



LOURDES
UNIVERSITY



2019 ANNUAL CAMPUS SECURITY & FIRE REPORT



The Annual Campus Security Information

PREPARATION OF ANNUAL SECURITY REPORT & DISCLOSURE OF CRIME STATISTICS

In compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, Lourdes University published the following charts which include the statistics of crimes reported in the past three calendar years to campus security authorities. These statistics encompass crimes that occurred on the Lourdes University campus or on property owned by Lourdes University, which includes non-campus buildings owned or controlled by Lourdes University or a student organization, and public property within the same reasonably contiguous geographic area of the institution. This report is prepared in cooperation from information is maintained by Lourdes University Public Safety Department, and information is also provided by the offices of Student Affairs, Residence Life and other Campus Security Authorities as well as local law enforcement agencies surrounding the campus. Each of these offices provide updated policy information and crime data. This report also includes University policies concerning campus security, sexual assault, alcohol and drugs.

Each year an email notification is sent to every University community member disclosing this information by October 1st of every year. Anyone, including prospective students and employees may obtain a paper copy of this report by contacting the Lourdes University Public Safety Department. Director of Public Safety Michelle McDevitt 419-517-8953, mmcdevitt@lourdes.edu or 24 hour line 419-574-3861. The report can also be found on the Lourdes website under Campus Life/Public Safety.

DEFINITIONS OF CLERY REPORTABLE CRIMES

Murder & Non-negligent Manslaughter: The willful killing of one human being by another.

Negligent Manslaughter: Killing of another person through gross negligence.

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 consent of the victim. This definition includes any gender of victim or perpetrator.

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

Incest: Non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

Statutory Rape: Non-forcible sexual intercourse with a person who is under the statutory age of consent.

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

Aggravated Assault: Unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury.

Burglary: The unlawful entry of a structure to commit a felony or a theft.

Motor Vehicle Theft: The theft or attempted theft of a motor vehicle.

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

Hate Crime: Is a criminal offense committed against a person or property which is motivated, in whole or in part, by the offender's bias.

Bias: is a performed negative opinion or attitude toward a group of persons based on their race,

gender, religion, disability, sexual orientation, or ethnicity/national origin.

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

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

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

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

Dating Violence: Violence, or threat of abuse, committed by a current or former romantic/social/intimate partner relationship with the student.

Domestic Violence: Violence, or threat of abuse, committed by a current or former spouse or cohabitant, intimate partner, or any individual from whom the victim is protected by federal or state domestic or family violence law.

Stalking: Two or more acts directed at a specific person in which the actor directly, or through third parties, follows, monitors, observes, surveils, threatens, or communicates to or about the person or interferes with that person's property by any action, method, device or means such that the acts would cause a reasonable person to suffer substantial emotional distress and/or fear for his/her/another's safety.

OTHER CLERY ACT REPORTABLE OFFENSES:

Liquor Law Violation: The violation of law or ordinances prohibiting the manufacture, sale, transporting, furnishing, possessing of intoxicating liquor to a minor or intemperate person; using a vehicle for illegal transportation of liquor; and all attempts to commit any of the aforementioned activities. (Public drunkenness and driving under the influence are not included in this definition.)

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

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

Number of Crime Reports, Lourdes University/Sylvania

	Year	On Campus	Residence Halls	Non-Campus	Public Property
Aggravated Assault	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
Arson	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
Burglary	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	1
Larceny	2018	3	5	1	1
	2017	4	5	1	3
	2016	2	7	0	2
Motor Vehicle Theft	2018	1	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
Murder & Non-negligent Manslaughter	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
Negligent Manslaughter	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
Robbery	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
Rape	2018	0	4	0	0
	2017	0	3	0	0
	2016	0	1	0	0
Fondling	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	1	0	0
Incest	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
Statutory Rape	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
Dating Violence	2018	0	1	0	0
	2017	0	2	0	0
	2016	0	3	0	0
Domestic Violence	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	3
Stalking	2018	0	1	0	0
	2017	0	0	0	0
	2016	0	0	0	0
Vandalism	2018	0	0	1	0

Vandalism hate crime of race and sexual orientation.

Number of Disciplinary Actions/Judicial Referrals, Lourdes University/Sylvania

	Year	On Campus	Residence Halls	Non-Campus	Public Property
Drug Law Violations	2018	0	44	0	0
	2017	0	17	0	0
	2016	1	9	0	0
Weapons Possession	2018	0	3	0	0
	2017	0	0	0	0
	2016	0	1	0	0
Liquor Law Violations (Excluding DUI)	2018	0	30	0	0
	2017	0	47	0	0
	2016	1	38	0	0

Number of Arrests, Lourdes University/Sylvania

	Year	On Campus	Residence Halls	Non-Campus	Public Property
Drug Law Violations	2018	0	0	1	1
	2017	0	0	0	0
	2016	0	0	0	0
Weapons Possession	2018	0	0	0	1
	2017	0	0	0	0
	2016	0	0	0	0
Liquor Law Violations (Excluding DUI)	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0

SYLVANIA FRANCISCAN CAMPUS SITE WEAPONS POLICY

The possession, wearing, carrying, transporting, or use of a weapon (gun, handgun or firearm) is strictly forbidden on the Sylvania Franciscan Campus property (this does not include on-duty law enforcement officers). This prohibition also extends to any person who may have acquired a government-issued permit or license. Also prohibited are any weapons that may be kept concealed in vehicles parked on Sylvania Franciscan Campus property and vehicles owned or leased by Lourdes University or the Sisters of St. Francis.

Violation of this policy will result in disciplinary action and sanctions up to and including expulsion, in the case of Lourdes University students, or termination of employment, in the case of employees. Disciplinary action for violations of this policy will be the responsibility of the designated executive for each employer residing on the Sylvania Franciscan Campus. Any questions regarding this policy, including the granting of exceptions for off-duty law enforcement officers, should be addressed to the Director of Public Safety.

REPORTING TO PUBLIC SAFETY

Safety and security are ultimately the responsibility of the individual, and his/her cooperation is essential to improve security for the individual and for others. To report incidents please contact the public safety department by calling 419-574-3861 or stop by the public safety office at 6557 Brint Rd. Sylvania Ohio 43560. The public safety office does not always have an officer at the location as they may be out on patrol, but a public safety officer can be reached at all times by calling the 24 hour number 419-574-3861 and will respond to your location as quickly as possible. Public Safety officers are on campus 24 hours a day, 7 days a week, 365 days a year. The public safety department typically shares information from incident reports with the student conduct department and Title XI office.

We encourage accurate and prompt reporting of all crime to Campus Public Safety and the appropriate police agencies, when the victim of a crime elects to, or is unable to, make such a report. If you suspect, witness or are a victim of a crime we strongly encourage you to report the action to the LU Public Safety Department or Sylvania Police Department.

RESPONSE TO REPORTS

Public safety officers are available on campus and by contacting the 24 hour phone number 419-574-3861. In response to your call the public safety officer will take the following action by filing an incident report. All incident reports are usually forwarded to the Dean of Students office, Title IX and Office of Student Code of Conduct for review and potential action. Investigators will investigate a report when it's deemed appropriate. Additional information obtained via the investigation will also be forwarded to the Office of Student Code of Conduct. If assistance is required from the Sylvania Police Department the Director of Public Safety or designee will contact the department. If a sexual assault or rape would occur, staff on the scene, including public safety and Title IX will offer a variety of services.

UNIVERSITY EMERGENCY BLUE LIGHTS

Emergency contact stations also known as blue lights are located on the walk path connecting main campus to the residence halls. We currently have 3 located on the walk path on campus. The blue lights are equipped with a camera and an emergency push to talk. When you push the button you will be connected immediately to an on duty public safety officer.

Courtesy phones are available in the hallways of the various buildings for making inter-campus calls, and emergency calls to **911** and **411** (Public Safety).

Emergency telephones on which you can only reach **911**, **411** (Public Safety) are available in the hallways of various building: outside on the west portico of Mother Adelaide Hall, the south entrance of Mother Adelaide Hall, and outside Carmel Hall at the top of the accessibility ramp and Lourdes Hall across from the Provost office by the stairs.

Call **911** for an emergency.

Public Safety: Call **411** from a Campus Phone or **419-574-3861** from a non-campus phone - 24 hours a day, 7 days a week.

**9 is the prefix number for all outside calls made from Lourdes University office phones.*

CAMPUS SECURITY AUTHORITIES

People that students can report incidents to:

Public Safety Officers – 419-574-3861 or 411 from a campus phone

- Director of Public Safety, Michelle McDevitt – 419-517-8953, 6557 Brint Road
- Director of Resident Life Office, T. Todd Masman – 419-824-3873, The Den, Sylvan Plaza
- Dean of Students, Greg Kneser – 419-824-3759, LH 211
- Title IX Administrator, Michelle McDevitt – 419-517-8953, 6557 Brint Road

TIMELY WARNING NOTIFICATIONS

The Lourdes University Director of Public Safety or a designee will develop timely warning notices for the University Community to notify members of the community about serious crimes against people that occur within the core campus boundaries (which includes on university owned or controlled property on campus and public property that is within or immediately adjacent to the campus) and in non-campus properties as defined by the Clery Act.

A timely warning notice will be distributed when it is determined that the incident may pose an ongoing or serious threat to members of the Lourdes University community. These warnings will be distributed if the incident is reported either to the Lourdes Public Safety Department directly or to Lourdes Public Safety indirectly through a campus security authority or the Sylvania Police Department.

The department issues/posts Crime Alerts for incidents of:

- Murder/Non-Negligent Manslaughter
- Aggravated assault (cases involving assaults among known parties, such as two roommates fighting which results in an aggravated injury, will be evaluated on a case by case basis to determine if the individual is believed to be an on-going threat to the larger Lourdes community)
- Robbery involving force or violence (cases including pick pocketing and purse snatching will typically not result in the issuance of a Crime Alert, but will be assessed on a case by case basis)
- Sexual Assault (considered on a case by case basis depending on the facts of the case, when and where the incident occurred, when it was reported, and the amount information known by the Lourdes University Public Safety Department)
- Major incidents of arson

- Other crimes as determined necessary by the Director of Public Safety, or her designee in her absence

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

- Date and time or timeframe of the incident
- A brief description of the incident
- Information that will promote safety and potentially aid in the prevention of similar crimes (crime prevention or safety tips).
- Suspect description(s) when deemed appropriate and if there is sufficient detail (see below)
- Police/Public Safety agency contact information
- Other information as deemed appropriate by the Director of Public Safety or her designee

The description of subjects in a case will only be included in the alert if there is a sufficient amount of detail to describe the individual. If the only known descriptors are sex and race, that will not be included in the alert.

Crime Alerts are usually filed with the corresponding incident report.

The department does not issue Crime Alerts for the above listed crimes if:

1. The department apprehends the subject(s) and the threat of imminent danger for members of the Lourdes community have been mitigated by the apprehension.
2. If a report was not filed with Sylvania Police Department or Lourdes University Public Safety Department was not notified of the crime in a manner that would allow the department to post a "timely" warning for the community. A general guideline will include a report that is filed more than five days after the date of the alleged incident may not allow Public Safety to post a "timely" warning to the community. This type of situation will be evaluated on a case by case basis.

Public Safety Advisories may be distributed for crimes (ex. a pattern of larcenies or vandalism cases) that do not rise to the level of causing a serious or continuing threat to the University Community. In addition, they may be distributed for other safety concerns (mulch fires, etc).

The department also maintains a daily crime log which is normally updated each business day and contains all crimes reported to Lourdes University Public Safety Department.

IMMEDIATE NOTIFICATIONS

Departments involved in fulfilling the obligations of this Standard Operating Procedure include: The Dean Student Services, the Director of Public Safety, the Director of Residence Life, and Title IX coordinator and the Institutional Advancement Office.

There is a separate procedure governing timely warning notices that are sent to the Lourdes Community to notify members of the community about serious crimes against people that occur on campus, when it is determined by the Public Safety Department or Administration that the incident may pose an ongoing threat to members of the Lourdes community.

If a serious crime, a natural disaster or a man-made emergency occurs that poses an immediate threat to the health and safety of the Lourdes community or the a segment of the Lourdes community, Federal Law requires that the institution immediately notify the campus community or the appropriate segments of the community that may be affected by the situation. If the institution implements the procedures regarding notification of the Lourdes community for an immediate threat, the institution is not obligated to implement the timely warning notice procedures. The types of incidents that may cause an immediate threat to the Lourdes community could include but are not limited to emergencies such as: an active shooter on campus, hostage/barricade situation, a riot, suspicious package with confirmation of a device, a tornado, a fire/explosion, suspicious death, structural damage to a Lourdes University owned or controlled facility, biological threat (anthrax, etc), significant flooding, a gas leak, hazardous materials spill, etc.

