is under the age of twenty-one (21) and who has been found to be in violation of the S.C.O.C. with respect to any federal, state, or local law or university policy governing the use or possession of alcohol or a controlled substance.
  - (ii) Students will receive notice of notification letters sent to their parents or guardians.
  - (iii) The university also reserves the right to make any disclosures as permitted by F.E.R.P.A.
  - (iv) In complaints involving crimes of violence, the complainant will receive written notification of sanctions that the respondent may receive, consistent with federal and state law.

(e) Disciplinary sanctions for nonacademic misconduct

(i) University disciplinary reprimand

Written notification to students or student organizations indicating that their behavior is unacceptable and that any other violation may warrant further sanctions.

(ii) University disciplinary probation

Disciplinary probation is in effect for a specified period of time. A violation(s) of any university policy, rule, or agreement during the period of probation will be viewed as a violation of probation, and will result in further action being imposed, which may include suspension or dismissal. Disciplinary probation may impose specific restrictions or place extra requirements on the student or student organization for a specified period. Restrictions may vary with each case and may include but are not limited to restrictions related to participation in intercollegiate athletics, representing the university, student leadership, and extracurricular and/or residence life activities. A student or student organization may be required to meet periodically with designated persons. Students or student organizations on university disciplinary probation are not considered to be in good disciplinary standing with the university.

(iii) University disciplinary suspension

Prohibits the student from attending, or student organization being recognized by, the university and from being present without permission of the director of the S.C.C.S. (or designee) on any university owned, leased, or controlled property, and prohibits the student from enrolling or participating in remote or online classes or other remote or online University events or activities, for a specified period of time. University disciplinary suspensions shall have effective beginning and ending dates. Students or student organizations placed on university disciplinary suspension must comply with all suspension requirements. A student seeking to attend the university, or student organization seeking recognition, after the conclusion of the suspension shall first request permission to re-enroll, or re-register, from S.C.C.S.

(iv) University disciplinary dismissal

Permanently prohibits the student, or student organization, from enrolling, attending, or being recognized by, the university and from being present, without permission, at any university event or on any university owned, leased, or controlled property.

(v) University educational sanctions

Sanctions designed to address the student's, or student organization's, behavior may include, but are not limited to, the following: educational conferences and/or discussions, reflection papers, educational workshops, service to the university or university community, restrictions on the right of access to campus facilities or events and participation in student organizations or events, restitution for damage or expenses caused by the misconduct, or other educational or developmental programs.

(vi) Interim suspension

(a) An interim suspension is an interim action, effective immediately, designed to evaluate the student, or student organization, status, prohibit the presence of the student, or student organization, on campus and/or from participating in any university-related activities, registered student organization activities, and academic coursework until the student's, or student organization's, disciplinary case can be resolved in accordance with prescribed disciplinary procedures. Such action shall be taken when the dean of students (or designee) has reasonable cause to believe that the student's or student organization's operation or presence on university owned, leased, or controlled property or at a university-related activity, or registered organization related activity, or remote or online classes or other remote or online University events or activities, poses a substantial threat to the health, welfare, or safety of others or the university. An interim suspension begins immediately upon written notice by the dean of students (or designee).

(b) Interim suspension may be imposed pending the application of the disciplinary process. A disciplinary hearing shall be scheduled by the university without undue delay. The student or student organization may, within three (3) days of the imposition of the suspension, petition the vice president for student affairs for reinstatement prior to the hearing. The petition must be in writing and must include supporting documentation or evidence that the student or student organization does not pose, or no longer poses, a significant risk of substantial harm to the health or safety of others or to property. A meeting on such petition will be conducted as soon as possible by the vice president for student affairs (or designee). The purpose of this meeting will be to determine if the interim suspension shall remain in effect, be modified, or be revoked pending a disciplinary hearing.

(f) Sanctioning of student organizations

In addition to sanctions identified in (C)(3), the following sanctions may be imposed on student organizations found responsible for violating the S.C.O.C.:

(i) Loss of student organization privileges

Restricts or removes an organization's privileges on and off campus for a specified period of time. Restrictions may vary with each case and may include, but are not limited to, the following: use of university facilities or services; ability to sponsor, co-sponsor, host, or co-host activities or events; and ability to participate in activities or events such as, but not limited to, intercollegiate athletics, social events, representing the university, student leadership, extracurricular and/or residence life activities.

(ii) Loss of university funds

Loss of university funds includes ineligibility to receive funds from any university entity for student organization purposes for a specified period of time, including but not limited to: university funding board, undergraduate student government, graduate student government, student activities and leadership development, and/or fraternity and sorority life.

(iii) Restitution for damage

Restitution may include a student organization being required to repair all damages related to the misconduct, which may include, but is not limited to, assessment of reasonable expenses, such as repair or replacement cost for any damage to property, or any related expenses incurred by the affected parties.

(iv) Termination of university registration / revocation of university recognition

Prohibits a student organization from being registered or recognized by the university for a specified period of time. During this time, the student organization is prohibited from functioning as a student organization in any capacity both on and off campus. This includes, but is not limited to, the following: alumni events; hosting, sponsoring, co-hosting or co-sponsoring charitable and philanthropic events and social events; participating as an

organization in charitable or philanthropic events and social events; meeting as an organization; and, participating in tournaments or other sporting events, trainings, or recruitment. Unregistered and/or unrecognized student organizations are not allowed to re-activate as a student organization without prior written permission from S.C.C.S., student activities and leadership development, and/or fraternity and sorority life. An unregistered or unrecognized student organization must apply for reinstatement following the term of the suspension by submitting a letter to S.C.C.S., student activities and leadership development; and/or fraternity and sorority life, if applicable.

(D) Appeal process

- (1) The vice president for student affairs (or designee) will appoint no less than two (2) and no more than five (5) university faculty or staff to serve as university appeals administrators (U.A.A.). An appeal administrator will not have played a role in any investigation or hearing relating to the appeal.
- (2) Filing an appeal
  - (a) A student or student organization found responsible for either an academic or nonacademic violation of the S.C.O.C. has the right to appeal. An appeal must be submitted in writing to the director of S.C.C.S. within five (5) days of receipt of the outcome letter unless S.C.C.S. specifies a longer period of time in writing based on a party's written request for additional time not to exceed ten (10) days. The written appeal must include a permissible ground for appeal and information to support the appeal. Upon receipt of the appeal, the director of the S.C.C.S. will forward the appeal along with the student or student organization file to a U.A.A. for review.
  - (b) In non-title IX sexual harassment matters adjudicated under the S.C.O.C., both the complainant and the respondent have the right to appeal on all permissible grounds.
  - (c) A student or student organization may challenge participation of a U.A.A. on the grounds of conflict of interest. Challenges must be submitted in writing to the director of the S.C.C.S. (or designee) along with the appeal within five (5) days. The challenge must specify reasons that would prevent the individual from being unbiased with respect to the hearing proceedings. The director of S.C.C.S. (or designee), in consultation with the dean of students, will decide whether the challenge has merit. If the challenge is granted, a substitute will be appointed by the director of S.C.C.S. (or designee) and the same option to challenge shall exist.
  - (d) In appeals involving non-title IX sexual harassment, both the complainant and respondent may challenge the participation of a U.A.A. on the grounds of conflict of interest as per the process outlined above.

- (3) Permissible grounds for appeal: Grounds for appeals will be limited to the following:
  - (a) New information: new information was discovered, which was not available at the time of the hearing, and such evidence could affect the decision in the case.
  - (b) Procedural error: a substantial procedural error occurred in the process which affected the decision in the case.
  - (c) Sanction of suspension or dismissal: a sanction of suspension or dismissal from the university was imposed and is not commensurate with the violation.
  - (d) Non-title IX sexual harassment appeal of sanctions: In appeals involving crimes of violence or non-title IX sexual harassment, any sanction may be appealed by either the complainant or respondent on the grounds that the sanction is not commensurate with the violation.
- (4) Procedure
  - (a) U.A.A.s review all appeals. All steps in the appeal process will occur as soon as reasonably possible.
  - (b) U.A.A.s review for permissible grounds:
    - (i) If the U.A.A.s determine that an appeal was submitted that does not fall within one of the four permissible grounds then the U.A.A.s will reject and return the appeal to the student and include a brief written explanation of the reason the appeal was rejected. That decision is final.
    - (ii) In appeals involving non-title IX sexual harassment, both the complainant and respondent will be notified of an appeal that is deemed groundless.
  - (c) U.A.A.s. review for new information or substantial procedural error:
    - (i) If the U.A.A.s determine that the new information described in the appeal was not available earlier and could affect the decision or that a substantial procedural error occurred in the process which could have affected the decision in the case, the U.A.A.s will charge the A.R.C. or C.H.P. to hold a limited hearing for the sole purpose of reviewing the new information or to correct the procedural error.
    - (ii) The new hearing will be limited in scope. It will not include any review of evidence or testimony or modification of factual conclusions reached in the original hearing, unless they are

affected by the new information or by the procedural error. The appeal and complete hearing file will be provided to the A.R.C. or C.H.P.

- (iii) If members of the A.R.C. or C.H.P., which initially heard the complaint, are unavailable for continued service, substitute members will be selected by the director of S.C.C.S. (or designee) from the original pool or by the C.C.A. U.A.A.s are not members of the A.R.C. or C.H.P. and do not participate in the review process.
  - (iv) Following this limited hearing, the A.R.C. or C.H.P. will submit a report, and possibly a revised outcome, to the U.A.A.s. The U.A.A.s shall review the file and outcome. If it is the opinion of the U.A.A.s that the new evidence was considered or the procedural error corrected, the U.A.A.s shall forward the recommendation to the appropriate designee. If the U.A.A.s determine the A.R.C. or C.H.P. failed to correct the procedural error or failed to consider the new evidence, the U.A.A.s shall return the matter to the A.R.C. or C.H.P. with instructions to reconsider.
- (d) U.A.A.s review of sanction of suspension or dismissal:
- (i) For appeals of suspension or dismissal based on a claim that suspension or dismissal is not commensurate to the violation, the U.A.A.s will review the file and issue a recommendation to concur with or modify the sanction, then send the file to the appropriate party designated in (D)(5)(a) of this section.
- (e) U.A.A.s review of non-title IX sexual harassment sanctions:
- (i) For appeals of non-title IX sexual harassment sanction(s) based on a claim that the sanction is not commensurate with the offense, the U.A.A.s will review the file and issue a recommendation to concur with or modify the sanction(s), then send the file to the appropriate party designated in (D)(5)(a) of this section.
  - (f) The student may continue in their courses without prejudice or interruption until the appeal is final except in matters where an interim suspension was already in effect.
- (5) Final Decision
- (a) The final decision to accept, reject, or modify the recommended sanction and to notify all parties in writing of the final decision rests with: the dean of students (or designee) for nonacademic misconduct sanctions other than

dismissals; the vice president for student affairs (or designee) for nonacademic misconduct sanctions of dismissal; the home college deans (or designee), if no home college, the vice provost (or designee) for academic misconduct sanctions other than dismissal; and, the provost (or designee) for academic misconduct sanctions of dismissal.

- (b) In appeals involving non-title IX sexual harassment, the complainant and respondent will receive concurrent notification in writing of the final decision.

Approved by the University of Cincinnati Board of Trustees August 25, 2020.

Published by the Division of Student Affairs.

Reference University Rule 3361:40-5-05, located in the Langsam Library, Board of Trustees Office, Office of the Vice President for Student Affairs and Services, and college offices.

 <p><b>Category:</b> Student Affairs</p> <p><b>Policy applicable for:</b> Faculty/Staff/Students</p>	<p><i>Policy Title:</i> <b>Missing Residents in On-Campus Housing Facilities</b></p> <p><b>Effective Date:</b></p> <p><b>Prior Effective Date:</b> 04/01/2011</p> <p><b>Enabling Acts:</b> Higher Education Reauthorization Act 2010</p>	<p><i>Policy Number:</i> <b>4.1.2</b></p> <p><b>Policy Owner:</b> Vice President for Student Affairs</p> <p><b>Responsible Office(s):</b> Office of the Dean of Students &amp; Resident Education and Development</p>
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**IF YOU HAVE DETERMINED THAT A STUDENT LIVING IN ON-CAMPUS HOUSING IS MISSING, IMMEDIATELY CONTACT THE UNIVERSITY OF CINCINNATI POLICE DEPARTMENT AT 911 (FROM A CAMPUS PHONE) OR 513-556-1111 (FROM A CELL PHONE OR OFF-CAMPUS PHONE).**

### **PURPOSE**

The purpose of this policy is to establish a missing student notification policy for students who reside in on-campus housing.

### **DEFINITION OF “ON-CAMPUS HOUSING”**

For the purposes of this policy, “on-campus housing” includes any residential facility for students that is located on the University’s campus or located off-campus but leased by the University to provide residential housing for its students, even if the building is owned or maintained by another party.

If you have any questions as to whether a specific housing facility is considered “on-campus housing,” please contact the Office of Resident Education & Development at (513) 556-6476.

### **CONFIDENTIAL CONTACT**

A student living in an on-campus housing facility has the right to identify a confidential contact person(s) (“CCP”) who will be contacted not later than 24 hours after the time a student is determined missing. The University will not assume that the CCP is the same individual(s) identified as the student’s general emergency contact. A CCP is only contacted for missing person purposes. Access to a student’s CCP information is restricted to authorized University officials who may only release the information to law enforcement officers, acting in furtherance of the missing student investigation.

The University will provide students living on-campus with information on their right to identify a CCP and the process for registering the CCP’s contact information annually. A student may change the CCP at any time. To register or modify a CCP, a student may visit their housing application anytime at <http://www.uc.edu/housing/apply.html> or contact UC Housing at (513) 556-6461.

The CCP will be contacted no later than 24 hours after the time that the student is determined missing by University of Cincinnati Police Department (“UCPD”) or local law enforcement.

### **STUDENTS UNDER 18 YEARS OF AGE**

If a missing student is under 18 years of age, and not an emancipated individual, the University is required to notify a custodial parent or guardian no later than 24 hours after the time the student is determined missing.

## **REPORTING A MISSING STUDENT**

### ***University Employees:***

When any University employee receives a report that a resident of on-campus housing is believed to be missing, the employee must immediately contact UCPD at (513) 556-1111. UCPD will contact the Dean of Students regarding the missing student report and determine next steps related to investigating, including notifying the proper parties regarding the missing student (e.g. confidential contact, emergency contact, family). University employees, besides UCPD, should refrain from contacting the family of a missing student unless instructed to do so by UCPD.

