



## 2015 ANNUAL SECURITY REPORT

This report has been prepared to comply with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act of 1990, the 2008 Higher Education Opportunity Act, and the 2013 Campus Sexual Violence Elimination Act (Campus SaVE Act). This publication is part of John Carroll University's effort to provide information and services that help maintain a safe and secure environment for its students, faculty, staff and visitors.

This information is compiled and distributed annually by the John Carroll University Police Department (JCUPD). Crimes and student conduct referrals reported to the following offices, agencies and individuals are included:

- John Carroll University Police Department (JCUPD)
- University Heights Police (university owned properties)
- Shaker Heights Police (university owned apartments)
- Geauga County Sheriff (Carrollodge & Thornacres)
- Office of the Dean of Students
- Office of Residence Life
- Athletic Coaching Staff
- Advisors of Student Organizations
- Other University officials (Campus Security Authorities) who have significant responsibility for campus activities, and who have the authority and duty to respond to on behalf of the Institution, and to whom crimes have been reported.

***\* The information and statistics in this document are from the calendar year 2015***

### JCUPD

JCUPD operates as a police department under Section 1713.50 of the Ohio Revised Code. JCUPD officers are armed, sworn police officers, certified through the Ohio Peace Officers Training Council and have arrest authority and police powers on the JCU campus. Officers receive over 600 hours of basic police training and additional in-service training annually.

Officers patrol the campus grounds, buildings and parking lots 24 hours a day. JCUPD are first responders to criminal, medical, fire and other emergencies on campus, and coordinate response with other campus and community responders. Additionally; JCUPD officers provide escorts, vehicle assistance, lost and found services, parking enforcement, and support of campus events. Officers also take reports and investigate criminal and University conduct violations. The training, orientation and philosophy of the department is to provide professional services which enhance the safety of the University community. JCUPD can be reached Courtesy telephones are located in the lobbies or corridors of buildings, or from any phone by calling 216-397-1234. A dispatcher will answer this phone 24 hours a day.

## LOCAL POLICE

The University lies primarily within University Heights, but also has property in Shaker Heights. JCUPD has concurrent jurisdiction for University property within each city, and therefore works closely with both Police departments. JCUPD has a mutual aid agreement with the University Heights Police Department (UHPD) which describes reporting and investigation of crimes involving JCU students and employees on campus and in the city. It also details information-sharing and other cooperative arrangements between the departments. JCUPD notifies UHPD of serious crimes when they occur, and provides weekly notice of all crimes reported to JCUPD. UHPD shares information with JCUPD weekly about crimes and incidents involving JCU students, staff or property. University Heights and Shaker Heights are the primary police agencies within their city jurisdiction. Both agencies utilize the Shaker Heights Municipal Court and the Cuyahoga County court system. JCUPD may investigate criminal incidents occurring on and off campus involving students and employees. However, should a victim wish to seek (or a prosecutor wish to pursue) criminal prosecution, the police department with jurisdiction will investigate and work with prosecutors to consider criminal prosecution.

## PUBLIC RECORDS

As of 2015, JCUPD police records are considered Public Records as defined in the Ohio Public Records Act, and release of police records are governed by the requirements and exceptions set out in that Act. Information about Ohio public records can be found here: <http://www.ohioattorneygeneral.gov/Legal/Sunshine-Laws>. The JCUPD records policy can be found at: <http://sites.jcu.edu/css/>.

## REPORTING CRIMES AND OTHER EMERGENCIES

Crimes or other emergencies should be reported 24 hours a day to JCUPD at 397-1234. Other options for reporting, or advice/guidance if you are unsure if a crime has occurred are:

- E-mail JCUPD at [jcupd@jcu.edu](mailto:jcupd@jcu.edu)
- Visit the JCUPD office in room 14 of the Rec Plex.
- Call University Heights Police at 216-932-1800, or visit their offices at 2300 Warrensville Center Road.

For any emergency, call the JCUPD dispatcher at the 216-397-1234 number and give the following information:

- Your name.
- Your location.
- The nature of the emergency (person bleeding, not breathing, fire etc.).
- The exact location of the emergency (Student Center, Jardine Room etc.).
- A phone number for the dispatcher to call you back if needed.
- Any other information the dispatcher asks you.
- Don't hang up until the dispatcher indicates you should do so.

By calling 216 -397-1234 instead of 911 directly; JCUPD, JCUEMS and other campus responders can respond to the emergency while the JCUPD dispatcher calls 911. This enables help to be on scene quickly while campus responders meet and take local responders directly to the emergency location, thus avoiding delays by local responders. If you do call 911, call the JCUPD dispatcher, give the information above, and tell them that you called 911. Reported incidents are investigated by JCUPD along with local, state, or other police agencies as needed. All criminal matters should be reported to JCUPD, even if a report is made to residence hall assistants or other personnel.

## CONFIDENTIAL REPORTING

Reporting incidents, experiences and concerns to University Officials is encouraged so that members of the JCU community can find help for difficult situations and take appropriate action. Should anyone wish to make a report in confidence, there are various options to consider:

- You may report crimes anonymously to the JCUPD tip line by calling 216-397-1515., or by submitting it online at: <http://sites.jcu.edu/css/pages/tip-line/>
- You may report a crime to someone possessing legal privilege. If you do so, that person must maintain confidentiality unless he/she determines that there is imminent risk of harm to self or others. JCU does not encourage pastoral or professional counselors to inform those they counsel about reporting crimes voluntarily and confidentially for inclusion in the institution's annual security report. Those possessing legal privilege include:
  - Licensed counselors, psychologists & psychiatrists in the Campus Counseling Center, or off-campus agencies/offices.
  - Physicians or health care providers in Campus Health Service or in a hospital, clinic or doctor's office.
  - Members of the clergy who are ordained and acting in the capacity of a pastoral counselor.
- You may report crimes or incidents to University Officials (Residence Life staff, coaches, Dean of Student's Office, professors etc.) and ask that the University handle the matter confidentially. A request for confidentiality may limit the University's ability to respond to the reported crime or incident. It is important to note that confidentiality cannot be guaranteed. University Officials receiving a report in confidence will try to maintain your privacy to the extent possible; however, University Officials may be required to report the crime or incident to others within the University or law enforcement agencies outside the University in order to address the issues raised and meet the University's legal obligations. Federal and State laws have reporting requirements which designate most faculty and staff as "mandatory reporters," and thus faculty and staff are required to report to JCUPD crimes listed in this report and any felony crimes. Additionally, any incident of sexual harassment or sexual assault must be reported to the University Title IX Coordinator.

## PREVENTION AND AWARENESS PROGRAMS

Programs offered to the campus community emphasizing prevention and safety awareness are created, coordinated and/or presented by the following offices:

- Violence Prevention and Action Center (VPAC) <http://sites.jcu.edu/vpac/>
- JCUPD <http://sites.jcu.edu/css/>
- Residence Life <http://sites.jcu.edu/reslife/>
- Health Promotion and Wellness <http://sites.jcu.edu/wellness/>
- Title IX Office <http://sites.jcu.edu/title-ix/>

These programs emphasize that JCU prohibits dating violence, domestic violence, sexual assault and stalking, and seeks to educate and empower the entire campus community to prevent these from occurring, and to respond appropriately if they do occur. Below are descriptions of programs offered to the entire campus, or specific audiences in 2015.

These offices will work with groups and individuals in presenting or developing a program to fit specific needs/concerns.

## STUDENT PROGRAMS

### A. Primary Prevention Programs

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

***Alcohol, Sex and Consent:*** When someone is drinking, it's not always clear if they can give consent. Participants discuss our responsibility, the law, and making sure that we know where we stand when it comes to alcohol and consent.

***Empowerment:*** Participants discuss what it means to expect respect in a relationship, setting boundaries, and ways to build up one another.

***Let's Get Loud (Assertiveness Training):*** Participants learn strategies for identifying and acting on one's desires, needs, and opinions while remaining respectful to others.

***Helping a friend through a crisis:*** Participants learn about signs that may indicate a friend is experiencing some form of interpersonal violence, tips on how to talk about the situation, ways to be supportive, and how/where to refer for help.

***The survivor perspective:*** Participants hear from a JCU survivor of sexual assault or survivor of relationship violence.

***Who's watching you:*** Participants will learn ways to handle a situation in which they feel "creeped out", ways in which people can use of technology to stalk, and how to protect themselves.

***Becoming an All American (JCU Athletes) / Core Values & Healthy Relationships-*** Values based positive psychology program that has participants discuss their values and how it affects their decision making. Program discusses challenges student athletes face individually and as a team, and using their values to overcome the challenge. Students watch a survivor video (a 2014 JCU graduate/student athlete). Discuss bystander intervention techniques and values to be a positive bystander and assist someone who might experience relationship violence. Discuss social media and presenting your true self (values) in all areas of the students' life. Discuss resources on and off-campus for assisting someone who has experienced interpersonal violence. The following athletes participated in this program in 2015: Women's Soccer, Basketball, and Softball, Men's Lacrosse, Football, Baseball, and Wrestling.

***Healthy Relationships -*** Discuss healthy and unhealthy relationship characteristics, red flags to determine an unhealthy relationship and perpetrators of sexual violence using alcohol and other drugs to incapacitate victims. Discuss consent and substance use/abuse. How to support a victim if they experienced interpersonal violence. The following groups participated in this program in 2015: Peer Health Advocates, Pathways Students (Center for Student Diversity & Inclusion), First year International Students, Resident students in Campion, Bernet, Murphy, Pacelli and Dolan Halls.

***Army SHARP program*** – All ROTC students participated in the Army's SHARP program (Sexual Harassment/Assault Prevention Program) which is an integration of sexual harassment and sexual assault training to address prevention at the earliest point in the continuum of harm.

***Healing in Motion*** – Artistic performances by students including dancing, music, singing, and poetry reading portraying effects of sexual violence, and healing through these artistic expressions. After the performances, students led a reflection about campus violence and provided confidential resources.

## **B. Bystander Intervention**

Training on safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is a risk of dating violence, domestic violence, sexual assault, stalking or other unsafe behavior.

***Annual Bystander Intervention:*** This program teaches participants positive actions to prevent or intervene in situations including high-risk drinking, sexual assault, dating /domestic violence, and stalking using bystander intervention techniques. Participants discuss intervention strategies in scenarios they experienced or might experience as a JCU student. Discuss on and off campus resources. This program is presented by VPAC, Health Promotion & Wellness and JCUPD. Groups that received this training in 2015: Fraternities/Sororities, PanHellenic Council, Greek New Members, New Student Leaders, LAUNCH leadership course, Pathways Students, Recreation workers & advisors.

***Bystander Intervention Training for rising sophomores-*** A partnership with VPAC, Office of Residence Life, Dean of Students Office, Recovery Resources and The Cleveland Rape Crisis Center. A training program for rising sophomores on bystander intervention strategies around topics of mental health, sexual assault, problem gambling, and substance use.

***Bystanders and Burritos*** – A peer facilitated program in which participants engage in a causal conversation about Bystander Intervention concepts and strategies. Offered to first and second year resident students.

## **C. Risk Reduction**

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

***Women's Self-Defense*** – A program stressing self-awareness of mind and body, use of voice and actions to escape, comply or fight when confronted with potential violence. This empowering, hands-on program is offered annually to Greek organizations and resident students by JCUPD.

***Street Harassment*** – Strategies and resources to respond to and report street harassment and related behavior.

## **D. Awareness Programs**

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

***Violence Prevention and Action Center posters-*** “Get Help” by contacting VPAC as a confidential resource on campus.

***VPAC website and brochures-*** Resources to educate the JCU community on interpersonal violence and resources.

***Orientation to VPAC services-*** Presentations on prevention and response services offered through the Violence Prevention and Action Center. This was infused into Women and Gender studies, and Intro to Sociology courses.

***That's What They Said*** – A peer presented gender identity awareness program.

***Men's Bystander Intervention Panel*** – A peer led discussion of Bystander Intervention strategies and successes.

***Courageous Conversations: Sexual Violence*** – A campus wide small group discussion on sexual violence.

***Rape Culture and Possibility for Resistance-*** Male-focused program on sexual violence causes and solutions.

***Sexual Assault Forum*** – A open campus forum to discuss sexual assault on campus convened by Student Union.

## **E. Ongoing Awareness and Prevention Programs**

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

**Curriculum Infusion** – Sexual and relationship assault/abuse/harassment, alcohol and consent, and healthy relationship discussions integrated into academic courses. Courses that participated in 2015: Clinical Intervention Prevention & Ethics, Intro. to Religion, Intro. to Sociology, Sexuality and Sexual Behaviors, Sex & Gender, AR120: Freshmen Students,

**Purple Light Nights**- An awareness campaign in October in which faculty and staff offices display purple lights to increase awareness about domestic violence. This program provides confidential resources on and off-campus for survivors or secondary survivors of domestic violence.