All members of the Lourdes University Community are notified on an annual basis that they are required to notify the Lourdes Public Safety Department of any situation or incident on campus that involves a significant emergency or dangerous situation that may involve an immediate or ongoing threat to the health and safety of students and/or employees on campus. Lourdes University Public Safety Department has a responsibility to respond to such incidents to determine if the situation does in fact, pose an immediate threat to the community.

The Public Safety Officer on duty is responsible for immediately notifying the appropriate administrator of any situation that poses an immediate threat to the community. The Lourdes University administrator who has been notified is responsible for immediately notifying the following individuals who are responsible for developing the content of the message to the community and sending the message using some or all of the below listed methods: The Dean of Students Services, the Director of Public Safety, the Director of Residence Life, the Title IX coordinator and the Institutional Advancement Office.

The Dean of Student Services, the Director of Public Safety, the Director of Residence Life, the Title IX coordinator and/or the Institutional Advancement Office will determine the content of the message and will use some or all of the systems described below to communicate the threat to the Lourdes Community or to the appropriate segment of the community, if the threat is limited to a particular building or segment of the population.

As per the requirements of the law, Lourdes University, without delay and taking into account the safety of the community, determine the content of the notification and initiate the notification system, unless issuing a notification will, in the judgment of the first responders (including, but not limited to: Lourdes University Public Safety Department, Sylvania Police Department, and/or the Sylvania Township Fire and Emergency Medical Services), compromise the efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency.

The various systems that institution has in place for communicating information quickly to the Lourdes community include:

1. Network emails
2. Lourdes Alert System

Some or all of these methods of communication may be activated in the event of an immediate threat to the Lourdes University campus community.

Security Access Policy – Public Safety and Maintenance have full access to the buildings. Public Safety is responsible for the locking and unlocking of the buildings.

Residence hall outside doors are secured by a card reader system. Inside residence hall doors are secured by a key that the person residing in that

room is issued by residence life department. Keys to a residence hall only unlock that room and only those that live in that room are provided the key. Only those that live in the building are provided access via card reader system. Residence life staff including RA on duty and RD have a master key to the building and residence rooms as well as public safety typically for emergency access or lock outs. Residents are cautioned against permitting strangers to enter the buildings and are urged to require individuals seeking entry to use their access cards. Public safety officers patrol the residence halls on a regular basis.

Facilities and landscaping are maintained in a manner that minimizes hazardous conditions. Public safety patrols campus and reports malfunctioning lights and other unsafe physical conditions to the facilities department for correction. Other members of the University community are helpful when they report equipment problems to public safety or facilities department.

Confidentiality – Lourdes University Department of Public Safety encourages anyone who is the victim or witness to any type of crime promptly reports the incident to Public Safety. Because the Department of Public Safety cooperates with local law enforcement, no crime reports can be held in confidence. Confidential reports can be generally made to Sophia Counseling Center. All reports will be investigated. The University does not have procedures for voluntary confidential reporting of crime statistics.

LOURDES UNIVERSITY DEPARTMENT OF PUBLIC SAFETY

The Department of Public Safety is located at 6557 Brint Rd. in Lourdes Commons next to the sand volleyball and basketball area. There is a trained Public Safety Officer available 24 hours a day 365 days a year. To reach a Public Safety Officer call 4-1-1 from a campus phone or 419-574-3861 from a non-campus phone.

The Director of Public Safety is located at the same address and can be reached at 419-517-8953.

Our officers are trained in many aspects of crime prevention, detection and community service. All officers are typically certified in Standard First Aid/CPR/AED for adults, children and infants. Our public safety officers do not have arrest powers, but they cooperate and work closely with the Sylvania Police Department and other police agencies to coordinate necessary police response or arrests made on campus. The

Department of Public Safety currently does not have a Memorandum of Understanding with the Sylvania Police Department. However, when crime occurs we typically share information as needed for the alleged criminal activities reported. All of our officers are radio equipped for an efficient response to community needs. Lourdes University Department of Public Safety is committed to providing our staff, students, residents and visitors with respectful and professional service.

While we promise to commit an effort to ensure everyone's safety we are unable to promise total isolation from crime. It is important that security be everyone's responsibility. The key to preventing crime is to be aware of it and your surroundings. If you have any questions concerning your safety at Lourdes University please do not hesitate to call us; we are here to assist and protect you; together we can make our campus safe.

Public Safety Mission Statement – Lourdes University Department of Public Safety is committed to providing a safe environment for staff, students, and residents. We are dedicated to working with the community and local law enforcement to provide a safe and secure campus. Our commitment is to enrich a community of learning, reverence and service with providing safety and assistance to all of those in our campus community.

Off Campus Reporting – When a Lourdes student is involved in an off-campus offense; the Department of Public Safety may assist with the investigation in cooperation with local, state or federal law enforcement. Sylvania Police Department routinely works and communicates with campus officers on any serious incidents occurring on-campus or in the immediate neighborhood surrounding the campus. Sylvania Police Department has primary jurisdiction in all areas on and off campus. Public Safety Officers will have direct communications with the local authorities to facilitate rapid response in any emergency situation.

POLICIES ON DRUGS AND ALCOHOL

Lourdes University is a member of the network of universities committed to the elimination of drug and alcohol abuse.

Information in Compliance with the Drug-Free Schools and Communities Act Amendments of 1989 (public law 101-226).

The University is required by the Drug-Free Schools and Communities Act Amendments of 1989 to

adopt and implement a program to prevent the illicit use of drugs and the abuse of alcohol by students and employees. The required program includes the annual distribution of a statement to each student and employee which addresses certain issues concerning the harmful effects of drug and alcohol abuse and the legal consequences for violations of local, state or federal laws relating to illicit drugs and alcohol. This guide is our response to the law.

I. HEALTH RISKS

The effects listed depend, for the most part, on the amount consumed and the history of use. They are just some of the negative effects users have had. If you are a user and you also have ongoing health problems, (e.g., high blood pressure, diabetes, heart problems) there could be additional risks. This list is not all-inclusive; there may be other negative effects not listed, including effects that have not yet been discovered. There are two broad categories of risks: behavioral/psychological and health.

Alcohol

Behavioral & Psychological risks include but may not be limited to:

- Interference with social functioning
- Interference with job/study effectiveness
- Belligerence
- Poor judgment
- Dependence on alcohol to manage moods
- Addiction
- Engaging in behavior that is regretted later
- Depression
- Lowered self-esteem when not drinking
- Memory impairment
- Belief that alcohol helps sexual and social functioning
- Loss of non-using friends
- Risks associated with violent and/or unwanted sexual behavior, e.g. date rape

Health risks include but may not be limited to:

- Cancer
- High blood pressure
- Difficulty maintaining erection in males
- Cirrhosis; liver damage
- Brain damage
- Accidents(including those caused by drunk driving)
- Retardation and deformities in children of women who drink during pregnancy (Fetal Alcohol Syndrome)

- Malnutrition
- Bad Breath
- Tolerance: the need for more alcohol to achieve the same feeling; after even longer use, a small amount will produce intoxication; often leads to use of other illicit or controlled drugs
- Risk of liver disease when combining alcohol and over-the-counter medications (e.g. Tylenol)
- Withdrawal symptoms, including severe anxiety, tremors, hallucinations, and convulsions

Amphetamines (Speed, Benzedrine, Dexedrine, Methedrine)

Behavioral & Psychological risks include but may not be limited to:

- Impaired judgment
- Paranoia and hallucinations
- Hypervigilance
- Sleeplessness
- Depending on dose, can feel outgoing, agitated or hostile
- Deteriorated social functioning
- Vulnerability to dealers
- Risk-taking so that more can be obtained
- Loss of non-using friends

Health risks include but may not be limited to:

- Addiction
- Tolerance: with regular use, you need more
- Cycles of drug binges and exhaustion
- Damage to brain
- Headaches
- Damage to cardiovascular system by over-driving the heart
- Increased respiratory rate and blood pressure
- Decreased appetite
- High doses can cause rapid or irregular heart rate, tremors, loss of coordination and even physical collapse
- Dizziness
- Injections may result in stroke, very high fever, or heart failure

Anabolic Steroids (These are legal drugs if prescribed.)

Behavioral & Psychological risks include but may not be limited to:

- Irritability
- Violence
- Psychological dependence
- Feelings of invulnerability
- Cessation of steroids may lead to depression

Health risks include but may not be limited to:

- In males, lowered sperm count and atrophy of testicles
- In females, leathery skin, five o'clock shadow, temporary infertility
- Increased cholesterol levels
- High blood pressure
- Liver damage
- Cancer
- Heart disease
- Urinary tract problems
- Baldness in men
- Acne
- Shortened life expectancy
- Cessation may lead to pronounced weakness

Barbituates and Other Sedatives (quaalude, Sopor, Secobarbital, etc.)

Behavioral & Psychological risks include but may not be limited to:

- Slurred speech
- Poor coordination
- Impaired judgment
- Impaired concentration
- Impaired ability to work
- Irritability, combativeness
- Severe withdrawal reactions as with alcohol withdrawal
- Vulnerability to dealers
- Risk-taking so that more can be obtained
- Loss of non-using friends
- Decreased sexual interests

Health risks include but may not be limited to:

- Tolerance: The need for more to produce the same feeling
- Sedation
- Sleep
- Addiction
- Internal bleeding
- Coma
- Death (if diaphragm muscles relax or if mixed with other drugs)

Cocaine and Crack

Behavioral & Psychological risks include but may not be limited to:

- Impaired judgment
- Unwarranted feelings of self-confidence
- Anxiety
- Willingness to go into debt to obtain drug
- Mania
- Overdose may produce paranoia and

- hallucinations
- Intense need for more
- Feeling down when not using
- Vulnerability to dealers
- Risk-taking so that more can be obtained
- Loss of non-using friends

Health risks include but may not be limited to:

- Increased blood pressure, heart, and respiratory rates, and body temperature
- Occasional use may cause stuffy or runny nose; chronic use can ulcerate the mucous membrane of the nose
- May neglect nutrition and health needs
- Withdrawal is exceedingly uncomfortable
- Physically addictive; tolerance develops rapidly
- Injecting cocaine with contaminated equipment can cause AIDS, hepatitis, and other diseases
- Preparation of free base, which involves the use of volatile solvents, can result in death or injury from fire or explosion
- Insomnia
- Loss of appetite
- Seizures
- Death by cardiac arrest or respiratory failure

Marijuana (Pot)

Behavioral & Psychological risks include but may not be limited to:

- Memory impairment
- Fragmented thoughts
- Feeling the need to keep using
- Attention impairment
- Poor judgment
- Reduced reaction time
- Increased appetite
- Disorientation
- Learning impairment
- Performance impairment (e.g., driving)
- Paranoia
- Psychosis
- Loss of non-using friends

Health risks include but may not be limited to:

- Accidents due to impaired coordination and judgment
- Respiratory problems: long term use impairs lung structure and function (marijuana smoke contains more cancer-causing agents than tobacco smoke)
- Itchy, dry eyes
- Increased appetite
- Suppressed male hormone
- Increased blood pressure

- Elevated heartbeat
- Potential harm to infant in pregnant & nursing women
- Decrease in ovulation in females

Opioids (Opium, Morphine, Heroin)

Behavioral & Psychological risks include but may not be limited to:

- “Rush” followed in several hours by strong let-down
- Impaired coordination
- Vulnerability to dealers
- Risk-taking so that more can be obtained
- Loss of non-using friends
- Social withdrawal
- Strong desire for more

Health risks include but may not be limited to:

- Tolerance: The need for more to produce the same feeling
- Flu-like withdrawal reactions
- Addiction
- Let-down that borders on stupor after drug wears off
- Additional withdrawal symptoms include uncontrollable muscle twitching, cramps, chills and sweats, rise in heart rate and blood pressure, sleeplessness, vomiting and diarrhea
- Overdose may produce slow and shallow breath, clammy skin, convulsions, coma, and possible death

PCP (Angel Dust)

Behavioral & Psychological risks include but may not be limited to:

- Incoherence
- Hallucinations and delusions
- Uncontrollable behavior
- Extreme sensitivity to touch, sound, etc.
- Feeling separated from reality; a sense of distance and estrangement
- Vulnerability to dealers
- Risk-taking so that more can be obtained
- Loss of non-using friends
- Psychological dependence
- Paranoia

Health risks include but may not be limited to:

- Drug can accumulate in the body
- Time and body movement is slowed down
- Muscular coordination worsens and senses are dulled
- Flushes, sweating, dizziness, numbness
- Muscle rigidity

- Large doses can produce coma and convulsions, high blood pressure, stopped breathing, heart or lung failure, ruptured blood vessels in the brain
- Self-inflicted injuries (because the drug blocks pain receptors)

Psychedelics (LSD, Peyote, Mescaline, and Psilocybin)

Behavioral & Psychological risks include but may not be limited to:

- Impaired judgment
- Impaired concentration
- Impaired ability to work
- Quick mood shifts
- Effects depend partially on emotions when drug is taken
- Panic and anxiety attacks may occur
- Paranoia
- Severe depression
- Psychotic experiences requiring hospitalization
- Loss of non-using friends
- Hallucinations

Health risks include but may not be limited to:

- Flashbacks (recurrences of drug experiences)
- Increased body temperature, heart rate, and blood pressure
- Loss of appetite
- Insomnia
- Tremors
- A serious risk of using street drugs is that they may be impure and their strengths may vary over time and between dealers; there are no manufacturing standards that guarantee their contents. A hit today may be several times stronger than yesterday's so it is difficult to determine how much to use or what the effects will be.

