



Annual Campus Safety & Security  
Report 2016

For Calendar years 2013, 2014, & 2015

**Wittenberg University  
Wittenberg Police Division  
Calendar Year 2015**

**Annual Campus Security and Fire Safety Report**

Includes crime and fire statistics for calendar years 2013, 2014, and 2015.

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## A Message from the Chief

### To the Wittenberg Community,

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

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

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

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

Best wishes for a safe and successful year.



James M. Hutchins

Chief of Police



## **OVERVIEW**

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

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

The report is available on the Wittenberg University Police Division web site:

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

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

## **Key Campus Phone Numbers**

### **On-Campus:**

Campus Emergencies: (937) 327-6363

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

Police and Security Office Phone: (937) 327-7307

Escort Service: (937) 327-7900

Student Development: (937) 327-7800

Physical Plant: (937) 327-7311

Human Resources: (937) 327-7517

University Pastor: (937) 327-7411

Wittenberg Counseling Services: (937) 327-7811

Wittenberg Health Center: (937) 327-7811

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

### ***About Us***

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

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

We are committed to serving the community with integrity, impartiality, sensitivity and professionalism. Of basic importance to the department is that it is an integral part of a church-related educational institution, which respects and recognizes the individual dignity of all persons. We expect our officers to treat all persons with respect and compassion.

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

### ***Structure***

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

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

Our trained professional Security Officers are responsible for the enforcement of rules and regulations prescribed by the University. They are not empowered with arrest authority and are not authorized to carry firearms while on duty at Wittenberg.

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

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

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

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

### **The University District**

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

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

SOUTH: The south side edge of Buck Creek.

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

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

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

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

## **Campus Security Authorities**

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

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

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

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

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

### ***Pastoral Counselor***

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

### ***Professional Counselor***

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

Campus Security Authorities are required to report any crime reported to them to the Wittenberg Police Division. Crimes reported to Campus Safety Authorities and forwarded to the Wittenberg Police Division are included in the crime statistics for the Campus Security and Fire Safety Report. This policy is necessary so the university can comply with federal regulations regarding disclosure of campus crimes. Confidential reports that provide sufficient detailed information for classification of the offense, whether or not they include personally identifying information, will be included in the crime statistics and in timely notifications to the community.

## **Reporting Procedures for Crime or Other Emergencies**

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

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

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

As allowed by FERPA, when a student is accused of a policy violation that would constitute a “crime of violence” or sex offense (see definition), the university will inform the alleged party bringing the complaint in writing of the final results of a hearing regardless of whether the university concludes that a violation was committed. Such release of information may only include the alleged student’s name, the violation committed, and the sanctions assigned (if applicable). In cases of sexual misconduct and other offenses covered by Title IX, only, the rationale for the outcome will also be shared with all parties to the complaint in addition to the finding and sanction(s).

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

University Employees and students are encouraged and obligated to accurately, voluntarily, and promptly report crimes, emergencies, potential threats, or risks to the appropriate University office(s). WPD has a dispatch center that is available by phone at 937-327-6363, for an emergency, and 937-327-6231, for non-emergencies, and in person 24 hours a day at the Recitation Hall Annex. Although many resources are available, WPD strongly encourage all crimes be reported, whether or not an investigation continues, to assure the University can assess any and all security concerns and inform the community if there is a signification threat to the University community.

### ***Emergency Phones***

Emergency telephones are located at strategic outdoor sites on the campus and at the main entrance of each residence hall. These phones can put callers in immediate contact with the university dispatcher. City of Springfield emergency services can be reached by calling 911 on any off-campus telephone line, or by dialing 9-911 on campus.

### ***Anonymously***

If you are interested in reporting a crime anonymously for inclusion in the annual crime disclosure, you can utilize the WPD online crime reporting website, which can be accessed at <http://www1.wittenberg.edu/www2/forms/security/tips.php>. Criminal or suspicious acts, including fires and other emergencies, should be reported to the police immediately in person, by telephone, or by using one of the assistance phones strategically located around campus. Information is kept in the strictest confidence.

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

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

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

<b>Official</b>	<b>Campus Address</b>	<b>Phone Number</b>
<b>Wittenberg Police Division</b>	Recitation Annex	937-327-6231
<b>Office of Human Resources</b>	Recitation Hall, Room 46	937-327-7515
<b>Office of the Dean of Students</b>	The Dietrich House, 809 Woodlawn Ave.	937-327-7800
<b>Office of Student Conduct</b>	The Dietrich House, 809 Woodlawn Ave.	937-327-7800
<b>Office of Residence Life, including all RAs, CAs &amp; ACs</b>	The Dietrich House, 809 Woodlawn Ave.	937-327-7800
<b>Athletic Office</b>	Health PE Building, Room 301	937-327-6458

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

If you are the victim of a crime and do not want to pursue action within the University system or the criminal justice system, you may still want to consider making a confidential report. Confidential resources on Wittenberg’s campus include counselors, physicians, and nurses at the Health and Counseling Center and clergy when the person is acting within her or his professional capacity. You can also report to Project Woman, Springfield’s off-campus rape crisis center. Project Woman offers a wide range of programs and services to protect, educate, and empower those affected by domestic violence and/or sexual assault.

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

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

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

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

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

Reports may be made to the Dean of Students or designee for review and potential action by calling 937-327-7806 or by accessing the online reporting forms at <http://www5.wittenberg.edu/administration/studentconduct/incidentreportform.html>.

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

WPD Officers, the Title IX Coordinators, the Director of Student Conduct, the Director of Human Resources or others as denominated in the Student Handbook and University policies will investigate a report when it is deemed appropriate. Additional information obtained via the investigation will also be forwarded to the appropriate person/office. If assistance is required from the Springfield Police Department or the Springfield Fire Department, WPD will contact the appropriate unit where warranted, although any member of the Wittenberg community should always feel, and are encouraged, to also report incidents that could constitute crimes to local law enforcement.

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

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

## ***Student Discipline***

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

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

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

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

The outcome of a campus hearing is part of the education record of the responding student and is protected from release under the Federal Education Rights and Privacy Act (FERPA), except under certain conditions. As allowed by FERPA, when a student is accused of a policy violation that would constitute a "crime of violence", or sex offense, the university will inform the alleged party bringing the complaint of the final results of a hearing regardless of whether the university concludes that a violation was committed. Such release of information may only include the alleged student's name, the violation committed, and the sanctions assigned (if applicable). In cases of sexual misconduct and other offenses covered by Title IX, the rationale will also be shared to the complainant in addition to the finding and sanctions (s).

Notification of hearing outcomes will be made in writing and may be delivered by one or more of the following methods: in person by the Dean of Students' designee; mailed to the local or permanent address of the student as indicated in official university records; or emailed to the student's university-issued email account. Once mailed, emailed and/or received in-person, such notice will be presumptively delivered. In cases of sexual misconduct, gender-related violence, and other crimes of violence, notice of the outcome will be delivered to all parties simultaneously, meaning without substantial delay between the notifications to each.

## **Citizen Complaints**

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

## **Emergency Response and Evacuations**

Wittenberg University will immediately notify the campus community upon the confirmation of a significant emergency or dangerous situation, occurring on the campus, involving an immediate threat to the health or safety of students and employees on campus. In accordance with the Higher Education Act of 1965, the University has implemented a comprehensive communications system with the primary method of communication being the E-2 Campus (Text and Email) to provide prompt warning notifications and alerts of immediate threats to the health and safety of members of the campus community. The University may also use additional communication methods, including: outdoor mass notification system, University website notices, Public Address System (where available), and building fire alarm systems.