### ***Students or Other Concerned Parties:***

When a student residing in on-campus housing is determined to be missing, a student or any concerned person should immediately contact either:

1. UCPD at (513) 556-1111, 24 hours a day;
2. A residence hall staff member at (513) 206-2644, 24 hours a day;
3. The Dean of Students at (513) 556-4119 (if after business hours, exercise option 1); or
4. The Office of Resident Education & Development at (513) 556-6476 (if after business hours, exercise option 1 or 2).

## **RELATED POLICIES**

Student Related Critical Incidents Response Policy 4.1.1

Appendix E

<b>Date</b>	<b>Program Name</b>	<b>Department</b>	<b>Program Description</b>	<b>Target Audience</b>	<b>Prevention Type</b>
1/6/19	Together to 100	Student Wellness Center	Grant-funded social norming campaign in the residence halls	Students in residence hall	Primary
1/10/19	Bearcat Bystander	Student Wellness Center	Training on gender-based violence & strategies for bystander intervention	CEAS TAs	Primary
1/17/19	Name It. Know It. Stop It. Stalking	Student Wellness Center	Stalking awareness	Students in residence hall	Primary
1/24/19	Stalking Awareness Day	Student Wellness Center	Stalking awareness	UC students	Primary
1/29/19	How far is too far? Cyberstalking	Student Wellness Center	Stalking awareness	UC students	Primary
2/5/19	Alcohol Taboo	Student Wellness Center	A classroom presentation that provides alcohol information through an interactive game	Classroom	Primary
2/12/19	Popcorn not Pills	Student Wellness Center	Prescription drug awareness	UC students	Primary
2/12/19	Men and healthy relationships	Student Wellness Center	Healthy relationships programming for men	UC students	Primary
2/13/19	"Pal"entines Day	Student Wellness Center	Friends and healthy relationships	UC students	Primary
2/14/19	Dating Game	Student Wellness Center	Healthy relationships program based on the popular TV show	UC students	Primary
2/16/19	Late Night Program: Board/Video Game	Student Wellness Center	Late night, substance free program for students	UC students	Primary/Ongoing

Appendix E

2/18/19	Alcohol Jeopardy	Student Wellness Center	A classroom presentation that provides alcohol information through an interactive game	Classroom	Primary
2/18/19	Blame it on the Alcohol	Student Wellness Center	A presentation that provides information on alcohol risks, making lower-risk strategies, and alcohol poisoning	Classroom	Primary
2/18/19	Gatorade Pong tabling	Student Wellness Center	Students play "beer pong" using Gatorade	Athletics	Primary
2/19/19	Healthy relationships	Student Wellness Center	Presentation that discusses signs of a healthy relationship; scenarios; red flags	Women's Center	Primary
2/20/19	Bearcat Bystander	Student Wellness Center	Training on gender-based violence & strategies for bystander intervention	Student Government	Primary
2/22/19	Love Is... tabling	Student Wellness Center	Healthy relationships event	UC students	Primary
2/26/19	One Student presentation	Student Wellness Center	Presentation about consent, sex, and sexual assault	Greek members	Primary
2/26/19	Blame it on the Alcohol	Student Wellness Center	A presentation that provides information on alcohol risks, making lower-risk strategies, and alcohol poisoning	Learning Community	Primary

Appendix E

2/28/19	Get Swole for You and Your Swolemate	Student Wellness Center	Healthy relationships event	UC students	Primary
2/28/19	ATOD TA training	Student Wellness Center	Training for TAs on how to talk to students about alcohol, tobacco, and other drugs	CEAS TAs	Primary
3/1/19	Bearcat Bystander	Student Wellness Center	Training on gender-based violence & strategies for bystander intervention	Athletics coaches	Primary
3/1/19	One Student presentation	Student Wellness Center	Presentation about consent, sex, and sexual assault	Greek members	Primary
3/6/19	Consent tabling	Student Wellness Center	Consent information and resources	Students in residence hall	Primary
3/6/19	Bearcat Bystander	Student Wellness Center	Training on gender-based violence & strategies for bystander intervention	RAPP students	Primary
3/7/19	Alcohol Jeopardy	Student Wellness Center	A classroom presentation that provides alcohol information through an interactive game	Learning Community	Primary
3/7/19	GenerationRx tabling	Student Wellness Center	Prescription drug awareness	UC students	Primary
3/15/19	GenerationRx tabling	Student Wellness Center	Prescription drug awareness	UC students	Primary
3/25/19	Healthy relationships	Student Wellness Center	Presentation that discusses signs of a healthy relationship;	Learning Community	Primary

Appendix E

			scenarios; red flags		
3/26/19	Blame it on the Alcohol	Student Wellness Center	A presentation that provides information on alcohol risks, making lower-risk strategies, and alcohol poisoning	Learning Community	Primary
3/26/19	Together to 100	Student Wellness Center	Grant-funded social norming campaign in the residence halls	Students in residence hall	Primary
3/26/19	Alcohol Taboo	Student Wellness Center	A classroom presentation that provides alcohol information through an interactive game	Classroom	Primary
3/27/19	Healthy relationships	Student Wellness Center	Presentation that discusses signs of a healthy relationship; scenarios; red flags	Learning Community	Primary
3/28/19	Alcohol Jeopardy	Student Wellness Center	A classroom presentation that provides alcohol information through an interactive game	Students in residence hall	Primary
3/31/19	Alcohol Jeopardy	Student Wellness Center	A classroom presentation that provides alcohol information through an interactive game	Learning Community	Primary
4/2/19	Teal Tuesday tabling	Student Wellness Center	Promoting Teal Tuesday for Sexual Assault	UC students	Primary

Appendix E

			Awareness Month		
4/2/19	Bearcat Bystander	Student Wellness Center	Training on gender-based violence & strategies for bystander intervention	Athletics coaches	Primary
4/3/19	Together to 100	Student Wellness Center	Grant-funded social norming campaign in the residence halls	Students in residence hall	Primary
4/3/19	Changing Campus Culture	Student Wellness Center	Presentation on how to change campus culture around gender-based violence	Classroom	Primary
4/9/19	Together to 100	Student Wellness Center	Grant-funded social norming campaign in the residence halls	Students in residence hall	Primary
4/12/19	Together to 100	Student Wellness Center	Grant-funded social norming campaign in the residence halls	Students in residence hall	Primary
4/13/19	Sigma Sigma Carnival tabling	Student Wellness Center	Information about alcohol, tobacco, and other drugs	UC students	Primary
4/14/19	Bearcat Bystander	Student Wellness Center	Training on gender-based violence & strategies for bystander intervention	Sorority women	Primary
4/16/19	Lunch & Learn: Sexual Harassment	Student Wellness Center	Information about sexual harassment, including definitions and resources		Primary
4/17/19	Bearcat Bystander	Student Wellness Center	Training on gender-based violence & strategies for bystander intervention	Classroom	Primary

Appendix E

4/17/19	Bearcat Bystander	Student Wellness Center	Training on gender-based violence & strategies for bystander intervention	Students in residence hall	Primary
4/18/19	Popcorn not Pills	Student Wellness Center	Prescription drug awareness	UC students	Primary
4/18/19	Late Night Program: Movie Night on Commons	Student Wellness Center	Substance free late night event for students	UC students	Primary
4/19/19	Bearcat Bystander	Student Wellness Center	Training on gender-based violence & strategies for bystander intervention	Classroom	Primary
4/19/19	Clothesline Project	Student Wellness Center	Sexual Assault Awareness Month	UC students	Primary
4/24/19	Denim Day	Student Wellness Center	Promoting Denim Day for Sexual Assault Awareness Month	Campus	Primary
4/25/19	Late Night Programming: Dodgeball Tournament	Student Wellness Center	Substance free late night event for students	UC students	Primary
4/30/19	Late Night Programming: Painting and Pajama Party	Student Wellness Center	Substance free late night event for students	UC students	Primary
5/30/19	Wellness Presentation	Student Wellness Center	Talking to your student about gender-based violence, mental health, and alcohol and drugs	Parents/incoming students	Primary/Ongoing
5/30/19	Bearcats Trivia Night	Student Wellness Center	Trivia-based event featuring information on gender-based violence, alcohol	Incoming students	Primary/Ongoing

Appendix E

			and other drugs; interactive activities		
6/3/19	Wellness Presentation	Student Wellness Center	Talking to your student about gender-based violence, mental health, and alcohol and drugs	Parents/incoming students	Primary/Ongoing
6/3/19	Bearcats Trivia Night	Student Wellness Center	Trivia-based event featuring information on gender-based violence, alcohol and other drugs; interactive activities	Incoming students	Primary/Ongoing
6/4/19	Wellness Presentation	Student Wellness Center	Talking to your student about gender-based violence, mental health, and alcohol and drugs	Parents/incoming students	Primary/Ongoing
6/4/19	Bearcats Trivia Night	Student Wellness Center	Trivia-based event featuring information on gender-based violence, alcohol and other drugs; interactive activities	Incoming students	Primary/Ongoing
6/5/19	Wellness Presentation	Student Wellness Center	Talking to your student about gender-based violence, mental health, and alcohol and drugs	Parents/incoming students	Primary/Ongoing
6/5/19	Bearcats Trivia Night	Student Wellness Center	Trivia-based event featuring information on gender-based violence, alcohol and other drugs;	Incoming students	Primary/Ongoing

Appendix E

			interactive activities		
6/10/19	Wellness Presentation	Student Wellness Center	Talking to your student about gender-based violence, mental health, and alcohol and drugs	Parents/incoming students	Primary/Ongoing
6/10/19	Bearcats Trivia Night	Student Wellness Center	Trivia-based event featuring information on gender-based violence, alcohol and other drugs; interactive activities	Incoming students	Primary/Ongoing
6/11/10	Wellness Presentation	Student Wellness Center	Talking to your student about gender-based violence, mental health, and alcohol and drugs	Parents/incoming students	Primary/Ongoing
6/11/19	Bearcats Trivia Night	Student Wellness Center	Trivia-based event featuring information on gender-based violence, alcohol and other drugs; interactive activities	Incoming students	Primary/Ongoing
6/12/19	Wellness Presentation	Student Wellness Center	Talking to your student about gender-based violence, mental health, and alcohol and drugs	Parents/incoming students	Primary/Ongoing
6/12/19	Bearcats Trivia Night	Student Wellness Center	Trivia-based event featuring information on gender-based violence, alcohol and other drugs;	Incoming students	Primary/Ongoing

Appendix E

			interactive activities		
6/17/19	Wellness Presentation	Student Wellness Center	Talking to your student about gender-based violence, mental health, and alcohol and drugs	Parents/incoming students	Primary/Ongoing
6/17/19	Bearcats Trivia Night	Student Wellness Center	Trivia-based event featuring information on gender-based violence, alcohol and other drugs; interactive activities	Incoming students	Primary/Ongoing
6/18/19	Wellness Presentation	Student Wellness Center	Talking to your student about gender-based violence, mental health, and alcohol and drugs	Parents/incoming students	Primary/Ongoing
6/18/19	Bearcats Trivia Night	Student Wellness Center	Trivia-based event featuring information on gender-based violence, alcohol and other drugs; interactive activities	Incoming students	Primary/Ongoing
6/20/19	Wellness Presentation	Student Wellness Center	Talking to your student about gender-based violence, mental health, and alcohol and drugs	Parents/incoming students	Primary/Ongoing
6/20/19	Bearcats Trivia Night	Student Wellness Center	Trivia-based event featuring information on gender-based violence, alcohol and other drugs;	Incoming students	Primary/Ongoing

Appendix E

			interactive activities		
6/24/19	Wellness Presentation	Student Wellness Center	Talking to your student about gender-based violence, mental health, and alcohol and drugs	Parents/incoming students	Primary/Ongoing
6/24/19	Bearcats Trivia Night	Student Wellness Center	Trivia-based event featuring information on gender-based violence, alcohol and other drugs; interactive activities	Incoming students	Primary/Ongoing
6/25/19	Wellness Presentation	Student Wellness Center	Talking to your student about gender-based violence, mental health, and alcohol and drugs	Parents/incoming students	Primary/Ongoing
6/25/19	Bearcats Trivia Night	Student Wellness Center	Trivia-based event featuring information on gender-based violence, alcohol and other drugs; interactive activities	Incoming students	Primary/Ongoing
6/26/19	Wellness Presentation	Student Wellness Center	Talking to your student about gender-based violence, mental health, and alcohol and drugs	Parents/incoming students	Primary/Ongoing
6/26/19	Bearcats Trivia Night	Student Wellness Center	Trivia-based event featuring information on gender-based violence, alcohol and other drugs;	Incoming students	Primary/Ongoing

Appendix E

			interactive activities		
7/1/19	Wellness Presentation	Student Wellness Center	Talking to your student about gender-based violence, mental health, and alcohol and drugs	Parents/incoming students	Primary/Ongoing
7/1/19	Alcohol presentation	Student Wellness Center	A presentation that provides information on alcohol risks, making lower-risk strategies, and alcohol poisoning	CON summer program	Primary
7/1/19	Bearcats Trivia Night	Student Wellness Center	Trivia-based event featuring information on gender-based violence, alcohol and other drugs; interactive activities	Incoming students	Primary/Ongoing
7/8/19	Wellness Presentation	Student Wellness Center	Talking to your student about gender-based violence, mental health, and alcohol and drugs	Parents/incoming students	Primary/Ongoing
7/8/19	Bearcats Trivia Night	Student Wellness Center	Trivia-based event featuring information on gender-based violence, alcohol and other drugs; interactive activities	Incoming students	Primary/Ongoing
7/9/19	Wellness Presentation	Student Wellness Center	Talking to your student about gender-based violence, mental health, and	Parents/incoming students	Primary/Ongoing

Appendix E

			alcohol and drugs		
7/9/19	Bearcats Trivia Night	Student Wellness Center	Trivia-based event featuring information on gender-based violence, alcohol and other drugs; interactive activities	Incoming students	Primary/Ongoing
7/10/19	Wellness Presentation	Student Wellness Center	Talking to your student about gender-based violence, mental health, and alcohol and drugs	Parents/incoming students	Primary/Ongoing
7/10/19	Sexual health/consent	Student Wellness Center	Overview of sexual health and consent	CON summer program	primary
7/10/19	Bearcats Trivia Night	Student Wellness Center	Trivia-based event featuring information on gender-based violence, alcohol and other drugs; interactive activities	Incoming students	Primary/Ongoing
7/15/19	Wellness Presentation	Student Wellness Center	Talking to your student about gender-based violence, mental health, and alcohol and drugs	Parents/incoming students	Primary/Ongoing
7/15/19	Bearcats Trivia Night	Student Wellness Center	Trivia-based event featuring information on gender-based violence, alcohol and other drugs; interactive activities	Incoming students	Primary/Ongoing
7/16/19	Wellness Presentation	Student Wellness Center	Talking to your student about gender-based	Parents/incoming students	Primary/Ongoing