**Residence Life Staff Safety Training** – Annual training for all Resident Life staff, regarding recognizing and responding safely and effectively to emergencies. Presented by Risk Management and JCUPD.

**Consent Tea**- An awareness program based on the video: <https://www.youtube.com/watch?v=fGoWLS4-kU>

**Sex Signals**- This program is a live performance that uses improvisation, humor, and audience participation to explore the social pressures of relationships in college while addressing the importance of obtaining consent and creating a safe environment. This program is presented to all incoming freshmen students during orientation week.

**White Ribbon Campaign**- An annual event where male faculty, staff, and students hand out white ribbons to men in the JCU community pledging to “never commit, condone or remain silent about violence against women, girls, or children.”

**New Student Orientation: College 101**- Skits about college life provided by upperclassman trained orientation staff to incoming students and their parents. Sexual assault and confidential resources on-campus are discussed. At the end of the program, Orientation Staff answer questions that members of the audience have. Additionally, JCUPD provides information to new students about how and when to contact JCUPD, and general safety and prevention strategies.

**New Student Orientation: Small Group**- Upper class JCU student orientation staff provide small group discussion to incoming freshman students on healthy relationships, consent, interpersonal violence and resources on and off-campus.

**Take Back the Night: March a Speak Out**- An annual program held in April for Sexual Assault Awareness month which includes a march around JCU’s campus and survivor speak out.

**Haven**- Uses a population level approach to educate all first year and transfer students on issues associated with sexual assault and relationship violence, taking into account their unique perspectives and experiences.

**Responding to survivors of Interpersonal Violence**- A program providing students, faculty, and staff with resources on responding to survivors of interpersonal violence. The following groups received training: Residence Life, Student Affairs Staff, Faculty, Orientation Staff, Department of Biology, Boler School of Business, Center for Service & Social Action.

**Orientation to VPAC services**- Presentations on prevention and response services offered through the Violence Prevention and Action Center. This was infused into Women and Gender studies, and Intro to Sociology courses.

**JCUPD safety training** – JCUPD staff will present crime prevention and response programs upon request.

## FACULTY/STAFF PROGRAMS

**Mock Halls** – Scenario-based training exercises in which Resident Advisors respond to various scenarios including sexual or relationship violence, and de-brief with appropriate resource staff.

**Sexual Misconduct and Higher Education** – Title IX overview and issues of campus sexual misconduct, along with responsible employee training presented to the University Board of Directors, and the University Senior Leadership Team.

**Title IX Update** – An update on evolving regulations and the University’s response to these, given to the Student Affairs Committee of the Board of Directors.

**Responding to Sexual Harassment and Title IX**– Training which defined sexual harassment, and provided processes for reporting incidents and recognizing and preventing its occurrence. This training was provided to the staff of the Student Affairs Division, the Enrollment Division, the Advancement Division, the Faculty Council on Gender and Diversity, and was offered to University supervisory staff through the Human Resources Supervisory Series.

**New Staff Orientation** – New staff are trained in recognizing and preventing sexual harassment and other forms of discrimination. They are also trained in their reporting obligations, processes and campus resources.

**Responding to Interpersonal Violence** – Resident Life staff and Resident Ministers are trained in recognizing, preventing and responding to incidents of interpersonal violence, including sexual assault, sexual harassment, dating and domestic violence and stalking. They are also trained in their reporting obligations and processes, as well as campus and community resources available.

**Introduction to the Violence Prevention and Action Center (VPAC)** – The services and programs of VPAC were explained, on campus and off campus resources were discussed and response strategies were presented to the New Student Orientation Leaders, the University Hearing Board and the Residence Life staff.

**University Hearing Board Training** – The members of the Board were trained in hearing processes as it relates to Title IX requirements, the investigative process (including trauma-informed investigations) and VPAC services and resources.

**University Sexual Harassment Board Training** - The members of the Board were trained in hearing processes as it relates to Title IX requirements, the investigative process (including trauma-informed investigations) and VPAC services and resources.

**Civil Rights Responses at JCU** – The members of the University Leadership Council were trained in Title IX requirements and processes at JCU.

**Safety Series** – JCUPD and the Risk Management Office conduct programming addressing how and when to contact JCUPD, how to respond in emergencies (active shooter, fire etc.) and general safety recognition, response and prevention strategies.

**Office Safety** – JCUPD and Risk Management provide risk assessment and safety training for offices, work groups related to personal safety, physical security and emergency response.

## JOHN CARROLL UNIVERSITY INTERPERSONAL VIOLENCE POLICY

### I. Policy

John Carroll University seeks to provide a community for students that promotes personal growth and development. The University asserts that respect for the rights and dignity of all people must be protected. This goal is an integral part of all aspects of University life, rooted in our Jesuit Catholic identity, and is essential to our academic community.

John Carroll University is committed to providing a learning environment free from harassment, discrimination, and violence. Interpersonal violence is a serious issue on college campuses and is not tolerated at John Carroll. Interpersonal violence includes all forms of sex discrimination prohibited by Title IX of the Higher Education Amendments of 1972, including gender discrimination, sexual harassment, sexual assault, gender-based stalking and relationship abuse.

It is the policy of John Carroll University, consistent with the aforementioned beliefs and values, that any interpersonal violence offenses (Relationship Violence, Stalking, Sexual Harassment, Sexual Assault, Non-Consensual Sexual Contact, and Sexual Exploitation) are prohibited and will not be tolerated. Thus, the University reserves the right to pursue disciplinary action for interpersonal violence offenses against John Carroll community members and others without regard to prosecution by criminal justice authorities. The Interpersonal Violence Policy covers violations committed by John Carroll University students.

All students should be aware of the consequences for interpersonal violence offenses. The University urges persons who believe an interpersonal violence offense has been committed against them to seek assistance from any of the available on-campus or off-campus resources.

Relationship Violence, Stalking, Sexual Harassment, Sexual Assault, Non-Consensual Sexual Contact, and/or Sexual Exploitation can be committed by a person or group against a person or persons regardless of sex or sexual orientation. These offenses can be committed by strangers, current or former partners, friends, and acquaintances.

### II. DEFINITIONS

Relationship Violence is behavior used to establish power and control over another individual using fear, intimidation, violence and/or threat of violence. These behaviors can include, but are not limited to, physical, verbal, emotional, financial or sexual abuse. Examples of abuse may include, but are not limited to, hitting, punching, slapping, throwing objects, biting, yelling, name-calling, belittling, threatening violence, stealing money, destroying possessions, isolating, or committing sexual violence. Relationship violence can occur between casual or intimate partners (regardless of sex or sexual orientation), former partners, roommates, or family members.

Sexual Harassment is any unwelcome sexual advances, requests for sexual favors, offensive references to sex, sexual orientation, or other conduct of a sexual nature when:

1. Toleration of such conduct is made either explicitly or implicitly a term or condition of an individual's employment, professional or student status; or
2. Toleration of or rejection of such conduct is used as the basis for employment or academic decisions; or



3. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance, educational experience, or living environment, or creates an intimidating, hostile, or offensive work, educational, or living environment.
4. Sexual harassment can be verbal, written, physical or pictorial in nature.

Sexual Assault is engaging in, or attempting to engage in anal, oral, or vaginal penetration however slight by anyone with any body part or object without the effective consent of the other person

Non-Consensual Sexual Contact is any unwelcome intentional sexual touching. This includes any contact with the breasts, buttocks, groin, genitals, mouth or other bodily orifice of another, as well as the touching of another with any of these body parts, by a person upon any other person, without effective consent.

Stalking is a pattern of two or more incidents of unwanted attention, harassment, contact, or other misconduct directed at a specific person based on sex or sexual orientation that would cause reasonable persons to fear harm to their physical health, mental or emotional health, safety, friends, family or property. Stalking may take many forms, including, but not limited to, persistent calling, texting, instant messaging, posting on a social networking site, monitoring behavior, and taking pictures as well as physical stalking. When the content of the messages or the nature of the physical stalking is of a sexual nature, sexual misconduct has occurred.

Sexual Exploitation is taking sexual advantage of another for their own advantage or benefit, regardless of whether such behavior constitutes one of the other sexual misconduct offenses. Examples include but are not limited to:

- Non-consensual recording. Non-consensual digital, video or audio recording of sexual activity or nakedness (full or partial). This includes the unauthorized sharing or distribution of digital, video or audio recording of sexual activity or nakedness (full or partial).
- Compelling Prostitution. Forcing or inducing another individual to engage in sexual activity for hire.
- Voyeurism. This is a form of sexual exploitation in which one individual engages in secretive observation of another for personal sexual pleasure or engages in nonconsensual video or audio recording of sexual acts or nakedness. This behavior is a form of sexual misconduct and violates the dignity of affected party(ies), even if the person secretly viewed or recorded may be unaware of the observation or recording.
- Exposure. Disrobing or exposure of one's breasts, buttocks, groin, or genitals without the consent of the other person, or inducing another to disrobe or to expose their breasts, buttocks, groin, or genitals to another person without their consent.

#### University Consent Standard

Whether sexual misconduct (as detailed in the definitions above) has occurred depends in part on whether "effective consent" exists. Effective consent is granted when a person freely, actively and knowingly agrees at the time to participate in a particular sexual act with a particular person. Effective consent exists when mutually understandable words and/or actions demonstrate a willingness to participate in mutually agreed-upon activity at every stage of that sexual activity. Consent is mutually understandable when a reasonable person would consider the words and/or actions of the parties to have reached agreement to engage in the particular sexual activity. In the absence of mutually understandable affirmative words or actions, it becomes the responsibility of the initiator (the person who wants to

engage in a specific sexual activity) to obtain effective consent from the other partner. Effective consent has time boundaries. Consent at one time does not imply consent at any other time. The existence of a dating/romantic relationship between the persons involved or the fact of a previous sexual relationship does not automatically establish effective consent for future sexual activity. There is no consent when agreement is only inferred from a person's silence or lack of resistance; there is threat of physical force, harm or intimidation; or there is coercion.

There is no consent when the person is under the age of 16. There is no consent when someone engaging in sexual behavior knew or should have known that the other person was incapacitated. Regardless of the state of the respondent, the University will use the perspective of a "sober and reasonable person" in determining whether one should have known about the impact of the use of alcohol, drugs, mental illness, etc. on another's ability to give consent. Because incapacitation may be difficult to discern, the person seeking the sexual behavior is strongly encouraged to err on the side of caution; i.e., when in doubt, assume the other person is incapacitated and therefore unable to give effective consent.

Incapacitation exists when a person is unaware, blacked out, unconscious, unable to make rational/reasonable decisions and/or otherwise physically or mentally helpless to give effective consent. Indicators of incapacitation include, but are not limited to: outrageous/unusual behavior, inability or diminished ability to accurately discern one's environment (who, what, where, when and/or how), slurred speech, vomiting, severe intoxication, loss of voluntary motor skills, loss of involuntary motor skills, disjointed speech patterns (unable to follow a conversation or verbalize complete thoughts), and/or sleepiness that demonstrates an inability to control one's ability to stay awake.

Coercion exists when a person engages in threats, sexual pressuring or oppressive behavior to force another person to engage in unwanted sexual activity. Real or perceived power differentials between the individuals involved may create an atmosphere conducive to coercion. (Coercion can be differentiated from seduction by a repetition of the coercive activity in the face of resistance, the degree of pressure applied or the initiator's knowledge that the pressure is unwanted.)

### III. Applicability

This policy applies to all John Carroll University students. All students are encouraged to report alleged interpersonal violence offenses as soon as possible. Interpersonal violence offenses may be reported whether they occurred on campus, at a University sponsored event, or off campus including study abroad, internships, and immersion experiences.

### IV. Confidentiality and Reporting

The university encourages those who have experienced interpersonal violence to report these incidents to the Title IX Coordinator, a Deputy Title IX Coordinator, or the John Carroll Police Department and local law enforcement. Contact information for the Title IX Coordinator is:

Title IX Coordinator contact information:

David J. Sipusic, J.D. Title IX Coordinator  
Administration Bldg. Room 128B  
(216) 397-6699  
dsipusic@jcu.edu

Recipients of the behavior have the right, however, not to provide a statement to the Title IX Coordinator, JCUPD or local law enforcement.

To the extent possible, the University will maintain the confidentiality of all parties involved in alleged interpersonal violence offenses. Confidentiality, however, cannot be guaranteed.

Those who wish to discuss a situation in complete confidence should notify only a counselor in the University Counseling Center, a doctor in the University Health Center (or a nurse in the University Health Center acting at a doctor's direction), or a priest acting in the capacity of pastoral counselor since they are not required to disclose knowledge of crimes reported to them except when necessary to prevent harm to the individual or to others.

Students who experience interpersonal violence can meet with the Program Coordinator for the Violence Prevention and Action Center (VPAC) to discuss a situation privately, which means that the University will not pursue an investigation on the basis of private information shared with the VPAC Coordinator if the student does not wish to do so. The VPAC Coordinator is required to report basic non-identifying information on crimes to law enforcement and to the Title IX Coordinator.