GHB – Gamma Hydroxybutyrate (G, Liquid Ecstasy)

GHB has become a popular drug at Raves. Increasingly involved in poisonings, overdoses, used in "date rapes," and fatalities. At increased risk in nightclubs and Raves – liquid or powder can be slipped into a drink, and combined with alcohol, it is even more dangerous.

Behavioral & Psychological risks include but may not be limited to:

- Mind out of body experience
- Sexually oriented behavior

- Aggression possible (PCP behavior)
- "Carpeting out" – suddenly collapsing in a heap
- "Head snap" – involuntary forward snap of head
- Serious impairment issues (DUI)
- Addictive – daily users most likely to become dependent

Health risks include but may not be limited to:

- Rapid, high intoxication (within 10-20 minutes)
- Effects typically last up to 4 hours, depending on dosage
- Vomiting
- Seizure type movement
- Respiration very depressed – as the dose increases, sedative effects may result in sleep and eventual coma or death
- No gag reflex
- Overdose can occur rather quickly, and the signs are similar to those of other sedatives: drowsiness, nausea, vomiting, headache, loss of consciousness, loss of reflexes, impaired breathing, and ultimately, death.
- No antidote (life support measures taken)
- First time use can kill you.

ECSTASY—MDMA (Ecstasy, x, E)

Synthetic drug with both hallucinogenic and amphetamine-like properties, and can seriously damage the brain. Used at Raves and of great concern for our youth.

Behavioral & Psychological risks include but may not be limited to:

- Confusion
- Depression
- Sleep problems
- Drug craving
- Severe anxiety
- Paranoia
- Psychotic episodes
- Brain cell damage
- Memory and learning problems
- Changes in emotion (lack of concern or remorse)
- Traffic accident from "altered perception"
- Violence

Health risks include but may not be limited to:

- Effects last approximately three to six hours
- Surge of energy
- Increased heart rate and blood pressure
- Muscle tension
- Suppression of hunger
- Increased body temperature
- Involuntary teeth clenching

- Thirst
- Nausea
- Blurred vision
- Rapid eye movement
- Faintness, chills, sweating
- Dehydration
- Exhaustion
- Dental and jaw problems-teeth grinding, enamel dissolves
- At the very worst, can lead to shock, heart attacks, and permanent brain damage

Ketamine(Special K, Ket, K, Vitamin K, Cat Valium)

Ketamine is a powerful anesthetic used by doctors and veterinarians. This drug is used at Raves and is a source of growing concern for our youth. At risk for "date rape" - as a liquid it can be applied to marijuana and cigarettes, or placed in a drink.

Behavioral & Psychological risks include but may not be limited to:

- Mind out of body experience
- Brief "Gummy Doll" period
- Disorientation
- Dream-like state of mind
- Feelings of sexual stimulation
- Hallucinations
- No response to pain
- Abuse leads to high psychological dependence

Health risks include but may not be limited to:

- Large doses can lead to fatal respiratory problems
- Render taker incapable of moving
- Impaired motor function
- Vomiting
- Delirium
- Amnesia
- Convulsions
- Combined with alcohol enhances effects often to fatal levels
- Abuse leads to moderate physical dependence

RohypnoL (roofies, riffies, "forget (me) pill")

RohypnoL is a tranquilizer like Valium, yet is 10 times more potent. Particular problem in the nightclub/ Rave scene, can be used as a "date rape" drug.

RohypnoL causes memory "blackouts," periods of memory loss that follow ingestion of the drug with alcohol - it is a small, white pill that dissolves rapidly in alcoholic or non-alcoholic drinks, and is odorless and tasteless.

Behavioral & Psychological risks include but may not be limited to:

- Severe disorientation
- Reduction of anxiety
- Lowers inhibitions
- Inability to speak
- Unconsciousness
- Vulnerable to sexual assault-inexpensive to acquire and to make someone less inhibited - predators slip into beverages of women and men at clubs and social events
- Short-term amnesia -ideal aid for sexual assault

Health risks include but may not be limited to:

- Sedation occurs 20 to 30 minutes after administration, can impair a victim for 8-12 hours.
- Decreased blood pressure
- Muscular relaxation -slows psychomotor responses
- Extreme drowsiness
- Visual disturbances
- Urinary retention
- Difficulty walking
- Paralysis
- Victims often feel nauseous day after receiving the drug
- In combination with alcohol and/or other drugs, dosage can become lethal.

II. DRUG AND ALCOHOL TREATMENT, COUNSELING, REHABILITATION AND REENTRY PROGRAMS

Students and employees needing help in dealing with alcohol or drug dependency problems are encouraged to contact The Sophia Center for assistance or referral. A list of drug and alcohol counseling, treatment, and rehabilitation programs that are available in metropolitan Toledo can be found in Section VI of these Policies. Conscientious efforts to seek such help will not jeopardize any employee's job, or any student's educational standing, and will not be noted in any personnel report or student disciplinary file. Health insurance plans may also provide assistance or referral. Review your insurance policy for details.

III. CODE OF CONDUCT AT LOURDES UNIVERSITY

The unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees, either on the property of Lourdes University or as part of any of its activities is prohibited. Any such possession, use, or distribution, as governed

by Federal, State of Ohio, or Sylvania laws by a student or employee of Lourdes University is liable to disciplinary action by the University which may range from reprimand to expulsion (for students), or termination of employment (for employees). Any employee who is convicted under a criminal drug statute for a violation occurring in the workplace must notify the University within five days of conviction. The University then has ten days to notify the necessary federal funding agency of the conviction and thirty days either to take appropriate personnel action or to require the employee to participate satisfactorily in an approved rehabilitation program. The concern of the University, however, is not primarily punishment, but rather a caring concern for the individual.

IV. UNIVERSITY SANCTIONS

When students or employees are found in violation of any federal, state, or local laws governing drugs or alcohol, Lourdes University will impose sanctions according to fundamental fairness. Violations by students or employees will result in disciplinary action up to and including expulsion or termination, respectively. In addition to, or in lieu of discipline, violators may be required to complete an appropriate rehabilitation program. Violations by students and employees may also result in referral for criminal prosecution. The disciplinary process and procedures for students is outlined in the Student Handbook and for employees in the Employee Handbook.

V. LEGAL SANCTIONS

Underage Consumption, Purchasing or Possession of Alcohol

The legal drinking age in Ohio for consumption of an alcoholic beverage is 21. No person under the age of 21 can consume, purchase or possess alcoholic beverages including using false identification to consume, purchase or possess alcohol. The penalty for violation is a 4th degree misdemeanor which can result in up to 30 days in jail and fines no more than \$ 250.00. ORC 4301.631

Providing Alcohol to an Underage Person

No person shall sell beer or intoxicating liquor to an underage person, or shall furnish it to an underage person. No person who is the owner or occupant of any public or private place shall knowingly allow any underage person to remain in the place possessing or consuming of beer or intoxicating

liquor is given.

The penalty for violation is a 1st degree misdemeanor which can result in up to 6 months in jail and fines no more than \$1,000.00. ORC 4301.69

Fake ID

No person shall manufacture, transfer or distribute in any manner any identification card issued for the purpose of establishing a person's age that displays the seal of Ohio or any other state's designation. This includes manufacturing, selling or distributing false identification for compensation. The penalty for the violation is a 1st degree felony which can result in up to 6-12 months in jail and fines up to \$ 2,500.00. ORC 4301.636

Driving Under the Influence of Drugs or Alcohol (OVI)

No person shall operate any vehicle, street car or trackless trolley under the influence of alcohol, drug use or a combination of them. The penalty for violation is a 1st degree misdemeanor which can result in up to 6 months in jail and fines no more than \$1,000.00. However, depending on the driver's previous history or use the penalties can vary. ORC 4511.19

Open Container

No person shall have in possession an open container of beer or intoxicating liquor in public place, while operating or being an passenger in a vehicle whether it be moving or stationary on any street, highway, or other public or private property open to the public for vehicular travel or parking. The penalty for violation is a minor misdemeanor which can result in fines up to \$150.00. ORC 4301.62

Disorderly Conduct

No person shall recklessly cause inconvenience, annoyance, or alarm to another by any of the following: engaging in fighting, threatening harm to person or property, violent or turbulent behavior, making unreasonable noise or offensively course utterance, gesture, or display or communication unwanted and grossly abusive language to any person. Including insulting, taunting, or challenging another in which conduct is likely to provoke a violent response. No person shall hinder or prevent movement of persons on a public street, road or highway or right of way, as to interfere with the rights of others. No person shall create a condition

that is physically offensive to persons or that create risk of physical harm to persons or property. This includes disorderly conduct while intoxicated. The penalty for violation is a 4th degree misdemeanor which can result in up to 30 days in jail and fines no more than \$ 250.00.OCR 2917.11

VI. TREATMENT, COUNSELING, REHABILITATION, RE-ENTRY PROGRAMS FOR ALCOHOL/DRUG DEPENDENCY

Support, Self-Help Groups, Prevention Programs, Drug and Alcohol Resources

Adelante, Inc.

520 Broadway
Toledo, OH 43604
419-244-8440

www.adelatelrc.org

Provides drug abuse prevention and related services that are bilingual and culturally sensitive to the Latino community.

SAMHSA- Mental Health/Substance Abuse

Help line: 1-800-662-4357

Alcoholics Anonymous

(NW Ohio & SE Michigan)

AA Central Office
3328 Glanzman Rd.
Toledo, OH 43614

419-380-9862

419-380-9978 (TTD - for hearing impaired, also fax)

www.toledoaa.com

Toledo Al-Anon/Alateen/Serving NW Ohio

www.toledo-anon.org

Email: help@ToledoAL-Anon.org

Call or text: 2717 to receive response from Al-Anon member 855-607-5223

Bayshore Counseling Services

1634 Sycamore Line
Sandusky, OH 44870

419-626-9156

Prevention, intervention & outpatient treatment.

Zeph Center

Multiple locations in the Toledo Area

419-841-7701

Open 24 hours. Alcohol and Drug Services including detoxification, inpatient & outpatient services.

24/7 detox admission line: 419-754-3869

Cocaine Anonymous

419-385-9000

National Hotline: 800-347-8998

Arrowhead Behavioral Health

1725 Timberline Rd.

Maumee, OH 43537

419-891-9333 or 1-800-547-5695

Inpatient program, detoxification from alcohol or drugs for adults and outpatient counseling available.

www.arrowheadbehavioral.com

Harbor Behavioral Health

Multiple locations in Toledo area and Wood County.

419-475-4449

www.harbor.org

Salvation Army Adult Rehab Services

131 Belmont Ave.

Toledo, OH 43604

1-800-SA-TRUCK

www.http://toledo.satruck.org

Rescue Mental Health & Addiction

3350 Collingwood Blvd.

Toledo, OH 43610

419-255-9585

24 hour crisis intervention. Counseling information and referral. Short-term inpatient crisis stabilization unit.

www.rescuemhs.com

Unison Behavioral Health Group

Multiple locations in Toledo area and Wood County.

419-214-HOPE (4673)

www.unisonhealth.org

United Way 2-1-1

424 Jackson St.

Toledo, OH 43604

www.unitedwaytoledo.org

Lucas County D.A.R.T Team

Lucas County Drug Action Response Team

419-213-6582

COMMUNITY STANDARDS CODE

MISSION STATEMENT OF THE OFFICE OF COMMUNITY STANDARDS

As members of the Lourdes University community we have rights and responsibilities. These rights and responsibilities help us to create an atmosphere of concern and caring, one conducive to the teaching/learning process. We are committed to providing a fair and equitable conduct process that values educational sanctions. We value the integrity of each person as well as the importance of community and as such seek to balance the common good with the needs of the individual.