Appendix E

			violence, mental health, and alcohol and drugs		
7/16/19	Bearcats Trivia Night	Student Wellness Center	Trivia-based event featuring information on gender-based violence, alcohol and other drugs; interactive activities	Incoming students	Primary/Ongoing
7/17/19	Wellness Presentation	Student Wellness Center	Talking to your student about gender-based violence, mental health, and alcohol and drugs	Parents/incoming students	Primary/Ongoing
7/17/19	Bearcats Trivia Night	Student Wellness Center	Trivia-based event featuring information on gender-based violence, alcohol and other drugs; interactive activities	Incoming students	Primary/Ongoing
7/22/19	Bearcat Bystander	Student Wellness Center	Training on gender-based violence & strategies for bystander intervention	CON summer program	Primary
7/24/19	Healthy relationships	Student Wellness Center	Presentation that discusses signs of a healthy relationship; scenarios; red flags	A&S Bridge Program	Primary
8/20/19	Blame it on the Alcohol	Student Wellness Center	A presentation that provides information on alcohol risks, making lower-risk strategies,	AACRC students	Primary

Appendix E

			and alcohol poisoning		
8/20/19	Welcome Week: outdoor moving	Student Wellness Center	Substance free event for students	UC students	Primary
8/20/19	Late Night Programming: Singo	Student Wellness Center	Substance free event for students	UC students	Primary
8/21/19	Late Night Programming: movie and trivia	Student Wellness Center	Substance free event for students	UC students	Primary
8/22/19	Bearcat Bystander	Student Wellness Center	Training on gender-based violence & strategies for bystander intervention	CEAS TAs	Primary
8/22/19	Late Night Programming: Night at Nippert	Student Wellness Center	Substance free event for students	UC students	Primary
8/23/19	Late Night Programming: Gaming Showcase	Student Wellness Center	Substance free event for students	UC students	Primary
8/24/19	Consent Singo	Student Wellness Center	Trivia with songs about consent	UC students	Primary
8/27/19	Bearcat Bystander	Student Wellness Center	Training on gender-based violence & strategies for bystander intervention	Fraternity and sorority members	Primary
8/27/19	Bearcat Bystander	Student Wellness Center	Training on gender-based violence & strategies for bystander intervention	Fraternity and sorority members	Primary
8/27/19	Bearcat Bystander	Student Wellness Center	Training on gender-based violence & strategies for	Fraternity and sorority members	Primary

Appendix E

			bystander intervention		
8/28/19	Bearcat Bystander	Student Wellness Center	Training on gender-based violence & strategies for bystander intervention	UC students	Primary
8/29/19	Bearcat Bystander	Student Wellness Center	Training on gender-based violence & strategies for bystander intervention	UC students	Primary
9/3/19	Healthy relationships	Student Wellness Center	Presentation that discusses signs of a healthy relationship; scenarios; red flags	UC students	Primary
9/3/19	Bearcat Bystander	Student Wellness Center	Training on gender-based violence & strategies for bystander intervention	Fraternity and sorority members	Primary
9/3/19	Bearcat Bystander	Student Wellness Center	Training on gender-based violence & strategies for bystander intervention	Fraternity and sorority members	Primary
9/3/19	Bearcat Bystander	Student Wellness Center	Training on gender-based violence & strategies for bystander intervention	Fraternity and sorority members	Primary
9/3/19	Bearcat Bystander	Student Wellness Center	Training on gender-based violence & strategies for bystander intervention	Fraternity and sorority members	Primary

Appendix E

9/4/19	Healthy relationships	Student Wellness Center	Presentation that discusses signs of a healthy relationship; scenarios; red flags	UC students	Primary
9/4/19	Bearcat Bystander	Student Wellness Center	Training on gender-based violence & strategies for bystander intervention	Fraternity and sorority members	Primary
9/9/19	Squad Support tabling	Student Wellness Center	How to support your friends	UC students	Primary
9/10/19	Squad Support tabling	Student Wellness Center	How to support your friends	UC students	Primary
9/13/19	Late Night Programming: Water War	Student Wellness Center	Substance free event for students	UC students	Primary
9/16/19	Bearcat Bystander	Student Wellness Center	Training on gender-based violence & strategies for bystander intervention	UC students	Primary
9/17/19	Blame it on the Alcohol	Student Wellness Center	A presentation that provides information on alcohol risks, making lower-risk strategies, and alcohol poisoning	Learning Community	Primary
9/19/19	Bearcat Bystander	Student Wellness Center	Training on gender-based violence & strategies for bystander intervention	UC students	Primary
9/24/19	Healthy relationships	Student Wellness Center	Presentation that discusses signs of a healthy relationship;	UC students	Primary

Appendix E

			scenarios; red flags		
9/25/19	Healthy relationships	Student Wellness Center	Presentation that discusses signs of a healthy relationship; scenarios; red flags	UC students	Primary
9/27/19	Late Night Program: Paint Along with Bob Ross	Student Wellness Center	Substance free event for students	UC students	Primary
10/1/19	Blame it on the Alcohol	Student Wellness Center	A presentation that provides information on alcohol risks, making lower-risk strategies, and alcohol poisoning	Learning Community	Primary
10/1/19	Blame it on the Alcohol	Student Wellness Center	A presentation that provides information on alcohol risks, making lower-risk strategies, and alcohol poisoning	Learning Community	Primary
10/2/19	Squad Support tabling	Student Wellness Center	How to support your friends	UC students	Primary
10/3/19	Squad Support tabling	Student Wellness Center	How to support your friends	UC students	Primary
10/4/19	Sober Tailgate	Student Wellness Center	Substance free tailgate event	Campus community	Primary
10/14/19	Indigenous Peoples' Day: Recognizing GBV	Student Wellness Center	Information about how gender-based violence impacts indigenous people	UC students	Primary

Appendix E

10/15/19	Alcohol Jeopardy	Student Wellness Center	A classroom presentation that provides alcohol information through an interactive game	Greek chapter	Primary
10/18/19	Sweetest Day tabling	Student Wellness Center	Healthy relationships information	UC students	Primary
10/18/19	GBV tabling	Student Wellness Center	Gender-based violence information	Students in residence hall	Primary
10/19/19	Sober Tailgate	Student Wellness Center	Substance free tailgate event	Campus community	Primary
10/21/19	GBV tabling	Student Wellness Center	Gender-based violence information	Students in residence hall	Primary
10/23/19	Changing Campus Culture	Student Wellness Center	Presentation about how to change campus culture around gender-based violence	Classroom	Primary
10/23/19	GBV tabling	Student Wellness Center	Gender-based violence information	Students in residence hall	Primary
10/24/19	Purple Thursday tabling	Student Wellness Center	Dating/Domestic Violence Awareness Month	UC students	Primary
10/25/19	Purple Paw Project	Student Wellness Center	How domestic violence impacts pets	Campus community	Primary
10/25/19	GBV tabling	Student Wellness Center	Gender-based violence information	Students in residence hall	Primary
10/25/19	Late Night Program: Fright Night	Student Wellness Center	Substance free late night event for students	UC students	Primary
10/27/19	Consent 101	Student Wellness Center	Information about consent, including how to give/get it and resources	Classroom	Primary

Appendix E

10/27/19	Blame it on the Alcohol	Student Wellness Center	A presentation that provides information on alcohol risks, making lower-risk strategies, and alcohol poisoning	Learning Community	Primary
10/28/19	Bearcat Bystander	Student Wellness Center	Training on gender-based violence & strategies for bystander intervention	UC students	Primary
10/31/19	Halloween AOD Health Hut	Student Wellness Center	Information about lower-risk substance use during Halloween	UC students	Primary
11/1/19	Bearcat Bystander	Student Wellness Center	Training on gender-based violence & strategies for bystander intervention	CEAS faculty/staff	Primary
11/8/19	Late Night Program: Rock the Rec	Student Wellness Center	Substance free late night event for students	UC students	Primary
11/9/19	Sober Tailgate	Student Wellness Center	Substance free tailgate event	Campus community	Primary
11/12/19	Bearcat Bystander	Student Wellness Center	Training on gender-based violence & strategies for bystander intervention	Classroom	Primary
11/13/19	Bearcat Bystander	Student Wellness Center	Training on gender-based violence & strategies for bystander intervention	Classroom	Primary
11/13/19	Bearcat Bystander	Student Wellness Center	Training on gender-based violence & strategies for	Classroom	Primary

Appendix E

			bystander intervention		
11/14/19	Bearcat Bystander	Student Wellness Center	Training on gender-based violence & strategies for bystander intervention	Classroom	Primary
11/14/19	Healthy relationships	Student Wellness Center	Presentation that discusses signs of a healthy relationship; scenarios; red flags	Classroom	Primary
11/15/19	Bearcat Bystander	Student Wellness Center	Training on gender-based violence & strategies for bystander intervention	Classroom	Primary
11/22/19	Zero Proof Mocktail Event	Student Wellness Center	Mocktail (alcohol-free drink) competition and sampling	UC students	Primary
11/22/19	Late Night Program: Game Night	Student Wellness Center	Substance free late night event for students	UC students	Primary
12/6/19	Late Night Program: Holiday Fest	Student Wellness Center	Substance free late night event for students	UC students	Primary

 <p><b>Category:</b> Equity &amp; Inclusion</p> <p><b>Policy applicable for:</b> Faculty/Staff /Students/Third Parties</p>	<p><i>Policy Title:</i> <b>Title IX Sexual Harassment Policy</b></p> <p><b>Effective Date:</b> 08/14/2020</p> <p><b>Prior Effective Date:</b> N/A</p> <p><b>Enabling Acts:</b> University Rule 10-13-01 Title IX of the Education Amendments of 1972</p>	<p><i>Policy Number:</i> <b>10.1.1</b></p> <p><b>Policy Owner:</b> Vice President for Equity, Inclusion &amp; Community Impact</p> <p><b>Responsible Office/Unit(s):</b> Office of Gender Equity and Inclusion, Student Affairs, Human Resources, and Office of the Provost</p>
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## POLICY

The University of Cincinnati (“UC” or the “University”) is committed to providing a living, learning, and working environment that is equitable, inclusive, and free from discrimination, harassment, and retaliation. Title IX of the Education Amendments of 1972 is a federal law that prohibits discrimination on the basis of sex in education programs or activities that receive federal financial assistance. Consistent with federal, state, and local laws and regulations, the University prohibits discrimination and harassment on the basis of sex, in its academic, admissions, education and employment programs and activities. See *also*, University Notice of Non-Discrimination.

## SCOPE

This Policy applies to University employees, students, volunteers, applicants, and other third parties as defined herein. This Policy serves to provide notice and information regarding the University’s policies and procedures related to sexual harassment and retaliation.

## JURISDICTION AND RESPONSE TO SEXUAL HARASSMENT

When the University has actual knowledge of sexual harassment in its education program or activity, against a person in the United States, it must respond promptly in a manner that is not deliberately indifferent. The University is deliberately indifferent only if its response to sexual harassment is clearly unreasonable in light of the known circumstances. Complaints of sexual harassment, as defined in this Policy, will be addressed using the procedures set forth in this Policy.

Alleged misconduct that falls outside the scope of this Policy may be addressed through other University policies and rules, including the Student Code of Conduct, collective bargaining agreements, and Human

Resources policies.

This Policy applies to sexual harassment that occurs on or after August 14, 2020.

This Policy is designed to comply with applicable laws and regulations. The University reserves the right to modify or deviate from this Policy, when, in its sole discretion, the University determines it is necessary to protect the rights of the parties or to comply with the University's legal obligations.

## DEFINITIONS

**Actual knowledge:** Notice of sexual harassment or allegations of sexual harassment to the University's Title IX Coordinator or any official of the University who has authority to institute corrective measures on behalf of the University. Imputation of knowledge based solely on vicarious liability or constructive notice is insufficient to constitute actual knowledge. This standard is not met when the only official of the University with actual knowledge is the respondent in a matter. The mere ability or obligation to report sexual harassment or to inform an individual student about how to report sexual harassment, or having been trained to do so, does not qualify an individual as one who has authority to institute corrective measures on behalf of the University. "Notice" as used in definition includes, but is not limited to, a report of sexual harassment to the Title IX Coordinator as described in this Policy.

**Applicant:** An individual who has applied for admission to, participation in, or employment with the University who meets the minimum qualifications for the position.

**Business Day:** Any day in which normal University business operations are conducted, which are Monday through Friday from 9 a.m. to 5 p.m. local time and excludes weekends, holidays, and other office closures recognized by the University. Although the University continues business operations during exam periods and breaks between terms, hearings may not be held during these times.

**Complainant:** An individual who is alleged to be the victim of conduct that could constitute sexual harassment.

**Consent:** An affirmative agreement through clear actions or words to engage in intimate and/or sexual activity. Individuals giving the consent must act freely, voluntarily, and with understanding of their actions. Consent can be withdrawn at any time. A person cannot give consent if the person is mentally or physically incapacitated such that the person cannot understand the fact, nature or extent of the sexual situation. Similarly, a person cannot give consent if force (expressed or implied) duress, intimidation, threats or deception are used on the person. Silence or the absence of resistance does not necessarily imply consent. Consent to some sexual acts does not imply consent to other acts, nor does prior consent to sexual activities imply ongoing future consent with that person or consent to that same sexual activity with another person. Consent does not exist when one knew or should have known of the other's incapacitation. A factor in determining consent is whether an individual has taken advantage of a position of influence or authority. Proof of consent or non-consent is not a burden placed on either party involved in an incident. Instead, the burden remains on the University to determine whether this Policy has been violated.

**Dating violence:** Violence, on the basis of sex, committed by a person who is or has been in a social relationship of a romantic or intimate nature with the complainant. The existence of such a relationship shall be determined based on the complainant's statement, and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in

the relationship. 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

**Domestic violence:** Violence, on the basis of sex, committed by a current or former spouse or intimate partner of the complainant, by a person with whom the complainant shares a child in common, or by a person who is cohabitating with or has cohabitated with the complainant as a spouse or intimate partner, or by a person similarly situated to a spouse of the complainant 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 complainant who is protected from that person's acts under the domestic or family violence laws of Ohio.

**Education program or activity:** Includes locations, events, or circumstances over which the University exercises substantial control over both the respondent and the context in which the sexual harassment occurs, and also includes any building owned or controlled by a student organization that is officially recognized by the University.