Members of the Wittenberg community are encouraged to sign up for emergency text notification through Wittenberg University's E-2 Campus. Additionally, all students are automatically signed up to receive immediate email notification. Others may check the University website at [www.wittenberg.edu](http://www.wittenberg.edu) .

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

Typically, the University provides follow-up information to the community using the same method that used to transmit the initial alert. In the event of a failure in the systems (technology)

listed above, the University may use face-to-face communication. Additionally, the Wittenberg University website will be updated.

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

## **Emergency Preparedness**

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

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

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

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

Wittenberg University conducts emergency tests or evacuation drills at least once per year to assess and evaluate emergency procedures and capabilities.

## **Safety Communications**

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

## *Emergency Notifications and Timely Warnings*

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

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

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

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

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

We have contracted with a communications company to give us the ability to send emergency text messages to cell phones. Since being able to communicate quickly with all members of the Wittenberg community is critical to our ability to respond effectively if a crisis were to occur, we encourage all members of the campus community to sign up for this free service. To register for this service you need to provide your cell phone number on the biographical page in the WittLink portal.

We are fortunate to enjoy an excellent working relationship with the Springfield Police and Fire Divisions as well as other surrounding law enforcement agencies. In fact, we share a radio frequency with them and we employ City officers to work special duty. We maintain regular communications with SPD investigative officers, and we regularly partner in training programs.

Because of our ongoing collaboration, the local emergency response agencies know our officers, our campus and our buildings. This enables us to immediately deploy all available resources in the event of a crisis. It also ensures timely sharing of important information to help solve active cases that are of concern to the university and, even more importantly, helps to prevent criminal activity.

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

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

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

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

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

Sorority and fraternity houses are also encouraged to inform and update their members and residents on proper security procedures. The Wittenberg Police Division offers programs and provides safety recommendations to all affiliated sorority and fraternity houses, and to the owners and residents of the many independent living units in the University District.

### ***Bike Patrol***

Bicycles specially equipped for the Police and Security officers are used by selected officers in the performance of their duties. The bike patrol is an effective crime prevention tool. Additionally, while patrolling the interior areas of the campus, officers are given the opportunity to become closer to the community and citizens that we serve.

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

Wittenberg Police and Security officers have been trained to provide emergency response and assistance in medical care. All Police and Security officers are trained in first aid and CPR

techniques. In addition, the Wittenberg Health and Counseling Services Center is staffed by a board-certified physician and registered nurses.

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

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

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

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

### ***Campus Assistance Phones***

Campus Assistance Phones are located throughout campus. The phones can be identified by their blue light. The telephones are simple to operate and may be used as either a direct line to the Wittenberg Police Division or to call on-campus numbers. To operate in an emergency, simply press the red "emergency" button at the lower right corner of the panel. When the red emergency button is pushed, the device simultaneously alerts the dispatcher to the location and sets off a blue strobe light.

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

The Police Division is responsible for the unlocking of the administrative and academic campus buildings in the morning and securing them in the evenings. The majority of buildings are open to the public during normal business hours. There is no controlled access during these hours. However, these buildings are secured and patrolled each evening by the Police Division. Individuals can remain in academic and administrative buildings or enter them in the evening hours only after obtaining proper authorization. An exception to this policy is Hollenbeck Hall.

A 24- hour access computer room is available for student use within this building. After 11:30 p.m. access to the remainder of the building is restricted as above.

### ***Tiger Transport***

The Chief of Police oversees Tiger Transport, which is a student escort service designed to enhance the safety of all students as they move around the campus after dark. University students serve as and respond to requests for escorts to classrooms, buildings, residence halls, parked cars, and other destinations within the University District.

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

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

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

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

### ***Bicycle Registration***

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

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

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

It evaluates and reports on the overall security of the campus on a routine basis, and, upon request, provides safety surveys to the owners and residents of independent living units in the University District. Those evaluations and reports consider such matters as proper and effective lighting, the elimination of obscuring shrubbery, and the improvement of traffic patterns.

### ***Firearms Policy***

The possession or use of firearms, dangerous weapons or other materials that endanger the campus community is strictly prohibited. This prohibition applies to all university employees,

students, vendors, customers and guests including those who are licensed under Ohio law to carry a concealed weapon. The prohibition includes weapons carried about the person and maintenance or storage of any weapon in any property owned, leased, or controlled by Wittenberg or within any parked vehicle on university premises. Weapons discovered on university premises in violation of this policy could result in criminal prosecution.

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

## **Residence Hall Safety**

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

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

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

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

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

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

## **Prevention and Awareness Program**

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

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

### **Tips for Staying Safe**

- Report suspicious activity immediately by calling #6363.
- Walk, jog, or bike with friends.
- Use the escort service at #7900.
- Lock your doors when not in your room. Most thefts occur while the resident is still in the building.
- Park in well-lit, designated parking areas. Lock your car, and lock valuables in the trunk or hide them from view.
- Use a high-security shackle lock to secure your bike. Secure lock through the bicycle frame and quick detachable wheel to a stationary object.
- Mark all your books with your name in two or more specific places. Do not leave your books unattended.
- Do NOT drink and drive.
- Avoid isolated, dark areas.
- Know your limits with alcohol, and do not accept drinks from others.
- Tell a friend where you are going and when you will return.
- Body language counts! Walk with confidence. Show that you are aware and in control.
- Before driving, lock your doors and put on your seatbelt.
- Report the loss or theft of keys or valuables immediately to University Police.

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

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

## **Missing Persons Policy**

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

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

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

If it is determined that a student is missing, Wittenberg Police or the Dean of Students will begin calling the persons designated as the emergency contact by the student. In no circumstance will the notifications be made later than the maximum 24 hour requirement after the time the student is determined missing, which is required by federal law.

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

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

## **Substance Abuse Prohibitions**

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

policy on substance abuse and a description of its substance abuse education efforts is available in the *Student Handbook*.

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

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

Students are held responsible for their behavior when under the influence of alcohol and other drugs in the same manner in which they are held responsible for their behavior when not under the influence. The Dean of Students or a designee(s) has the option of revoking the privilege to consume alcohol of an individual, any organization, or off-campus property lease if recurring patterns of irresponsible behavior should occur. Similarly, illegal and/or irresponsible use of alcohol or other drugs may subject employees to dismissal, termination from employment, and referral for prosecution.

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

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

- Instituted a no-keg policy across campus.
- Incorporated “I’ve Got Your B.A.C.: Behavior, Attitudes and Choices” into New Student Days to educate incoming students on alcohol and other drug abuse; the ins and outs of university policy; and tips to safe drinking habits if you choose to consume alcohol.
- Implemented the use of *Under the Influence* through 3<sup>rd</sup> Millennium Classrooms which is an evidence-based course that incorporates personalized feedback and the latest research techniques to change high-risk behavior.
- Began an alcohol-free programming initiative through the residence halls and the Witt Wednesday series.
- Instituted a 21<sup>st</sup> Birthday Campaign. A birthday card is sent to all students before they turn 21 years old to wish them a happy birthday and remind them to celebrate safely. The card can also be used as a certificate for a free appetizer at Founders!

- The university has also expanded its education and intervention efforts to include other drug abuse.

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

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

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

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

In addition, the university publishes a wide variety of educational materials covering the legal, health and other risk implications of drug and alcohol use. Printed materials are available to the campus community in many campus buildings, including the Student Development Office, the Human Resources Department, the residence halls, and in the Health Center. Trained counselors are available to talk to any student or employee upon request.

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

Wittenberg University's Student Code of Conduct (for students) along with the Policies and Procedures Concerning Sexual Harassment and Misconduct (for employees) prohibit sexually violent acts, termed "Sexual Misconduct" by Wittenberg University, which can be crimes as well. Sexual misconduct includes non-consensual sexual intercourse, non-consensual sexual contact, sexual exploitation, interpersonal/relationship violence, sex/gender-based stalking, and sexual harassment.