Under Ohio law, persons who know that a felony has been committed must report that information to law enforcement. All University employees (including Faculty, Staff, Graduate Assistants, Resident Assistants, and Resident Ministers) and contract employees (including Cleaning staff and JCU Dining Staff) excluding licensed professionals from the University Counseling Center and pastoral counselors (i.e. priests acting as pastoral counselors) must comply with this policy. Therefore, employees must report allegations of interpersonal violence offenses to the Title IX Coordinator or law enforcement authorities, which can include the John Carroll Police Department and/or the University Heights Police Department. It is the practice of JCUPD to report all felonies/serious crimes to UHPD or the appropriate jurisdiction.

#### V. Immunity Provision

Individuals (recipients of the behavior, those assisting recipients, and respondents) who report incidents of interpersonal violence which occur while they are engaged in underage drinking or illicit drug use will not be held responsible for violating the University Alcohol or Drug Policies. For more information on this provision go to: <http://sites.jcu.edu/deanofstudents/pages/community-standards/good-samaritan-policy/>

#### VI. Retaliation

The University strictly prohibits retaliation by, for, or against any participant (complainant, recipient of the behavior, respondent, or witnesses) for making a good faith report of any conduct, act, or practice believed to be interpersonal violence, for resisting such behavior, for participating in an investigation of the allegation, and/or for participating in the conduct process. Prohibited behavior includes any form of intimidation, threats, or harassment by the individual or friends, family, or other persons acting in support of or on behalf of that individual. Retaliation can be verbal, written, graphic, electronic, or physical. Acts of retaliation are, by themselves, cause for disciplinary action. Concerns of retaliation can be reported to the Title IX Coordinator, JCUPD, or the Dean of Students Office.

#### VII. Consequences

Any student found responsible for a violation of the Interpersonal Violence Policy will be subject to disciplinary action up to, and including, expulsion. Specific conduct procedures related to violations of the Interpersonal Violence Policy may

be found below and at <http://sites.jcu.edu/deanofstudents/pages/community-standards/interpersonal-violence-policy>. Even if John Carroll University members are not criminally prosecuted, the University can pursue disciplinary action.

In accordance with the Student Code, the University reserves the right depending on the circumstances and potential safety issues to impose an interim suspension on any student accused of an interpersonal violence offense pending the outcome of an investigation, panel review, and/or appeal process. The University reserves the right to issue a no contact directive during any part of this process.

## PROCEDURES FOR DEALING WITH INTERPERSONAL VIOLENCE

John Carroll University encourages those who have experienced interpersonal violence to report the incident promptly, to seek all available assistance, and to pursue university discipline proceedings and criminal prosecution of the offender.

### A. Immediate Action

Those who have experienced sexual misconduct, including sexual violence, are encouraged to take the following immediate actions:

1. Tell a trusted person about the act of interpersonal violence.
2. Preserve any evidence of the act. Depending on the type of interpersonal violence offense, evidence may include, but is not limited to, text messages, voice mail messages, bodily fluids, etc. Physical evidence such as clothing, bed sheets, etc. should be placed in a secure area.
3. Contact the John Carroll Police Department at 216- 397-1234 and/or the University Heights Police Department at 216-932-1800 and/or the JCU 24-hour Crisis Hotline at 216-397-CALL. JCUPD can provide immediate referral information, access to the university counselor on-call, investigative assistance, and assistance with notifying local law enforcement agencies. The JCU 24-hour hotline can provide immediate support and crisis intervention, educate recipients of the behavior and/or others who support them about reporting options and medical care, and coordinate an in-person advocacy response when appropriate.
4. Seek immediate medical attention at a SANE (Sexual Assault Nurse Examiner) Unit, depending on the type of interpersonal violence offense. If possible, do not bathe, urinate, douche, brush teeth, or consume liquids or food before seeking medical attention. A Sexual Assault Nurse Examiner is a registered nurse with expertise in forensic evidence collection and medical care following trauma, such as sexual assault or relationship violence. The six 24-hour SANE Units in Cuyahoga County are located at Hillcrest Hospital, Fairview Hospital, MetroHealth Hospital, University Hospitals, Rainbow Babies & Children's Hospital, and Southwest General. Hillcrest Hospital is the closest in proximity to John Carroll University. For more information, use the following link: <https://www.clevelandrapecrisis.org/hospitals-in-cuyahoga-county-with-a-24-hour-sane-unit/> . At the hospital, an advocate may be offered from the Cleveland Rape Crisis Center. Advocates can provide support and information about the medical exam, reporting options, and victim rights. If an advocate is not offered, the individual can request to have an advocate or other support person present throughout the exam. Individuals under the age of 18 are able to receive medical attention and evidence collection without a parent present. However, the hospital is required to notify parents/guardians and the Department of Child and Family Services of the hospital visit. Hospital personnel are mandated to report felony crimes. However, if the individual is over the age of 18, the person's name does not have to be disclosed. Individuals may choose whether or not to speak

to the police at the hospital. Regardless of whether an individual makes a report with law enforcement at the hospital, the option to file charges at a later date still exists. When possible, do not disturb the crime scene before law enforcement completes an investigation.

## B. Support Services

The following supportive services are available to individuals who have experienced interpersonal violence:

1. Counseling: Students who have experienced interpersonal violence and their supportive friends/family members may receive free and confidential counseling at the:
  - University Counseling Center (216-397-4283) and/or
  - Cleveland Rape Crisis Center's 24-hour hotline (216-619-6192) and/or
  - Domestic Violence and Child Advocacy Center's 24-hour hotline (216-391-HELP)
2. VPAC: VPAC coordinates an immediate and supportive response to incidents of interpersonal violence by providing a range of responses, including crisis intervention, safety planning, transportation, accompaniment to the hospital and/or to speak with law enforcement, assistance in obtaining a No Contact Directive and/or civil protection order/restraining order, resources/information, and referrals. Students can access these services by contacting the VPAC Program Coordinator through the JCU 24-hour Crisis Hotline at 216-397-CALL (2255).
3. Protective Measures: When the recipient of the behavior and the respondent participate in the same class(es) and/or reside in the same university residence or are in close proximity to one another (i.e. share the same athletic facilities, service sites, working situations, or transportation), the Title IX Coordinator will consult with the appropriate individuals in making a determination regarding an appropriate alternative(s).

## C. Procedures

### 1. Pre-Complaint Resolution Efforts and Information

In the Jesuit spirit of community, before pursuing the complaint process, every reasonable effort should be made to constructively and amicably resolve issues among the parties. Whenever possible, appropriate, and safe, the University encourages anyone experiencing an issue to first attempt discussing the issue with the party(ies) involved. Such discussions may also help prevent tense situations from escalating to an actual hostile environment. The Title IX office can facilitate such discussions, upon request, and monitor them for safety. You are encouraged to contact the Title IX Coordinator if, prior to taking the step of filing a formal complaint, you have questions regarding the process, you are uncertain as to whether your problem is appropriate for pre-complaint resolution efforts, or you are interested in counseling or ways to discuss the issue with the other person, etc.

Pre-complaint resolution procedures are voluntary, and the parties have a right to end the process at any time and initiate the formal complaint process. The University does not require a party to contact the person involved if doing so is impracticable, or if the party believes that the conduct cannot be effectively addressed through informal means. Additionally, some reports of discrimination or harassment – such as reports involving violent behavior – may not be appropriate for pre-complaint resolution, and all cases involving allegations of sexual assault are not appropriate for pre-complaint resolution even on a voluntary basis.

If satisfactory resolution is not reached after discussion with the other individual(s), the University complaint process may be initiated.

Please do not wait to contact the Title IX Coordinator or another University official until behavior becomes sufficiently serious (i.e., severe, pervasive, or persistent) to create a hostile environment. The University will take a proactive approach to preventing and addressing harassment.

## 2. Filing a Complaint and Mandatory Reporting

Any member of the community, guest or visitor who believes that they have been the recipient of harassment or some other form of discrimination prohibited by the Interpersonal Violence Policy, and wishes to make a complaint against a student should contact the Title IX Coordinator in person, by email or by phone. This also applies to students who believe they have been the recipient of behavior prohibited by this policy when the accused is any member of the community, guest or visitor.

It is also possible for students to notify an academic advisor or faculty member, or for any member of the community to notify JCUPD or a Deputy Title IX Coordinator of their desire to make a complaint. These individuals will in turn notify the Title IX Coordinator to initiate the formal complaint process.

Any member of the community, guest or visitor who believes that the Interpersonal Violence Policy may have been violated and wishes to file a report on behalf of another person should contact the Title IX Coordinator.

Most employees receiving reports of a potential violation of this policy are mandatory reporters and are therefore expected to promptly contact the Title IX Coordinator, within one (1) business day of becoming aware of a report or incident. Only employees with a legal obligation to maintain confidentiality, such as counselors at the University Counseling Center, doctors (or nurses acting at a doctor's direction) at the University Health Center, and a priest acting in the capacity of pastoral counselor are expected to maintain confidentiality consistent with their professional and legal obligations, and those individuals are exempt from the reporting requirement. All other University employees are mandatory reporters for purposes of the Interpersonal Violence Policy and this process.

All reports and complaints will be treated with the utmost respect for the privacy of the parties involved. Subject to the University's obligation to redress violations, a reasonable effort will be made to maintain the privacy of those initiating a complaint or report of a possible violation. In all cases, the University will give consideration to the disclosing party with respect to how a possible violation is pursued, but reserves the right, when necessary, to protect the community and University, to investigate and pursue a resolution when the disclosing party chooses not to initiate or participate in a formal complaint.

No person shall make an allegation that one knows to be untrue or knowingly provide false information during the course of an investigation. Making a false complaint or giving false information is a violation of the Interpersonal Violence Policy and may be a basis for discipline, including expulsion. Evidence of false complaints or false information shall be referred by the Title IX Coordinator to the Dean of Students Office.

## 3. Complaint Intake

All complaints and reports will be reviewed and/or investigated and acted upon promptly. The scope of the investigation will be at the discretion of the Title IX Coordinator. Normally, within three (3) business days, an initial investigation in the form of an inquiry or review will be done to determine if the complaint on its face alleges a policy violation, and, if so, what policy violations are raised as part of the complaint. If the complaint does allege a possible policy violation, the

complainant and respondent (if known) will be notified in writing and informed as to the next steps. If the complaint does not allege a policy violation, the case will be closed with no further action, and the complainant and respondent (if known) will be so notified in writing.

Note that the University's ability to move forward in reviewing or investigating any matter depends on a number of factors including, but not limited to: knowledge of the alleged recipient's identity and/or the alleged recipient's willingness to initiate and pursue a formal investigation. Thus, if the complaint is filed anonymously, the University's ability to investigate will be limited, and an investigatory team likely will not be assigned. Additionally, if the complainant does not wish to proceed, an investigation will not follow unless the safety of the University community or legal compliance is jeopardized. In considering such requests, the Title IX Coordinator must weigh the request against the University's obligation to provide a safe, non-discriminatory environment for all members of our community, including the complainant.

The inquiry may differ based on whether the complaint is an informal or a formal complaint. Typically, the informal complaint and resolution procedure involves a basic fact-finding inquiry (see Section 5(a) of this Complaint Process,) while the formal complaint and resolution procedure involves a more extensive inquiry into the facts and circumstances (see Section 5(b) of this Complaint Process).

If any member of the University has reason to believe that a felony crime has been committed, they are obligated to report such information to JCUPD or the Title IX Coordinator, who will report the information about the alleged felony to JCUPD. JCUPD will report the information on the alleged felony to University Heights Police Department. In cases where a police investigation has been conducted or is being conducted, law enforcement may be able to provide some information to the Title IX Coordinator. The University's investigation may be delayed for a short period of time upon a request from law enforcement, but it will promptly resume the investigation as soon as possible.

The investigation and resolution shall be completed as promptly as possible and in most cases within 60 business days of the date the complaint was received, unless extenuating circumstances interfere with such timely completion. During the course of an investigation, the parties will be notified at regular intervals and/or upon request of the status of the investigation. In the event that an investigation and resolution cannot be completed within 60 business days, the parties shall be notified in writing.

#### 4. Interim Remedies/Actions

At any time during the process, the Title IX Coordinator may recommend that interim protections or remedies for the complainant, respondent, or witnesses be provided by appropriate university officials. These protections or remedies may include, but are not limited to: separating the parties, placing limitations on contact between the parties, interim suspensions, referral to counseling or health services, or making alternative workplace or student housing arrangements. Failure to comply with the terms of interim remedies/actions may be considered a separate violation of this policy.