**Formal complaint:** A document filed by a complainant or signed by the Title IX Coordinator alleging conduct in violation of this Policy against a respondent and requesting that the University investigate the allegation(s) of sexual harassment. At the time of filing a formal complaint, a complainant must be participating in or attempting to participate in an education program or activity of the University with which the formal complaint is filed. A formal complaint may be filed with the Title IX Coordinator in person, by mail, by electronic mail, or online through the Office of Gender Equity & Inclusion website. See Formal Complaint and Resolution, Section II below where contact information and details about how to report are provided.

As used in this definition, the phrase "document filed by a complainant" means a document or electronic submission (such as by electronic mail or through an online portal provided for this purpose by the University) that contains the complainant's physical or digital signature, or otherwise indicates that the complainant is the person filing the formal complaint. Where the Title IX Coordinator signs a formal complaint, the Title IX Coordinator is not a complainant or otherwise a party.

**Incapacitated or incapacitation:** A state in which rational decision-making or the ability to consent is rendered impossible because of a person's temporary or permanent physical or mental impairment including, but not limited to, physical or mental impairment resulting from drugs or alcohol, disability, sleep, unconsciousness, or illness. Incapacitation is determined based on the totality of the circumstances. Incapacitation is more than intoxication, but intoxication can cause incapacitation.

Factors to consider in determining incapacitation include, but are not limited to, the following:

- Lack of awareness of circumstances or surroundings (e.g., an inability to understand, either temporarily or permanently, the who, what, where, how and/or why of the circumstances; blackout state);
- Inability to physically or verbally communicate coherently, particularly with regard to consent (e.g., slurred or incoherent speech);
- Lack of full control over physical movements (e.g., difficulty walking or standing without stumbling or assistance); and/or
- Physical symptoms (e.g., vomiting or incontinence).

**Parties:** A complainant and a respondent may be referred to as “party” or “parties.”

**Report:** A verbal or written account of alleged sexual harassment by any person pursuant to the Reporting section, subpart III. A report is not a formal complaint and does not initiate the grievance process.

**Reporting party:** The individual or entity who notifies the University of conduct alleged to violate this Policy.

**Respondent:** An individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.

**Retaliation:** An adverse action taken against an individual because of an individual’s good faith complaint of harassment, good faith participation in an investigation of such complaint, or good faith opposition to harassment in the educational or workplace setting. Many factors, including but not limited to past performance evaluations/reviews, temporal proximity, and comments made by others, should be considered when evaluating whether an adverse action was taken against an individual because of the individual’s good faith complaint of harassment, good faith participation in an investigation of such complaint, or good faith opposition to harassment in the educational or workplace setting.

**Sanction:** Discipline or corrective action made for the purpose of enforcing this Policy and applied to a respondent following the determination of responsibility for violating this Policy.

**Sexual Assault:** Sexual assault is defined as:

- Sex Offenses, Forcible: Any sexual act directed against another person, without the consent of the complainant, including instances in which the complainant is incapable of giving consent because of incapacitation.
- Forcible 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 complainant.
- Forcible Sodomy: Oral or anal sexual intercourse with another person, forcibly, and/or against that person’s will (non-consensually), or not forcibly or against the person’s will in instances in which the complainant is incapable of giving consent because of incapacitation.
- Sexual Assault with an Object: The use of an object or instrument to penetrate, however slightly, the genital or anal opening of the body of another person, forcibly, and/or against that person’s will (non-consensually), or not forcibly or against the person’s will in instances in which the complainant is incapable of giving consent because of incapacitation.
- Forcible Fondling: The touching of the private body parts of another person (buttocks, groin, breasts), for the purpose of sexual gratification, forcibly, and/or against that person’s will (non-consensually), or not forcibly or against the person’s will in instances in which the complainant is incapable of giving consent because of incapacitation.
- Sex Offenses, Non-forcible:
  - Incest: Non-forcible sexual intercourse, between persons who are related to each other, within the degrees wherein marriage is prohibited by Ohio law.
  - Statutory Rape: Non-forcible sexual intercourse, with a person who is under the statutory age of consent of 16.

**Sexual harassment:** Conduct on the basis of sex, occurring in the United States, that satisfies one or more of the following:

- An employee of the University conditioning the provision of an aid, benefit, or service of the University on an individual's participation in unwelcome sexual conduct;
- Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the University's education program or activity; or
- Sexual assault, dating violence, domestic violence, or stalking. (See definitions for Sexual Assault, Dating Violence, Domestic Violence, and Stalking.)

**Stalking:** Engaging in a course of conduct, on the basis of sex, directed at a specific person, that (i) would cause a reasonable person to fear for the person's safety, or (ii) the safety of others; or (iii) suffer substantial emotional distress. For purposes of this definition, course of conduct means two or more acts, including, but not limited to, acts in which the respondent 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 complainant. Substantial emotional distress means significant mental suffering or anguish that may but does not necessarily require medical or other professional treatment or counseling.

**Supportive measures:** Non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent, before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures are designed to restore or preserve equal access to the University's education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the University's educational environment, or deter sexual harassment.

**Third party:** A guest, visitor, program participant/attendee, vendor, contractor, subcontractor, or other person contracted to provide service or conduct business with the University.

**University community:** Employees, students, volunteers, applicants, and other third parties as defined herein.

## REPORTING

### I. **Reporting Obligations for Allegations of Conduct in Violation of this Policy**

- A. All Individuals:** All individuals who are directly involved in, who observe, or who receive reliable information that a violation of this Policy may have occurred may report such allegations and are strongly encouraged to do so.
- B. University Employees/University Community:** All University employees and any member of the University community who supervises faculty, staff, students, or volunteers, except those exempt from reporting as set forth in this Policy or expressly identified as a confidential reporter, have an obligation to report incidents that may be a violation of this Policy. Any such individual who receives a disclosure of allegations of conduct in violation of this Policy or becomes aware of information that would lead a

reasonable person to believe that a violation may have occurred involving anyone covered under this Policy, must report all known information immediately.

## II. **Reporting Exemptions**

The following categories of individuals are exempt from the duty to report allegations of conduct in violation of this Policy when such information is shared with them while acting in their professional, confidential capacity:

### **A. Professional and Pastoral Counselors:**

- i. A professional counselor is a person whose official responsibilities include providing mental health counseling to members of the University community and who is functioning within the scope of that license or certification and their University employment. This definition applies to professional counselors who are not employees of the University but are under contract to provide counseling at the University. This also includes an individual who is not yet licensed or certified (e.g., a Ph.D. counselor-trainee acting under the supervision of a professional counselor at the University).
- ii. A pastoral counselor is a person who is associated with a religious order or denomination, is recognized by the religious order or denomination as someone who provides confidential counseling and is functioning within the scope of that recognition and their role at the University. In this context, a pastor or priest who is functioning as an athletic director or as a student advocate would not be exempt from the reporting obligation.

**B. Other Employees with a Professional License:** Other employees with a professional license requiring confidentiality who are functioning within the scope of the license or certification and their University employment. For example, a physician with dual appointments (clinician and professor) would be required to report alleged violations of the Policy of which they became aware of in the scope of their employment as a professor, but while operating as a clinician must keep such information confidential and privileged by the physician-patient relationship unless there is a mandatory reporting requirement under state law.

**C. Employees Supervised or Performing Duties:** Employees who are functioning within the scope of their University employment and who are supervised by or performing duties for University employees identified in parts A and B of this section requiring confidentiality. For example, student health services and medical center employees cannot disclose confidential information but must follow reporting requirements for any non-confidential information.

**D. Specific Events/Activities/Scope:** Employees and members of the University community, including those who supervise faculty, staff, students, or volunteers, are not required to report alleged violations of this Policy that are disclosed:

- i. At public awareness events (e.g., “Take Back the Night,” candlelight vigils, survivor “speak outs,” etc.);
- ii. During an individual’s participation as a subject in an Institutional Review Board (IRB)-approved human subjects research protocol; or
- iii. If they receive the information regarding sexual harassment outside the scope or course of their employment and/or engagement with University.

**C. Minors:** For conduct involving the abuse of minors, see Section V(D), *infra*.

**III. Where to Report Allegations of Conduct in Violation of this Policy**

**A. Reports:** Any person may report allegations of conduct in violation of this Policy (whether or not the person reporting is the person alleged to be the victim of conduct that could constitute conduct in violation of this Policy) in person, by mail, by telephone, by electronic email, or by electronic submission, or by any other means that results in the Title IX Coordinator receiving the verbal or written report. A report may be made at any time (including during non-business hours) by using the telephone number, electronic mail address, electronic submission, or by mail to the office address. Reports may be made anonymously, but to initiate the grievance process, a formal complaint must be filed pursuant to the process outlined in this policy.

**B. Formal Complaints:** In order to initiate the grievance process, a complainant must file a formal complaint with the Title IX Coordinator. A formal complaint requires the complainant's physical or digital signature, or other indicia that the complainant is the person filing the formal complaint. A formal complaint may be filed in person, by mail, by electronic email, or by electronic submission. A complainant may receive supportive measures without filing a formal complaint. Formal complaints may not be filed anonymously

**C. Contact Information:**

i. *Primary Contact:*

Title IX Coordinator  
3115 Edwards 1, 45 Corry Blvd  
PO Box 210158  
Cincinnati, OH 45221-0158  
Phone: (513) 556-3349  
Email: [titleix@ucmail.uc.edu](mailto:titleix@ucmail.uc.edu)  
Electronic Submission Form:  
[https://cm.maxient.com/reportingform.php?UnivofCincinnati&layout\\_id=10](https://cm.maxient.com/reportingform.php?UnivofCincinnati&layout_id=10)

ii. *Deputy Title IX Coordinators on the regional campuses are available to assist with reporting Title IX matters to the Title IX Coordinator:*

UC Blue Ash College  
Deputy Title IX Coordinator  
Muntz Hall, Room 140Q  
9555 Plainfield Drive  
Blue Ash, OH 45236-0086  
Phone: (513) 936-1641

UC Clermont  
Deputy Title IX Coordinator  
Clermont Student Services, Room 140C  
4200 Clermont College Drive

Batavia, OH 45103-0162  
Phone: (513) 732-8964

iii. *EthicsPoint Anonymous Reporting Hotline:*

(800) 889-1547 (800) 889-1547

<http://www.uc.edu/af/intaudit/ethicshotline.html>

The University will review and take appropriate action on anonymous reports. Note that the grievance process may not be initiated by filing an anonymous report via EthicsPoint.

- D. **Outside Agencies:** Filing a complaint with the University does not preclude an individual from filing a complaint with an external agency nor does it extend time limits with those agencies.
- E. **Notifying Law Enforcement:** The University retains the right to notify law enforcement authorities and may engage in appropriate investigatory processes when concerns exist for conduct threatening the personal safety of an individual or well-being of the University community, with or without the complainant's participation. Depending on the nature of the report or allegation, investigations may be conducted by the University and law enforcement. These processes are separate and distinct from one another but can run concurrently. At times, the University may determine that law enforcement's involvement in the investigation or remediation of the complaint is necessary to ensure the safety of the University community. If this determination by the University is in conflict with an individual's request for confidentiality, the University will notify the individual of its decision to involve law enforcement authorities or pursue criminal proceedings.

IV. **Receipt of Allegations**

Upon receipt of information indicating that a complainant may have a complaint or concern regarding conduct in violation of this Policy, the Office of Gender Equity & Inclusion shall promptly contact the complainant to provide information on supportive measures and the grievance process.

Complainants may choose whether or not to initiate the grievance process by filing a formal complaint, and/or whether or not to receive supportive measures. A complainant's choice to participate in the grievance process and/or to receive supportive measures can be revoked, altered, or otherwise changed by providing notice to the Office of Gender Equity & Inclusion at any time prior to adjudication of the complaint.

A complainant may elect to receive supportive measures, whether or not they elect to file a formal complaint or participate in complaint resolution processes.

V. **Reports to Law Enforcement**

- A. **Emergencies:** In the event of an emergency, an immediate threat, or if a crime is in progress, call 911 immediately.
- B. **Crimes:** When the alleged conduct is potentially of a criminal nature, individuals are encouraged to also make a report to the University of Cincinnati Police Division at (513)

556-1111, 51 West Corry Blvd, <http://www.uc.edu/publicsafety.html>, or to local law enforcement.

- C. **Felonies:** Ohio law requires any person knowing that a felony has been or is being committed to report the crime to the police. In the event University employees, in the course and scope of their employment, become aware of a felony that has been or is being committed on University property or during a University event, they must report it to the University of Cincinnati Police Division (exceptions to this requirement are persons employed by the University who are exempted by law from reporting under R.C. 2921.22 or other applicable statute(s)).
- D. **Minors:** All University community members who receive information, suspect, or know that a minor is being or has been abused or neglected must advise their supervisor, the Office of Human Resources, and the University of Cincinnati Division of Public Safety promptly. If the report is about a supervisor or administrator, the next level of management should be contacted. Reports can be made to: Chief Human Resources Officer or Senior Director of Labor Relations & Policy Development at (513) 556-6372; University of Cincinnati Department of Public Safety: Non-Emergency (513) 556-1111.

#### VI. **Confidentiality**

The University recognizes the importance of confidentiality. To the extent possible, all information received in connection with the filing, investigation, and resolution of allegations will be treated as confidential except when necessary to conduct an appropriate investigation, to provide assistance and resources to University community members, to perform other appropriate University functions, or when the University is compelled to produce information in accordance with applicable law and/or other controlling authority. Confidentiality is not the equivalent of anonymity, and confidentiality will be limited in the formal complaint grievance process.

#### VII. **Amnesty**

To maintain a safe and scholarly community, the University encourages the reporting of Student Code of Conduct and policy violations, crimes involving an alleged victim, and/or violations of this Policy. To encourage reporting, the University has the discretion to not pursue certain Student Code of Conduct and/or other policy violations. Such amnesty may be granted as set forth in the Student Code of Conduct or other policy provisions.

#### VIII. **False Reporting**

False reporting is making an intentional inaccurate report or accusation in relation to this Policy as opposed to a report or accusation, which, even if erroneous, is made in good faith. False reporting is a serious offense subject to appropriate disciplinary action up to and including dismissal or termination.

#### IX. **Failure to Report**

An employee, or any member of the University community who supervises faculty, staff, students, or volunteers, who is required to report under this Policy and fails to do so is subject to disciplinary action up to and including termination or removal.

## **SUPPORTIVE MEASURES**

### **I. What are Supportive Measures**

Supportive measures are non-disciplinary, non-punitive individualized services designed to restore or preserve equal access to the University's education program or activity, without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the University's educational environment, or deter sexual harassment. Supportive measures include, but are not limited to: 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 and/or other parties ("no contact orders"), changes in work or housing arrangements, leaves of absence, increased security and monitoring of certain areas of campus, and other similar measures.