- Student Code of Conduct (begins on page 21 of the Student Handbook)  
[http://www.wittenberg.edu/administration/student\\_development/handbook.html](http://www.wittenberg.edu/administration/student_development/handbook.html)
- Policies and Procedures Concerning Sexual Harassment and Misconduct  
[http://www.wittenberg.edu/administration/human\\_resources/manuals.html](http://www.wittenberg.edu/administration/human_resources/manuals.html)

While Wittenberg University utilizes different standards and definitions than the Ohio Revised Code, sexual misconduct often overlaps with the crimes of rape, sexual assault, sexual harassment, stalking, dating violence, and domestic violence. Victims of these behaviors are protected by federal laws, specifically Title IX, and the Clery Act, which mandates the contents of this report.

- Annual Title IX Notification  
[http://www.wittenberg.edu/administration/student\\_development/titleix.html](http://www.wittenberg.edu/administration/student_development/titleix.html)

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

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

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

It is the policy of Wittenberg University to offer programming to identify and prevent domestic violence, dating violence, sexual assault (including stranger and known offender assaults), and stalking each year. Educational programs are offered to raise awareness for all incoming students and employees, and are often conducted during new student and new employee orientation and throughout an incoming student's first semester. Programs and other campaigns offered throughout the year to all students and employees include strong messages regarding not just awareness, but also primary prevention (including normative messaging, environmental management, and bystander intervention), and discuss institutional policies on sexual misconduct as well as the Ohio Revised Code definitions of domestic violence, dating violence, sexual assault, stalking, and consent in reference to sexual activity. Programs also offer information on risk reduction that strives to empower victims, how to recognize warning signals and how to avoid potential attacks, and do so without victim-blaming approaches. Programs are informed by evidence-based research and/or are assessed for their effectiveness.

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

For a complete list of Programming and Training for Sexual Misconduct, Gender-Based Violence and Stalking for 2015, see Appendix 1.

### ***Reporting and Interim/Protective Measures***

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

- Casey Gill, Title IX Coordinator and Dean of Students  
809 Woodlawn Ave, Dietrich House, (937) 327-7800  
gillc@wittenberg.edu
- Randal Freebourn or Human Resources designee, Title IX Deputy Coordinator  
Recitation Hall, (937) 327-7009  
freebournr@wittenberg.edu
- Jessica Hoelting, Deputy Title IX Coordinator and Director of Student Conduct  
809 Woodlawn Ave, Dietrich House, (937) 327-7800  
hoeltingj@wittenberg.edu

Anyone with knowledge about sexual misconduct, gender-based violence, or the crimes of rape, sexual assault, sexual harassment, stalking, dating violence, or domestic violence is encouraged to report it immediately. Protective measures for victims are available from the campus whether a victim chooses to report to local and/or campus law enforcement, and irrespective of whether a victim pursues a formal complaint through the Wittenberg resolution process.

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

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

1. Go to a safe place and speak with someone you trust. Tell this person what happened. If there is any immediate danger, contact 937-327-6363 if you are on campus or call 911 if you are off campus.
2. Consider securing immediate professional support (e.g., counseling, victim advocacy,

medical services, etc.) to assist you in the crisis.

3. If you are on campus during regular business hours, you may go to Linda Lauffenburger, Director of Counseling; Pastors Andy and Rachel Tune; as well as the Project Woman Campus Advocate, Lindsey Criswell (or Project Woman designee). These are all confidential resources.
4. After regular business hours, or in any situation where a victim wishes, local resources are also available and may be able to provide confidential assistance.
  - Project Woman  
525 East Home Road, Springfield, OH 45503, (937) 328-5308  
[www.projectwomanohio.org](http://www.projectwomanohio.org)
  - Project Woman **24-Hour Crisis Line**  
1-800-634-9893  
(937) 325-3707  
tty (937) 399-5096
5. For your safety and well-being, immediate medical attention is encouraged. Further, being examined as soon as possible, ideally within 120 hours, is important in the case of rape or sexual assault. The hospital will arrange for a specific medical examination at no charge or can work with you to arrange state reimbursement.
  - To preserve evidence, it is recommended that you do not bathe, shower, douche, eat, drink, smoke, brush your teeth, urinate, defecate, or change clothes before receiving medical attention. Even if you have already taken any of these actions, you are still encouraged to have prompt medical care, and evidence may still be recoverable.
  - Typically, if police are involved or will be involved, they will obtain evidence from the scene, and it is best to leave things undisturbed until their arrival. They will gather bedding, linens or unlaundered clothing, and any other pertinent articles that may be used for evidence. It is best to allow police to secure items in evidence containers, but if you are involved in transmission of items of evidence, such as to the hospital, secure them in a clean **paper** bag or clean sheet to avoid contamination.
  - If you have physical injuries, photograph or have them photographed, with a date stamp on the photo.
  - Record the names of any witnesses and their contact information. This information

may be helpful as proof of a crime, to obtain an order of protection, or to offer proof of a campus policy violation.

- Try to memorize details (e.g., physical description, names, license plate number, car description, etc.), or even better, write notes to remind you of details, if you have time and the ability to do so.
  - If you obtain external orders of protection (e.g., restraining orders, injunctions, protection from abuse), please notify the Wittenberg Police Division or the campus Title IX Coordinator so that those orders can be observed on campus.
6. Even after the immediate crisis has passed, consider seeking support from Linda Lauffenburger, Director of Counseling; Pastors Andy and Rachel Tune; the Project Woman Campus Advocate, Lindsey Criswell (or Project Woman designee), and/or Project Woman, the local rape crisis center.
  7. Contact the Dean of Students/Title IX Co-Coordinator, Director of Human Resources/Title IX Co-Coordinator and/or Director of Student Conduct/Deputy Title IX Coordinator if you need assistance with Wittenberg-related concerns, such as no-contact orders or other protective measures.
    - o Casey Gill, Title IX Coordinator and Dean of Students  
809 Woodlawn Ave, Dietrich House, (937) 327-7800  
gillc@wittenberg.edu
    - o Randal Freebourn or Human Resources designee, Title IX Coordinator  
Recitation Hall, (937) 327-7009  
freebournr@wittenberg.edu
    - o Jessica Hoelting, Deputy Title IX Coordinator and Director of Student Conduct  
809 Woodlawn Ave, Dietrich House, (937) 327-7800  
hoeltingj@wittenberg.edu

The Project Woman Campus Advocate, Dean of Students/Title IX Coordinator, Human Resources Designee/Title IX Deputy Coordinator and/or Director of Student Conduct/Deputy Title IX Coordinator will also assist in any needed advocacy for students who wish to obtain protective or restraining orders from local authorities

- o Lindsey Criswell, Wittenberg University Project Woman Campus Advocate  
lcriswell@projectwomanohio.org

Wittenberg University is able to offer reasonable academic supports, changes to living

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

### ***Definitions***

Wittenberg University defines forms of gender-based violence and sexual misconduct it prohibits in the Student Code of Conduct and Ethics (for students) and Policies and Procedures Concerning Sexual Harassment and Misconduct (for faculty and staff). Many of these forms of misconduct are also violations of Ohio criminal and/or civil law.

### **Legal Definitions**

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

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

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

### **University Definitions**

See Appendix 3 for the following definitions outlined in Wittenberg University's Student Code of Conduct and Ethics and Policies and Procedures Concerning Sexual Harassment and Misconduct.