PREAMBLE

Lourdes University, rooted in Catholic and Franciscan traditions, provides a values-centered education that enriches lives and advances academic excellence through the integration of the liberal arts and professional studies.

Lourdes University expresses its Franciscan identity as:

- a Community of Learning
- a Community of Reverence
- a Community of Service

We are first and foremost a Community because community is fundamental to the Franciscan tradition. As a Franciscan institution we acknowledge and celebrate our relationship to God, to self, to others, and to all of creation. The mission of Lourdes University is carried out in the context of a community that begins on the Lourdes campus among students, faculty, and staff and flows outward to embrace the religious and civic communities whom we engage. As a community we are called to grow, to be hospitable and inclusive, and to be peacemakers and justice seekers.

We are a *Community of Learning*. In the Franciscan tradition the love of learning stems from a desire to grow in our understanding of God, of creation, and of each other. The quest for truth and understanding allows for growth and transformation to take place both in ourselves and in the world around us.

We are a *Community of Reverence*. Reverence recognizes and respects the dignity and worth of each human person and all creation. Reverence takes us beyond tolerance and calls us to treasure the diversity of the human family with its various

ethnicities, cultures and faith traditions.

We are a *Community of Service*. The Franciscan tradition is intimately tied to service. The members of the university community challenge one another to cultivate a spirit of gratitude, to be mindful of those who feel unconnected and who are in need, and to develop and share our gifts with the broader community.

Recognizing that the diverse expressions within the human family enrich the learning and life of our community, Lourdes University, as a Catholic institution, is committed to nurturing an atmosphere that engages students, faculty, and staff in a dynamic exploration of a broad spectrum of ideas and cultures that leads to a multidimensional understanding of the world. Lourdes University fosters an intellectual community enriched by the full range and depth of human experience where diverse voices and viewpoints are represented.

Lourdes University reflects its Franciscan values of community, learning, reverence, and service through initiatives that include professional, pedagogical, and student development, as well as community events that actively promote and support a diverse population.

Student Rights and Responsibilities

All members of the academic community have rights and responsibilities. These help create an atmosphere of concern and caring, one conducive to the teaching/learning process.

Student rights include the following:

1. Freedom from threats.
2. Freedom from acts of violence.
3. Freedom from unfair or obscene treatment from others.
4. Freedom from interference from others in an unreasonable and unauthorized manner while in class, activities and public events.
5. Freedom from theft and willful destruction of personal property.
6. Right to study and learn in an atmosphere of academic freedom.
7. Right to fundamental fairness in University disciplinary action.

8. Right to be governed by justifiable academic regulations.

9. Right to be informed of the regulations for academic and social conduct, and graduation requirements of the University.

10. Right to petition for redress of grievances, academic and non-academic.

Student responsibilities include the following:

1. To respect the rights and property of others.
2. To be fully acquainted and comply with the published rules and regulations of the University.
3. To comply with all local, state, and federal laws.
4. To recognize that student actions reflect upon the individuals involved as well as upon the entire University community.
5. To recognize the University's obligation to provide an environment conducive for learning and academic inquiry.
6. To adhere to the academic requirements determined by individual instructors.

ARTICLE I: DEFINITIONS

1. The term University means Lourdes University.
2. The term "student" includes all persons taking courses at the University, either full-time or part-time, pursuing undergraduate, graduate, or professional studies. Persons who withdraw after allegedly violating the Community Standards Code, who are not officially enrolled for a particular term but who have a continuing relationship with the University or who have been notified of their acceptance for admission are considered "students" as are persons who are living in University residence halls, although not enrolled in this institution.
3. The term "faculty member" means any person hired by the University to conduct classroom or teaching activities or who is otherwise considered by the University to be a member of its faculty.
4. The term "University official" includes any person employed by the University, performing assigned administrative or professional responsibilities.
5. The term "member of the University community" includes any person who is a student, faculty

member, University official or any other person employed by the University. A person's status in a particular situation shall be determined by the Director of Community Standards (DCS).

6. The term "University premises" includes all land, buildings, facilities, and other property in the possession of or owned, used, or controlled by the University (including adjacent streets and sidewalks). This term also refers to any land, building, facility or other property that the University is leasing or renting for a University function.

7. The term "organization" means an organization that is acknowledged, or recognized, by the Student Activities Office and Lourdes University. A registered student organization has an updated roster, at least 3 student members, a completed constitution, and an advisor.

8. The term "Community Standards Board" means any persons authorized by the DCS to determine whether a student has violated the Community Standards Code and to recommend sanctions that may be imposed when a violation of the Code has been committed. Generally, a Community Standards Board has three members; one faculty member, one staff member, and one student member, there may be extreme circumstances, as determined by the DCS, in which a hearing board make-up is altered because it is not reasonable to hold the hearing in a timely fashion unless the make-up is changed

9. The term "Student Conduct Administrator" means a University official authorized on a case-by-case basis by the DCS to impose sanctions upon any student(s) found to have violated the Community Standards Code. The DCS may authorize a Student Conduct Administrator to serve simultaneously as a Student Conduct Administrator and a member of the Community Standards Board. The DCS may authorize the same Student Conduct Administrator to impose sanctions in all cases.

10. The term "Appellate Board" means any person or persons authorized by the Vice President of Student Life to consider an appeal from a Community Standards Board's determination as to whether a student has violated the Community Standards Code or from the sanctions imposed by the Student Conduct Administrator.

11. The term "shall" is used in the imperative sense.

12. The term “may” is used in the permissive sense.

13. The Director of Community Standards (DCS), currently Todd Matthews, is that person designated by the Vice President of Student Life to be responsible for the administration of the Community Standards Code. The DCS can be reached at 419 824-3873 or tmatthews@lourdes.edu.

14. The term “policy” means the written regulations of the University as found in, but not limited to, the Community Standards Code of Conduct, Student Handbook, Residence Life Handbook, the University web pages and computer use policy, and Graduate/Undergraduate Catalogs.

15. The term “cheating” includes, but is not limited to: (1) use of any unauthorized assistance in taking quizzes, tests, or examinations; (2) use of sources beyond those authorized by the instructor in writing papers, preparing reports, solving problems, or carrying out other assignments; (3) the acquisition, without permission, of tests or other academic material belonging to a member of the University faculty or staff; (4) engaging in any behavior specifically prohibited by a faculty member in the course syllabus or class discussion.

16. The term “plagiarism” includes, but is not limited to, the use, by paraphrase or direct quotation, of the published or unpublished work of another person without full and clear acknowledgment. It also includes the unacknowledged use of materials prepared by another person or agency engaged in the selling of term papers or other academic materials.

17. The term “Complainant” means any person who submits a charge alleging that a student violated this Community Standards Code. When a student believes that s/he has been a victim of another student’s misconduct, the student who believes s/he has been a victim will have the same rights under this Community Standards Code as are provided to the Complainant, even if another member of the University community submitted the charge itself.

18. The term “Accused Student” means any student accused of violating this Community Standards Code.

19. The term “Guest” refers to a person not considered to be a member of the University

community but who is on campus or at a University event accompanying a member of the University community.

20. The term “Student Impact Statement” refers to information, presented either orally or in written form, supplied by the complainant concerning the impact an incident has had upon their ability to pursue their education related activities at Lourdes University.

21. The term “Incident Report Form” refers to the document which is completed when a potential violation of Community Standards has occurred. This form may be completed by any member of the Lourdes University community. This form may be found on the Lourdes University website at: www.lourdes.edu/communitystandards. The DCS may choose to accept incident reports submitted in formats other than the official form depending on individual circumstances.

ARTICLE II: COMMUNITY STANDARDS CODE AUTHORITY

1. The DCS shall determine the composition of Community Standards Boards and determine which Community Standards Board or Student Conduct Administrator shall be authorized to hear each matter. The VP of Student Affairs shall determine the composition of any Appellate Boards and which Appellate Board shall be authorized to hear each matter. 2. The DCS in partnership with the Title IX Coordinator shall develop policies for the administration of the student conduct system and procedural rules for the conduct of Community Standards Board Hearings that are consistent with provisions of the Community Standards Code.

3. Decisions made by a Community Standards Board and/or Student Conduct Administrator shall be final, pending the normal appeal process.

ARTICLE III: PROSCRIBED CONDUCT

A. Jurisdiction of the University Community Standards Code

Jurisdiction shall apply to conduct that occurs on University premises, at University sponsored activities, and to off-campus conduct that adversely affects the University Community and/or the pursuit of its objectives.

Each student shall be responsible for their own conduct from the time acceptance to the

University through the actual awarding of a degree, even though conduct may occur before classes begin or after classes end, as well as during the academic year and during periods between terms of actual enrollment (and even if their conduct is not discovered until after a degree is awarded). The Community Standards Code shall apply to a student's conduct even if the student withdraws from school while a disciplinary matter is pending. The DCS shall decide whether the Community Standards Code shall be applied to conduct occurring off campus, on a case by case basis, in his/her sole discretion.

B. Code of Conduct

Any student found to have committed or to have attempted to commit the following misconduct is subject to the disciplinary sanctions outlined in Article IV:

1. Acts of dishonesty, including but not limited to the following:
 - a. Cheating, plagiarism, or other forms of academic dishonesty.
 - b. Furnishing false information to any University official, faculty member, or office.
 - c. Forgery, alteration, or misuse of any University document, record, or instrument of identification.
2. Disruption or obstruction of teaching, research, administration, disciplinary proceedings, athletic events, other University activities, including its public service functions on or off campus, or of other authorized non-University activities when the conduct occurs on University premises.
3. Physical abuse, verbal abuse, threats, intimidation, harassment, coercion, and/or other conduct which threatens or endangers the health or safety of any person.
4. Any sexual misconduct that occurs without the consent of the victim, or that occurs when the victim is unable to give consent.
 - a. Sexual misconduct involves:
 - i. Deliberate touching of another's sexual parts without consent;
 - ii. Deliberate sexual invasion of another without consent;
 - iii. Deliberate constraint or incapacitation of another, without that person's knowledge or consent, so as to put another at substantially increased risk of sexual injury; or
 - iv. Unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature that expressly or implicitly imposes conditions upon, threatens, interferes with, or creates an intimidating, hostile, or demeaning environment for an individual's (I) academic pursuits, (II) University employment; (III) participation in activities sponsored by the University or organizations or groups related to the University, or (IV) opportunities to benefit from other aspects of University life;
 - v. Any violation of Title IX as it relates to sexual misconduct or sexual-discrimination.
 - b. Obscene or indecent behavior, which includes, but is not limited to, exposure of one's sexual organs or the display of sexual behavior that would reasonably be offensive to others.
 - c. Conduct of a sexual nature that creates an intimidating, hostile, or offensive campus, educational, or working environment for another person. This includes unwanted, unwelcome, inappropriate, or irreverent sexual or gender-based activities or comments.
 - d. The term "consent" as it applies to sexual misconduct refers to all parties engaged in sexual activity giving permission to proceed with the activity in a way that a reasonable person would consider the words or actions of all parties to have manifested a mutually understandable agreement between them to do the same thing, the same way, at the same time, with the same parties.
 - i. Consent cannot be obtained through fraud, intimidation, or force (actual or implied);
 - ii. Consent cannot be given by a child to an adult;
 - iii. A person who is physically incapacitated cannot give consent even if they verbally agree to sexual activity;
 - iv. A person who is incapacitated due to drug or alcohol consumption, or who is unconscious, unaware, or otherwise physically helpless cannot give consent;

- v. It is up to the initiator of sexual conduct to determine if the other parties are incapacitated using what a reasonable person would consider incapacitation;
 - vi. A person with a mental disability cannot give consent to sexual activity if they cannot appreciate the fact, nature, or extent of the sexual situation in which they find themselves.
- e. Additional clarifying rules of consent
- i. A person who is the object of sexual aggression need not physically or otherwise resist a sexual aggressor in order for sexual misconduct to have occurred.
 - ii. Silence, previous sexual relationships, and/or current relationship with the respondent do not constitute consent.
 - iii. Consent cannot be implied based upon the way a person is dressed or inferred from the purchase of meals, alcohol, or gifts.
 - iv. Consent to sexual activity can be withdrawn at any time, as long as the withdrawal is communicated clearly, and all sexual activity must immediately cease.
 - v. Consent has an expiration date. Just because a party gives consent once, it does not mean that consent is given for all future activity.
5. Attempted or actual theft of and/or damage to property of the University or property of a member of the University community or other personal or public property, on or off campus.
6. Hazing, defined as an act which endangers the mental or physical health or safety of a student, or which destroys or removes public or private property, for the purpose of initiation, admission into, affiliation with, or as a condition for continued membership in, a group or organization. The express or implied consent of the victim will not be a defense. Apathy or acquiescence in the presence of hazing are not neutral acts; they are violations of this rule.
7. Failure to comply with a directive of a University official or law enforcement officers acting in performance of their duties and/or failure to identify oneself to these persons when requested to do so.
8. Unauthorized possession, duplication or use of keys or student I.D. cards to any University premises or unauthorized entry to or use of University premises.
9. Violation of any University policy, rule, or regulation published in hard copy or available electronically on the University website.
10. Violation of any federal, state or local law.
11. The use of non-prescribed controlled substances, Possession and trafficking (manufacturing, dispensing, or selling) of controlled substances,
- a. Improper use of prescription medications
 - b. Possession of drug related paraphernalia (i.e., water-bongs, bongs, bowls, and other common containers) is not permitted on the Lourdes University campus.
12. Use, possession, manufacturing, or distribution of alcoholic beverages (except as expressly permitted by University regulations), or public intoxication. Alcoholic beverages may not, in any circumstance, be used by, possessed by or distributed to any person under twenty-one (21) years of age.
- a. Lourdes University reserves the right to notify parents or guardians of students younger than 21 years of age who violate the University's drug or alcohol policies. Parents may also be notified if a student requires medical attention as a result of any violation.
13. Illegal or unauthorized possession of firearms, explosives, other weapons, or dangerous chemicals on University premises or use of any such item, even if legally possessed, in a manner that harms, threatens or causes fear to others.
14. Participating in an on-campus or off-campus demonstration, riot or activity that disrupts the normal operations of the University and/or infringes on the rights of other members of the University community; leading or inciting others to disrupt scheduled and/or normal activities within any campus building or area.
15. Obstruction of the free flow of pedestrian or vehicular traffic on University premises or at University sponsored or supervised functions.