#### 5. Formal and Informal Complaint Resolution Procedures

The University has developed informal and formal complaint resolution procedures to respond to alleged violations of the Interpersonal Violence Policy. The use of the informal complaint resolution procedure is optional. In instances where parties involved do not wish to engage in the informal procedure, where informal resolution is not appropriate, or in situations where attempts at the informal procedure are unsuccessful, the formal procedure will be followed

#### *a. Informal Complaint Resolution Procedure*

The University encourages informal resolution options when the parties desire to resolve the situation cooperatively and expeditiously. The complainant may seek assistance in informally resolving certain alleged violations of the Interpersonal Violence Policy. The Title IX Coordinator will determine if informal resolution is appropriate, based on the willingness of the parties, the nature of the conduct at issue, and the susceptibility of the conduct to informal resolution.

Informal resolution procedures may involve a multitude of interventions and remedies. Some of these may include mediation with a third party, targeted or broad-based educational programming or training for relevant groups or individuals, one-on-one discussions with the respondent, and/or any other remedial or protective measures that can be tailored to the involved individuals to achieve the goals of the Interpersonal Violence Policy.

Regardless of whether the informal resolution or formal resolution procedure is chosen, the respondent will be advised of the substance of the allegations made against them. Where the parties opt to attempt informal resolution, a formal investigation will begin (to be conducted simultaneously with the ongoing informal process), if the parties have failed to achieve resolution within 15 business days.

Please be advised that the informal resolution process is completely voluntary, and that a complainant has the right to end the informal resolution process at any time and initiate the Formal Complaint Resolution Procedure. Also, some complaints of discrimination and sexual misconduct, particularly complaints involving violent behavior, may not be appropriate for informal complaint resolution, but may require use of the Formal Complaint Resolution Procedure described below. Additionally, cases involving allegations of sexual assault cannot be addressed through informal complaint resolution procedures.

#### *b. Formal Complaint Resolution Procedure*

In response to reports of policy violations in cases where the complainant does not wish to engage in informal resolution, where informal resolution is not appropriate, or in cases where attempts at informal resolution are unsuccessful, the Title IX Coordinator will implement a formal complaint resolution procedure, which will consist of two parts: the investigation and the disposition/resolution.

##### *i. Investigatory Team*

The Title IX Coordinator will appoint an investigatory team to conduct a thorough, reliable and impartial investigation of the complaint. The investigators shall be members of the University community who have received training and/or possess experience in the investigation and resolution of sexual discrimination and harassment complaints, including complaints relating to sexual violence. Any real or perceived conflict of interest between an investigator and a party must be disclosed to the Title IX Coordinator; whether an investigator with a real or perceived conflict of interest can nonetheless serve on an investigatory team will be assessed on a case-by-case basis (where appointment as an investigator in such circumstances requires, at a minimum, that protective measures be put in place to ensure fairness in the investigation). The investigatory team will act under the supervision of the Title IX Coordinator and/or a Deputy Title IX Coordinator.

#### *a. Process for Employees as Respondents*

When employees are accused of a policy violation, the situation will be forwarded to the Sexual Harassment Board for investigation and disposition as provided in the Sexual Harassment Policy governing faculty and staff respondents <http://sites.jcu.edu/hr/pages/policies-for-an-inclusive-and-respectful-campus/>



### *b. Process for Students as Respondents*

When students are accused of a policy violation, the investigatory team serves as both the investigatory body and recommends a finding. It is tasked with investigating the complaint, preparing a written investigatory report, making a recommendation as to a determination of responsibility, and forwarding the report to the Associate Dean of Students, who will convene a Complaint Review Panel (“CRP”) to determine responsibility and disciplinary actions.

### *ii. The Formal Investigation*

The investigation generally will include interviews with the parties, if available; interviews with other witnesses as needed; and a review of relevant documents as appropriate. Disclosure of facts to witnesses shall be limited to what is reasonably necessary to conduct a fair and thorough investigation. Participants in an investigation are encouraged to maintain confidentiality so as to protect the integrity of the investigation; however, such is not meant to impinge on any legal rights they may have otherwise.

Both the complainant and the respondent will be asked to provide oral (through an interview) and written statements. A complainant or respondent may opt not to participate at all in the investigation or to provide a written statement in lieu of or in addition to any interview(s) with the investigators. However, it is important to note that any decision by a party not to participate or to limit participation in turn limits the ability of the University to discover facts that may support their version of the key events.

Both the complainant and the respondent will be asked to provide a list of possible witnesses as well as to provide any written or physical evidence (e.g., texts, social media, emails, photos, medical reports, etc.) that they wish to be considered by the investigatory team. Each party will have the opportunity to suggest questions they wish the investigator to ask of the other party and witnesses.

The prior sexual history of a Complainant or Respondent will never be used to prove character or reputation. Moreover, evidence related to the prior sexual history of either of the parties is generally not relevant to the determination of a Policy violation and will be considered only in limited circumstances. For example, if the existence of consent is at issue, the sexual history between the parties may be relevant to help understand the manner and nature of communications between the parties and the context of the relationship, which may have bearing on whether consent was sought and given during the incident in question. However, even in the context of a relationship, consent to one sexual act does not, by itself, constitute consent to another sexual act, and consent on one occasion does not, by itself, constitute consent on a subsequent occasion. In addition, prior sexual history may be relevant to explain the presence of a physical injury or to help resolve another question raised by the report. The Title IX Coordinator will determine the relevance of this information and both parties will be informed if evidence of prior sexual history is deemed relevant.

### *iii. Support Persons*

Both the complainant and the respondent have a right to be accompanied by one support person of their choosing during any meeting or interview.

The support person may be a friend, mentor, family member, attorney or any other person a party chooses; however, the support person cannot be someone who may be called as a witness. The role of the support person is to serve as an advisor. The support person may be present at interviews and any other proceedings the student attends, but may not speak on behalf of the advisee. The parties are expected to ask and respond to questions on their own behalf. Support persons may confer quietly with their advisees or in writing as necessary, as long as they do not disrupt the process.

Support persons are expected to refrain from interfering with the investigation and resolution. Any support person who steps out of their role in any meeting will be warned once and only once. If the support person continues to disrupt or otherwise fails to respect the limits of the support person role, they may be asked to leave the meeting.

The University expects that the parties will wish the University to share documentation related to the allegations with their support person. The University provides a consent form that authorizes such sharing. The party must complete this form before the University is able to share records with a support person. The parties are not otherwise restricted from discussing and sharing information relating to allegations with others who may support or assist them in preparing and presenting. Support persons are expected to maintain the privacy of the records shared with them by the University. These records may not be shared with third parties, disclosed publicly, or used for purposes not explicitly authorized by the University. The University may seek to restrict the role of any support person who does not respect the sensitive nature of the process or who fails to abide by the University's privacy expectations.

The parties must advise the investigators of the identity of their support person two (2) business days prior to the first meeting with the investigator where they desire the presence of that support person. The parties must provide subsequent timely notice to the investigators if they change support persons at any time or if they choose to add a support person after the investigation has begun. No audio or video recording of any kind is permitted during meetings with the investigatory team or other campus officials.

#### *iv. The Disposition/Resolution*

At the conclusion of the investigation, the investigatory team will prepare a written investigation report. The investigation report will include a statement of the allegations and issues, a description of the applicable violations, a summary of the information considered, findings of fact when necessary, and a recommended finding using the preponderance of the evidence standard as to whether a University policy may have been violated. That is, whether it is more likely than not that a violation of the Interpersonal Violence Policy has occurred. The investigative report will also contain a description of the contested and uncontested facts.

In all matters, before the investigation report is finalized, the parties will each have the opportunity to meet with the investigators to review and discuss a redacted copy of the draft investigation report. The draft report will not contain any findings or recommendations from the investigatory team. After the parties have reviewed the draft investigation report, the parties will then have three (3) business days to provide the investigatory team with any additional information, evidence, or witnesses they wish to be considered, as well as the opportunity to submit a written statement in response to the content of the draft report that was reviewed and discussed with the investigators. Prior to finalizing the investigation report, the investigators may incorporate into the report any additional information or evidence provided by the parties, as appropriate.

The parties may also submit an impact statement in writing to the Investigative Team. The impact statement will be reviewed by the Complaint Review Panel, only if a finding of "Responsible" is made.

The investigatory team will then finalize the report, and forward to the Associate Dean of Students, who will convene a Complaint Review Panel ("CRP") to determine responsibility and appropriate disciplinary actions. The CRP will be made up of a three-person panel consisting of the Dean of Students or designee and two trained members of the University Hearing Board who have not participated in the investigation.

Only relevant information (e.g., testimony, witness lists, physical evidence, etc.) that was first presented to the investigatory team will be forwarded to the CRP.

The parties will be notified on the date that the investigative report is forwarded to the CRP for review. Typically, within five (5) business days of receiving the investigative report, the CRP will convene to determine responsibility and related disciplinary actions, if applicable. The investigators will be present and available to answer any questions the CRP may have about the investigative report, but will not be present during any deliberations when the CRP determines responsibility or related disciplinary actions. The CRP will base the determination(s) on a preponderance of the evidence, that is, whether it is more likely than not that the responding party violated the policy as alleged. The possible findings are:

A. Responsible – Finding that information available to the University indicates that it is more likely than not that the respondent violated the policy as alleged.

B. Not responsible – Finding that information available to the University indicates that it is more likely than not that the respondent did not violate the policy as alleged.

Disciplinary actions to resolve the complaint, may include, but are not limited to, educational programs, mentoring, mediation, suspension, expulsion, and remedies for the complainant, as appropriate. Factors considered when deciding disciplinary action may include:

- The nature, severity of, and circumstances surrounding the violation;
- An individual's conduct history;
- Previous allegations or allegations involving similar conduct;
- Any other information deemed relevant by the investigatory team;
- The need for disciplinary actions to bring an end to the discrimination, harassment, and/or retaliation;
- The need for disciplinary actions to prevent the future recurrence of discrimination, harassment and/or retaliation;
- The need to remedy the effects of the discrimination, harassment and/or retaliation on the complainant and the community.

Generally speaking, the University considers sexual assault violations to be the most serious and therefore typically imposes the most severe sanctions on such violations, including suspension or expulsion.

Should a student withdraw while a formal investigation is pending, the resolution process will continue, and the individual will not be permitted to return to the University until the matter has been fully resolved and all disciplinary actions (if any) have been satisfied.

The CRP will then provide the Title IX Coordinator with a written determination on responsibility and on disciplinary actions, if applicable.

Once the Title IX Coordinator receives notice of the determination on disciplinary actions from the CRP, the parties will then be simultaneously informed, in writing, by the Title IX Coordinator or designee via a “Notice of Outcome”. The Notice of Outcome will specify the finding on each alleged policy violation, any disciplinary actions that may result which the University is permitted to share according to state or federal law, and the rationale supporting the essential findings to the extent the University is permitted to share under state or federal law. The notice will also include information on when the results are considered by the University to be final, any changes that occur prior to finalization, and any appeal options that are available.

Any accommodation or remedy will be consistent with the seriousness of the offense and will be designed and imposed in a manner reasonably calculated to end the harassment and to prevent future unlawful or unacceptable conduct.

In instances where sexual harassment has been found to have occurred, the Title IX Coordinator and/or Deputy Title IX Coordinator will document and monitor the implementation of any accommodation or remedy. The Title IX Coordinator and/or Deputy Title IX Coordinator will also follow-up with the parties to ensure that the accommodation or remedy is effectively preventing recurrence of the harassment and serving as the proper remedy for any discriminatory effects on the complainant and others, as appropriate. All situations are subject to follow-up after a period of time to ensure that accommodations, remedies and any other resolution measures have been implemented effectively.

#### *v. The Appeal Process*

Any party may request an appeal of the findings by completing and submitting an Appeal Request Form <http://sites.jcu.edu/deanofstudents/pages/student-conduct/request-for-appeal>. The appealing party must submit the Appeal Request Form and all supporting documentation within five (5) business days of receiving notice from the Title IX Coordinator of the outcome of the investigation.

The three grounds for appeal are as follows:

- A procedural error or omission occurred that significantly impacts the outcome of the investigation (e.g., substantial bias, material deviation from established procedures, etc.). Specific procedures and procedural errors must be cited; and/or
- To consider new information, unknown or unavailable during the original investigation, that could substantially impact the original finding or disciplinary action. A summary of this new information and its potential impact must be included. (Note: Failure to participate or provide information during an investigation, even if based on concern over a pending criminal or civil proceeding, does not make information “unavailable” during the original investigation.); and/or
- The disciplinary action(s) imposed are substantially outside the parameters or guidelines set by the University for this type of violation or the cumulative conduct record of the respondent.

A properly filed and timely appeal will generally stay any action(s) imposed unless doing so would be inconsistent with the University’s Title IX obligations and/or it is determined by the Title IX Coordinator, in consultation with the Dean of Students, that this action would present an unreasonable danger to any person or property or be disruptive to the University’s living/learning environment.

Upon receiving an appeal request, the Title IX Coordinator will designate a three-member “Appeal Review Panel” (“ARP”), which will consist of the Vice President for Student Affairs or designee; a Deputy Title IX Coordinator who did

not participate in the investigation; and a member of the University Hearing Board who was not involved in the investigation or CRP.