- Coercion
- Dating Violence
- Domestic Violence
- Effective Consent
- Force
- Hostile Environment
- Incapacitation

- Nonconsensual Sexual Contact
- Nonconsensual Sexual Intercourse
- Retaliation
- Sexual Contact
- Sexual Exploitation
- Sexual Harassment
- Sexual Misconduct
- Stalking

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

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

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

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

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

For offenses including sexual misconduct or other gender based violence, which typically include the crimes of domestic violence, dating violence, sexual harassment, sexual misconduct, and stalking, sanctions range from warning to dismissal. Serious and violent incidents and acts of non-consensual sexual intercourse (the policy equivalent to the crime of rape) usually result in suspension, dismissal, or termination of employment. Lying to investigators (and/or failing to participate in an investigation) can result in additional consequences under the Student Code of Conduct (for students) and the Policies and Procedures Concerning Sexual Harassment and Misconduct (for employees). Wittenberg University and Title IX will not permit retaliation by either party to a complaint, by witnesses or by any other students, staff or faculty. Appropriate sanctions will be imposed on anyone engaged in such activity.

- Student Code of Conduct (begins on page 18 of the Student Handbook – Sanctions listed pages 70-76).  
[http://www.wittenberg.edu/administration/student\\_development/handbook.html](http://www.wittenberg.edu/administration/student_development/handbook.html)

Procedurally, when Wittenberg University receives a report of sexual misconduct, gender-based violence, or other sex or gender discrimination, the campus Title IX Coordinator is notified. If the victim wishes to access local community agencies and/or law enforcement for support, Wittenberg University will assist the victim in making these contacts. The Title IX Coordinator or Deputy Coordinator will offer assistance to victims in the form of interim or long-term measures such as opportunities for academic accommodations; changes in housing for the victim or the responding student; visa and immigration assistance; changes in working situations; and other assistance as may be appropriate and available on campus or in the community (such as no contact orders, campus escorts, transportation assistance, targeted interventions, etc.). If the victim so desires, that individual will be connected with a counselor on- or off-campus, as well as an on-or off-campus victim's advocate. No victim is required to take advantage of these services and resources, but Wittenberg University provides them in the hopes of offering help and support without condition or qualification. A summary of rights, options, supports, and procedures is provided to all victims, whether they are students, employees, guests, or visitors.

### **Prompt, Fair, and Impartial Process**

When appropriate upon receipt of notice, the Title IX Coordinator will cause a prompt, fair, and impartial process (proceeding) to be initiated, commencing with an investigation, which may lead to the imposition of sanctions based upon a preponderance of evidence (what is more likely than not), upon a responding student or other accused individual. During the process, both the accuser and the accused will receive timely notice of all meetings at which one or the other or both may be present. Additionally, the victim or complainant, accused, and appropriate officials are given timely and equal access to any information that will be used during informal and formal disciplinary meetings and hearings. The process will be transparent to the accused and accuser and be consistent with the institution's policies. Furthermore, the process will be conducted by officials who do not have a conflict of interest or bias for or against the accuser or the accused. Usually, resolution of complaints of sexual misconduct and gender-related violence

are completed within 60 days of the report, however the process timeframe allows for extensions for good cause with notice to the accuser and the accused of the delay and the reasons for the delay.

Procedures detailing the investigation and resolution processes of the Wittenberg University can be found online here:

- Student Code of Conduct (begins on page 18 of the Student Handbook – University Hearing Procedures listed pages 76-96).  
[http://www.wittenberg.edu/administration/student\\_development/handbook.html](http://www.wittenberg.edu/administration/student_development/handbook.html)

The Title IX Coordinator is ultimately responsible for assuring in all cases that the behavior is brought to an end, Wittenberg University acts to reasonably prevent its recurrence, and the effects on the victim and the community are remedied. The Coordinator is also responsible for assuring that training is conducted annually for all advocates, investigators, hearing officers, panelists, and appeals officers that encompass a hearing process that protects the safety of victims and promotes accountability. Training will focus on sexual misconduct, domestic violence, dating violence, sexual assault, stalking, sexual harassment, retaliation, and other behaviors that can be forms of sex or gender discrimination covered by Title IX and Clery Act. Training will help those decision-makers in the process of protecting the safety of victims and promoting accountability for those who commit offenses.

### **Confidentiality**

The investigation and records of the resolution conducted by Wittenberg University are maintained confidentially. Information is shared internally between administrators who need to know, but a tight circle is kept. Where information must be shared to permit the investigation to move forward, the person bringing the accusation will be informed. Privacy of the records specific to the investigation is maintained in accordance with Ohio State law and the federal FERPA statute. Any public release of information needed to comply with the open crime logs or timely warning provisions of the Clery Act will not include the names of victim or information that could easily lead to a victim's identification. Additionally, Wittenberg University maintains privacy in relation to any accommodations or protective measures afforded to a victim, except to the extent necessary to provide the accommodations and/or protective measures. Typically, if faculty members or administrators are asked to provide accommodations for a specific student, they are told that such accommodations are necessary under Title IX or the Clery Act, but they are not given any details of the incident, or what kind of incident it is. Irrespective of state law or public records access provisions, information about victims is maintained privately in accordance with Title IX and FERPA.

### **Support Person (Advisor)**

In any complaint of sexual misconduct, sexual assault, stalking, dating violence, domestic

violence, or other sex or gender-based discrimination covered under the federal law, Title IX, the person bringing the accusation and the responding party are entitled to the same opportunities for a support person of their choice throughout and to fully participate in the process, including any meeting, conference, hearing, appeal, or other procedural action. The role of advisors is described in detail here:

- Student Code of Conduct (begins on page 18 of the Student Handbook – Advisor Roles described on pages 24 & 91).  
[http://www.wittenberg.edu/administration/student\\_development/handbook.html](http://www.wittenberg.edu/administration/student_development/handbook.html)

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

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

### **Protections for Whistleblowers**

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

### **Clery Compliance and FERPA**

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

### **HATE CRIMES**

For purposes of this report, hate crimes include any Clery reportable crime, any other crime involving bodily injury, and any crime of theft, simple assault, intimidation, and destruction/damage/vandalism of property, reported to the Wittenberg Police Division, a local law enforcement agency, or a campus security authority, that manifests evidence that the victim

was selected because of the perpetrator's bias. Categories of bias are: race, religion, gender, gender identity, sexual orientation, ethnicity/national origin, and disability.

There were no reported incidents of hate crimes at Wittenberg University in calendar years 2013 or 2014. The 2015 Hate Crimes are listed below in narrative form:

- 2 On-Campus & 2 Residential Hall incidents of Vandalism characterized by a Sexual Orientation Bias

## **Crime Statistics 2013, 2014, 2015**

**Total Crimes Reported**

Offense Type <small>(includes attempts)</small>	Crimes on Campus or in Residence Halls										Non-Campus Building or Property					Public Property			Unfounded*					
	2013		2014		2015		2013		2014		2015		2013		2014		2015		2013		2014		2015	
	RH	Other	Total	RH	Other	Total	RH	Other	Total	RH	Other	Total	RH	Other	Total	RH	Other	Total	RH	Other	Total	RH	Other	Total
Murder	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	NR	NR	NR	0	0	0
<b>Forcible Sex Offenses</b>																								
Unlawful Sexual Intercourse	5	2	7	**	**	**	**	**	**	**	**	0	**	**	0	**	**	0	NR	NR	NR	**	**	**
Rape	NR	NR	NR	4	0	4	1	0	0	0	0	NR	0	0	0	0	0	0	NR	NR	NR	0	0	0
Forcible Fondling	NR	NR	NR	2	0	2	2	3	5	NR	0	0	0	0	0	0	0	0	NR	NR	NR	0	0	0
Non-Forcible Sex Offenses	NR	NR	NR	0	0	0	0	0	0	NR	0	0	0	0	0	0	0	0	NR	NR	NR	0	0	0
<b>Other Crimes</b>																								
Robbery	1	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	1	1	NR	NR	NR
Aggravated Assault	1	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Burglary	19	0	19	16	2	18	5	2	7	3	1	0	0	0	0	0	0	0	0	0	0	NR	NR	1
Motor Vehicle Theft	0	0	0	0	2	2	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Arson	0	0	0	1	0	1	1	1	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Manslaughter by Negligence	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Domestic Violence	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Relationship Violence	1	0	1	1	2	3	2	0	2	0	0	0	0	0	0	0	0	0	0	0	0	1	NR	NR
Stalking	0	0	0	1	2	3	8	2	10	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0

\* As of 2015 the Department of Education mandates that all unfounded crimes statistics to be listed in the Annual Security Report. This affects calendar year 2014 & 2015 statistics.  
 \*\* Per the Department of Education, the statistics for Unlawful Sexual Intercourse have been re-categorized as Rape or Forcible Fondling for calendar year 2014 and beyond.