16. Conduct that is disorderly, lewd, or indecent; breach of peace; or aiding, abetting, or procuring another person to breach the peace on University premises or at functions sponsored by, or participated in by, the University or members of the academic community. Disorderly Conduct includes but is not limited to: Any unauthorized use of electronic or other devices to make an audio or video record of any person while on University premises without his/her prior knowledge, or without his/her effective consent when such a recording is likely to cause injury or distress. This includes, but is not limited to, surreptitiously taking pictures of another person in a gym, locker room, or restroom.

17. Theft or other abuse of computer facilities and resources, including but not limited to:

- a. Unauthorized entry into a file, to use, read, or change the contents, or for any other purpose.
- b. Unauthorized transfer of a file.
- c. Use of another individual's identification and/or password.
- d. Use of computing facilities and resources to interfere with the work of another student, faculty member or University official.
- e. Use of computing facilities and resources to send obscene or abusive messages.
- f. Use of computing facilities and resources to interfere with normal operation of the University computing system.
- g. Use of computing facilities and resources in violation of copyright laws.
- h. Any violation of the University Computer Use Policy.

18. Abuse of the Student Conduct System, including but not limited to:

- a. Failure to obey the notice from a Community Standards Board or University official to appear for a meeting or hearing as part of the Student Conduct System.
- b. Falsification, distortion, or misrepresentation of information before a Community Standards Board.
- c. Disruption or interference with the orderly conduct of a Community Standards Board proceeding.

d. Institution of a student conduct code proceeding in bad faith.

e. Attempting to discourage an individual's proper participation in, or use of, the student conduct system.

f. Attempting to influence the impartiality of a member of a Community Standards Board prior to, and/or during the course of, the Community Standards Board proceeding.

g. Harassment (verbal or physical) and/or intimidation of a member of a Community Standards Board prior to, during, and/or after a student conduct code proceeding.

h. Failure to comply with the sanction(s) imposed under the Community Standards Code.

i. Influencing or attempting to influence another person to commit an abuse of the Student Conduct System.

19. Students are required to engage in responsible social conduct that reflects credit upon the University.

20. Members of the University community are responsible for the actions of any guests they invite on to University property or to a University sponsored event, even if the sponsored event occurs off campus. Members of the University community whose guests are in violation of a University policy, rule, or regulation published in hard copy or available electronically on the University website are considered to be in violation of that same policy and may be held responsible for their guest's actions.

21. Gambling.

22. The historical campus of the Sisters of St. Francis is a 100% smoke-free environment. There are nosmoking areas and smoking will not be permitted anywhere on the grounds including but not limited to buildings, parking lots, vehicles, outdoor areas, cloister walks, entrance and exit ways, etc. The smoking ban also extends beyond the 89 acre campus to include adjacent properties (Franciscan Academy of Lourdes University, The Den, Mission & Ministry house) and includes employer owned or operated vehicles. This policy does not apply to Lourdes Commons as the residence halls have their own smoking policies. This smoking ban does not apply to public rights-of-way (sidewalks, streets) on

the perimeter of the campus.

- a. "Smoking," as used in this policy, means smoking any substance, including but not limited to, tobacco, cloves, or marijuana. The use of smoke producing products including cigarettes, cigars, pipes, electronic cigarettes, etc. is prohibited.
 - b. This policy applies to all residents, employees, students, visitors, contractors, guests or companies renting space on the Sylvania Franciscan Campus or adjacent properties.
 - c. Lourdes Commons will have two designated smoking areas located at the cement picnic table located behind Rosaria Hall and the cement picnic table between Justinian and Bonaventure Halls.
 - d. At no time may smoking of any kind be permitted inside the Lourdes Commons residence halls or facilities.
23. Any other action deemed contrary to the stated mission goals, policies and procedures of the University.

C. Violation of Law and University Discipline

1. University disciplinary proceedings may be instituted against a student charged with conduct that potentially violates both the criminal law and this Community Standards Code (that is, if both possible violations result from the same factual situation) without regard to the pending civil or criminal litigation in court or criminal arrest and prosecution. Proceedings under this Community Standards Code may be carried out prior to, simultaneously with, or following civil or criminal proceedings off campus at the discretion of DCS. Determinations made or sanctions imposed under this Community Standards Code shall not be subject to change because criminal charges arising out of the same facts giving rise to violation of University rules were dismissed, reduced, or resolved in favor of or against the criminal law defendant.
2. When a student is charged by federal, state, or local authorities with a violation of law, the University will not request or agree to special consideration for that individual because of his or her status as a student. If the alleged offense is also being processed under the Community Standards Code, the University may advise off-campus authorities of the existence of

the Community Standards Code and of how such matters are typically handled within the University community. The University will attempt to cooperate with law enforcement and other agencies in the enforcement of criminal law on campus and in the conditions imposed by criminal courts for the rehabilitation of student violators (provided that the conditions do not conflict with campus rules or sanctions). Individual students and other members of the University community, acting in their personal capacities, remain free to interact with governmental representatives as they deem appropriate.

ARTICLE IV: COMMUNITY STANDARDS CODE PROCEDURES

A. Charges and Community Standards Board Hearings

1. Any member of the University community may file an incident report against a student for violations of the Community Standards Code. An Incident Report Form shall be prepared and directed to the DCS. Any Incident Report should be submitted as soon as possible after the potential violation occurs, preferably within 48 hours. There is no deadline for which to file a charge although the longer the complainant waits the more difficult it may be to investigate the incident.
2. The DCS will forward to the Title IX Coordinator any incident reports that allege or relate to gender-based discrimination, harassment, or sexual misconduct. Please refer to Lourdes University website for procedures governing Title IX incidents and investigations. The webpage for Title IX can be found at: <http://www.lourdes.edu/Home/CampusLife/TitleIX.aspx>.
3. If the incident is not Title IX related, the DCS may conduct an investigation to determine if the charges have merit and/or if they can be disposed of administratively by mutual consent of the parties involved on a basis acceptable to the DCS. Such disposition shall be final and there shall be no subsequent proceedings.
4. If the charges are not admitted and/or cannot be disposed of by mutual consent, the student has the right to choose to have a Community Standards Board hear their case and make a decision, based upon gathered information,

- concerning their responsibility for an alleged violation or have the DCS or a person appointed by the DCS do the same. If the student admits violating institutional rules, but sanctions are not agreed to, subsequent process, including a hearing if necessary, shall be limited to determining the appropriate sanction(s).
5. All charges shall be presented to the Accused Student in written form. A time shall be set for a Community Standards Board Hearing, not less than one nor more than fifteen calendar days after the Accused Student has been notified of the charges. Maximum time limits for scheduling of Community Standards Board Hearings may be extended at the discretion of the DCS.
 6. Community Standards Board Hearings shall be conducted by a Community Standards Board according to the following guidelines except as provided by article IV (A)(7) below:
 - a. Community Standards Board Hearings normally shall be conducted in private.
 - b. The Complainant, Accused Student and their advisors, if any, shall be allowed to attend the entire portion of the Community Standards Board Hearing at which information is received (excluding deliberations). Admission of any other person to the Community Standards Board Hearing shall be at the discretion of the Community Standards Board and/or the DCS.
 - c. In Community Standards Board Hearings involving more than one Accused Student, the DCS, in his or her discretion, may permit the Community Standards Board Hearings concerning each student to be conducted either separately or jointly.
 - d. The Complainant and the Accused Student have the right to be assisted by an advisor they choose, at their own expense. The advisor must be a member of the University community and may not be an attorney providing legal representation to the student. The Complainant and/or the Accused Student is responsible for presenting his or her own information, and therefore, advisors are not permitted to speak or to participate directly in any Community Standards Board Hearing before a Community Standards Board. A student should select as an advisor a person whose schedule allows attendance at the scheduled date and time for the Community Standards Board Hearing because delays will not normally be allowed due to the scheduling conflicts of an advisor.
 - e. The Complainant, the Accused Student and the Community Standards Board may arrange for witnesses to present pertinent information to the Community Standards Board. The University will try to arrange the attendance of possible witnesses who are members of the University community, if reasonably possible, and who are identified by the Complainant and/or Accused Student at least two weekdays prior to the Community Standards Board Hearing. Witnesses will provide information to and answer questions from the Community Standards Board. Questions may be suggested by the Accused Student and/or Complainant to be answered by each other or by other witnesses. This will be conducted by the Community Standards Board with such questions directed to the chairperson, rather than to the witness directly. This method is used to preserve the educational tone of the hearing and to avoid creation of an adversarial environment. Questions of whether potential information will be received shall be resolved in the discretion of the chairperson of the Community Standards Board.
 - f. Pertinent records, exhibits, and written statements (including Student Impact Statements) may be accepted as information for consideration by a Community Standards Board at the discretion of the chairperson.
 - g. All procedural questions are subject to the final decision of the chairperson of the Community Standards Board.
 - h. After the portion of the Community Standards Board Hearing concludes in which all pertinent information has been received, the Community Standards Board shall determine by majority vote whether the Accused Student has violated each section of the Community Standards Code which the student is charged with violating.
 - i. The Community Standards Board's determination shall be made on the basis of whether it is more likely than not that the Accused Student violated the Community Standards Code.
 - j. Formal rules of process, procedure, and/or technical rules of evidence, such as are applied in

criminal or civil court, are not used in Community Standards Code proceedings.

7. There shall be a single verbatim record, such as an audio recording, of all Community Standards Board Hearings before a Community Standards Board (not including deliberations). Deliberations shall not be recorded. The record shall be the property of the University.

8. If an Accused Student, with notice, does not appear before a Community Standards Board Hearing, the information in support of the charges may be presented and considered even if the Accused Student is not present.

9. The Community Standards Board may accommodate concerns for the personal safety, well-being, and/or fears of confrontation of the Complainant, Accused Student, and/or other witness during the hearing by providing separate facilities, by using a visual screen, and/or by permitting participation by telephone, videophone, closed circuit television, video conferencing, videotape, audio tape, written statement, or other means, where and as determined in the sole judgment of DCS to be appropriate.

10. If the Accused student is not an enrolled student, s/he will be provided with all charges in written form, and the DCS may conduct an investigation to determine if the charges have merit and/or if they can be disposed of administratively by mutual consent of the parties involved on a basis acceptable to the DCS. Such disposition shall be final and there shall be no subsequent proceedings. If the charges are not admitted and/or cannot be disposed of by mutual consent, the DCS or a person appointed by the DCS make a decision based upon any information gathered by themselves or an appointed investigator. If the accused student admits violating institutional rules, but sanctions are not agreed to, subsequent process, including a hearing if necessary, shall be limited to determining the appropriate sanction(s).

B. Sanctions

1. The following sanctions may be imposed upon any student found to have violated the Community Standards Code:

a. Warning – A notice in writing to the student that the student is violating or has violated institutional regulations.