Generally, within five (5) business days after receipt of the Appeal Request Form, the Vice President for Student Affairs or designee appointed to the ARP will conduct an initial review of the appeal request(s) to determine whether the appeal is timely and satisfies the grounds for appeal. Should the time to review a party's Appeal Request Form require more than five (5) business days, the parties will be notified in writing. If the appeal request is not timely or does not satisfy the grounds for appeal, the appeal request will be denied, the individual who submitted the appeal request will be notified, and the disciplinary action will stand. The decision not to accept an appeal request is final and is not subject to further appeal.

If the appeal request is timely and meets the grounds for appeal, the Title IX Coordinator will notify both parties that the appeal has been accepted. The Title IX Coordinator will then share the appeal request with the other party (complainant or respondent), and that individual may file a response within three (3) business days. The response (if any) will be shared with the other party.

The ARP will then convene to deliberate over the issues presented. Appeals are not full re-hearings of the allegation(s). The ARP can take one of four possible actions:

- 1) Affirm the original findings;
- 2) Remand the case to the original investigators for consideration of new evidence or to remedy a procedural error or omission;
- 3) Remand the case to a new investigatory team. In a rare case where an error or omission cannot be cured by the original investigators (as in a case of bias), the ARP may order a new investigation with a new investigatory team; or
- 4) Administratively alter the findings and/or disciplinary actions if new evidence, unknown or unavailable during the original investigation, substantially impacts the original finding, and the associated disciplinary actions. The ARP may refer the assigning of disciplinary actions to the CRP, with advisement, who will in turn, adjust the disciplinary actions and inform the Title IX Coordinator.

Decisions rendered by the ARP or actions taken following the ARP's decision are final and not subject to further appeal. Cases that are sent back to the investigatory team or another step in the complaint review process are not eligible for a second appeal. Both parties will be simultaneously informed, in writing, of the outcome of the appeal and/or when the results of the outcome of the investigation are deemed final by the Title IX Coordinator.

## 6. Records

In implementing this process as the means of enforcing the University's Interpersonal Violence Policy, records of all reports, complaints, investigations, and resolutions will be confidentially maintained by the Title IX Coordinator for a period of seven (7) years as part of their records and maintained in accordance with federal laws and guidelines, including the Family Educational Rights and Privacy Act ("FERPA"). Records of all reported complaints, regardless of whether resolved through formal or informal processes, will be kept by the Title IX Coordinator. Records maintained by the Dean of Students Office will be kept by that office consistent with the practices for other student conduct records.

## 7. Statement of Students' Rights

### *Complainant's Rights*

- a. To be treated with respect by University officials.
- b. To an investigation and appropriate resolution of all complaints of discrimination and/or harassment made in good faith to the appropriate University official(s).
- c. To receive written notification that the respondent has been officially notified of the allegation of violating the Interpersonal Violence Policy.
- d. To be notified of the substance of respondent's response, if any, to the allegations.
- e. To be informed of and have access to campus support resources (such as Campus Ministry, the University Health and Counseling Centers, and VPAC.)
- f. To experience a safe living, educational and work environment.
- g. To bring a support person of their choosing, including, but not limited to, a licensed attorney, during any meeting or interview. The support person cannot be someone who may be called as a witness. The role of the support person is to serve as an advisor. They may be present at any meeting or interview related to this process but the advisor is not permitted to speak.
- h. To decline to participate in conflict resolution procedures as the means for resolving an allegation.
- i. To receive amnesty for minor student misconduct (such as alcohol or drug violations) that is ancillary to the incident.
- j. To be free from retaliation for making a complaint or otherwise participating in an investigation in good faith.
- k. To have complaints heard in substantial accordance with these procedures.
- l. To full participation in this process, whether the injured party is the actual party or the University has brought the complaint.
- m. To be informed in writing of the outcome/resolution of the complaint, disciplinary actions where permissible, and the rationale for the outcome where permissible.
- n. The right to be informed by University officials of options to notify proper law enforcement authorities and the option to receive assistance in notifying those authorities, if the individual so chooses.
- o. For residential students, the ability to request housing and living accommodations, if appropriate.
- p. A "no contact directive," if appropriate. A no contact directive is an order from a University Official to have no contact with a particular person or persons. (Contact is considered any verbal, written, electronic, non-verbal gesture, third party messages, indirect loud talking in the vicinity of the person and could include indirect actions that appear to the University to be intimidating.) The University may add to the terms of a no contact to address aspects of the reported incident or concerns that have arisen during the investigation.

q. The right to submit an impact statement in writing to the Investigative Team. The impact statement will be reviewed by the Complaint Review Panel, only if a finding of “Responsible” is made. These documents should be provided during or prior to the conclusion of the investigatory process.

r. The right to regular updates on the status of the investigation and/or resolution.

### *Respondent’s Rights*

a. To be treated with respect by University officials.

b. To an investigation and appropriate resolution of all complaints of discrimination and/or harassment made in good faith to the appropriate University official(s).

c. To receive written notification if officially accused of violating the Interpersonal Violence Policy.

d. To be notified of the substance of the allegations made by the complainant.

e. To be informed of and have access to campus support resources (such as Campus Ministry, and the University Health and Counseling Centers.).

f. To experience a safe living, educational and work environment.

g. To bring a support person of their choosing, including, but not limited to, a licensed attorney, during any meeting or interview. The support person cannot be someone who may be called as a witness. The role of the support person is to serve as an advisor. They may be present at any meeting or interview related to this process, but the advisor is not permitted to speak.

h. To decline to participate in conflict resolution procedures as the means for resolving an allegation.

i. To receive amnesty for minor student misconduct (such as alcohol or drug violations) that is ancillary to the incident.

j. To be free from retaliation for participating in an investigation, in good faith.

k. To have complaints heard in substantial accordance with these procedures.

l. To full participation in this process, whether the injured party is the actual party or the University has brought the complaint.

m. To be informed in writing of the outcome/resolution of the complaint and the rationale for the outcome, where permissible.

n. For residential students, the ability to request housing and living accommodations, if appropriate.

o. A “no contact directive,” if appropriate. A no contact directive is an order from a University Official to have no contact with a particular person or persons. (Contact is considered any verbal, written, electronic, non-verbal gesture, third party messages, indirect loud talking in the vicinity of the person and could include indirect actions that appear to the University to be intimidating. The University may add to the terms of no contact to address aspects of the reported incident or concerns that have arisen during the investigation).

p. The right to submit an impact statement in writing to the Investigative Team. The impact statement will be reviewed by the Complaint Review Panel, only if a finding of “Responsible” is made. These documents should be provided during or prior to the conclusion of the investigatory process.

q. The right to regular updates on the status of the investigation and/or resolution.

## 8. Revision

These procedures will be reviewed and updated annually, if necessary, by the Title IX Coordinator. The presumption is that such review and update will be concluded each summer, with appropriate input reviewed throughout the preceding academic year. The Title IX Coordinator may make minor modifications to procedure that do not materially jeopardize the fairness owed to any party. However, the Title IX Coordinator may also vary procedures materially with notice (on the University’s website, with appropriate date of effect identified) upon determining that changes to law or regulation require policy or procedural alterations not reflected in this policy and procedure. Procedures in effect at the time of its implementation will apply. Policy in effect at the time of the offense will apply even if the policy is changed subsequently, unless the parties consent to be bound by the current policy.

## 9. Discretion

Where an issue is encountered at any juncture of a case that is not addressed specifically by this Complaint Process or the Interpersonal Violence Policy, the University has the discretion to determine, in a good faith effort to comply with applicable legal requirements, how to address such an issue.

## 10. Conclusion

The University encourages all members of its community, as well as visitors, to embrace and abide by the concepts of fairness reflected in this document. Accordingly, the University encourages honesty and candor on the part of anyone participating in any investigatory process. Further, where the investigatory process finds that no policy violation occurred yet wounds nonetheless are known to exist, the University encourages the parties involved to participate in attempts to bring healing to the fractured relationship, and in so doing, to exercise patience, cooperation and compassion.

Where an issue arises that is outside the scope of this Complaint Process – i.e., an issue not related to misconduct involving sex/gender or interpersonal violence –students should contact the Dean of Students Office at (216) 397-3010 or by email at deanofstudents@jcu.edu.

## D. Additional Resource Information

Information on student sexual harassment by a faculty or staff member can be found at:

<http://sites.jcu.edu/hr/pages/policies-for-an-inclusive-and-respectful-campus/>

The Title IX Coordinator is responsible for coordinating the University’s response to complaints of gender misconduct. The Coordinator ensures that all campus constituencies receive appropriate training. Individuals may meet with the Title IX Coordinator to learn more about the resources available and the processes followed or to voice any concerns about possible violations of Title IX, which include all allegations of sexual discrimination in the educational arena including but not limited to sexual harassment and sexual assault.



## **INCLUSIVE AND RESPECTFUL CAMPUS STATEMENT**

*"I affirm John Carroll University's commitment to policies which will improve our campus climate and create a more welcoming environment for all members of the John Carroll community. I encourage members of the university community concerned about their educational or work environment to speak with any of the designated individuals and request that we all cooperate in any informal or formal process initiated under these policies. Let us together build a safe and supportive community of justice and inclusion."*

Robert L. Niehoff, S.J. President John Carroll University

## **POLICY AND PROCEDURES ON SEXUAL HARASSMENT**

### **I. Sexual Harassment-General Statement**

#### **A. Policy**

In keeping with its historic commitment to social justice and the basic dignity of all persons, John Carroll University condemns and will not tolerate sexual harassment on campus or at off-campus programs, activities, and events. Sexual harassment violates basic human dignity and impedes the fundamental mission of the university. A cooperative working relationship, one that promotes mutual respect, should be fostered among faculty and staff. An atmosphere of trust between faculty and students should be preserved. There must also be a spirit of respect and trust within the student community.

#### **B. Definition**

Sexual harassment means any unwelcome sexual advances, requests for sexual favors, offensive references to gender or sexual orientation or other conduct of a sexual nature when:

Toleration of such conduct is made either explicitly or implicitly a term or condition of an individual's employment, professional or student status; or

Toleration of or rejection of such conduct is used as the basis for employment or academic decisions; or

Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or educational experience, or creates an intimidating, hostile, or offensive work or educational environment.

Sexual harassment can be verbal, written, physical or pictorial in nature.

#### **C. Applicability**

This policy applies to all students, staff, faculty members, vendors, contractors and guests, whether on campus or at off-campus programs, activities, or events. Current students, staff or faculty members who believe that they have been sexually harassed by another member of the university community or by a third party, vendor, or guest should use the following processes to seek resolution of concerns.

#### D. Confidentiality

To the extent possible, the university will maintain the confidentiality of all parties involved in a sexual harassment complaint. Confidentiality, however, cannot be guaranteed.

#### E. Consequences

Any member of the university community found responsible for sexual harassment in violation of this policy will be subject to disciplinary action, up to and including termination of employment and/or expulsion. False or mischievous reports of sexual harassment will be subject to review and appropriate action will be taken.

Interference with or retaliation against persons reporting sexual harassment or participating in a process under this policy is itself a violation and will be grounds for disciplinary action.

#### F. Internal Record Keeping

To ensure that the university may appropriately consider the implications of multiple complaints against a single individual or group, the Academic Vice President will be advised of every sexual harassment complaint as brought, whether informal or formal resolution is sought. If the complaint is resolved informally, the person receiving the complaint will also submit to the Academic Vice President a brief description of how the complaint was resolved.

#### G. Sexual Harassment Board

A Sexual Harassment Board (“SHB”) consisting of the persons designated as available for assisted resolution will be responsible for investigating all formal complaints of sexual harassment. The President of the university will appoint or reappoint a chair from the SHB to receive all formal complaints. Upon receipt of a formal complaint, the chair will designate an SHB hearing panel consisting of three persons and set up any necessary meetings of the panel. Any member of the SHB who participated in informal attempts to resolve a particular complaint may not serve on the hearing panel for that formal complaint.

### II. Sexual Harassment Procedure

The university has established both informal and formal internal administrative procedures for handling claims of sexual harassment. These procedures allow students, staff, and faculty to report instances of sexual harassment in a non-intimidating manner and provide for prompt and equitable resolution of complaints. All reports of sexual harassment will receive prompt attention and appropriate action will be taken to resolve the matters in a proper and timely fashion. As to those forms of sexual harassment that also violate state or federal law, persons claiming sexual harassment may also file a complaint with the appropriate local, state or federal agency or in a court with jurisdiction.

## A. Informal Process

In many instances, informal communication or discussion, counseling and mediation can be useful in resolving perceived instances of sexual harassment. Members of the university community who want to resolve their concerns informally may do so directly with the persons involved or may ask for the assistance of designated university personnel generally, informal complaint resolution does not involve disciplinary proceedings against the alleged harasser. Use of these informal procedures is not a prerequisite to initiating a formal complaint.