**Number of Arrests/Students Judicial Referrals for Select Offenses**

Offense Type	Wittenberg University Campus										Non-Campus Property***					Public Property*			Unfounded					
	2013		2014		2015		2013		2014		2015		2013		2014		2015		2013		2014		2015	
	Res.	Other	Res.	Other	Res.	Other	Res.	Other	Res.	Other	Res.	Other	Res.	Other	Res.	Other	Res.	Other	Res.	Other	Res.	Other	Res.	Other
Liquor Law Violations																								
Arrest	0	5	2	1	2	2	0	0	0	0	0	0	3	3	3	3	NR	NR	NR	NR	NR	NR	NR	
Referral	61	10	114	12	126	19	0	0	0	0	0	1	36	9	6	NR	NR	NR	NR	NR	NR	NR	NR	
Drug Law Violations																								
Arrest	0	3	1	0	1	1	1	0	0	0	0	0	2	2	3	NR	NR	NR	NR	NR	NR	NR	NR	
Referral	42	1	55	6	75	3	0	1	0	0	0	0	0	3	NR	NR	NR	NR	NR	NR	NR	NR	NR	
Illegal Weapons Possession																								
Arrest	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Referral	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	

**Hate Crime Statistics**

2015	2 On-Campus & 2 Residential Hall incidents of Vandalism characterized by a Sexual Orientation Bias
2014	There were no Hate Crimes reported for 2014
2013	There were no Hate Crimes reported for 2013

## Unfounded Crime Reports

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

## Site Code Descriptions

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

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

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

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

# University Boundaries



## ALPHABETICAL

Admission 19  
 Alpha Delta Pi 55  
 Barbara Deer Kuss Science Center 22  
 Bayley Alumni House 29  
 Bayley Auditorium 22  
 Bayley-Diehl House 11  
 Benham-Pence Student Center 42  
 Benjamin Prince House 12  
 Beta Theta Pi 53  
 Betty Dillahunt Field 50  
 Bill Edwards Field 50  
 Blair Hall 30  
 Bookstore 42  
 Campus Ministries House 8  
 Carleton Davidson Stadium 54  
 Career Services 44  
 Carnegie Hall 16  
 Chakeres Memorial Theatre 40  
 Chapel Lawn 34  
 Commencement Hollow 17  
 Community Service 43  
 David B. and Georgiana S. Albright Tennis Complex 49  
 Delta Gamma 3

Doppelgängers 42  
 Edwards-Maurer Field 52  
 Fernciff Hall 10  
 Firestone Hall 36  
 Foreign Language Learning Center 28  
 Founders 42  
 Fountain 24  
 Gamma Phi Beta 14  
 Health and Counseling 44  
 Health, Physical Education and Recreation Center 51  
 Hollenbeck Hall 28  
 International Education / Study Abroad 28  
 Joseph C. Shouvin Center 44  
 Kappa Delta 9  
 Keller Place Apartments 6  
 Kissell Auditorium 20  
 Koch Hall 20  
 Krieg Hall 15  
 Math Workshop 22  
 Matthies Honors House 38  
 Morris J. Knauss Greens Student Residences 13  
 Motor Pool 18  
 Myers Hall 26

Myers Hollow 27  
 Ness Family Auditorium 28  
 New Residence Hall 46  
 Oral Communication Center 35  
 Pam Evans Smith Arena 51  
 Phi Gamma Delta 7  
 Phi Kappa Psi 5  
 Physical Plant Building 1  
 Police Division 18  
 Polis House 47  
 Post 95 42  
 Recitation Hall 19  
 Recitation Hall Annex 18  
 Seal 25  
 Sigma Kappa 48  
 Solution Center 35  
 Sprecher Place Apartments 4  
 Springfield Center for the Arts at Wittenberg University 2  
 Stoughton Lawn 45  
 Student Development / Dietrich House 37  
 Susan Hirt Hagen Center for Civic & Urban Engagement 43  
 Synod Hall 32  
 Thomas Library 35  
 Tower Hall 41

Weaver Chapel 31  
 Weaver Observatory 21  
 Woodlawn Hall 33  
 William A. McClain Black Culture House 39  
 Writing Center 28  
 Zimmerman Hall 23

## NUMERICAL

1 Physical Plant  
 225 N. Fountain Ave.  
 2 Springfield Center for the Arts at Wittenberg University  
 3 Delta Gamma  
 4 Sprecher Place Apartments  
 5 Phi Kappa Psi  
 6 Keller Place Apartments  
 7 Phi Gamma Delta  
 8 Campus Ministries House  
 9 Kappa Delta  
 10 Fernciff Hall  
 11 Bayley-Diehl House  
 12 Benjamin Prince House  
 13 Morris J. Knauss Greens Student Residences  
 14 Gamma Phi Beta  
 15 Krieg Hall

16 Carnegie Hall  
 17 Commencement Hollow  
 18 Recitation Hall Annex  
 19 Recitation Hall  
 20 Koch Hall  
 21 Weaver Observatory  
 22 Barbara Deer Kuss Science Center  
 23 Zimmerman Hall  
 24 Fountain  
 25 Seal  
 26 Myers Hall  
 27 Myers Hollow  
 28 Hollenbeck Hall  
 29 Bayley Alumni House  
 30 Blair Hall  
 31 Weaver Chapel  
 32 Synod Hall  
 33 Woodlawn Hall  
 34 Chapel Lawn  
 35 Thomas Library  
 36 Firestone Hall  
 37 Student Development / Dietrich House  
 38 Matthies Honors House  
 39 William A. McClain Black Culture House

● CAMPUS BUILDINGS  
 ● RESIDENCE HALLS AND APARTMENTS  
 ● GREEK HOUSES  
 ● CENTERS, INSTITUTES, AND VENUES

40 Chakeres Memorial Theatre  
 41 Tower Hall  
 42 Benham-Pence Student Center  
 43 Susan Hirt Hagen Center for Civic & Urban Engagement  
 44 Joseph C. Shouvin Center  
 45 Stoughton Lawn  
 46 New Residence Hall  
 47 Polis House  
 48 Sigma Kappa  
 49 David B. and Georgiana S. Albright Tennis Complex  
 50 Betty Dillahunt Field / Bill Edwards Field  
 1291 N. Yellow Springs St.  
 51 Health, Physical Education and Recreation Center  
 52 Edwards-Maurer Field  
 53 Beta Theta Pi  
 54 Carleton Davidson Stadium  
 1101 Mitchell Blvd.  
 55 Alpha Delta Pi