- b. Probation – A written reprimand for violation of specified regulations. Probation is for a designated period of time and includes the probability of more severe disciplinary sanctions if the student is found to violate any institutional regulation(s) during the probationary period.
- c. Loss of Privileges – Denial of specified privileges for a designated period of time.
- d. Fines – monetary fines may be imposed at the discretion of the DCS.
- e. Restitution – Compensation for loss, damage, or injury. This may take the form of appropriate service and/or monetary or material replacement.
- f. Discretionary Sanctions – Work assignments, essays, service to the University, or other related discretionary assignments.
- g. Residence Hall Suspension – Separation of the student from the residence halls for a defined period of time, after which the student is eligible to return. Conditions for readmission may be specified.
- h. Residence Hall Expulsion – Permanent separation of the student from the residence halls.
- i. University Suspension – Separation of the student from the University for a definite period of time, after which the student is eligible to return. Conditions for readmission may be specified.
- j. University Expulsion – Permanent separation of the student from the University.
- k. Revocation of Admission and/or Degree – Admission to or a degree awarded from the University may be revoked for fraud, misrepresentation, or other violation of University standards in obtaining the degree, or for other serious violations committed by a student prior to graduation.
- l. Withholding Degree – The University may withhold awarding a degree otherwise earned until the completion of the process set forth in this Student Conduct Code, including the completion of all sanctions imposed, if any.
- m. Removal from university athletic and student leadership position. This many also include any

aid/scholarship provided by the university.

2. More than one of the sanctions listed above may be imposed for any single violation.
3. (a) Other than University expulsion or revocation or withholding of a degree, disciplinary sanctions shall not be made part of the student's permanent academic record, but shall become part of the student's disciplinary record. Upon graduation, the student's disciplinary record may be expunged of disciplinary actions other than residence hall expulsion, University suspension, University expulsion, or revocation or withholding of a degree, upon application to the Student Conduct Administrator. Cases involving the imposition of sanctions other than residence hall expulsion, University suspension, University expulsion or revocation or withholding of a degree shall be expunged from the student's confidential record seven years after final disposition of the case.

(b) In situations involving both an Accused Student(s) (or group or organization) and a student(s) claiming to be the victim of another student's conduct, the records of the process and of the sanctions imposed, if any, shall be considered to be the education records of both the Accused Student(s) and the student(s) claiming to be the victim because the educational career and chances of success in the academic community of each may be impacted.
4. The following sanctions may be imposed upon groups or organizations:
 - a. Those sanctions listed above in article IV(B)(1) (a)–(f).
 - b. Loss of selected rights and privileges for a specified period of time.
 - c. Deactivation. Loss of all privileges, including University recognition, for a specified period of time.
5. In each case in which a Community Standards Board determines that a student and/or group or organization has violated the Community Standards Code, the sanction(s) shall be determined and imposed by the DCS. In cases in which persons other than, or in addition to, the DCS have been authorized to serve as the Community Standards Board, the recommendation of the Community Standards Board shall be considered by the DCS in determining and imposing sanctions. The DCS

is not limited to sanctions recommended by members of the Community Standards Board. Following the Community Standards Board Hearing, the Community Standards Board and the DCS shall advise the Accused Student, group and/or organization (and a complaining student who believes s/he was the victim of another student's conduct) in writing of its determination and of the sanction(s) imposed, if any.

C. Interim Suspension

In certain circumstances, the DCS, or a designee, may impose a University or residence hall suspension prior to the Community Standards Board Hearing before a Community Standards Board.

1. Interim suspension may be imposed only: 1) to ensure the safety and well-being of members of the University community or preservation of University property; b) to ensure the student's own physical or emotional safety and well-being; or c) if the student poses an ongoing threat of disruption of, or interference with, the normal operations of the University.
2. During the interim suspension, a student shall be denied access to the residence halls and/or to the campus (including classes) and/or all other University activities or privileges for which the student might otherwise be eligible, as the DCS or the Student Conduct Administrator may determine to be appropriate.
3. The interim suspension does not replace the regular process, which shall proceed on the normal schedule, up to and through a Community Standards Board Hearing, if required.

D. Appeals

1. A decision reached by the Community Standards Board or a sanction imposed by the DCS may be appealed by the Accused Student(s) or Complainant(s) to an Appellate Board within five (5) school days of the decision. Such appeals shall be in writing and shall be delivered to the DCS or his or her designee.
2. Except as required to explain the basis of new information, an appeal shall be limited to a review of the verbatim record of the Community Standards Board Hearing and supporting documents for one or more of the following purposes:

- a. To determine whether the Community Standards Board Hearing was conducted fairly in light of the charges and information presented, and in conformity with prescribed procedures giving the complaining party a reasonable opportunity to prepare and to present information that the Community Standards Code was violated, and giving the Accused Student a reasonable opportunity to prepare and to present a response to those allegations. Deviations from designated procedures will not be a basis for sustaining an appeal unless significant prejudice results.
 - b. To determine whether the decision reached regarding the Accused Student was based on substantial information, that is, whether there were facts in the case that, if believed by the fact finder, were sufficient to establish that a violation of the Community Standards Code occurred.
 - c. To determine whether the sanction(s) imposed were appropriate for the violation of the Community Standards Code which the student was found to have committed.
 - d. To consider new information, sufficient to alter a decision or other relevant facts not brought out in the original hearing, because such information and/or facts were not known to the person appealing at the time of the original Community Standards Board Hearing.
3. If an appeal is upheld by the Appellate Board, the matter shall be returned to the original Community Standards Board and DCS for re-opening of Community Standards Board Hearing to allow reconsideration of the original determination and/or sanction(s). If an appeal is not upheld, the matter shall be considered final and binding upon all involved.

ARTICLE V: INTERPRETATION AND REVISION

- A. Any question of interpretation or application of the Community Standards Code shall be referred to the DCS or his or her designee for final determination.
- B. The Community Standards Code shall be reviewed at least every 2 years under the direction of the DCS.

VAWA ACT OF 2013: SEXUAL ASSAULT & HARASSMENT

Lourdes University does not discriminate on the basis of sex in its educational programs and sexual harassment and sexual violence are types of sex discrimination. Other acts can also be forms of sex-based discrimination and are also prohibited whether sexually based or not and include dating violence, domestic violence, and stalking. As a result, Lourdes University issues this statement of policy to inform the community of our comprehensive plan addressing sexual misconduct, educational programs, and procedures that address sexual assault, domestic violence, dating violence, sexual assault and stalking and reaffirms its commitment to maintain a campus environment emphasizing the dignity and worth of all members of the University community.

DEFINITIONS

Rape: Penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by sex organ of another person, without the consent of the victim. This definition includes any gender of victim or perpetrator. (Physical resistance is not required on the part of the victim to demonstrate lack of consent.)

Non-forcible Rape: Are unlawful, non-forcible sexual intercourse of incest or statutory rape. Incest: non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law. Statutory Rape: non-forcible sexual intercourse with a person who is under the statutory age of consent.

Consent: As it applies to sexual misconduct refers to all parties engaged in sexual activity giving permission to proceed with the activity in a way that a reasonable person would consider the words or actions of all parties to have manifested a mutually understandable agreement between them to do the same thing, the same way, at the same time, with the same parties.

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. A sex offense is any act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.

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: Non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

Statutory Rape: Non-forcible intercourse with a person who is under the statutory age of consent.

Ohio Definition of Sex Offenses:

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

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

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

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

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

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

- (1) The material or performance, when considered as a whole, appeals to the prurient interest of juveniles in sex.
- (2) The material or performance is patently offensive to prevailing standards in the adult community as a whole with respect to what is suitable for juveniles.
- (3) The material or performance, when considered as a whole, lacks serious literary,

artistic, political, and scientific value for juveniles.

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

- (1) Its dominant appeal is to prurient interest;
- (2) Its dominant tendency is to arouse lust by displaying or depicting sexual activity, masturbation, sexual excitement, or nudity in a way that tends to represent human beings as mere objects of sexual appetite;
- (3) Its dominant tendency is to arouse lust by displaying or depicting bestiality or extreme or bizarre violence, cruelty, or brutality;
- (4) Its dominant tendency is to appeal to scatological interest by displaying or depicting human bodily functions of elimination in a way that inspires disgust or revulsion in persons with ordinary sensibilities, without serving any genuine scientific, educational, sociological, moral, or artistic purpose;
- (5) It contains a series of displays or descriptions of sexual activity, masturbation, sexual excitement, nudity, bestiality, extreme or bizarre violence, cruelty, or brutality, or human bodily functions of elimination, the cumulative effect of which is a dominant tendency to appeal to prurient or scatological interest, when the appeal to such an interest is primarily for its own sake or for commercial exploitation, rather than primarily for a genuine scientific, educational, sociological, moral, or artistic purpose.

(G) "Sexual excitement" means the condition of human male or female genitals when in a state of sexual stimulation or arousal.

(H) "Nudity" means the showing, representation, or depiction of human male or female genitals, pubic area, or buttocks with less than a full, opaque covering, or of a female breast with less than a full, opaque covering of any portion thereof below the top of the nipple, or of covered male genitals in a discernibly turgid state.

(I) "Juvenile" means an unmarried person under the age of eighteen.

(J) "Material" means any book, magazine, newspaper, pamphlet, poster, print, picture,

figure, image, description, motion picture film, phonographic record, or tape, or other tangible thing capable of arousing interest through sight, sound, or touch and includes an image or text appearing on a computer monitor, television screen, liquid crystal display, or similar display device or an image or text recorded on a computer hard disk, computer floppy disk, compact disk, magnetic tape, or similar data storage device.

(K) "Performance" means any motion picture, preview, trailer, play, show, skit, dance, or other exhibition performed before an audience.

(L) "Spouse" means a person married to an offender at the time of an alleged offense, except that such person shall not be considered the spouse when any of the following apply:

- (1) When the parties have entered into a written separation agreement authorized by section 3103.06 of the Revised Code;
- (2) During the pendency of an action between the parties for annulment, divorce, dissolution of marriage, or legal separation;
- (3) In the case of an action for legal separation, after the effective date of the judgment for legal separation.

(M) "Minor" means a person under the age of eighteen.

(N) "Mental health client or patient" has the same meaning as in section 2305.51 of the Revised Code.

(O) "Mental health professional" has the same meaning as in section 2305.115 of the Revised Code.

(P) "Sado-masochistic abuse" means flagellation or torture by or upon a person or the condition of being fettered, bound, or otherwise physically restrained.

Crime definitions and categories (Paraphrased from the Ohio Revised Code.)

Sexual Imposition (ORC 2907.06)

Ohio law defines this as having sexual contact with another when the offender knows that the contact is offensive to the other person or is reckless in that regard; or the offender knows that the other person's ability to appraise the nature of the contact or ability to control the contact is substantially impaired; or the offender knows the other person submits because they are unaware of the sexual contact.

Gross Sexual Imposition (ORC 2907.05)

Ohio law defines this as having sexual contact with another, by force or threat of force; or the offender substantially impairs the other person's judgment or control using drugs or intoxicants secretly or by force, threat of force, or deception.

Sexual Battery (ORC 2907.03)

Ohio law defines this as having sexual conduct with another by knowingly coercing the other person to submit; or the offender knows the other person's ability to appraise the nature of or control their own conduct is substantially impaired; or the offender knows the other person submits because they are unaware that the act is being committed.

Rape (ORC 2907.02)

Ohio law defines this as engaging in sexual conduct by force or threat of force; or for the purpose of preventing resistance, offender substantially impairs victim's judgment or control by giving any drug/intoxicant secretly or by force, threat of force, or deception. Victim need not prove physical resistance.

Unlawful sexual conduct with minor (ORC 2907.04)

Ohio law defines 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.

Sexual Assault

Sexual assault is an umbrella term and not a legal definition. It includes the crimes of sexual imposition, gross sexual imposition, sexual battery and rape. It covers a wide range of actions that may violate criminal law and/or University policy when taken against a person without the person's knowing consent, against the person's will, or under force, threat of force, or coercion. Sexual activity occurring when someone is medicated, asleep, passed out, or substantially impaired by drugs or alcohol can also be illegal. In these situations a person cannot truly consent since she or he is not in a coherent state of mind.

Voyeurism (ORC 2907.08)

Ohio law defines this as use for the purpose to sexually arouse or gratify the person's self by invading the privacy of another by spying, eavesdropping, videotape, film, photograph, or record another in a state of nudity, nudity if the other is a minor, or under or through the clothing of another for the purpose of viewing undergarments.

Domestic Violence (ORC 2919.25)

Ohio law defines domestic violence as violence or threats of violence that occur between family or household members.

Dating Violence

There is no legal definition in Ohio for dating violence. Statistics for dating violence in this report include incidents, other than domestic violence, where violence or the threat of violence is committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim.