### **II. Availability of Supportive Measures**

Supportive measures are available upon receipt of a report of sexual harassment as appropriate. Individuals who would like to request supportive measures or who experience difficulty obtaining supportive measures that have been approved should contact the Title IX Coordinator.

### **III. Confidentiality of Supportive Measures**

Subject to other confidentiality provisions of this Policy, the University shall maintain as confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair the ability of the University to provide the supportive measures.

### **IV. Complying with Supportive Measures**

Failure to abide by supportive measures may constitute a violation of this Policy, and/or other University policies, including the Student Code of Conduct.

### **V. Length of Supportive Measures**

Supportive measures may continue to be available to complainant, respondent, and the University community following the resolution of a report or complaint.

## **FORMAL COMPLAINT PROCESSING AND RESOLUTION**

### **I. Formal Complaint**

In order to initiate the grievance process, a complainant must file a formal complaint with the Title IX Coordinator. A formal complaint requires the complainant's physical or digital signature, or other indicia that the complainant is the person filing the formal complaint. A formal complaint may be filed in person, by mail, by electronic email, or by electronic submission. A complainant may receive supportive measures without filing a formal complaint. Formal complaints may not be filed anonymously.

The Title IX Coordinator may sign a formal complaint when concerns exist for conduct threatening the safety of the University community. The Title IX Coordinator is not a complainant or a party in the grievance process.

## **II. Where to File a Formal Complaint**

### *Primary Contact:*

Title IX Coordinator  
3115 Edwards 1, 45 Corry Blvd  
PO Box 210158  
Cincinnati, OH 45221-0158  
Phone: (513) 556-3349  
Email: [titleix@ucmail.uc.edu](mailto:titleix@ucmail.uc.edu)

Electronic Submission Form:

[https://cm.maxient.com/reportingform.php?UnivofCincinnati&layout\\_id=10](https://cm.maxient.com/reportingform.php?UnivofCincinnati&layout_id=10)

*Deputy Title IX Coordinators on the regional campuses are available to assist with filing formal complaints:*

UC Blue Ash College  
Deputy Title IX Coordinator  
Muntz Hall, Room 140Q  
9555 Plainfield Drive  
Blue Ash, OH 45236-0086  
Phone: (513) 936-1641

UC Clermont  
Deputy Title IX Coordinator  
Clermont Student Services, Room 140C  
4200 Clermont College Drive  
Batavia, OH 45103-0162  
Phone: (513) 732-8964

## **III. Timeframe for Filing a Formal Complaint**

Notice of conduct alleged to violate this Policy may be reported at any time. However, at the time of filing a formal complaint, a complainant must be participating in or attempting to participate in a University education program or activity. While there is no strict deadline for filing a formal complaint, and timeliness may vary according to the specific circumstances, prompt reporting is important to facilitate a thorough investigation. It is expected that reports and formal complaints about sexual harassment will be reported within a proximate time of the occurrence of the alleged conduct or the date upon which the alleged conduct became known to the reporting party. Delayed reporting or filing of a formal complaint may limit the University's ability to gather relevant evidence, to effectively address the conduct at issue, and to initiate the grievance process. Complainants and other University community members with knowledge of sexual harassment are encouraged to report to the Title IX Coordinator within 24 hours.

## **IV. Presumption of Not Responsible**

Throughout the process, there is a presumption that the respondent is not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance process. Disciplinary sanctions or other actions that are not supportive measures will be imposed against a respondent only after completion of a grievance process that complies with this Policy.

**V. Equal Treatment**

Complainants and respondents shall be treated equitably throughout the grievance process.

**VI. Standard of Evidence**

The standard of evidence to be used to determine responsibility for a violation of this Policy is the preponderance of the evidence. In determining whether alleged conduct constitutes a violation of this Policy, the University will look at the totality of the circumstances, including the nature of the alleged offense as well as the location of and the context in which the alleged incident(s) occurred. The determination as to whether a particular action constitutes a violation of this Policy will be a factual determination made on a case-by-case basis, based on relevant evidence. In the grievance process, an objective evaluation of all relevant evidence is required, including both inculpatory and exculpatory evidence.

**VII. Credibility**

Credibility determinations may not be based on a person's status as a complainant, respondent, or witness.

**VIII. No Conflict of Interest or Bias**

No individual designated by the University as a Title IX Coordinator, investigator, decision-maker, or any person designated by the University to facilitate the grievance process, may have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent.

**IX. Timeframe to Resolve a Matter**

**A. Reasonably Prompt:** Reasonably prompt timeframes for conclusion of the grievance process, including reasonably prompt timeframes for filing and resolving appeals and informal resolution processes have been established by the University. These timeframes are estimations of the duration of time necessary to complete a reasonably prompt, thorough and appropriate grievance process.

**B. Delays:** Temporary delay of the grievance process or the limited extension of timeframes for good cause, with written notice to the complainant and the respondent of the delay or extension and the reasons for the action, are permissible. Good cause may include, but is not limited to, considerations such as the absence of a party, a party's advisor, or a witness; concurrent law enforcement activity; or the need for language assistance or accommodation of disabilities.

**C. Timeframes:**

- i. *Grievance Process*: The University shall make appropriate efforts to ensure that from the date of its receipt of a formal complaint, the investigation, hearing, and issuance of the adjudicating body's report shall be concluded in ninety (90) business days.
- ii. *Appeals*: Appeals are expected to be resolved within twenty (20) business days after the parties' submission of their statements.
- iii. *Informal Resolution*: The University shall make appropriate efforts to ensure, except where otherwise agreed to by the parties, that from the date of its receipt of a formal complaint, informal resolution processes shall be concluded within ninety (90) business days.

## **EMERGENCY REMOVAL/ADMINISTRATIVE LEAVE**

The University may remove a respondent from the University's program, activity, property, or place the respondent on administrative leave on an emergency basis, after conducting an individualized safety and risk analysis and determining that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment justifies removal. Emergency removal/administrative leave determinations and appeals shall be conducted in accordance with established University policies, procedures, and agreements. For more information see, Student Code of Conduct, Human Resource policies and procedures, and/or applicable collective bargaining agreements. The University will provide the respondent with notice and an opportunity to challenge the decision immediately following the removal or administrative leave.

## **GRIEVANCE PROCEDURES**

### **I. Conflicts of Interest**

If either party asserts that an actual or apparent conflict of interest may adversely impact the investigation, the complaint should be submitted to the Vice President of Equity, & Inclusion & Community Impact, or designee. If the Vice President of Equity, & Inclusion & Community Impact or designee determines there is no actual or apparent conflict of interest, the investigation will proceed according to this procedure. If a determination is made that a conflict of interest exists, the Vice President of Equity & Inclusion, or designee, shall appoint an independent individual with appropriate experience and training to conduct the investigation into the complaint.

### **II. Formal Complaint**

A formal complaint is received when the complainant and/or Title IX Coordinator files the complaint with the Office of Gender Equity & Inclusion.

Upon receipt of a formal complaint, the Title IX Coordinator, or designee, will provide written notice to the known parties with the following information:

- A description of the University's grievance process, including any applicable informal resolution process.

- Notice of the allegations of sexual harassment. The notice will provide sufficient details known at the time, which include the identities of the parties involved in the incident, if known, the conduct allegedly constituting sexual harassment, and the date and location of the alleged incident, if known. The parties will be provided sufficient time to prepare a response before any initial interview.
- A statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the grievance process.
- Notice that the parties may have an advisor of their choice, who may be, but is not required to be, an attorney, and may inspect and review evidence.
- Notice that University policy prohibits knowingly making false statements or knowingly submitting false information during the grievance process.
- Information regarding resources available to provide academic and personal support on and off campus, including counseling services, academic advising, and resources for pursuing complaint resolution.

If, in the course of an investigation, the University decides to investigate allegations about the complainant or respondent that are not included in the initial written notice of a formal complaint, or additional allegations which are outside the scope of the Office of Gender Equity & Inclusion's jurisdiction, the Office of Gender Equity & Inclusion and/or another appropriate University office shall provide notice of the additional allegations to the parties whose identities are known.

If the formal complaint contains allegations that fall outside the scope of this Policy, but are covered under the University's sex- and/or gender-based misconduct policy, the Office of Gender Equity & Inclusion may consolidate the allegations into one investigation and a single hearing may be held pursuant to this Policy, if a hearing is applicable.

### **III. Dismissal of a Formal Complaint**

The University must investigate the allegations in a formal complaint. The University shall dismiss the formal complaint with regard to conduct under this Policy if during the investigation the University determines the conduct alleged in the formal complaint: does not constitute sexual harassment even if proved; did not occur in the University's education program or activity; or, did not occur against a person in the United States. Such a dismissal does not preclude action under another University policy or code of conduct.

The University may dismiss a formal complaint or any allegations therein, if at any time during the investigation or hearing: a complainant notifies the Title IX Coordinator in writing that the complainant would like to withdraw the formal complaint or any allegations therein; the respondent is no longer enrolled or employed by the University; or, specific circumstances prevent the investigator from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein.

Upon a dismissal, the University shall promptly send written notice of the dismissal and the reason(s) for the dismissal simultaneously to the parties. The decision to dismiss a formal

complaint or any of its allegations may be appealed. See Section X, subpart (A). for appeal procedures.

**IV. Consolidation of Formal Complaints**

The University may consolidate formal complaints as to allegations against more than one respondent, or by more than one complainant against one or more respondents, or by one party against the other party, where the allegations arise out of the same facts or circumstances.

**V. Advisors**

Parties may elect to have up to two advisors of their choice. An advisor may consult with a party verbally or in writing in a quiet, non-disruptive manner, and an advisor may not participate as a spokesperson or vocal advocate in meetings, interviews, or hearings, other than as described below, and must comply with all rules of decorum established for the particular proceeding. Should the matter proceed to a hearing, one advisor will be responsible for conducting cross-examination of witnesses. If a party does not have an advisor for a hearing, the University will provide one free of charge to the party for the purpose of conducting cross-examination of witnesses on behalf of the party. Parties are not permitted to conduct cross-examination of witnesses directly. Cross-examination may be conducted only through an advisor.

Parties are required to notify the relevant office three (3) business days prior to any meeting, call, interview, hearing, or other event if the advisor is an attorney.

**VI. Informal Resolution Process**

- A. About:** Informal resolution is a voluntary process through which parties consensually work toward resolution of a matter. The informal resolution process provides a remedies-based approach specific to the circumstances of the incident, without making a determination as to whether a policy has been violated. This approach allows the parties and University to tailor responses to the unique facts and circumstances of an incident, particularly in cases where there is not a broader threat to individual or campus safety.

The informal resolution process may only be pursued in matters where a formal complaint has been filed. Parties may agree to engage in informal resolution any time prior to the grievance process reaching a determination of responsibility for a Policy violation.

- B. Limitations:** The University may not offer or facilitate an informal resolution process to resolve allegations that an employee sexually harassed a student.
- C. Notice & Consent:** Informal resolution processes are facilitated by the Office of Gender Equity & Inclusion (“OGEI”) and/or its designee. To participate in informal resolution, the University must:
- i. Provide the parties with a written notice disclosing: the allegations, the requirements of the informal resolution process including the circumstances under which it precludes the parties from resuming a formal complaint arising

from the same allegations, provided, however, that at any time prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process and resume the grievance process with respect to the formal complaint, and any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared, and

- ii. Obtain the parties' voluntary, written consent acknowledging their desire to participate in the informal resolution process.

**D. Possible Outcomes:** OGEI and/or its designee may do one or more of the following, as appropriate:

- i. Identify, develop, and/or support the administration of interim or long-term supportive measures available to the parties.
- ii. Provide targeted or broad-based educational programs or training.
- iii. Meet with the parties, discussing the behavior as alleged, providing opportunity for a response, reviewing institutional policies, and/or mediating agreed upon resolutions.
- iv. Facilitate the development of strategies, plans, and/or other agreements to assure discontinuance of identified conduct, prevention of recurrence/furtherance, and/or avoidance of retaliation.
- v. If the respondent is an employee, OGEI may notify the respondent's supervisor of the allegations, informal resolution process, outcomes, and/or subsequent expectations.
- vi. If the respondent is a student, OGEI may notify the Office of Student Conduct and Community Standards and/or other appropriate University employees of the allegations, informal resolution process, outcomes, and/or subsequent expectations.

**E. No Waiver of Rights:** The University may not require as a condition of enrollment or continuing enrollment, or employment or continuing employment, or enjoyment of any other right, waiver of the right to an investigation and adjudication of formal complaints of sexual harassment. The University may not require the parties to participate in an informal resolution process.

**F. Withdrawing Consent:** Where the parties have agreed to pursue informal resolution, neither party nor the University shall be precluded from withdrawing their consent to participate in the informal resolution process and/or pursuing a formal resolution process arising from the same allegations at any time prior to reaching the agreed upon informal resolution.

**G. Deferring Investigation:** In appropriate situations, misconduct investigations may be deferred while parties pursue informal resolution. When an investigation is deferred, the University refrains from taking any action on a case for a designated period of time, during which a party may be given the opportunity to satisfy certain conditions or obligations as a means of avoiding further investigation and/or other University proceedings. In such cases, failure to fulfill informal resolution agreements may result in subsequent formal resolution

processes. The University reserves the right to end an informal resolution process if, in its discretion, there is not substantial progress toward resolution.

- H. **Confidentiality of Records:** Informal resolution processes shall be conducted confidentially to the extent permitted by law. Informal resolution process may result in the creation of records and/or other materials subject to institutional record retention policies, as permitted by the Family Education Rights and Privacy Act, or as required by law.
- I. **Timeline:** Generally, informal resolution processes shall be concluded within ninety (90) business days of the filing of the formal complaint. Following the conclusion of an informal resolution process, written notice of the outcome and closure of the formal complaint will be provided to the parties within thirty (30) business days.

## VII. **Formal Complaint Resolution**

- A. **About:** The formal resolution process consists of an investigation and a hearing. As used in this Policy, the term “investigation” refers to the process that the University uses to review allegations and gather relevant evidence. Unless a respondent accepts responsibility, at the conclusion of the investigation, a hearing will be held to determine: (1) whether or not conduct in violation of this Policy occurred; and (2) if the conduct occurred, what actions the University will take to respond, remediate, eliminate, and prevent recurrence of the prohibited conduct within the University community, which may include imposing disciplinary or corrective action and/or the provision of remedies to affected parties and/or the University community.
- B. **Burden of Proof:** The University has the burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility.

### C. **Investigation:**

- i. *Gathering of Evidence:* The investigator shall interview individuals involved, witnesses, and any other persons determined to have relevant knowledge of the circumstances and/or deemed necessary for the completion of a thorough and accurate investigation. Investigations of allegations may include review of related physical evidence and/or materials, review of electronic transmissions, records, and/or other documentation, interviews, and other fact-finding activities. Each party shall have an equal opportunity to present witnesses, including fact and expert witnesses, as well as other inculpatory or exculpatory evidence. The University shall not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence.