### 1. Direct Resolution

Recommendations for directly communicating the unwelcome nature of behavior perceived as sexually harassing may be found in the offices of Student Affairs, Counseling Center, and Human Resources.

### 2. Assisted Resolution

Designated university personnel have been trained and are appointed by the President to provide prompt assistance to members of the university community who believe they have been sexually harassed. Although not limited to the following, such assistance may involve advising the person(s) claiming harassment in preparation for a conversation with the alleged harasser or assisting the person(s) in writing a letter asking that the behavior stop. Alternatively, the person(s) claiming harassment may ask the designated officials to meet with the alleged harasser, or explore other possible resolutions, including mediation between the parties. The designated official may seek the assistance of other university personnel, such as department chairs, deans, or administrators in resolving an informal complaint.

## B. Formal Process

Although use of the informal process is not required, the formal process is ordinarily used if informal resolution is not agreed upon or fails to resolve a concern satisfactorily, or if the charges are so serious as to warrant an immediate formal complaint. The university will proceed promptly according to the timetables below, recognizing that unforeseen circumstances may make strict adherence to these time lines impossible.

### 1. Initiation of Formal Complaint

Members of the University community may bring a formal claim of sexual harassment by filing a written complaint directly with the chair of the university's Sexual Harassment Board. The name of the current chair and instructions for filing a formal complaint can be found at the end of this policy.

### 2. Notification to the Accused

Ordinarily, within five (5) days of receiving the complaint, the chair of the Sexual Harassment Board will notify the accused in writing of the formal complaint, including in that notification a copy of the written complaint as filed. The accused person will be asked to respond to the complaint in writing by a specified date.

### 3. Investigation

The Sexual Harassment Board is responsible for conducting a prompt investigation of a formal complaint. The investigation will entail interviews with the person(s) filing the complaint, the accused and other persons believed to have pertinent factual knowledge. During such investigations, every reasonable effort will be made to protect the privacy rights of all parties, but confidentiality cannot be guaranteed. All parties and potential witnesses will be reminded of the need for confidentiality during the investigation. Other university officials may be consulted on an as-needed basis.

### 4. Hearing

The investigation will include a private hearing at which the person(s) bringing the complaint and the accused will be given an opportunity to be heard and to present any additional relevant information that would be helpful to the SHB's determination. At this hearing, both parties may have an advisor present. The advisor may not participate in the hearing. Upon request by the SHB, and in any event when a party's advisor is an attorney, the university's legal counsel will attend any portion of the proceeding for purposes of consulting with and advising the hearing board. The SHB will designate a note taker who will be responsible for providing minutes of the hearing. No audio or video recordings may be made.

### 5. Decision

Decisions available to the SHB will be:

- a. **Unfounded:** The SHB will issue an "unfounded" decision if it cannot be determined that sexual harassment occurred and/or that the accused was responsible for the sexual harassment. Unless the person bringing the complaint appeals, this decision will ordinarily resolve the matter.
- b. **Founded:** The SHB will issue a "founded" decision if the board is convinced, in light of all the information available, that it is more likely than not that sexual harassment occurred and that the accused was responsible for the sexual harassment. Should the SHB make this decision, the matter will be referred to the appropriate vice president for disciplinary action.
- c. **Negotiated Resolution:** The filing of a formal complaint may result in an opportunity to negotiate a resolution of the matter between the parties. A negotiated resolution may not necessarily mean an official determination by the SHB that the complaint was founded or unfounded or that the accused admitted guilt. While a negotiated resolution will end the formal complaint as brought, it will be sent to the appropriate vice president for review.

### 6. Report of Decision

Within five working days of the completion of the investigation, including the private hearing, the SHB will issue a written report and recommendations for sanctions, if any, including in the report the rationale for the decision. The report will be sent to the parties and to the appropriate vice president for any necessary action.

## 7. Appeal of Decision

Decisions to impose sanctions against any member of the university community found responsible for sexual harassment may be appealed through applicable grievance or appeal procedures as found in the faculty, staff, or student handbooks. A person whose complaint is determined to be unfounded may ask the appropriate vice president to review the SHB's decision and recommend reconsideration. The vice president may decide to accept the decision of the SHB or may recommend that the SHB reconsider the decision. The vice president's decision to accept the recommendation or the SHB's decision upon reconsideration will be final.

### Sexual Harassment Board:

The following members of the university community have been designated to assist in the informal resolution of sexual harassment concerns and to serve on hearing boards formally investigating when necessary:

Ryan Armsworthy – Co-Chair (HR Staff) rarmsworthy@jcu.edu Ext. 1576 (term expires 2017)

Beth Martin – Co-Chair (Psychology) martin@jcu.edu Ext. 1530 (term expires 2017)

Ruta Marino (Psychology) rmarino@jcu.edu Ext. 4355 (term expires 2017)

-Maria Marsilli Cardozo mmarsilli@jcu.edu Ext. 4174 (term expires 2017)

-Je-Onn Lem (ITS) jlem@Jcu.edu Ext. 4912 (term expires 2017)

-Salomon Rodezno srodezno@jcu.edu Ext. 1583 (term expires 2017) (Center for Student Diversity and Inclusion)

-David Vitatoe (Alumni Relations) dvitatoe@jcu.edu Ext. 1984 (term expires 2017)

-Claudia Wenzel (Financial Aid) cwenzel@jcu.edu Ext. 4270 (term expires 2017)

-Medora Barnes (Sociology and Criminology) mbarnes@jcu.edu Ext. 3082 (term expires 2016)

-Gerald Guest (Art History) gguest@jcu.edu Ext. 4475 (term expires 2016)

-Gary Paoletta (Facilities) gpaoletta@jcu.edu Ext. 4300 (term expires 2016)

Susan Zidanic (Enrollment Services Staff) szidanic@jcu.edu Ext. 4627 (term expires 2016)

A harassment complaint form can be found at:

[http://webmedia.jcu.edu/hr/files/2011/02/Harassment\\_Form.pdf](http://webmedia.jcu.edu/hr/files/2011/02/Harassment_Form.pdf)

Please refer anyone expressing concerns about possible sexual harassment to any of the above faculty members or staff. During summer session concerns may be directed to David Sipusic, Title IX Coordinator for JCU or Kendra Svilar, J.D., Title IX Investigator for JCU. Updated 6/2016

**CRIME STATISTICS – 2013 to 2015**

<b>Total Crimes -on campus (including residence halls) non-campus property and public property</b>			
<b>OFFENSE</b>	<b>2013</b>	<b>2014</b>	<b>2015</b>
Criminal Homicide –Murder/Non-Negligent Homicide	0	0	0
Criminal Homicide – Negligent Manslaughter	0	0	0
Sexual Assault - Rape	1	2	3
Sexual Assault - Fondling	1	3	1
Sexual Assault - Incest	0	0	0
Sexual Assault - Statutory Rape	0	0	0
Domestic Violence	0	0	0
Dating Violence	4	4	3
Stalking	4	1	4
Robbery	0	0	2
Aggravated Assault	0	0	1
Burglary	7	6	2
Motor Vehicle Theft	0	0	1
Arson	0	0	0
<b>TOTALS</b>	<b>17</b>	<b>16</b>	<b>17</b>

<b>Crimes on Campus (total, includes Residence Halls)</b>			
<b>OFFENSE</b>	<b>2013</b>	<b>2014</b>	<b>2015</b>
Criminal Homicide –Murder/Non-Negligent Homicide	0	0	0
Criminal Homicide – Negligent Manslaughter	0	0	0
Sexual Assault - Rape	1	2	3
Sexual Assault - Fondling	0	3	1
Sexual Assault - Incest	0	0	0
Sexual Assault -Statutory Rape	0	0	0
Domestic Violence	0	0	0
Dating Violence	3	4	1
Stalking	4	1	4
Robbery	0	0	1
Aggravated Assault	0	0	1
Burglary	7	6	1
Motor Vehicle Theft	0	0	0
Arson	0	0	0

**CRIME STATISTICS 2013 to 2015 (con't)**

<b>Crimes in Residence Halls</b>			
<b>OFFENSE</b>	<b>2013</b>	<b>2014</b>	<b>2015</b>
Criminal Homicide –Murder/Non-Negligent Homicide	0	0	0
Criminal Homicide – Negligent Manslaughter	0	0	0
Sexual Assault - Rape	1	2	3
Sexual Assault - Fondling	0	2	1
Sexual Assault - Incest	0	0	0
Sexual Assault - Statutory Rape	0	0	0
Domestic Violence	0	0	0
Dating Violence	1	4	1
Stalking	2	1	0
Robbery	0	0	0
Aggravated Assault	0	0	0
Burglary	4	5	1
Motor Vehicle Theft	0	0	0
Arson	0	0	0

<b>Crimes on Public Property</b>			
<b>OFFENSE</b>	<b>2013</b>	<b>2014</b>	<b>2015</b>
Criminal Homicide –Murder/Non-Negligent Homicide	0	0	0
Criminal Homicide – Negligent Manslaughter	0	0	0
Sexual Assault - Rape	0	0	0
Sexual Assault - Fondling	0	0	0
Sexual Assault - Incest	0	0	0
Sexual Assault - Statutory Rape	0	0	0
Domestic Violence	0	0	0
Dating Violence	0	0	1
Stalking	0	0	0
Robbery	0	0	1
Aggravated Assault	0	0	0
Burglary	0	0	0
Motor Vehicle Theft	0	0	0
Arson	0	0	0

**CRIME STATISTICS 2013 to 2015 (con't)**

<b>Crimes on Non-Campus Property</b>			
<b>OFFENSE</b>	<b>2013</b>	<b>2014</b>	<b>2015</b>
Criminal Homicide –Murder/Non-Negligent Homicide	0	0	0
Criminal Homicide – Negligent Manslaughter	0	0	0
Sexual Assault – Rape	0	0	0
Sexual Assault - Fondling	1	0	0
Sexual Assault - Incest	0	0	0
Sexual Assault - Statutory Rape	0	0	0
Domestic Violence	0	0	0
Dating Violence	1	0	1
Stalking	0	0	0
Robbery	0	0	0
Aggravated Assault	0	0	0
Burglary	0	0	1
Motor Vehicle Theft	0	0	1
Arson	0	0	0

**Arrests**

**Referrals**

<b>On Campus (includes residence halls)</b>				<b>On Campus (includes residence halls)</b>			
<b>Offense</b>	<b>2013</b>	<b>2014</b>	<b>2015</b>	<b>Offense</b>	<b>2013</b>	<b>2014</b>	<b>2015</b>
Liquor Law Arrests	0	0	0	Liquor Law Referrals	154	213	213
Drug law Arrests	0	2	0	Drug Law Referrals	48	46	49
Weapons Law Arrests	0	0	0	Weapons Law Referrals	7	0	0
<b>TOTALS</b>	<b>0</b>	<b>2</b>	<b>0</b>	<b>TOTALS</b>	<b>209</b>	<b>259</b>	<b>262</b>
<b>Residence Halls</b>				<b>Residence Halls</b>			
<b>Offense</b>	<b>2013</b>	<b>2014</b>	<b>2015</b>	<b>Offense</b>	<b>2013</b>	<b>2014</b>	<b>2015</b>
Liquor Law Arrests	0	0	0	Liquor Law Referrals	146	203	193
Drug law Arrests	0	2	0	Drug Law Referrals	44	39	38
Weapons Law Arrests	0	0	0	Weapons Law Referrals	7	0	0
<b>TOTALS</b>	<b>0</b>	<b>2</b>	<b>0</b>	<b>TOTALS</b>	<b>197</b>	<b>242</b>	<b>231</b>
<b>Public Property</b>				<b>Public Property</b>			
<b>Offense</b>	<b>2013</b>	<b>2014</b>	<b>2015</b>	<b>Offense</b>	<b>2013</b>	<b>2014</b>	<b>2015</b>
Liquor Law Arrests	3	4	0	Liquor Law Referrals	3	5	0
Drug law Arrests	0	0	0	Drug Law Referrals	1	0	0
Weapons Law Arrests	0	0	0	Weapons Law Referrals	0	0	0
<b>TOTALS</b>	<b>3</b>	<b>4</b>	<b>0</b>	<b>TOTALS</b>	<b>4</b>	<b>5</b>	<b>0</b>
<b>Non-Campus Property</b>				<b>Non-Campus Property</b>			
<b>Offense</b>	<b>2013</b>	<b>2014</b>	<b>2015</b>	<b>Offense</b>	<b>2013</b>	<b>2014</b>	<b>2015</b>
Liquor Law Arrests	0	0	0	Liquor Law Referrals	0	0	0
Drug law Arrests	0	0	0	Drug Law Referrals	1	2	0
Weapons Law Arrests	0	0	0	Weapons Law Referrals	1	0	0
<b>TOTALS</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>TOTALS</b>	<b>2</b>	<b>2</b>	<b>0</b>



## UNFOUNDED CRIMES

A crime reported to and investigated by campus or local police may be withheld from crime statistics if the crime is determined to be “unfounded”. This means that, based on evidence gained in the investigation, the crime reported is false or baseless. Only sworn police officers may make this determination. There were no Unfounded Clery crimes in 2013 or 2014. In 2015, 1 sexual assault (on campus) and 1 burglary (non-campus) were classified as unfounded.