200 W Ward St  
 Springfield, OH 45504  
[www.wittenberg.edu](http://www.wittenberg.edu)  
 (937) 327-6231

## Non-Campus Properties

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

LOCATION	ADDRESS	DATES
Springfield, Ohio	1290 N. Yellow Springs Street Springfield, OH 45504	1/1/14 - 12/31/14
	3036 Lynn Haven Street Springfield, OH 45503	1/1/14 - 12/31/14
South Charleston, Ohio	8200 S. Pitchin Road South Charleston, Oh. 45368	1/1/14 - 12/31/14
Crawford County, Michigan	Wakeley House (MIO302) in section 23, T26N,R2W, South Branch Twp., Crawford County, Michigan	2/13/14 – 2/16/14 5/15/14 – 8/10/14

## Fire Safety

### *Fire Safety Systems*

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

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

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

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

### *Fire Reporting*

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

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

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

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

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

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

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

## **Fire Prevention**

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

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

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

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

### ***Electrical Appliances***

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

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

- Crock pot
- Electric sauce pans
- Halogen lamps
- Toasters
- Sun lamps
- Electric skillets
- Potpourri burners
- Electric fryers
- Hot plates
- Microwave ovens
- Blenders
- Toaster ovens
- Broiler ovens
- George Foreman Grills
- Electric heaters
- Air Conditioners

### ***Smoking Policy***

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

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

All residence halls are smoke-free environments, and smoking is prohibited throughout the halls, both in student rooms and public areas. The first response for violation of the smoking policy will be a warning.

A second violation will result in a \$50.00 fine. Further violations will result in more serious judicial action. Educational sanctions may be mandated at any time.

***False Fire Alarms***

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

***Fire Drills***

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

***Fireworks Policy***

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

***Plans for Future Improvement***

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

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

Address or Building	Fire Alarm Monitoring	Partial Sprinkler System	Full Sprinkler System	Smoke Detection	Fire Extinguisher Devices	Evacuation Plans and Placards	Fire Drills
Ferncliff Hall	yes		no	panel	yes	yes	yes / 3 times a year
Firestine Hall	yes		no	panel	yes	yes	yes / 3 times a year
Myers Hall	yes		no	panel	yes	yes	yes / 3 times a

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

152 College				local			
154 College				local			
164 College				local			
165 College				local			
167 College				local			
221 College				local			
222 College				local			
222- 1/2 College				local			
226 College				local			
618 Faculty Court				local			
619 Faculty Court				local			
620 Faculty Court				local			
Address or Building	Fire Alarm Monitoring	Partial Sprinkler System	Full Sprinkler System	Smoke Detection	Fire Extinguisher Devices	Evacuation Plans and Placards	Fire Drills
624 Faculty Court				local			
626 Faculty Court				local			
628 Faculty Court				local			
630 Faculty Court				local			
631 Faculty Court				local			
633 Faculty Court				local			
634 Faculty Court				local			
635 Faculty Court				local			
636 Faculty Court				local			
637 Faculty Court				local			
638 Faculty Court				local			
639 Faculty Court				local			
640 Faculty Court				local			
641 Faculty Court				local			
501 Fountain				local			
501- 1/2 Fountain				local			
607 Fountain				local			

609 Fountain				local			
732 Fountain				local			
732- 1/2 Fountain				local			
740 Fountain				local			
801 Fountain				local			
802 Fountain				local			
803 Fountain				local			
804 Fountain				local			
825 Fountain #1				local			
825 Fountain #2				local			
Address or Building	Fire Alarm Monitoring	Partial Sprinkler System	Full Sprinkler System	Smoke Detection	Fire Extinguisher Devices	Evacuation Plans and Placards	Fire Drills
825 Fountain #3				local			
825 Fountain #4				local			
825 Fountain #5				local			
825 Fountain #6				local			
835 Fountain				local			
839 Fountain				local			
841 Fountain				local			
907 Fountain				local			
909 Fountain				local			
917 Fountain				local			
933 Fountain				local			
KELLER Place #1	yes		yes	panel			
KELLER Place #2	yes		yes	panel			
KELLER Place #3	yes		yes	panel			
KELLER Place #4	yes		yes	panel			
KELLER Place #5	yes		yes	panel			
KELLER Place #6	yes		yes	panel			
KELLER Place #7	yes		yes	panel			
KELLER Place #8	yes		yes	panel			
KELLER Place #9	yes		yes	panel			
KELLER Place #10	yes		yes	panel			
KELLER Place #11	yes		yes	panel			

KELLER Place #12	yes		yes	panel			
1021 Lowry				local			
1025 Lowry				local			
1109 Lowry				local			
1115 Lowry				local			
Address or Building	Fire Alarm Monitoring	Partial Sprinkler System	Full Sprinkler System	Smoke Detection	Fire Extinguisher Devices	Evacuation Plans and Placards	Fire Drills
15 Madison				local			
17 McCreight				local			
217 McCreight				local			
221 McCreight				local			
108 Northern				local			
110 Northern				local			
472 Park Place				local			
472 1/2 Park Place				local			
474 Park Place				local			
474- 1/2 Park Place				local			
483 Park Place				local			
483-1/2 Park Place				local			
505 Park Place				local			
508 Park Place				local			
508-1/2 Park Place				local			
511 Park Place				local			
511-1/2 Park Place				local			
SPRECHER Place #1	yes		yes	panel			
SPRECHER Place #2	yes		yes	panel			
SPRECHER Place #3	yes		yes	panel			
SPRECHER Place #4	yes		yes	panel			
SPRECHER Place #5	yes		yes	panel			
SPRECHER Place #6	yes		yes	panel			
SPRECHER Place #7	yes		yes	panel			
SPRECHER Place #8	yes		yes	panel			
SPRECHER Place #9	yes		yes	panel			

SPRECHER Place #10	yes		yes	panel			
Address or Building	Fire Alarm Monitoring	Partial Sprinkler System	Full Sprinkler System	Smoke Detection	Fire Extinguisher Devices	Evacuation Plans and Placards	Fire Drills
SPRECHER Place #11	yes		yes	panel			
SPRECHER Place #12	yes		yes	panel			
SPRECHER Place #13	yes		yes	panel			
SPRECHER Place #14	yes		yes	panel			
SPRECHER Place #15	yes		yes	panel			
SPRECHER Place #16	yes		yes	panel			
8 Stoughton				local			
10 Stoughton				local			
472 Wittenberg				local			
472-1/2 Wittenberg				local			
474 Wittenberg				local			
474-1/2 Wittenberg				local			
480 Wittenberg #1				local			
480 Wittenberg #2				local			
480 Wittenberg #3				local			
480 Wittenberg #4				local			
484 Wittenberg Eco-House				local			
504 Wittenberg				local			
504-1/2 Wittenberg				local			
517 Wittenberg				local			
517-1/2 Wittenberg				local			
520 Wittenberg				local			
520-1/2 Wittenberg				local			
521 Wittenberg				local			
521-1/2 Wittenberg				local			
522 Wittenberg				local			

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

625 Woodlawn				local			
629 Woodlawn				local			
908 Woodlawn				local			
910 Woodlawn				local			
916 Woodlawn				local			
954 Woodlawn				local			

**Fire Statistics for Wittenberg Student Residential Properties**

**2013, 2014, 2015**

Fire Statistics for Wittenberg Student Residential Properties								
2013, 2014, 2015								
Address	Number of Fires 2015	Number of Fires 2014	Number of Fires 2013	Case Number	Cause of Fire	Number of Persons Treated at Medical Facility	Number of Deaths	Property Damage in Dollars
Firestine Hall	0	1	0	1402-02662	Arson - burnt paper towels in a restroom	0	0	\$ -
Ferncliff Hall	1	0	0	1501-01626	Accidental-plastic cup caught fire in microwave	0	0	\$ -
Ferncliff Hall	1	0	0	1502-02911	Arson - Several decorations were set on fire	0	0	\$ -
Sprecher Apartment	1	0	0	1509-15107	Accidental-burner caught on fire while cooking	0	0	\$ -
501 North Fountain Avenue	1	0	0	1510-17898	Unknown Origin-porch caught on fire	0	0	\$ 2,000.00
802 North Fountain Avenue	1	0	0	1512-21864	Electric Fire at the furnace in the attic	0	0	\$ 37,000.00