Parties interviewed by the investigator shall be invited to provide written statements and/or other relevant documentation for consideration of the investigator. The University will respect determinations made by the complainant(s) and respondent(s) regarding their level of participation in an investigation.

- ii. *Consent to Use Certain Records:* The University will not access, consider, disclose, or otherwise use a party’s records that are made or maintained by a physician,

psychiatrist, psychologist, or other recognized professional or paraprofessional acting in the professional's or paraprofessional's capacity, or assisting in that capacity, and which are made and maintained in connection with the provision of treatment to the party, unless the University obtains that party's voluntary, written consent to do so.

- iii. *Inspection of Evidence:* Both parties shall have an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in the formal complaint, including the evidence upon which the University does not intend to rely on in reaching a determination regarding responsibility and inculpatory or exculpatory evidence whether obtained from a party or other source, so that each party can meaningfully respond to the evidence prior to conclusion of the investigation. The University shall make all such evidence subject to the parties' inspection and review available at any hearing or give each party equal opportunity to refer to such evidence during the hearing, including for purposes of cross-examination.

Prior to the completion of the investigative report, the University shall send to each party and the party's advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy, and the parties will have at least ten (10) business days to submit a written response, which the investigator will consider prior to completion of the investigative report.

- iv. *Cooperation:* University community members are expected to comply with reasonable investigator requests for records, documentation, and/or other materials and to cooperate in the investigatory process, including the timely arrangement of meetings, evidence production, and following of investigator directives. A factual finding and/or appropriate corrective or disciplinary action may be taken against University community members who disrupt, obstruct, and/or otherwise fail to cooperate, in University investigatory processes.
- v. *Notice:* The University will provide, to a party whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of all hearings, investigative interviews, or other meetings, with sufficient time for the party to prepare to participate.
- vi. *Investigative Report:* The investigative report will be simultaneously distributed to all parties and their advisors, if any, at least ten (10) business days prior to a hearing, in an electronic format or hard copy, for their review and written response. The report will not contain any findings or conclusions, but will instead fairly summarize the relevant evidence and will contain:
  - 1. A summary of alleged conduct in violation of this Policy, including a description of the impact or effect alleged to have been caused;
  - 2. A summary of the response to the allegations;
  - 3. A summary of facts found during the investigation; and

4. Analysis of the application of this Policy to facts found in the investigation;
- vii. *Extensions of Time*: Where parties, witnesses, and/or evidence needed by the investigator are delayed, temporarily unavailable, and/or otherwise withheld, good cause exists for the investigator to extend the timeframe of the investigatory process as necessary to complete a thorough and appropriate review of the matter. When an extension is inevitable, the investigator shall notify the parties simultaneously, with written notice of the delay or extension and the reasons for the action.

**D. Hearing:**

- i. *Location & Accommodations*: In the absence of an informal resolution or a respondent accepting responsibility, a live hearing shall be conducted to determine responsibility. Hearings may be conducted with all parties physically present in the same geographic location, or at the University's discretion, any or all parties, witnesses, or other participants may appear at the hearing virtually, with technology enabling participants simultaneously to see and hear each other. The hearing chair reserves the right to make appropriate accommodations to secure the safety and comfort of all parties and witnesses during a conduct proceeding or reasonable accommodations required under law. This may include having complainants and respondents in separate rooms, the use of technology to accommodate a virtual hearing, or periodic breaks so parties may speak with their advisors.
- ii. *Recordings*: Hearings will be recorded by the University. Panel deliberations will not be recorded. Any record of the hearing will remain the property of the University and be subject to the Family Educational Rights and Privacy Act. Either party may have post-hearing access to the recorded hearing. To maintain confidentiality, parties will be permitted access to inspect and review the recording. Persons given access to the recording will be required to sign a confidentiality agreement in order to protect the privacy of the information contained in the recording.
- iii. *Hearing Panel*:
  1. Hearing Panel Pool: A pool of individuals shall be available to serve as members of the Hearing Panel. The pool shall consist of individuals who are trained on issues relating to this Policy as well as how to conduct hearings.
  2. Hearing Panel: The hearing panel will consist of three members, one of whom will serve as the hearing chair. All three members will vote as to responsibility and as to sanctions and remedies, if any.
  3. Conflicts of Interest: The complainant or respondent may challenge participation of any hearing panel member on the grounds of conflict of

interest. Challenges must be submitted in writing to the hearing chair within three (3) business days of notice of the proposed panel composition. The challenge must specify reasons the parties believes the challenged member has a conflict of interest. The Vice President for Equity, Inclusion & Community Impact, or designee, shall determine whether a conflict of interest exists. If the challenge is granted, the conflicted member shall be replaced by another member from the Hearing Panel pool.

iv. *Hearing Participants:*

1. Restricted Attendance: Presence at hearings shall be restricted to the parties involved (complainants and respondents) along with their advisors, witnesses, the hearing panel, and appropriate administrative University personnel. Hearings are closed to the public.
2. Advisors: Advisors may provide guidance to their respective parties, and, except for conducting cross-examination of witnesses, may not play an active role in the hearing. The parties are required to notify the hearing chair three (3) business days prior to the hearing if one or more of their advisors are an attorney.
3. Appointment of an Advisor: If a party does not have an advisor present at the hearing, the University shall provide, without fee or charge, to the party, an advisor of the University's choice, who may be, but is not required to be, an attorney, to conduct cross-examination on behalf of that party.
4. Investigator: The Investigator will be present to answer questions.
5. Participation in Hearing: If either party or a witness does not submit to cross-examination at the hearing, the panel must not rely on any statement of that party or witness in reaching a determination regarding responsibility; provided, however, that the panel cannot draw an inference about the party or witness' testimony or credibility based solely on a party's or witness' absence from the live hearing or refusal to answer cross-examination or other questions. The parties shall be afforded the same opportunities to have witnesses present for hearings.
6. Witness List Submission: Three (3) business days prior to the hearing, the parties may submit to the hearing chair a list of witness names they wish to provide testimony at the hearing. This will help ensure the witnesses receive information on the date and time of the hearing and any necessary links if appearing virtually.

v. *Hearing Procedures:*

1. Standard of Proof: The standard of proof shall be preponderance of the evidence. The panel must conclude that it is more likely than not that each alleged violation of the Policy has occurred.

2. Opening Statements:

- a. The hearing chair will open the proceeding with a statement that includes the nature and purpose of the hearing, an overview of the hearing process, and an expectation for decorum during the hearing. The hearing chair may place time limitations on testimony.
- b. The complainant and respondent shall each be entitled to make a ten (10) minute opening statement. The parties shall confine their presentation to facts relevant to the allegations.

3. Hearing Panel Questions: The hearing chair shall open the floor for direct questions from the hearing panel to the parties. The hearing panel may coordinate questioning; however, each individual hearing panel member shall retain the right to question both parties and their witnesses. The hearing panel shall question the complainant and the respondent. The hearing panel may also request the presence of and question witnesses cited in the investigation report at its discretion. Other than the complainant and respondent, only one witness at a time shall be present in the hearing room.

4. Cross-Examination: Each party's advisor will conduct cross-examination of the other party and of any witnesses. Cross-examination at the hearing shall be conducted directly, orally, and in real time by the party's advisor and never by a party personally. During the hearing, only relevant information shall be considered.

5. Relevancy Determinations: The hearing panel shall determine the relevance of evidence and its admissibility. The hearing panel shall determine the relevance of questions before they are answered and shall explain any decision to exclude a question as not relevant.

6. Prior Sexual History: Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the complainant's prior sexual behavior are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent.

7. Closing Statements: The parties will be permitted to make a ten (10) minute oral closing statement.

8. Deliberations: The hearing panel will deliberate privately to determine whether the respondent violated the University's Title IX Policy, and to determine appropriate sanctions, if any, and appropriate remedies, if any.

vi. *Post Hearing Procedures:*

1. Vote: The hearing panel shall seek to reach consensus in adjudicating cases. In the event there is no consensus, a majority vote shall determine the outcome.
2. Written Determination: Within ten (10) business days, the panel will issue its written determination simultaneously to the parties and it will include:
  - a. Identification of the allegations potentially constituting sexual harassment as defined in this Policy.
  - b. A description of the procedural steps taken, from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held.
  - c. Findings of fact supporting the determination.
  - d. Conclusions regarding the application of the Policy to the facts;
  - e. A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions the University imposes on the respondent, and whether remedies designed to restore or preserve equal access to the University's education program or activity will be provided by the University to the complainant; and
  - f. The University's procedures and permissible bases for the complainant and respondent to appeal.
3. Finality: The determination becomes final either on the date that the University provides the parties with the written determination of the appeal, if an appeal is filed, or if an appeal is not filed, the date on which an appeal would no longer be considered timely.
4. Implementation of Remedies and Sanctions: The Title IX Coordinator is responsible for effective implementation of any remedies and will communicate any applicable sanctions to the appropriate University office for implementation.
5. Records: Records related to the hearing and the determination will be retained by the Division of Equity, Inclusion & Community Impact. A copy of the determination will also be provided to the appropriate University office if applicable.

## **X. Appeals**

### **A. Appeals from Dismissal of Formal Complaint:**

- i. *Submission of Appeals*: A party may appeal a dismissal of a formal complaint within five (5) business days of receipt of the notice of dismissal. The appeal must be made

in writing and state the bases for the appeal. The written appeal must be sent via email to:

Vice President for Equity, Inclusion & Community Impact  
University of Cincinnati  
Email: T9appeal@ucmail.uc.edu

- ii. *Notification:* Upon receipt of an appeal, the Vice President for Equity, Inclusion & Community Impact and/or designee, will notify both parties of the appeal and provide a copy of the appealing party's written appeal statement, identify the appeal officer assigned to the matter, provide notice regarding how to object to the appeal officer based on bias and/or conflict of interest, and provide the non-appealing party five (5) business days to respond to the appealing party's statement.
- iii. *Appeal Officer:* Upon receipt of an appeal, the Vice President for Equity, Inclusion & Community Impact, and/or designee, will assign an appeal officer who was not involved in the dismissal determination. The University will ensure that the appeal officer complies with the guidelines of this Policy.
- iv. *Written Decision:* Unless circumstances warrant additional review, within twenty (20) business days after receipt of all statements from the parties, the appeal officer will issue a written decision describing the result of the appeal and the rationale for the result and provide it simultaneously to the parties.
- v. *Finality:* All appeal determinations are final. Notice of the University's appeal determination shall be provided to the parties and appropriate campus entities and/or offices necessary to implement the determination.

**B. Appeals from Hearing Written Determination:**

- i. *Basis for Appeal:* An appeal of the determination regarding responsibility may be made by the complainant(s) and/or respondent(s) on one or more of the following bases:
  - 1. Procedural irregularity that affected the outcome of the matter
  - 2. New evidence that was not reasonably available at the time of the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter
  - 3. The Title IX Coordinator, investigator(s), or decision-maker(s) had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter.
  - 4. A sanction is not commensurate with the violation.
- ii. *Submission of Appeal:* A party may appeal a hearing written determination of a formal complaint within five (5) business days of receipt of the written

determination of responsible or not responsible. The appeal must be made in writing and state the basis and reasoning for the appeal. The written appeal must be sent to:

Vice President for Equity, Inclusion & Community Impact  
University of Cincinnati  
Email: [titleixappeals@uc.edu](mailto:titleixappeals@uc.edu)

- iii. *Appeal Panel:* The Vice President for Equity, Inclusion & Community Impact and/or designee, will assign three appeal panel members who were not on the hearing panel that decided the matter. The University will ensure that the appeal panel members comply with the guidelines of this Policy.
- iv. *Notification:* Upon receipt of an appeal, the Vice President for Equity, Inclusion & Community Impact and/or designee, will notify both parties of the appeal and provide a copy of the appealing party's written appeal statement, identify the appeal panel members assigned to the matter, provide notice regarding how to object to members of the appeal panel based on bias and/or conflict of interest, and provide the non-appealing party five (5) business days to respond to the appealing party's statement.
- v. *Written Decision:* Unless circumstances warrant additional review, within twenty (20) business days after receipt of all statements from the parties, a written decision describing the result of the appeal and the rationale for the result will be issued and provided simultaneously to the parties. The appeal panel may:
  1. Remand the matter to the investigator and/or hearing panel to correct a procedural irregularity;
  2. Remanding the matter to the investigator and/or hearing panel for consideration of whether new information or evidence would materially affect determinations of fact and/or conclusions reached in the hearing; or
  3. Remand the matter to be re-investigated by a third party due to the fact that bias or procedural error materially affected determinations of fact and/or conclusions of the hearing;
  4. Affirm the findings and conclusions of the hearing panel;
  5. Revise any sanctions imposed to be commensurate with the finding of responsibility;
  6. Revise any remedies provided to be commensurate with the finding of responsibility; and/or
  7. Reverse the findings of the hearing panel as to responsibility, sanctions, and/or remedies, and impose any modified sanctions or provide any modified remedies, as may be appropriate.

- vi. *Finality*: All appeal determinations are final. Notice of the University's appeal determination shall be provided to the parties and appropriate campus entities and/or offices necessary to implement the determination.

## REMEDIES AND SANCTIONS FOLLOWING THE RESOLUTION OF A COMPLAINT

### I. Remedies

Remedies will be provided to a complainant, as appropriate, when a determination of responsibility for sexual harassment has been made against the respondent. Remedies must be designed to restore or preserve equal access to the University's education program, activity, or employment, and may include, but are not limited to, referral to counseling and health services, referral to the Employee Assistance Program, transfer, reassignment, housing changes, academic support, climate surveys, training, and other educational programming.

### II. Sanctions

- A. **Students**: Students found to have engaged in prohibited conduct in violation of this Policy are subject to a range of sanctions which include:

removal from activities, courses, and University housing; and probation, suspension, or dismissal from the University, as set forth in the Student Code of Conduct.

- B. **Employees**: Employees found to have engaged in prohibited conduct in violation of this Policy may be subject to discipline including, but not limited to, and/or discussions

reprimand, counseling, demotion, suspension, or termination as set forth by the University's Human Resources policies and procedures and/or the applicable collective bargaining agreements.

- C. **Volunteers and Third Parties**: Volunteers and third parties, including visitors, guests, program participants, vendors, contractors, subcontractors, or other persons who do business with the University, may be subject to bans from campus, termination of participation in activities or programs, or termination of contractual arrangements with the University.