## HATE CRIMES

<b>2013</b> – No hate crimes reported		
<b>2014</b> – No hate crimes reported		
<b>2015</b> – Two Hate Crimes Reported	Ethnic Intimidation – On Campus	Criminal Damaging – Residence Hall

JCU must report the above listed crimes, as well as larceny/theft, simple assault, intimidation, and vandalism (see definitions below) that manifests evidence that the victim was intentionally selected because of the perpetrator’s bias.

Bias types include: race, gender, gender identity, religion, sexual orientation, ethnicity, national origin and disability.

**Larceny:** The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another.

**Vandalism:** To willfully or maliciously destroy, injure, disfigure, or deface any public or private property, real or personal, without the consent of the owner or person having custody or control by cutting, tearing, breaking, marking, painting, drawing, covering with filth, or any other such means as may be specified by local law.

**Intimidation:** To unlawfully place another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct, but without displaying a weapon or subjecting the victim to actual physical attack.

**Simple Assault:** An unlawful physical attack by one person upon another where neither the offender displays a weapon, nor the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration or loss of consciousness

## GEOGRAPHY DESCRIPTIONS

<p><b>On Campus</b> - Any building or property owned or controlled by JCU within the same reasonably contiguous geographic area and used by JCU in direct support of, or in a manner related to, JCU’s educational purposes, including residence halls; and any building or property within or reasonably contiguous to the campus, owned by JCU, but controlled by another person, is frequently used by students, and supports institutional purposes.</p>
<p><b>Residential Facilities</b> – A subset of the on-campus category includes residential facilities for students on campus.</p>
<p><b>Non-Campus Building or Property</b> - Any building/property owned/controlled by a student organization that is officially recognized by JCU; or any building/property owned/controlled by JCU that is used in direct support of, or in relation to, JCU’s educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of JCU.</p>
<p><b>Public Property</b> - All public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus, or immediately adjacent to and accessible from the campus.</p>

## CRIME STATISTIC DEFINITIONS

**Murder and Nonnegligent Manslaughter:** The willful (nonnegligent) killing of one human being by another

**Negligent Manslaughter:** The killing of another person through gross negligence.

Ohio crimes of “Murder and Manslaughter” and related offenses are defined here: <http://codes.ohio.gov/orc/2903>

### Sex Offenses

Sex Offense Definitions from the National Incident-Based Reporting System of the Uniform Crime Reporting Program  
Any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent. Ohio Sex Offense crimes are defined here: <http://codes.ohio.gov/orc/2907>

- **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. This offense includes the rape of both males and females. Ohio crimes of “Rape” are defined here: <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 his/her age or because of his/her temporary or permanent mental incapacity. Ohio crimes similar to “Fondling” are defined here: <http://codes.ohio.gov/orc/2907.05v1> and here: <http://codes.ohio.gov/orc/2907.06v1>

- **Incest:** Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law. Ohio crimes similar to “Incest” are defined here: <http://codes.ohio.gov/orc/2907.02v1> and here: <http://codes.ohio.gov/orc/2907.03v1>

- **Statutory Rape:** Sexual intercourse with a person who is under the statutory age of consent. Ohio crimes similar to “Statutory Rape” are defined here: <http://codes.ohio.gov/orc/2907.04v1>

**Robbery:** The taking or attempting to take anything of value from 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. Ohio crimes of “Robbery” and related offenses are defined here: <http://codes.ohio.gov/orc/2911>

**Aggravated Assault:** An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm. Ohio crimes of “Assault” and related offenses are defined here: <http://codes.ohio.gov/orc/2903>

**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 felony; breaking and entering with intent to commit a larceny; housebreaking; safecracking; and all attempts to commit any of the aforementioned. Ohio crimes of “Burglary” and related offenses are defined here: <http://codes.ohio.gov/orc/2911>

**Motor Vehicle Theft:** The theft or attempted theft of a motor vehicle. Ohio crimes of “Motor Vehicle Theft” and related offenses are defined here: <http://codes.ohio.gov/orc/2913.02>

**Arson:** Any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, personal property of another, etc. Ohio crimes of “Arson” and related offenses are defined here: <http://codes.ohio.gov/orc/2909>

## CRIME STATISTIC DEFINITIONS (con't)

**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 with 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, 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. \* Ohio does not define "Dating Violence" as a crime.

**Domestic Violence:** A felony or misdemeanor crime of violence committed by a current or former spouse or intimate partner of the victim; by a person with whom the victim shares a child in common; by a person who is or has cohabitated with the victim as a spouse or intimate partner; by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred. Ohio crimes of "Domestic Violence" and related offenses are defined here: <http://codes.ohio.gov/orc/2919.25>

**Stalking:** Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for the person's safety or the safety of others; or suffer substantial emotional distress. 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. Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling. Reasonable person means a reasonable person under similar circumstances and with similar identities to the victim. Ohio crimes of "Menacing by Stalking" and related offenses are defined here: <http://codes.ohio.gov/orc/2903.211>

**Weapon Law Violations:** The violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices, or other deadly weapons. Ohio crimes of "Weapons Offenses" and related offenses are defined here: <http://codes.ohio.gov/orc/2923>

**Drug Law Violations:** The violation of laws prohibiting the production, distribution, and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use. The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation, or importation of any controlled drug or narcotic substance. Arrests for violations of state and local laws, specifically those relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs. Ohio crimes of "Drug Offenses" and related offenses are defined here: <http://codes.ohio.gov/orc/2925>

**Liquor Law Violations:** The violation of state or local laws/ordinances prohibiting the manufacture, sale, purchase, transportation, possession, or use of alcoholic beverages, not including driving under the influence and drunkenness. Ohio crimes of "Liquor Offenses" and related offenses are defined here: <http://codes.ohio.gov/orc/2925>

## CAMPUS SEX CRIME PREVENTION ACT

The 2000 Campus Sex Crime Prevention Act requires that certain convicted sex-offenders identify themselves to colleges and universities if they; a) attend classes, b) work on a college or university campus, or c) volunteer on a college or university campus. Colleges and universities are required inform their communities of where sex-offender information can be obtained.

In Cuyahoga County, information on registered sex-offenders is available from Sex-Offender Unit at (216) 443-5567 or by visiting the Sheriff's Office website at <http://sheriff.cuyahogacounty.us/en-US/Sexual-Offender-Unit.aspx>

Ohio information on registered sex offenders is at: <http://www.icrimewatch.net/index.php?AgencyID=55149&disc>

## EMERGENCY COMMUNICATIONS

### Emergency Notification

If an emergency situation arises which could pose an immediate threat to the health and safety of the JCU community, the University will issue an Emergency Notification. An Emergency Notification will describe the threat and give direction to recipients of the message. The JCUALERT text message system is the primary method of this emergency communication. Additionally, audible alarms, public address systems, campus phone and voice mail, e-mail, the University website, and other methods deemed appropriate for the situation will be used. Decisions on sending an alert, the methods and content, will be made by JCUPD supervision within the framework of the University's Emergency Management Plan.

#### *JCUAlert*

In emergency situations that pose an imminent risk to the University community, you will receive a text message alert. JCUAlert is the University's text messaging system that will instantly and simultaneously distribute both an e-mail and text message to registered users. The text message can be sent to cell phones, Blackberries, wireless PDAs, smart phones and satellite phones, and pagers. All students are enrolled in this system upon registration, and employees can register anytime. Employee's cell phone numbers are uploaded into the JCU Alert system several times per year.

#### *Audible Alarms*

In the event of an emergency that would require the evacuation of a building, the building's fire alarm may be activated. For a campus-wide evacuation, all building fire alarm systems may be activated simultaneously. John Carroll police or other first responders will direct you to campus evacuation shelters or other sites as necessary.

#### *Public Broadcast Systems*

In emergency situations when communication must be made to a group of people or those who are outside, a public broadcast system may be used. This may be done through building public address systems, emergency vehicle speakers, or by University officials with bullhorns.

#### *Campus Phone and Voicemail Systems*

In some emergencies you may be notified by the campus phone or a campus-wide voice mail. You may also be notified by phone if you are part of an administrative department phone tree.

#### *E-Mail System and Website*

In some emergencies you may be notified by a campus-wide e-mail. Additionally, there may be instructions, status reports or other information posted on the John Carroll website.

## Timely Warning

If a crime occurs which could pose an ongoing risk to the safety of the JCU community, the University will issue a Timely Warning (Security Alert) to the campus. Information provided in a Security Alert includes a description of the crime, the date(s), time(s) and location(s) as well as suspect(s) description if known. Other relevant information may be included that will help protect and inform, but will not hinder investigation of the crime. JCUPD will issue a Security Alert once information from police or other sources are verified.

A “*Security Alert*” (Timely Warning) will be issued when JCUPD is made aware of a crime that has occurred on or near campus that may pose a threat to the safety of the campus community. Examples include, but are not limited to: homicide, sexual assault, assault or robbery.

In addition to a security alert, a “*Security Advisory*” may be issued when a pattern of property theft has been identified on campus. Examples include but are not limited to: thefts from buildings or vehicles.

JCUPD works closely with the University Heights Police and other neighboring police agencies, sharing information regarding crimes and crime trends.

The JCUPD Chief, or designee, will consult with the Vice President for Student Affairs to make a determination on sending a timely warning/alert or advisory once information from police reports and/or other sources is verified. Other factors considered include: the immediate and long term safety of the campus community, privacy interests of persons involved and impact on police and university investigations. Names and other personal identifiers will not be used in the alerts or advisories.

Information provided in the alert or advisory will be: a description of the crime, the date(s), time(s) and location(s) as well as suspect(s) description if known. Other relevant information may be included that will help protect and inform, but will not hinder investigation of the crime. Prevention strategies and JCUPD contact information will also be provided. Alerts and advisories will be sent via e-mail, other appropriate media, and posted on the JCUPD web site:

<http://sites.jcu.edu/css/>

## DAILY CRIME LOGS

A log, summarizing crimes reported to JCUPD, is posted at: <http://sites.jcu.edu/css/pages/crime-log/> . Hard copies are kept in the JCUPD office, RecPlex room 14. The log is updated within 48 hours of a report. Items included on the crime log are:

1. The nature of the crime
2. The date and time the incident occurred
3. The location of the crime
4. The disposition of the complaint, if known.

## **FIRE SAFETY POLICIES AND STATISTICS**

Campus buildings are protected from fire by fire alarm systems in each building, which are monitored on campus by JCUPD dispatchers 24 hours a day, 7 days a week, 365 days a year. Strobes and horns or automated voice commands sound in each building to alert occupants that a fire condition exists. Alarms may be generated manually by pull stations, or automatically by smoke or duct detectors, and sprinklers in some buildings.

Once an alarm is received by JCUPD dispatchers, JCUPD officers are dispatched to the building to determine the exact location and cause of the alarm, as well as assist with building evacuation. During business hours, Facilities Services staff will also respond. The dispatcher will then call the local fire department to report the alarm. The dispatcher will continue to receive updates from the officers on scene and relay that information to responding fire units. JCUPD, facilities staff and local firefighters will work together to determine the cause of the alarm. These responders will take steps to resolve the cause of the alarm, including fighting the fire. Once the building is determined to be safe by the ranking fire department official on scene, occupants will be allowed to re-enter.

Building fire systems are inspected quarterly by facilities staff to ensure that fire detections devices (smoke detectors), fire annunciation devices (strobes/horns/voice commands) are working properly. Fire suppression systems (sprinklers, fume hood suppression systems) are inspected annually by qualified contractors. Fire extinguishers are checked monthly by facilities staff and tested annually by qualified contractors.

### **Residence Hall Fire Safety Policies**

The following policies apply to students living in on-campus residence halls:

A fire safety program is conducted in each building during the fall semester. Additionally, fire drills are conducted in each residence hall each semester. Failing to evacuate the building during an alarm will result in disciplinary action. The University Heights Fire Marshall inspects each residence hall regularly. The Fire Marshall may enter any room without notification to determine if there is a violation of fire safety policies.

All fire alarms should be considered true indications of danger and the building must be evacuated as safely and quickly as possible. While staff will attempt to alert residents to leave, it is incumbent upon each person to take personal responsibility to exit the building. Staff will indicate when people may safely return inside.