**Appendix 1: Programming/Training- Sexual Misconduct, Gender-Based Violence and Stalking for Calendar Year 2015**

<b>Sexual Assault and Relationship Violence Prevention Programming/Training Calendar Year 2015</b>					
<b>PROGRAM</b>	<b>DATE</b>	<b>FACILITATOR</b>	<b>QUALIFICATIONS</b>	<b>ATTEN DANCE</b>	<b>TYPE OF AUDIENCE</b>
One Student Campaign - Pamphlet "Guide for Helping Victims of Sexual Offenses"	Year Long	No Woman Left Behind student organization in collaboration with Student Development	Student Organization; University Office	~500+	Students, Faculty, Staff, Campus Visitors
One Student Campaign - poster campaign with resources for victims of sexual assault; placed in restrooms across campus	Year Long	No Woman Left Behind student organization in collaboration with Student Development	Student Organization; University Office	~500	Students, Faculty, Staff, Campus Visitors
Sexual Assault Prevention Training for students on Sexual Grievance Board	Year Long	Krystal Reeb; Cliff Saul	Workshops - Training modules produced by NCHERM	8	Students on Student Conduct Hearing Board
Women Supporting Women: Support Group	Year Long	Project Woman	Trained counselors from Project Woman	Anony mous	Female Witt Students
Greek 101 New Member education program	3/23-24/2015	Carol Nickoson	Director of Fraternity/Sorority Life	181	New members of sororities and fraternities
Student Mandatory Sexual	01/30/2015	Workplace Answers	Compliance training company	943	Students: 1874 registered;

Harassment On-line Training					50% completion
Drafting a Title IX Compliant Sexual Misconduct Policy Seminar	02/23/2015	Jim Newberry of Steptoe & Johnson PLLC	Associate of Independent Colleges and Universities of Ohio	4	Title IX Co-Coordinator; Deputy Title IX Coordinator; University Attorney
<i>NO! The Rape Documentary.</i> This is a film that addresses the silence around rape and sexual assault in the black community.	04/01/2015	John Young, Associate Dean for Multicultural Affairs	Student Development Staff	35	Concerned Black Students; Center for Diversity; Campus-wide
The Hunting Ground: An expose of rape crimes on U.S. college campuses, their institutional cover-ups, and the devastating toll they take on students and their families.	04/15/2015	Dean Casey Gill	Dean of Students/Title IX Coordinator	56	Students, Faculty, Staff, Campus Visitors

<p>The Sociology Department Presents The Alpha Kappa Delta Annual Lecture-Deviance Double Header: Drinking, Driving, and Campus Sexual Assault</p>	<p>04/17/2015</p>	<p>Speakers: Dr. Jacqueline Bergdahl, Assoc. Professor of Sociology/Anthropology, Director of Applied Behavioral Science Program, Wright State University  Dr. Michael Norris, Assoc. Professor of Sociology/Anthropology Director, Crime and Justice Studies Program, Wright State University</p>	<p>Specialists in their area</p>	<p>27</p>	<p>Campus-wide</p>
<p>The Central Ohio Sexual Assault Task Force presents... The 8th Annual FREE Sexual Assault Awareness Month Conference Complicated Investigations: Successful SART Response to Alcohol and Drug Facilitated Sexual Assault</p>	<p>04/22/2015</p>	<p>Central Ohio Sexual Assault Task Force</p>	<p>Central Ohio Sexual Assault Task Force</p>	<p>2</p>	<p>Open to the public. Casey Gill (Title IX Coordinator) and Krystal Reeb (Deputy Title IX Coordinator) attended</p>

<b>It's On Us: Pledge Cards and Social Media Campaign/PSA</b>	<b>March-April</b>	<b>Student Involvement</b>	<b>Staff</b>	<b>278</b>	<b>SAAC; Diversity Center; IFC; Panhell; Student Senate; Union Board; Greek 101; RAs;</b>
<b>Faculty/Staff Mandatory Sexual Harassment On-line Training</b>	<b>12/18/2014</b>	<b>Workplace Answers; Human Resources</b>	<b>Compliance training company</b>	<b>677</b>	<b>Fac/Staff; 1003 registered for both semesters; 838 total completion; 83%</b>
<b>Un-Complicating the Complicated: Sexual Misconduct, Stalking and Relationship Violence</b>	<b>05/07/2015</b>	<b>Krystal Reeb</b>	<b>Director of Student Conduct/Deputy Title IX Coordinator</b>	<b>29</b>	<b>Delta Tau Delta</b>
<b>Take Back the Night</b>	<b>07/08/2015</b>	<b>Womyn's Center</b>	<b>Dr. Brooke Wagner and participants</b>	<b>20</b>	<b>Students, open discussion</b>
<b>OA/RA/Peer Mentor Sexual Misconduct and Relationship Violence Training</b>	<b>08/18/2015</b>	<b>Mark DeVilbiss, Jon Duraj, Krystal Reeb, Casey Gill, Linda Lauffenburger, Rachel Tune, Michelle Gafford, Brian Richardson, Cliff Saul</b>	<b>Student Development Staff</b>	<b>100</b>	<b>OA/RA/CA/Peer Mentors</b>

Not Without Consent	08/22/2015	Dr. Katherine Polak, Sarah Jurewicz, Elizabeth Ames, Dr. Lori Askeland, Dr. Robin Inboden, Dr. Heather Wright, Dr. Amber Burgett, Eric Roberts, Dr. Patrick Reynolds, Dr. Michael Anes, Mark DeVilbiss, Michael LaCagnin, John Young	Developed by Dr. Brooke Wagner, associate professor of Sociology. Facilitators were trained to facilitate the workshop	551	New Students Orientation
Consent & Campus Sexual Assault Resources	09/24/2015	Dr. Brooke Wagner	Developed by Dr. Brooke Wagner, associate professor of Sociology.	4	Students
Greek 101 New Member education program	11/5/2015 & 11/19/2015	Carol Nickoson, Morgan Miller (IFC officer), Haley Mucha (Panhellenic officer)	IFC/Panhellenic leadership; Director of Fraternity/Sorority Life	20	New members of sororities and fraternities
Dating Violence: Myths, Assumptions, and Stereotypes	11/16/2015	Womyn's Center	Dr. Brooke Wagner	3	Students
Consent & Campus Sexual Assault Resources	11/19/2015	Dr. Brooke Wagner	Developed by Dr. Brooke Wagner, associate professor of Sociology.	22	Students
Screening of The Hunting Ground	11/22/2015	Documentary Film	Documentary Film, hosted by Womyn's Center	12	Students
			Estimated Total	3972	

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

### **2907.02 Rape**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(1) Its dominant appeal is to prurient interest;

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

### **2907.03 Sexual battery**

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

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

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

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

### **2907.05 Gross sexual imposition**

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

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

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

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

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

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

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

### **2907.06 Sexual imposition**

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

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

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

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

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

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

### **2903.211 Menacing by stalking**

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

identify a corporation, association, or other organization that employs the other person or to which the other person belongs.

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

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

### **2919.25 Domestic violence**

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

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

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

### **2903.11 Felonious assault**

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

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

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

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

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

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

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

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

(A) As used in this section:

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

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

(b) Placing another person by the threat of force in fear of imminent serious physical harm or committing a violation of section 2903.211 or 2911.211 of the Revised Code;

(c) Committing any act with respect to a child that would result in the child being an abused child, as defined in section 2151.031 of the Revised Code;

(d) Committing a sexually oriented offense.