### III. Constitutional Rights

The University does not infringe upon rights protected by the First Amendment of the Constitution. The University may sanction acts in violation of this Policy that do not qualify for First Amendment protection.

## PROHIBITION AGAINST RETALIATION

University policy, state law, and federal law prohibit retaliation against an individual for reporting in good faith complaints of sexual harassment, for the individual's good faith participation in an investigation, or for otherwise asserting protected rights in good faith. Retaliation is a serious violation that can subject the offender to sanctions independent of the merits of the complaint of sexual harassment.

Neither the University nor any other person may intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by Title IX or this Policy or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under this Policy. Intimidation, threats, coercion, or discrimination, including charges against an individual for code of conduct violations that do not involve sexual harassment, but arise out of the same facts or circumstances as a report or complaint of sexual harassment, or a report or formal complaint of sexual harassment, for the purpose of interfering with any right or privilege secured by Title IX or this policy, constitute retaliation. Complaints alleging retaliation may be filed according to the grievance procedures for sexual harassment provided in this Policy.

The exercise of rights protected under the First Amendment does not constitute prohibited retaliation. Charging an individual with a code of conduct violation for making a materially false statement in bad faith in the course of a grievance proceeding does not constitute retaliation provided, however, that a determination regarding responsibility, alone, is not sufficient to conclude that any party made a materially false statement in bad faith.

## **TRAINING**

The University will ensure that Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process, will receive training on the definition of sexual harassment; the scope of the University's education program or activity; how to conduct an investigation and grievance process including hearings, appeals, and informal resolution processes, as applicable; and, how to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias.

The University will ensure that hearing panel members receive training on any technology to be used at a live hearing and on issues of relevance of questions and evidence, including when questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant.

The University will ensure that investigators receive training on issues of relevance to create an investigative report that fairly summarizes relevant evidence.

Any materials used to train Title IX Coordinators, investigators, grievance panel members, appeal panel members, and any person who facilitates an informal resolution process, will not rely on sex stereotypes and will promote impartial investigations and adjudications of formal complaints of sexual harassment.

All training materials will be made publicly available on the University's website. All training materials must be retained for a period of seven years.

## **EDUCATIONAL AWARENESS AND PREVENTION**

The University is committed to preventing and eliminating sexual harassment. To that end, the University's Division of Equity, Inclusion & Community Impact, Human Resources, and the Division of Student Affairs have developed educational awareness programs to inform staff, faculty, and students about issues such as diversity and inclusion, equal opportunity, understanding implicit bias, respectful workplace, teamwork communications, discrimination, sex discrimination, sexual harassment, gender-based violence, dating violence, domestic violence, and intimate partner violence.

The University will continue its ongoing mission of training and informing students, faculty, and staff about identifying and preventing discrimination, harassment, and retaliation, as well as advising members of the University community of their rights and responsibilities under this Policy.

## **RECORDS**

The University will maintain for a period of at least seven years, the following records:

- Each sexual harassment investigation including any determination regarding responsibility and any audio or audiovisual recording or transcript, any disciplinary sanctions imposed on the respondent, and any remedies provided to the complainant designed to restore or preserve equal access to the University's education program or activity;
- Any appeal and the result therefrom;
- Any informal resolution and the result therefrom;
- For each response to a report of sexual harassment, records of any actions, including any supportive measures, taken in response to a report or formal complaint of sexual harassment. In each instance, the University must document the basis for its conclusion that its response was not deliberately indifferent, and document that it has taken measures designed to restore or preserve equal access to the University's education program or activity; and
- If the University does not provide a complainant with supportive measures, then the University must document the reasons why such a response was not clearly unreasonable in light of the known circumstances.

The documentation of certain bases or measures does not limit the University in the future from providing additional explanations or detailing additional measures taken.

## **Sex- and/or Gender-Based Misconduct Policy and Procedure**

### **Policies**

#### **I. Anti-Discrimination Statement**

The University of Cincinnati does not tolerate discrimination on the basis of sex, including sexual harassment, sexual violence, or retaliation. UC takes steps to ensure that the campus community is not subject to a hostile environment and to respond promptly and appropriately to allegations of discrimination or harassment on the basis of sex. The university promptly investigates incidents of discrimination or harassment on the basis of sex, takes appropriate action (including disciplinary action) against students found to have violated this policy, and provides remedies as appropriate to complainants and the campus community. The university takes immediate action to end a hostile environment if one has been created, prevent its recurrence, and remedy the effects of any hostile environment on affected members of the campus community.

The university is committed to upholding First Amendment principles and this policy does not impair the exercise of rights protected under the First Amendment. For more information about harassment and the First Amendment, please see the [University Policy on Discriminatory Harassment](#).

#### **Statement of Jurisdiction**

Except as covered under the Title IX Sexual Harassment Policy, this policy applies to alleged sex/gender-based discrimination that takes place on university property (owned, leased or controlled premises), at university-sponsored events, in connection with a university-recognized program or activity, as well as off-campus behavior that is not associated with a university-sponsored event or a university-recognized program or activity, if the alleged discrimination could reasonably create a hostile environment on campus or in university programs or activities.

#### **II. Definitions and Examples**

The university's policies and definitions may differ from Ohio state law. Conduct may be both punishable under the criminal statutes and university policy. These processes are separate and distinct from one another, but can run concurrently. Definitions cited from the Ohio Revised Code may be revised at any time.

#### **Amnesty**

The university community encourages the reporting of conduct code violations and crimes. Sometimes, individuals who experience sexual misconduct are reluctant to report such conduct to university officials because they fear that they themselves may be accused of policy violations, such as underage drinking at the time of the incident. To encourage reporting, the University of Cincinnati does not refer complainants with non-violent violations, such as unauthorized use of alcoholic beverages or drugs or narcotics related to the incident. The university may,

however, impose educational responses rather than sanctions, at the discretion of the Department of Student Life.

### **Complainant**

A Complainant is the individual who files a report or on whose behalf a report is filed.

### **Confidentiality**

If you have experienced sexual misconduct and would like to speak confidentially with someone about your reporting options, please consider contacting one of the [confidential resources](#). The university will generally honor a complainant's request for confidentiality. However, complainants should be advised that this may limit the University's ability to respond fully to the report. Reports made to university employees other than those specifically identified as confidential sources must be reported to the Title IX Coordinator, who will evaluate the reports to determine whether action must be taken to protect the University community.

### **Consent**

Consent is informed, freely given, mutual, and can be withdrawn at any time. A person cannot give consent if he or she is mentally or physically incapacitated or impaired such that the person cannot understand the fact, nature or extent of the sexual situation; this includes impairment or incapacitation due to age, alcohol or drug consumption, or being asleep or unconscious. Similarly, a person cannot give consent if force, expressed or implied, duress, intimidation, threats or deception are used on the complainant. Silence or the absence of resistance does not necessarily imply consent. Consent to some sexual acts does not imply consent to other acts, nor does prior consent to sexual activities imply ongoing future consent with that person or consent to that same sexual activity with another person. Whether an individual has taken advantage of a position of influence or authority over an alleged victim may be a factor in determining consent.

### **Dating Violence**

Dating violence is 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 a consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. Dating violence includes sexual or physical abuse or the threat of such abuse.

### **Domestic Violence**

Domestic violence is 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; 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 Ohio.

Pursuant to Ohio Revised Code § 2919.25 Domestic Violence:

1. No person shall knowingly cause or attempt to cause physical harm to a family or household member.
2. No person shall recklessly cause serious physical harm to a family or household member.
3. 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.

\* [Complete text of Ohio Revised Code §2919.25](#)

### **Employee**

UC employees include university faculty and staff.

### **Incapacitated or Incapacitation**

A state in which rational decision-making or the ability to consent is rendered impossible because of a person's temporary or permanent physical or mental impairment including, but not limited to, physical or mental impairment resulting from drugs or alcohol, disability, sleep, unconsciousness, or illness. Incapacitation is determined based on the totality of the circumstances. Incapacitation is more than intoxication, but intoxication can cause incapacitation. Factors to consider in determining incapacitation include, but are not limited to, the following:

- Lack of awareness of circumstances or surroundings (e.g., an inability to understand, either temporarily or permanently, the who, what, where, how and/or why of the circumstances; blackout state);
- Inability to physically or verbally communicate coherently, particularly with regard to consent (e.g., slurred or incoherent speech);
- Lack of full control over physical movements (e.g., difficulty walking or standing without stumbling or assistance); and/or
- Physical symptoms (e.g., vomiting or incontinence).

### **Mandatory Reporter**

All university employees, except those specifically designated as confidential resources ([CAPS, Health Services, the counseling services at Blue Ash and Clermont Colleges, and On-Campus Women Helping Women Advocates](#)), must report to the Title IX Coordinator any incidents of possible sexual harassment, sex discrimination, or retaliation on campus of which they are aware. Reports must be made within 24 hours using the [online reporting form](#) or to the Title IX Coordinator or a Deputy using the contact information provided above. University employees who are responsible for reporting possible sex discrimination, sexual harassment, and retaliation include all faculty, administrators, staff, residence coordinators, and residence advisors.

Ohio law requires that any person learning of a felony report the crime to the police. All university employees must report a felony of which they are aware to the University of Cincinnati Police Department (exceptions to this are employees of the

Counseling Center and University Health Services). Questions regarding identifying felony behavior can be directed to the Office of General Counsel or the University of Cincinnati Police Department.

### **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 complainant.

### **Respondent**

A Respondent is the individual against whom a report has been filed.

### **Sex Discrimination**

Sex discrimination takes place where a UC student or third party receives negative or adverse treatment based on sex, gender, or gender identity and the conduct denies or limits the individual's ability to obtain the benefits of UC's programs or activities.

### **Sex- and Gender-Based Harassment**

Sex- and gender-based harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature where:

- Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or academic success; or
- Submission to or rejection of such conduct by an individual is used as the basis for employment or academic decisions affecting such individual; or
- Such conduct has the purpose or effect of unreasonably interfering with an individual's work or academic performance or creating an intimidating, hostile, or offensive working or study environment.

In addition, harassment without an overt sexual component can also violate the law and university policies where it is shown that the harassment is directed at an individual because of the individual's gender or gender identity. In determining whether alleged conduct constitutes sexual harassment, the University will look at the totality of the circumstances, such as the nature of the sexual advances and the context in which the alleged incidents occurred. The determination whether a particular action violates this policy will be made from the facts, on a case by case basis. In cases in which a hostile environment is alleged, a determination of a violation requires not only a finding that the victim regarded the environment as hostile, but also that such conduct was severe, persistent or pervasive and would be considered hostile by any reasonable person. Offensive conduct that does not rise to the level of harassment, however, may be grounds for discipline under other applicable policies.

### **Sex- and Gender-Based Violence**

Sex- and gender-based violence refers to physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent due to the person's use of drugs or alcohol. An individual also may be unable to give consent due to an intellectual or other disability. A number of different acts fall into the category of sexual violence, including rape, sexual assault, and sexual coercion. All such acts of sexual violence are forms of sexual harassment covered under Title IX. Gender-based violence may be directed at a person because of the person's gender, gender identity or perceived gender/gender identity.

### **Sexual Assault**

Offenses including rape, fondling, or statutory rape. Sexual assault includes non-consensual intercourse (see definition of rape above) as well as non-consensual sexual contact (intentional sexual contact of the body parts of another person without that person's consent).

### **Sexual Coercion**

This occurs when a respondent unreasonably pressures a complainant to engage in sexual activity despite the complainant indicating that he or she does not want to engage in sexual interaction. Sexual coercion can occur through the use of words/pressure, substances such as drugs or alcohol, force, or manipulation. Sexual coercion can also occur where the respondent is in a position of influence or authority over the complainant, or where the complainant is a minor.

### **Stalking**

Engaging in a course of conduct directed at a specific person that would: cause a reasonable person to fear for his or her safety or the safety of others; or suffer substantial emotional distress.

*Pursuant to Ohio Revised Code §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 any electronic method of remotely transferring information, including, but not limited to, any computer, computer network, computer program, or computer system, shall post a message with purpose to 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.

\* **Complete text of Ohio Revised Code §2902.211**

**Student**

As defined in the Student Code of Conduct, an individual who has been accepted for admission to the university, registered for classes, enrolled at the university, or otherwise entered into any other relationship with the university to take or audit classes. Student status lasts until an individual graduates, withdraws from the university, is dismissed, or is not in attendance for two complete semesters.

**Examples of Prohibited Conduct**

Please note that this is not a comprehensive list but provides guidance to individuals seeking to understand some of the definitions provided above:

- Student 1 and Student 2 have many drinks at a party and go to Student 1's room in a residence hall on-campus, where the students lie down in Student 1's bed. Student 1 passes out and Student 2 has sexual intercourse with Student 1. Student 2's conduct violates this policy because Student 1 was incapacitated and unable to give consent.
- Student 1 has been in a consensual sexual relationship with Student 2. In the middle of a sexual encounter with Student 2, Student 1 pushes Student 2 away, expressing fatigue. Student 2 continues the sexual encounter by touching Student 1 intimately, and Student 1 pushes Student 2 away again and pretends to be asleep. Student 2's conduct violates this policy by continuing with sexual contact despite Student 1's withdrawal of consent.
- Student 1 files a sexual harassment complaint against Student 2. When they hear about this, Student 2's friends begin to follow Student 1 around campus and make derogatory comments to Student 1. Student 1 becomes afraid to go to classes. The conduct by Student 2's friends is prohibited by this policy as it constitutes harassment in retaliation for filing a Title IX complaint.
- Student 1 goes to a party and meets Student 2. The two students hang out for a couple of hours. Student 1 drinks five cups of an alcoholic juice served at the party and has three shots of tequila. Student 1 begins to throw up and Student 2 walks Student 1 to Student 1's apartment. On the way, Student 1 stumbles and has trouble walking. Student 1's speech is slurred and Student 1 needs assistance to swipe into the apartment. Student 2 has sex with Student 1 when they go to the apartment. Student 2's conduct violates this policy because Student 1's alcohol consumption and actions (e.g., throwing up, slurred speech) reasonably suggest that Student 1 is incapacitated and unable to give consent.
- Students 1 and 2 are in the same Biology class. Student 2 sits behind Student 1 in class and observes Student 1's cell phone number. Student 2 begins texting Student 1 daily and sometimes stands outside Student 1's classes. Student 1 tells Student 2 to stop. Student 2 moves to a different seat in Biology class but

continues to text Student 1 every day and to stand outside Student 1's classes. Student 2's conduct constitutes stalking in violation of this policy.