Menacing by Stalking (ORC 2903.11)

While there is no legal definition for stalking in Ohio, there is another closely related law. Ohio law defines menacing by stalking as occurring when someone knowingly engages in a pattern of conduct that causes another person to believe that the offender will cause physical harm to the other person or cause mental distress to the other person.

EDUCATION AND PREVENTION PROGRAMS

The University engages in comprehensive, intentional, and integrated programming, initiatives, strategies, and campaigns intended to end dating violence, domestic violence, sexual misconduct and stalking that:

- Are currently 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.

Educational programming consists of primary prevention and awareness programs for incoming students and new employees and ongoing awareness and prevention campaigns for students and employees that typically:

- Identify domestic violence, dating violence, sexual misconduct, and stalking as prohibited conduct
- Defines using definitions provided both by the Department of Education as well as state law what behavior constitutes domestic violence, dating violence, sexual assault, and stalking
- Defines what behavior and actions constitute consent to sexual activity in the State of Ohio and/or using the definition of consent found in

the Sexual Misconduct Policy if state law does not define consent

- Provides a description of safe and positive options for bystander intervention. Bystander intervention means safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is risk of dating violence, domestic violence, sexual assault or stalking. Bystander intervention includes recognizing situations of potential harm, understanding institutional structures and cultural conditions that facilitate violence, overcoming barriers to intervening, identifying safe and effective intervention options, and taking action to intervene
- Information on risk reduction. Risk reduction means 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.
- Provides an overview of information contained in the Annual Security Report in compliance with the Clery Act.
- Education of general overviews regarding dating violence, domestic violence, stalking, sexual assaults as well as Clery report information are addressed in new student orientations.
- Education and prevention programs generally are presented a few times through the year to both staff and students.
- Programs vary each year to keep the information and programs up to date.

HOW TO BE AN ACTIVE BYSTANDER

Bystanders play a critical role in the prevention of sexual and relationship violence. They are “individuals who observe violence or witness the conditions that perpetuate violence. They are not directly involved but have the choice to intervene, speak up, or do something about it”. We want to promote a culture of community accountability where bystanders are actively engaged in the prevention of violence without causing further harm. We may not always know what to do even if we want to help. Below is a list of some ways to be an active bystander. If you or someone else is in immediate danger, dial 9-1-1. This could be when a person is yelling at or being physically abusive towards another and it is not safe for you to interrupt.

- ▶ Watch out for your friends and fellow

students/employees. If you see someone who looks like they could be in trouble or need help, ask if they are ok.

- ▶ Confront people who seclude, hit on, and try to make out with, or have sex with people who are incapacitated.
- ▶ Speak up when someone discusses plans to take sexual advantage of another person.
- ▶ Believe someone who discloses sexual assault, abusive behavior, or experience with stalking.
- ▶ Refer people to on or off campus resources listed in this document for support in health, counseling, or legal assistance.

RISK REDUCTION

With no intent to victim blame and recognizing that only rapists are responsible for rape, the following are some strategies to reduce one's risk of sexual assault or harassment (taken from Rape, Abuse & Incest National Network, www.rainn.org)

1. Be Aware of your surroundings. Know where you are and who is around you may help you to find a way to get out of a bad situation.
2. Avoid isolate areas, try too. It is more difficult to get help if no one is around.
3. Walk with purpose. Even if you don't know where you are going, act like you do.
4. Trust your instincts. If a situation or location feels unsafe or uncomfortable, it probably isn't the best place to be.
5. Try not to load yourself down with packages or bags as this can make you appear more vulnerable.
6. Make sure your cell phone is with you and charged that you also have cab money.
7. Don't allow yourself to be isolated with someone you don't trust or someone you don't know.
8. Avoid putting music headphones in both ears so that you can be more aware of your surroundings, especially if you are walking alone.
9. When you go to a social gathering, go with a group of friends. Arrive together, check in with each other throughout the evening, and leave together. Knowing where you are and who is around you may help you to find a way out of a bad situation.
10. Trust your instincts. If you feel unsafe in any situation, go with your gut. If you see something suspicious, contact law enforcement immediately (local authorities can be reached by calling 9-1-1 in most of the areas in the U.S.)
11. Don't leave your drink unattended while dancing, talking, using the restroom, or making a phone call. If you've left your drink alone, just get a new one.
12. Don't accept drinks from people you don't know or trust. If you choose to accept a drink, go with the person to the bar and order it, watch it being poured, and carry it yourself. At parties, don't drink from the punch bowls or other large, common open containers.
13. Watch out for your friends, and vice versa. If a friend seems out of it, is way too intoxicated for the amount of alcohol they've had, or is acting out of character, get him or her to a safe place immediately.
14. If you suspect you or a friend has been drugged, contact law enforcement immediately (9-1-1 in most areas of U.S). Be explicit with doctors so they can give you the correct tests (you will need a urine test and possibly others).
15. If you need to get out of an uncomfortable or scary situation here are some things that you can try:
 - ▶ Remember being in this situation is not your fault. You did not do anything wrong, it is the person who is making you uncomfortable that is to blame.
 - ▶ Be true to yourself. Don't feel obligated to do anything you don't want to do. "I don't want to" is always a good enough reason. Do what feels right to you and what you are comfortable with.
 - ▶ Have a code word with you friends and family so that if you don't feel comfortable you can call them and communicate your discomfort without the person knowing. Your friends or family can then come to get you or make up an excuse for you to leave.
 - ▶ Lie. If you don't want to hurt the person's feelings it is better to lie and make up a reason to leave than to stay and be uncomfortable, scared, or worse. Some excuses you could use are: needing to take care of a friend or family member, not feeling well, having somewhere else you need to be, etc.
 - ▶ Try to think of an escape route. How would you try to get out of the room? Where are the doors? Windows? Are there people around who might be able to help you? Is there an

emergency phone nearby?

- ▶ If you and/or the other person have been drinking, you can say that you would rather wait until you both have your full judgment before doing anything you may regret later.

Adjudication of Violations

Whether or not criminal charges are filed, the University or a person may file a complaint under Title IX alleging that a student or employee violated University's policy on Sexual Assault.

Reports of all Domestic Violence, Dating Violence, Sexual Assault and Stalking made to Campus Public Safety will automatically be referred to the Title IX Coordinator for investigation regardless of if the complainant chooses to pursue criminal charges.

WHAT YOU SHOULD DO IF YOU HAVE BEEN SEXUALLY ASSAULTED

- Call Police- 911
- Call Public Safety Dept. 419-574-3861
- It is best not to shower for evidence recovery.
- Get medical attention at a local hospital, a SANE nurse will do an exam. A SANE nurse is specially trained to help sexual assault victims in evidence recovery and injury detection. Police can also assist with getting you connected to a hospital & SANE nurse.
- Remember it is not your fault.
- The University has resources for counseling services.

TITLE IX: SEXUAL MISCONDUCT POLICY *RESPECT OURSELVES. RESPECT EACH OTHER.*

Lourdes University is committed to fostering a welcoming and inclusive educational environment for all members of the University community. Consistent with this mission, Title IX of the Education Amendments of 1972 (20 U.S.C. § 1681) and the Department of Education's implementing regulations prohibit discrimination on the basis of sex/gender in the University's programs and activities. It is important to understand that such discrimination includes sexual harassment, sexual assault, sexual violence, and other forms of sexual misconduct. Though Lourdes is fortunate to enjoy a very safe campus, we are determined to eliminate any such discriminatory conduct, address its effects, and prevent its recurrence.

In light of these commitments, the University

has adopted this comprehensive Title IX: Sexual Misconduct Policy to address incidents of sexual misconduct in the University's programs and activities and sets forth prohibited conduct; reporting, investigation, and complaint resolution procedures; available resources and interim measures; and possible sanctions for violations of this Policy.

SCOPE

This Policy prohibits all forms of sex/gender-based harassment, sexual violence, sexual exploitation, relationship violence, and stalking, collectively referred to as "sexual misconduct" and defined later in this Policy under "Prohibited Conduct." This Policy addresses sexual misconduct in the University's programs and activities both on and off campus. Off campus conduct is subject to this Policy when it occurs in the course of a University program or activity or when the misconduct continues to have an adverse effect on any University program or activity. Including but not limited to communications of touching, face to face, telephone calls, texts, emails, written letters, social media or other electronic/digital technology use.

Title IX Coordinator

The Title IX Coordinator is the individual responsible for overseeing the University's compliance with Title IX and the 2013 Amendments to the Violence Against Women Act (VAWA). Lourdes' Director of Campus Public Safety, Michelle McDevitt, Lourdes Commons, 419-517-8953, titleix@lourdes.edu, serves as the University's Title IX Coordinator and is charged with monitoring compliance with these laws and regulations, including systematically evaluating procedures to effectively and efficiently respond to complaints of sex/gender discrimination and to ensure the absence of sex/gender discrimination in the University's education programs and activities.

Investigations under this Policy shall be conducted by the Title IX Coordinator and/or one or more designated and appropriately trained Title IX investigators ("designees").

Key Terms

To best understand violations defined in the next section of this Policy, key terms are discussed below:

Coercion: Unreasonable pressure for sexual activity, particularly though not necessarily only, when a victim resists a sexual advance or request

Consent: An affirmative decision to engage in mutually acceptable sexual activity given by clear,

knowing, and voluntary actions or words. Consent is active, not passive. Silence, alone, cannot be interpreted as consent. Consent can be given by words or actions, as long as those words or actions create mutually understandable clear permission regarding willingness to engage in (and the conditions of) sexual activity. Consent cannot be communicated in an individual's manner of dress. Consent can be withdrawn or modified at any time. Consent to any one form of sexual activity cannot automatically imply consent to any other forms of sexual activity. Prior consent cannot imply future consent to future sexual acts. Acts of a sexual nature initiated by an individual who a reasonable person knows or should have known to be incapacitated is not Consent. In order to give effective Consent, one must be of legal age (in Ohio & Michigan: 16).

Force: Physical violence and/or physical imposition to gain sexual access. Force also includes threats, intimidation (implied threats) and coercion that overcome resistance or produce (ineffective) Consent.

Incapacitation: State in which an individual is unable to consent to sexual contact. States of incapacitation include, but are not limited to: sleep, unconsciousness, intermittent consciousness, or any other state when a person is incapable of making an intentional decision to participate in a sexual act or unaware that sexual contact is occurring; a disability may also limit one's ability to Consent to sexual contact. Incapacitation is determined on a case-by-case basis and includes an analysis of whether the accused party knew, or should have known, that the alleged victim was incapacitated, or if the accused party played a role in creating the Incapacitation. Though consumption of alcohol or drugs commonly cause Incapacitation, their consumption alone is not sufficient to demonstrate Incapacitation.

Sexual Intercourse: Anal or vaginal penetration by a penis, tongue, finger, or inanimate object.

Prohibited Conduct

This Policy prohibits all forms of sex/gender-based harassment, sexual violence, sexual exploitation, relationship violence and stalking in the University's programs and activities. Unless explicitly stated otherwise, conduct prohibited under this Policy can be committed by people of any gender, between individuals of the same or different genders; between strangers or acquaintances; and between people involved in intimate and/or sexual relationships with one another.

Alcohol consumption and/or drug use does not

constitute a mitigating factor when it contributes to violations of this Policy.

Sexual Harassment: Unwelcome verbal, nonverbal, or physical conduct based on sex/gender which is sufficiently severe, persistent, or pervasive to have the effect of creating a hostile environment by unreasonably interfering with, denying, or limiting an individual's work, education, or living conditions OR use of a position of authority to engage in unwelcome sexual advances, requests for sexual favors, or other verbal, nonverbal, or physical conduct of a sexual nature when (i)an individual's employment or education is conditioned (either explicitly or implicitly) upon submission to such conduct; or (ii)decisions affecting one's education or employment are based upon submission to or rejection of such conduct. Sexual Harassment is a broad term that includes:

Non-Consensual Contact: Any intentional sexual touching however slight with any object by person upon another person that is without consent and/ or by force. Sexual touching includes any bodily contact with breasts, groin, mouth, or other bodily orifice of another individual, or any other bodily contact in a sexual manner.

Non-Consensual Sexual Intercourse: Any sexual penetration or intercourse (anal, oral, vaginal) however slight with any object by person upon another person that is without consent and/or by force. Sexual penetration includes vaginal or anal penetration by a penis, tongue, finger or object or oral copulation by mouth or genital contact or genital to mouth contact.

Sexual Exploitation: Actual or attempted abuse or violation of another's privacy or taking nonconsensual or abusive sexual advantage of another for the sexual gratification, financial gain, or other benefit of anyone other than the one being exploited.

Stalking: Two or more acts directed at a specific person in which the actor directly, or through third parties, follows, monitors, observes, surveils, threatens, or communicates to or about the person or interferes with that person's property by any action, method, device or means such that the acts would cause a reasonable person to suffer substantial emotional distress and/or to fear for his/her/another's safety.