## Appendix 3 – Wittenberg University Definitions

**Coercion** – Unreasonable pressure or persuasion, duress, cajoling and/or compulsion to engage in unwanted sexual activity. Can be confused with romance or seduction but can be identified by the following factors: intensity, frequency, duration and/or isolation.

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

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

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

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

**Hostile Environment** – Per the Office of Civil Rights, a hostile environment as it relates to students is one in which the harassing conduct is sufficiently serious that it interferes with or limits a student’s ability to participate in or benefit from the school’s program.

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

- The frequency of the speech or conduct;
- The nature and severity of the speech or conduct;
- Whether the conduct was physically threatening;
- Whether the speech or conduct was humiliating;
- The effect of the speech or conduct on the alleged victim’s mental and/or emotional state;
- Whether the speech or conduct was directed at more than one person;
- Whether the speech or conduct arose in the context of other discriminatory conduct;
- Whether the speech or conduct unreasonably interfered with the alleged victim’s educational or work performance;
- Whether a statement is a mere utterance of an epithet, which engenders offense in an employee or a student or offends by mere discourtesy or rudeness.

***Incapacitation*** – The physical and/or mental inability to make informed rational judgments. States of incapacitation include, without limitation, sleep, blackouts, and flashbacks.

Where alcohol [or other drugs] is involved, one does not have to be intoxicated or drunk to be considered incapacitated. Rather, incapacitation is determined by how the alcohol consumed impacts a person's decision-making capacity, awareness of consequences, and ability to make informed judgments. Because incapacitation may be difficult to discern, students are strongly encouraged to err on the side of caution; i.e., when in doubt, assume that another person is incapacitated and therefore unable to give effective consent.

Being intoxicated or drunk is never a defense to a complaint of sexual harassment or misconduct under Wittenberg University policies. A factor considered during sexual complaint hearings is whether the accused student knew, or a sober, reasonable person in the position of the accused student should have known, that the complainant was incapacitated.

***Nonconsensual Sexual Contact*** – Any form of sexual contact that occurs without effective consent.

***Nonconsensual Sexual Intercourse*** – Any genital or oral penetration, however, slight, by a part of the respondent's body or by an object that occurs without effective consent.

***Retaliation*** – Any acts of intimidation, threats, coercion or other behaviors against persons who files complaints or expresses concerns about sexual harassment or misconduct.

***Sexual Contact*** – Deliberate touching of a person's intimate parts (including genitalia, groin, breast, buttocks, or clothing covering any of those areas), or using force to cause a person to touch his or her own or another person's intimate parts.

***Sexual Exploitation*** – Taking sexual advantage of another person without effective consent, and includes, without limitation, causing or attempting to cause the incapacitation of another person in order to gain sexual advantage over such other person. Such actions include, but are not limited to causing the prostitution of another person; recording, photographing or transmitting identifiable images of private sexual activity and/or intimate parts (including genitalia, groin, breast, or buttocks) of another person; allowing third parties to observe private sexual acts; engaging in voyeurism; and/or knowingly or recklessly exposing another person to a significant risk of sexual transmitted infection, including HIV.

***Sexual Harassment*** – Sexual harassment may be verbal, visual or involve physical contact. It can range from abusive remarks about individual persons to sexual misconduct including serious criminal abuses such as assault. It can be overt, such as a professor's suggestion that a person could get a higher grade or a supervisor's offer to an employee for a higher salary in return for submission to sexual advances. The suggestion or advance need not be direct or explicit—it may be implied by the conduct, circumstances and relationship of the individuals involved. Sexual harassment can also consist of persistent, unwanted attempts to change a professional or educational relationship to a sexual one.

A person does not have to be the target of sexual harassment to be sexually harassed. The harassment of others can be so offensive, demeaning or disruptive as to constitute a hostile work or academic environment, even though the harassment is not specifically directed at the observer.

Although no exhaustive listing of behaviors that constitute sexual harassment is possible, some examples include: unwelcome sexual flirtations or advances; repeated sexually oriented kidding, teasing, joking and flirting; verbal abuse of a sexual nature; graphic commentary about an individual's body, sexual prowess or presumed sexual deficiencies; derogatory or demeaning comments directed to one's gender; derogatory or demeaning comments about sexual orientation; leering, whistling, touching, pinching or brushing against another's body; touching of an erogenous zone, offensive, crude language; displaying of pornographic materials on personal computers; and displaying objects or pictures that are sexual in nature. All such conduct can be threatening and coercive and may create a hostile or offensive working environment that is not conducive to teaching, learning and working.

Sexual harassment also may consist of patterns or episodes of speech or other behavior that creates a hostile or offensive environment for individuals based on their gender or sexual orientation; it may or may not involve unwanted sexual attention.

The university will determine that a behavior or series of behaviors constitutes sexual harassment when one of the following four criteria exists:

1. Submission to such behavior is made either explicitly or implicitly a term or condition of a person's employment or education; is used as the basis for academic or employment decisions affecting the person; or is a condition to participate in a university activity;
2. The behavior has the purpose or effect of creating a threatening, hostile or offensive environment;
3. The behavior unreasonably interferes with an individual's work, academic performance or living environment or otherwise interferes with required tasks, career opportunities or learning;
4. The behavior causes a person to engage in a sexual act through force, threat of force, or without the person's consent.

***Sexual Misconduct*** – A broad term encompassing Sexual Exploitation, Sexual Harassment, Non-Consensual Sexual Contact, and Non-Consensual Sexual Intercourse, as defined in Wittenberg University policy. Sexual misconduct may occur between strangers or acquaintances, including people involved in an intimate or sexual relationship. Sexual misconduct can be committed by men or by women, and it can occur between people of the same or different sex.

***Stalking*** – Engaging in a course of conduct directed at a specific person that would cause a reasonable person to – (A) fear for his or her safety or the safety of others; or (B) suffer substantial emotional distress

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

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

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

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

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

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

- The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.
- For the purposes of this definition, dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
- Dating violence does not include acts covered under the definition of domestic violence.
- Any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

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

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

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

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

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

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

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

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

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

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

***Prompt, Fair, and Impartial Proceeding:*** A proceeding that is completed within reasonably prompt timeframes designate by an institution's policy, including a process that allows for the extension of timeframes for good cause and with written notice to the accuser and the accused of the delay and the reason for the delay; Conducted in a manner that:

- Is consistent with the institution's policies and transparent to the accuser and accused;
- Includes timely notice of meetings at which the accuser or accused, or both may be present;

- Provide timely and equal access to the accuser, the accused, and appropriate officials to any information that will be used during informal and formal disciplinary meetings and hearings; and
- Conducted by officials who do not have a conflict of interest or bias for or against the accuser or the accused.

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

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

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

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

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

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

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

For the purposes of this definition:

- *Course of conduct* means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person’s property.
- *Reasonable person* means a reasonable person under similar circumstances and with similar identities to the victim.
- *Substantial emotional distress* mean significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.
- Any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

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

***Unfounded Crimes:*** An institution may withhold, or subsequently remove, a reported crime from its crime statistics in rare situations where sworn or commissioned law enforcement personnel have fully investigated the reported crime and based on the results of this full investigation and evidence, have made a formal determination that the crime report is false or baseless and therefore “unfounded.” Only sworn or commissioned law enforcement personnel may “unfound” a crime report for purposes of reporting. The recovery of stolen property, the low value of stolen property, the refusal of the victim to cooperate with the prosecution, and the failure to make an arrest to no “unfound” a crime report.