### **III. Where to Make a Report or File a Complaint**

#### **Reports to the Office of Gender Equity & Inclusion**

Reports or complaints of possible policy violations where the alleged perpetrator is not a UC employee can be made by contacting the Title IX Coordinator or appropriate Deputy Title IX Coordinator:

- Office of Gender Equity & Inclusion, [titleix@uc.edu](mailto:titleix@uc.edu), (513) 556-3349
- Deputy Title IX Coordinator for UC Blue Ash College, Molly Scruta, (513)-936-1501
- Deputy Title IX Coordinator for UC Clermont College, Jennifer Radt, (513)732-8964 or 513-732-5319
- Deputy Title IX Coordinator for faculty and staff, Matthew Olovson, (513) 556-5503

Reports involving employees are addressed as set forth in the [University Policy Statement on Sexual Harassment](#), the [University Policy on Discriminatory Harassment](#) and the [University Policy on Non-discrimination](#).

Upon the Title IX Coordinator's receipt of a report, the Title IX Coordinator or designee will generally contact the reporter (or complainant) via email and/or telephone within 48 hours.

#### **Reports to Law Enforcement**

Reports also may be made to the University of Cincinnati Police Department at: (513) 556-1111, 51 West Corry Blvd, <http://www.uc.edu/publicsafety.html>.

Reports may be made simultaneously to law enforcement and the Office of Gender Equity & Inclusion.

### **IV. Policies**

#### **Amnesty**

The university community encourages the reporting of conduct code violations and crimes. Sometimes, individuals who experience sexual misconduct are reluctant to report such conduct to university officials because they fear that they themselves may be accused of policy violations, such as underage drinking at the time of the incident. To encourage reporting, the University of Cincinnati does not refer complainants with non-violent violations, such as unauthorized use of alcoholic beverages or drugs or narcotics related to the incident. The university may, however, impose educational responses rather than sanctions, at the discretion of the Department of Student Life.

#### **Confidentiality**

If you have experienced sexual misconduct and would like to speak confidentially with someone about your reporting options, please consider contacting one of the [confidential resources](#). The university will generally honor a complainant's request for confidentiality. However, complainants should be advised that this may limit the University's ability to respond fully to the report. Reports made to university

employees other than those specifically identified as confidential sources must be reported to the Title IX Coordinator, who will evaluate the reports to determine whether action must be taken to protect the University community.

### **Mandatory Reporter**

All university employees, except those specifically designated as confidential resources (**CAPS, Health Services, and the counseling services at Blue Ash and Clermont Colleges**), must report to the Title IX Coordinator any incidents of possible sexual harassment, sex discrimination, or retaliation on campus of which they are aware. Reports must be made within 24 hours using the **online reporting form** or to the Title IX Coordinator or a Deputy using the contact information provided above. University employees who are responsible for reporting possible sex discrimination, sexual harassment, and retaliation include all faculty, administrators, staff, residence coordinators, and residence advisors.

Ohio law requires that any person learning of a felony report the crime to the police. All university employees must report a felony of which they are aware to the University of Cincinnati Police Department (exceptions to this are employees of the Counseling Center and University Health Services). Questions regarding identifying felony behavior can be directed to the Office of General Counsel or the University of Cincinnati Police Department. For a list of reportable offenses, please see the **sexual offenses and related crimes chart**.

### **Minors as Complainant or Respondent**

All University community members who receive information, suspect, or know that a minor is being or has been abused or neglected must advise their supervisor, the Office of Human Resources, and the University of Cincinnati Department of Public Safety promptly. If the report is about a supervisor or administrator, the next level of management should be contacted. Reports can be made to: Chief Human Resources Officer or Senior Director of Labor Relations & Policy Development at (513) 556-0343; University of Cincinnati Department of Public Safety: Non-Emergency (513) 556-1111. Also see the policy on **Protection of Minors on Campus**.

### **V. Formal Resolution Process**

This procedure provides for the prompt, reliable, impartial resolution of complaints of sex discrimination. Complaints will generally be resolved within 60 days of the filing of a complaint; however, in some circumstances, complaints may take longer to resolve (e.g., if filed during university breaks.) If there is a need to extend the timelines set forth below, the Title IX Coordinator will make the determination and notify the parties. Notwithstanding the waiver, complainants who have experienced sexual violence are still encouraged to file complaints. Complainants and respondents will receive regular updates regarding the status of their complaints.

1. The university strongly encourages individuals who experience sex discrimination to file complaints as soon as reasonably possible after the alleged sex discrimination occurs to allow for prompt resolution of inappropriate conduct.

Complaints should be filed under this procedure within two years of the last act of alleged discrimination, unless extenuating circumstances precluded reporting a complaint within that time frame. The purpose of the time frame is to ensure that the passage of time does not limit the University's ability to conduct an investigation or locate witnesses, as memory lapses and other time-sensitive factors may impair an investigation. Complaints filed outside the two year time frame may be eligible for a discretionary waiver of the filing requirement. Waiver decisions will be made by the Title IX Coordinator in consultation with the General Counsel.

2. A complainant may initiate the formal Title IX process by filing a complaint with the Title IX Coordinator or a Deputy Coordinator (contact information provided above). During this meeting, the complainant will receive a copy of the university's Title IX policies and procedures, and information about the Title IX process, how to file a complaint with law enforcement, how to obtain interim measures, and information about on- and off-campus resources.
3. Within seven days of the filing of a complaint, a Deputy Title IX Coordinator or designee will generally initiate a meeting with the respondent. During this meeting, the respondent will receive notice of the complaint allegations, a copy of the university's Title IX policies and procedures, and information about the Title IX process. The respondent also will be provided an opportunity to discuss the nature of the complaint allegations.
4. Within 14 days of the filing of a complaint, a Deputy Title IX Coordinator or designee will begin interviewing witnesses, as appropriate, and review relevant evidence. The complainant and the respondent will have an equal opportunity to provide documents and witnesses during the investigation and adjudication of the complaint.
5. At the conclusion of the investigation, the Deputy Title IX Coordinator will prepare an interim investigatory report for review by the complainant and respondent. The complainant and respondent will be provided an equal opportunity to review, ask written questions about, and comment in writing on the report. Written input from the complainant and respondent will be incorporated into the report. If necessary, the Deputy Title IX Coordinator will conduct additional investigation prior to finalizing the report. The final report will be provided to the adjudicators (see adjudication process below) within five weeks of the filing of the formal complaint.
6. At any time prior to the adjudication of the complaint, a respondent may choose to accept responsibility, at which point the Director of Judicial Affairs may conduct an administrative review to determine appropriate sanctions. Such administrative review generally will be concluded within 60 days of the filing of the formal complaint.
7. Adjudication process:
  - a. The university maintains a pool of faculty and staff who receive training at least annually on sexual violence, sexual harassment, and the requirements of Title IX. Adjudication of complaint under this procedure will take place as set forth in the **Student Code of Conduct**.
  - b. The complainant and respondent will receive concurrent written notice of the outcome of the adjudicatory process.

8. Conflicts of interest: If either party believes that a Deputy Title IX Coordinator, investigator, or adjudicator involved in the case has a conflict of interest, the party should inform the Title IX Coordinator to permit a determination of whether a conflict exists and the designation of a replacement for that person.
9. Confidentiality: Information shared by the parties as part of the Title IX process will be kept private, consistent with state and federal law.
10. Advisors: The parties may be accompanied by an advisor of their choice during the Title IX process. Advisors are not permitted to speak on behalf of the parties during meetings or hearings. See **Student Code of Conduct** for further discussion of the role of the advisor.
11. Mediation: The university does not mediate sexual assault complaints and does not require the complainant to work out an issue directly with the respondent.
12. Investigator: The university reserves the right to utilize outside investigators to conduct fact finding during this process.

## **VI. Interim Measures**

Interim measures are available upon receipt of a report of sex discrimination, including sexual violence, and prior to the resolution of a complaint, as appropriate. Available interim measures include, but are not limited to, restrictions on contact between the respondent and complainant (“no contact” orders); changes in academic or living situations where appropriate; access to counseling, health, and mental health services at no cost; academic support; and escort services. Failure to abide by restrictions placed during the Title IX complaint resolution process constitute a violation of UC policy.

The Title IX Coordinator or Deputy Title IX Coordinator generally will offer interim measures upon receipt of a report of sex discrimination, if appropriate. Individuals who would like to request additional interim measures or who experience difficulty obtaining interim measures that they have been approved to receive should contact the Title IX Coordinator or Deputy Title IX Coordinator.

Protective measures also may be available by filing a complaint with law enforcement. For example, police departments may provide civil protection orders and other measures when criminal complaints are filed.

## **VII. Prohibition Against Retaliation**

The University does not tolerate intimidation, retaliation, or retaliatory harassment against individuals because they filed a complaint, participated in a Title IX investigation, or otherwise asserted rights protected by Title IX. Individuals found responsible for retaliation in violation of Title IX will be held accountable under the **Student Code of Conduct**. Remedies may be available to complainants, witnesses, and participants in the Title IX process who experience retaliation.

## **VIII. Standard of Review**

The university applies the preponderance of the evidence or “more likely than not” standard in investigating, adjudicating, and resolving complaints of sex discrimination, including allegations of sexual harassment or violence.

### **IX. Appeal**

The complainant and respondent have equal rights to file an appeal. The university maintains a trained pool of individuals who may serve as appeal board panelists. The appeal process will be carried out consistent with the [Student Code of Conduct](#). The complainant and respondent will receive concurrent written notice of the outcome of the appeal process.

### **X. Sanctions**

Students found responsible for sex discrimination, including sexual violence, under this policy are subject to a range of sanctions up to, and including, suspension and dismissal from the university, as set forth in the [Student Code of Conduct](#). Other sanctions may include removal from housing or changes in academic programming and restrictions on access to the complainant or campus. Third parties may be subject to bans from campus or termination of contractual arrangements with the university.

### **XI. Remedies**

Following the adjudication of a complaint, remedies may be available for the complainant and campus community, as appropriate. Remedies may include counseling, housing changes, academic support, training and other educational programming.

### **XII. Resources**

The University maintains a full list of on- and off-campus resources for individuals who have experienced sex discrimination, including sexual misconduct, available on the [Title IX Resources](#) page.

### **XIII. Documentation**

The university will retain through its data management systems all recordings of Title IX hearings and related documentation, consistent with the university’s record retention policy.

### **XIV. Bystander Intervention**

Bystanders play a critical role in the prevention of sexual and relationship violence. A bystander is anyone who observes an emergency or a situation that looks like someone could use some help. Even if you feel it is not your place to get involved, if it appears that someone is in immediate danger, you may choose to intervene if it is safe to do so, or get help by calling the police. It is important to notify the police if you feel you or someone else’s safety has been threatened or is in danger.

### **Procedures**

All student policies can be found in the [Student Code of Conduct](#).

For complaints of sex discrimination, including sexual assault, involving UC employees, please use the procedures set forth in the [University Policy Statement on Sexual Harassment](#), the [University Policy on Discriminatory Harassment](#) and the [University Policy on Non-discrimination](#). The definitions in this procedure supersede the definitions that may exist in other university policies and procedures with dates prior to October 2014.

[Title IX of the Education Amendments of 1972](#) is a federal civil rights law that prohibits discrimination on the basis of sex, gender, or gender identity in the university's programs and activities.

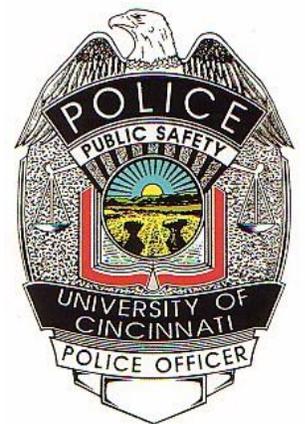
Title IX prohibits discrimination on the basis of sex including retaliation against someone who has filed a report, is involved in an investigation, or otherwise asserted rights protected by Title IX. Individuals who experience sex discrimination are encouraged to report such incidents to the university. Employees are required to report information about possible sex discrimination of which they have notice.

Appendix G

<b>Name</b>	<b>On/Off Campus</b>	<b>Phone</b>	<b>Address</b>	<b>Available To</b>
CAPS	On	513-556-0648	225 Calhoun St. Suite 200	Student
WHW	On	513-431-1563, 513-431-3807 (Mon-Fri) 513-381-5610 (24-hour hotline)	Steger Student Life Room 559	Everyone
UHS	On	513-556-2564	55-57 W. Daniels St (next to Daniels Hall)	Everyone
Employee Assistance Program (EAP) Impact Solutions	On	513-556-6381	University Hall Room 340	Employee
NightRide	On	513-556-RIDE		Everyone
UCPD	On	513-556-1111, 911	Edwards Three	Everyone
Crime Victims Service Coordinator	On	513-556-4905	Edwards Three	Everyone
Office of Gender Equity & Inclusion (Title IX)	On	513-556-3349	225 Calhoun St Suite 300	Everyone
LGBTQ Center	On	513-556-4329	Steger Student Life Room 565	Everyone
Office of Equal Opportunity & Access	On	513-556-5503	Edwards One Suite 5150	Employee
University Ombuds	On	513-556-5956	Swift Hall Room 607	Everyone
Accesibility Resources	On	513-556-6823	University Pavilion Room 210	Everyone
UC International Services	On	513-556-4278	Edwards One Suite 7148	Everyone
Crisis, Assessment, Referral, and Evaluation Team (CARE Team)	On	<a href="https://www.uc.edu/campus-life/dean-of-students/care-team.html">https://www.uc.edu/campus-life/dean-of-students/care-team.html</a>		Everyone
Domestic Violence and Protective Order Clinic	On	513-556-0180		Everyone
YWCA Greater Cincinnati	Off	513-872-9258	898 Walnut St	Everyone

Appendix G

University of Cincinnati Medical Center Sexual Assault Nurse Examiner Program	Off	513-584-4201	234 Goodman St	Everyone
CPD	Off	513-765-1212, 911	Multiple locations around the city	Everyone
City of Cincinnati Prosecutor	Off	513-352-5333		Everyone
Hamilton County Prosecutor	Off	513-946-3000		Everyone
Talbert House	Off	513-281-2273 or text Talbert to 839863		Everyone
Ohio Statewide Victim Information & Notification Everyday (VINE)	Off	800-770-0792	<a href="http://www.vinelink.com">www.vinelink.com</a>	Everyone
Ohio Victim Compensation	Off	877-5VICTIM		Everyone
Ohio Crime Victim Justice Center	Off	614-848-8500	<a href="http://www.ocvjc.com">www.ocvjc.com</a>	Everyone



Department of Public Safety  
[www.uc.edu/publicsafety](http://www.uc.edu/publicsafety)

# 2020 Annual Security Report & Fire Safety Report

2017-2019 Crime  
Statistics for Uptown,  
Blue Ash,  
Clermont/UC East  
and Victory Parkway  
Campuses