Electrical appliances must be in compliance with the housing and fire codes of the City of University Heights. Each appliance must be UL approved. Approved appliances include stereos, computers, televisions, VCRs, DVD players, refrigerators (4.6 cubic feet or smaller), microwaves (1 cubic foot and 700 - 900 watts), blankets, fans, coffee makers, desk lights, hair dryers, and curling irons. Prohibited items include toasters, toaster ovens, hot plates, hot pots, sun lamps, electric skillets and woks, grills (including the George Foreman grill), oil popcorn poppers, space heaters, percolators, air conditioners, halogen bulb lamps, and potpourri burners. Only UL approved, circuit breaker type extension cords and power-strips may be used.

## FIRE SAFETY POLICIES AND STATISTICS (con't)

### ***What to do when a fire alarm sounds***

- Residents and their guests must evacuate the building immediately.
- Feel the door with the back of your hand to test for heat.
- Cover entire body with clothing, if possible, and carry an extra towel to protect face and hair.
- Close the room windows and leave the drapes/blinds open.
- Close and lock the door.
- Walk quickly and quietly.
- Leave the building by the nearest exit.
- Once outside the building, move away from the entrances, pair up with your roommate, move to the spot designated for your floor and do not block the street or parking lot.

### ***If you cannot leave your room because of heat or smoke:***

- Place a towel at the base of the door to prevent smoke from coming into the room.
- Hang a sheet out of the room window to indicate that you are there.
- Call x1234 to give JCUPD your location.

### **Fire Safety Misconduct**

Causing a building to go into alarm falsely can carry grave consequences. Students may panic or may ignore the alarm believing it to be false. This may in turn cause students to become injured, overcome by smoke, or to lose their lives. Therefore, the University takes the actions of tampering with fire alarms, smoke detectors, sprinklers, and fire extinguishers which trigger an alarm very seriously.

The following will be considered as sufficient cause for immediate expulsion from the University:

- *Intentionally setting a fire of any nature.*

The following will be considered as sufficient cause for immediate suspension from the University:

- *Pulling a fire alarm when no danger is present.*
- *Tampering with smoke detectors or sprinkler systems resulting in triggering the alarm system.*

The following will be considered as sufficient cause for immediate removal from the residence halls for a designated period of time:

- *Misuse of fire extinguishers.*
- *Setting off fire crackers or similar incendiary devices.*
- *Tampering with the protective hood on fire alarm pull stations.*
- *Leaving candles lit and unattended.*
- *Removing batteries from a room smoke detector.*
- *Vandalizing exit signs.*

**FIRE SAFETY POLICIES AND STATISTICS (con't)**

**2015 Fire Statistics**

<b>RES HALL</b>	<b># of Fires</b>	<b>(Cause of fire)</b>	<b>Deaths from fires</b>	<b>Injuries From fires</b>	<b>Damage from fires</b>	<b>Fire drills</b>	<b>Fire System</b>
Bernet	<b>0</b>	<b>n/a</b>	<b>0</b>	<b>0</b>	<b>\$0</b>	2/year	Smoke detectors, sprinklers, and pull stations monitored 24 hours by Campus Safety dispatch.
Campion	<b>1</b>	<b>n/a</b>	<b>0</b>	<b>0</b>	<b>\$0</b>	2/year	Smoke detectors, partial sprinklers, and pull stations monitored 24 hours by Campus Safety dispatch.
Dolan	<b>0</b>	<b>n/a</b>	<b>0</b>	<b>0</b>	<b>\$0</b>	2/year	Smoke detectors and pull stations monitored 24 hours by Campus Safety dispatch.
Hamlin	<b>0</b>	<b>n/a</b>	<b>0</b>	<b>0</b>	<b>\$0</b>	2/year	Smoke detectors, partial sprinklers, and pull stations monitored 24 hours by Campus Safety dispatch.
Millor	<b>0</b>	<b>n/a</b>	<b>0</b>	<b>0</b>	<b>\$0</b>	2/year	Smoke detectors and pull stations monitored 24 hours by Campus Safety dispatch.
Murphy	<b>1</b>	<b>n/a</b>	<b>0</b>	<b>0</b>	<b>\$0</b>	2/year	Smoke detectors and pull stations monitored 24 hours by Campus Safety dispatch.
Pacelli	<b>0</b>	<b>n/a</b>	<b>0</b>	<b>0</b>	<b>\$0</b>	2/year	Smoke detectors and pull stations monitored 24 hours by Campus Safety dispatch.
Sutowski	<b>0</b>	<b>n/a</b>	<b>0</b>	<b>0</b>	<b>\$0</b>	2/year	Smoke detectors and pull stations monitored 24 hours by Campus Safety dispatch.



## CAMPUS EMERGENCY RESPONSE AND EVACUATION POLICIES

### General Emergency Preparedness

Emergencies and disasters are unpredictable and often strike without warning. It is essential that all John Carroll faculty, staff, and students respond quickly and appropriately to emergency situations in order to reduce the risk of injury and property damage.

### EMERGENCY PHONE NUMBERS

John Carroll Police	216-397-1234
John Carroll EMS	216-397-1234
John Carroll Facilities	216-397-4314
University Heights Fire Department and EMS	911 or 216-321-2446
University Heights Police	911 or 216- 932-1800

Note: The 9-1-1 emergency system can be accessed from office and residence hall phones. If you do call 9-1-1 for an emergency, please also call John Carroll police at extension 1234 immediately afterward. This will allow our police officers to meet, coordinate with, and direct emergency officials to the incident. If you cannot reach John Carroll police for some reason, call 9-1-1.

The best way to successfully navigate an emergency is to plan, prepare, and rehearse your response. If you are mindful, not fearful, you will be better able to make critical decisions during an emergency. Those who have been trained and/or planned, prepared, and rehearsed (mentally and physically) stand a much better chance of being able to react and respond in a manner that will keep them and others safe during an emergency situation.

*Remember, those in immediate danger are the real First Responders.*

### Courses of Action During an Emergency Situation

<b>Trained/Prepared</b>	<b>Untrained/Unprepared</b>
Startle and fear	Startle and fear
Feel anxious	Panic
Recall what they have learned	Fall into disbelief
Prepare to act as rehearsed	Lost in denial
Commit to action	Descend into helplessness

## **CAMPUS EMERGENCY RESPONSE AND EVACUATION POLICIES (con't)**

### **Building Evacuation**

Different emergencies require different evacuation strategies. When evacuation is not indicated for the emergencies in this plan or by obvious circumstances, you should stay where you are until given direction by emergency personnel. The decision to evacuate is based on factors that give you the best chance of remaining safe and avoid putting you in a more harmful situation.

### **When to Evacuate\***

1. Anytime you hear the fire alarm in your building.
2. If you smell smoke or know an actual fire is burning.
3. When instructed to do so by the JCUPD dispatcher, JCUPD officers or police, fire/EMS personnel.

\* Certain circumstances may prevent safe evacuation such as an injury, disability or physical obstruction. If this is the case, move away from the danger and find shelter in place in an area with a window to allow rescue. Try to notify rescuers of your location, i.e. telephone, e-mail, text message, hanging a towel or other object out of a window.

### **When not to Evacuate (Shelter in Place) \*\***

1. When a tornado warning is sounded (find appropriate shelter within your building).
2. During a hostile intruder situation.
3. During a hostage/barricade situation.
4. During a power failure.
5. When instructed not to evacuate by JCUPD dispatcher, JCUPD officers or police, fire/EMS personnel.

\*\* Certain circumstances may require evacuation when you otherwise would not evacuate. If you personally encounter a hostile intruder or hostage/barricade situation and you can readily flee the building (evacuate) for your personal safety, flee the building.

### **What to Do if You Must Evacuate**

1. Listen carefully to instructions of emergency personnel.
2. Close the door as you leave and do not try to gather materials on the way out, leave quickly.
3. Keep talking to a minimum.
4. Exit via stairwells, not elevators.
5. Alert emergency personnel of any disabled or injured persons who need assistance.

## CAMPUS EMERGENCY RESPONSE AND EVACUATION POLICIES (con't)

### Area Evacuation

Certain emergencies may affect a specific building or area of campus. In this case, persons in those buildings/areas will be evacuated to a predetermined site nearby. Depending on circumstances, emergency personnel may need to direct you to a secondary evacuation site. The evacuation shelter sites are listed below.

<u>Building/Area</u>	<u>Primary Evacuation Shelter</u>	<u>Secondary Evacuation Shelter</u>
All Residence Halls, courtyards/green space	RecPlex (DeCarlo Varsity Center & Intramural Gym)	Administration Building (Kulas Auditorium & hallways)
Shula Stadium & Athletic fields East of Belvoir Blvd.	RecPlex (DeCarlo Varsity Center & intramural Gym)	Administration Building (Kulas Auditorium and hallways)
Rodman Hall	Administration Building (Kulas Auditorium and hallways)	RecPlex (DeCarlo Varsity Center & intramural Gym)
Administration Building (includes O'Malley Center and Boler School)	Dolan Science Center (Muldoon Atrium & O'Connell Reading rm.)	RecPlex (DeCarlo Varsity Center & Intramural Gym)
Grasselli Library/ Breen Learning Center	Dolan Science Center (Muldoon Atrium & O'Connell Reading rm.)	Administration Building (Kulas Auditorium and hallways)
Dolan Science Center	Administration Building (Kulas Auditorium and hallways)	RecPlex (DeCarlo Varsity Center & Intramural Gym)
Green Road Annex	Heinen's (await transport to RecPlex)	As instructed by emergency personnel

### Campus Evacuation

An emergency that dictates the evacuation of the entire University might be handled in conjunction with the emergency procedures of the City of University Heights and surrounding communities. In the unlikely event that a campus evacuation is necessary, you will be directed to leave the University in the following manner.

#### **If You Drive to Campus**

1. Take your normal route to your vehicle.
2. Leave the campus area via these suggested routes: Warrenville Center Road, Belvoir Road, Green Road, Fairmont Boulevard, Cedar Road, Mayfield Road.

Note: Egress to Carroll Blvd., Miramar Blvd. and E. Washington Street may be available thru JCU's emergency gates.

If the City of Cleveland is also evacuating, all major Cleveland streets, such as Euclid Avenue, Chester, and Carnegie, will be eastbound only from downtown. Police may direct traffic in other ways dependent on circumstances.

#### **If You Take Public Transportation or Reside On Campus**

1. Go to the nearest RTA station to take a bus or rapid away from the area. RTA/mass transit will be on a rush hour status unless circumstances prohibit mass transit operations.
2. If mass transit is not available, you will be directed to the Intramural Gym in the RecPlex for further instructions.

## **MISSING STUDENT POLICY**

Any student who resides in on-campus housing has the option to identify an individual that University officials can contact no later than 24 hours after the student has been determined to be missing by University officials.

On-campus resident students may register this contact information at the time they provide emergency contact information for the University housing contract. Providing this information is optional, and the information will be kept confidential and will only be accessible to authorized University officials.

Any student, faculty, staff, administrator or other party who reports an on-campus student missing should be directed to JCUPD. JCUPD will, in conjunction with appropriate outside public safety agencies, investigate the missing person report. If JCUPD determine that an on-campus student has been missing for 24 hours or more, the individual identified by the student as a contact will be called to notify him/her, and gather information for the investigation. If the missing student is under 18 years of age and not emancipated, JCUPD will immediately contact the custodial parent or legal guardian of the student. JCUPD, University officials and appropriate outside agencies will continue to investigate and attempt to locate the missing student.

## **DRUG AND ALCOHOL POLICIES**

Members of the University community are expected to be aware of and obey federal, state, and municipal laws or ordinances regulating the use, possession or sale of alcoholic beverages, illegal drugs, or controlled substances. Persons under the age of 21 are not permitted to consume alcohol under any circumstances on University property, or at any university event, regardless of where the event takes place. The University prohibits the illegal use possession, or distribution of illegal drugs or controlled substances or association with gatherings involving such use, possession, or distribution. Those cited for violations of law or ordinances by state, federal, or municipal authorities may face University disciplinary proceedings. The university reserves the right to take disciplinary action against any student for off-campus behavior that violates this policy.

Student drug and alcohol policies are detailed here: <http://sites.jcu.edu/deanofstudents/pages/community-standards/>

Employee drug and alcohol policies are detailed here: <http://sites.jcu.edu/hr/conduct-and-general-expectations/>

## **FACILITY SECURITY**

Exterior doors of all residence halls are locked at all times, with at least one door secured by a card access system. Non-residents are not permitted in residence halls without a resident escort. Each residence hall lobby has a courtesy phone for this purpose. Residents are responsible for the behavior of their guests. Additional security measures include video cameras recording public areas in residence halls, and regular patrols by residence life staff and JCUPD.

Classroom, library, and recreational facility hours are posted each semester. Employees working after normal hours or on weekends should notify JCUPD of their location and approximate time they will be in the building. Students, faculty and staff are encouraged to call JCUPD immediately if suspicious persons or activities are noticed in campus buildings or anywhere on campus. Staffs from Campus Facilities, JCUPD and Residence Life continually check campus buildings/facilities to ensure doors, windows, locks, access systems, lighting and other safety and security equipment and infrastructure are in good repair and working properly.