Sexual Violence: Actual or attempted physical act(s) of a sexual nature committed against an individual without Consent or against an individual in a state

of Incapacitation. Though sometimes involved, Coercion, Force, and/or Incapacitation are not necessary for Sexual Violence to occur.

Relationship Violence

Domestic Violence: Violence, or threat of abuse, committed by a current or former spouse or cohabitant, intimate partner, or any individual from whom the Victim is protected by federal or state domestic or family violence law.

Dating violence: Violence, or threat of abuse, committed by a current or former romantic/social/intimate partner relationship with the student.

Retaliation: Adverse treatment of a person as a result of his/her reporting sex/gender-based harassment or sexual violence; as a result of him/her assisting a person with reporting sex/gender-based harassment or sexual violence of a complaint under this Policy; or as a result of him/her participating in the resolution of a complaint of sex/gender-based harassment or sexual violence under this Policy or externally.

Conduct that meets University definitions of Prohibited Conduct may also violate applicable state and/or federal law. As such, criminal prosecution may take place independently of any disciplinary action instituted by the University.

Reporting

Individuals who believe they have been the victim of misconduct prohibited by this Policy may submit a Sexual Misconduct Incident Report (SMIR) online or in hard copy to initiate University action. SMIRs may also be submitted by individuals on a victim's behalf. It is not necessary for someone to be directly involved in an incident to file an SMIR, though the person reporting the misconduct must have reasonably adequate and credible information.

Because it is often difficult to determine the facts of an incident long after the incident has occurred, prompt reporting of incidents is strongly encouraged. While all SMIRs are reviewed, typically only those with names of involved individuals and sufficient details can be adequately pursued.

Upon receipt and review of an SMIR with adequate information and detail, the Title IX Coordinator and/or their designee(s), shall contact the victim to discuss the incident, review procedures under this Policy, and share with him/her available confidential resources, additional reporting options, services, and interim measures. The victim will also be informed that s/he may be accompanied by a

support person of his/her choice at any meeting held in connection with the case under this Policy.

Once adequate information is obtained, the Title IX Coordinator and/or their designee(s), shall contact the respondent (the accused party) to inform him/her of the report against him/her, review procedures under this Policy, and share with him/her available resources, services, interim measures, and the University's position regarding Retaliation. The respondent will also be informed that s/he may be accompanied by a support person of his/her choice at any meeting held in connection with the case under this Policy. If the respondent is an employee, the Director of Human Resources and the appropriate University official and/or supervisor shall also be notified.

If the Title IX Coordinator finds there is reasonable cause to believe a violation of this Policy was committed, and if sufficient detail is available, a prompt and equitable investigation will occur. The Title IX Coordinator has the discretion to consolidate multiple complaints or reports into a single investigation if evidence relevant to one incident might be relevant to the others.

Investigations

All investigations shall be conducted by the Title IX Coordinator and/or their designee(s) ("Investigator"), who shall be screened for any conflicts of interest regarding the specific case(s). Once it has been determined that no conflict of interest or bias exists for the assigned Investigator, the investigation shall commence, and written Notice of the Investigation will be sent to the complainant and the respondent with sufficient detail regarding the allegations to allow both parties the opportunity to present witnesses and evidence to the Investigator. Should the incident involve additional violations of University Policy that are not violations of this Policy, those alleged violations shall be investigated together with the sexual misconduct allegations under this Policy. Likewise, the Title IX Coordinator has the discretion to consolidate multiple reports into a single investigation if evidence relevant to one incident might be relevant to the others.

All investigations under this Policy shall be adequate, reliable, and impartial. The entire investigation process, not including appeals, should typically be completed within 60 days; however, this process may take longer if there is a parallel criminal investigation and/or if it transpires during school breaks.

The investigation is designed to resolve complaints

using impartial fact-gathering and decision-making processes regarding (i) whether or not the misconduct occurred and (ii) if applicable, what steps the University will take to end the discriminatory conduct, eliminate the hostile environment, and prevent its recurrence. To that end, the Investigator will gather information and conduct interviews with the complainant, respondent, witnesses, and others, as appropriate. To protect the privacy of the circumstances giving rise to the relevant complaint(s), information regarding the allegations/alleged incident will be shared only as necessary to maintain the integrity of the investigation, to promptly and fairly resolve complaints, and to determine the University's response to any misconduct found to have occurred under this Policy; and all are expected uphold the strictest confidentiality regarding these matters.

The Investigator will also collect and analyze any available physical evidence, including documents, communications, and other electronic records, as appropriate. In determining whether violations were committed, the Investigator will consider the totality of the facts and circumstances, including the nature of the alleged misconduct and the context in which it allegedly occurred. The Investigator may consider prior documented findings of misconduct to assess any highly relevant patterns of behavior (e.g., sexual misconduct violations, acts of violence, dishonesty).

Once the investigation is complete, the Investigator shall prepare a report that includes information gathered about the incident and renders a determination as to whether or not violation(s) of this Policy occurred using a preponderance of evidence standard (i.e. more likely than not that the sexual misconduct occurred). After reviewing the investigative report and case file, including interview summaries, witness statements, evidence, and other documents, the Title IX Coordinator shall consult with the Dean of Students (DOS) and Director of Community Standards/designee(s) for cases involving students, and the Director of Human Resources and appropriate Cabinet member/designee(s) for cases involving employees, and collectively determine:

If the respondent is a student, any relevant sanctions to be imposed and, if applicable, what steps the University will take to end the discrimination, eliminate the hostile environment, and prevent its recurrence; or

If the respondent is an employee, any relevant disciplinary action and, if applicable, what steps the University will take to end the discrimination,

eliminate the hostile environment, and prevent its recurrence.

Written notice of the outcome and a copy of the Investigative Report, redacted of personally identifiable information as necessary, will be shared with the complainant and the respondent.

Appeals

Both parties have the right to appeal the findings where it is alleged that procedural error or previously unavailable relevant evidence could significantly impact the outcome of the case or where it is alleged that the sanctions or disciplinary action are substantially disproportionate to the findings. The appeal must be made in writing to the Dean of Students or designee within five (5) business days of the written notice of outcome and shall include the asserted grounds for appeal. Any appeal will be shared with the other party, who will have five (5) business days to respond in writing.

The Dean of Students or designee shall appoint an Appeals Committee comprised of one Cabinet member and one trained Title IX investigator, other than the Investigator in the underlying case, to address the appeal after both individuals have been screened for any conflicts of interest regarding the specific case and regarding their reporting structure (i.e. the appointed Appeals Committee Title IX investigator shall not (directly or indirectly) report to the appointed Appeals Committee Cabinet member.) The Appeals Committee shall determine if the appeal meets one of the above standards within five (5) business days. If it does, the matter will be returned to the original Investigator for re-opening of an investigation and to allow reconsideration of the original determination and/or sanction(s). If it does not, the matter will be considered final and binding upon all involved. Both the complainant and the respondent will be notified in writing of the outcome of any appeal.

Should the outcome of the underlying case require removal of a party from the University, such requirement shall not be waived automatically as a result of, or during, the appeal process; if the removed party is a student or an employee, the Title IX Coordinator, the Dean of Students or the Director of Human Resources/designee(s), collectively, shall determine whether the removed party shall be permitted to return to campus during the appeals process.

Amnesty

To encourage reporting of conduct prohibited by this Policy, the University typically will offer leniency for victims, witnesses, and others with respect to

alcohol, drug and/or other violations of University policy, which may be revealed as a result of such reports.

Interim Measures

Upon receipt of information regarding alleged misconduct under this Policy, the Title IX Coordinator may, at any time prior to the resolution of any complaint under this Policy, implement reasonable and appropriate interim measures designed to preserve the safety of and access to the University's programs and activities for the complainant, any other parties, and the broader University community, while maintaining the integrity of the investigation and deterring retaliation.

For example, the Title IX Coordinator may offer options to avoid contact with the respondent or allow the victim to change academic and extracurricular activities as appropriate; likewise, the University may implement interim measures including, but not limited to, housing accommodations, academic support, and no-contact orders.

Sanctions

All forms of sexual misconduct are regarded as serious University offenses, and violations of this Policy will result in discipline, including the possibility of separation from the University. Once a final outcome has been reached regarding a case under this Policy, the Title IX Coordinator and the Dean of Students/designee(s), shall determine any relevant sanctions to be imposed on students. Sanctions for violations of the University's Community Standards Code (that are not violations of this Policy) by students shall be determined by the Director of Community Standards and the Dean of Students. Sanctions for violations of this Policy by University employees shall be determined by the Title IX Coordinator, the Director of Human Resources and the appropriate University official and/or supervisor.

Retaliation

University policy and federal laws prohibit retaliatory measures against any individual who files a complaint in good faith. It is a violation of University policy to retaliate against any complainant of sexual misconduct or against any person cooperating in the investigation of (including witnesses) any allegation of sexual misconduct.

The University treats Retaliation as a serious violation of this Policy and one that should be

immediately reported to the Title IX Coordinator in cases of sexual misconduct. Findings of Retaliation may result in disciplinary action independent of that imposed in response to the underlying allegations of sexual misconduct.

Requests for Confidentiality

If a victim requests that his/her name not be revealed to the respondent or asks that the University not investigate or not seek action against the respondent, s/he will be advised that honoring such a request may limit the University's ability to respond fully to the incident, including pursuing disciplinary action against the respondent. The victim will also be informed that the Title IX Coordinator will make every effort to respect his/her request and will evaluate it in the context of the University's responsibility to provide a safe and nondiscriminatory environment.

Support Individuals

The victim and the respondent each may be accompanied by a support person of his/her choice at any meeting held in connection with a case under this Policy. The support person shall not be permitted to speak aloud during the meeting(s) or otherwise communicate with anyone present at the meeting(s). A support person who is found by the Title IX Coordinator or her designee to be improperly interfering with a meeting will be required to leave the meeting and may not be permitted to attend future meetings under this Policy.

Additional Reporting

A victim of sexual misconduct has the right to file a criminal complaint with law enforcement officials simultaneously with reporting the misconduct to the University. Though the complaints will be pursued separately, the University will cooperate and assist the victim in notifying the proper law enforcement agency if the victim so chooses. Filing an SMIR does not require an individual to file a complaint with any other authority. To contact Public Safety from an on-campus phone, dial 411; other phones: 419-574-3861. To contact the Sylvania Police, dial 419-885-8902.

Individuals with complaints under and/or regarding this Policy also have the right to file a formal complaint under Title IX with the United States Department of Education's Office for Civil Rights, Cleveland Office, 1350 Euclid Avenue, Suite 325, Cleveland, OH 44115-1812; Telephone: 216-522-4970; FAX: 216-522-2573; TDD: 800-877-8339; Email: OCR.Cleveland@ed.gov.

Confidential Resources

Although all persons are encouraged to report incidents to the University and local law enforcement, an individual who is not prepared to do so, or who may be unsure how to label an incident, may wish to contact a confidential resource for information and support and with whom conversations are privileged.

The Sophia Center, an on-campus counseling center, is a confidential resource that provides pressure-free support and information to victims of sexual assault (and others) and can be contacted at 419-882-4529.

Individuals who would like to speak with a local, off-campus confidential resource for victims of sexual assault can contact the HOPE Center Rape Crisis 24-hour information/advocacy hotline at 419-241-7273 or toll free at 866-557-7273.

Exceptions regarding confidentiality may occur when an individual presents an immediate risk of harm to self or others or when the victim is a minor.

Responsible Employees

Individuals should be aware that University employees who become aware of prohibited conduct under this Policy are required to file an SMIR with names and details of the alleged misconduct. Students who serve in employee roles (e.g., Graduate Assistants) are likewise required to share such reports with the Title IX Coordinator.

False Reporting

The University will not tolerate intentional false reporting of incidents. It is a violation of University policy to make an intentionally false report of any policy violation, and it may also violate state criminal statutes and civil defamation laws.

Mandatory Reporting

Pursuant to Ohio law, Lourdes University requires all members of the University community to report any suspected child abuse/neglect involving a minor (under the age of 18). The identity of the abuser does not need to be known in order to file a report, and it is not the responsibility of the University community member filing the report to investigate the suspected abuse.

Community members may report the suspected child abuse/neglect to the Title IX Coordinator or the Director of Campus Public Safety, who will report the suspected child abuse/neglect to law enforcement and/or child protective services.

In addition to reporting the suspected abuse/neglect to the Title IX Coordinator or the Director of Campus Public Safety, one may directly report the suspected abuse/neglect:

If a child is in immediate danger, call 911;
If there is no immediate danger, contact the Ohio Department of Job and Family Services Child Abuse and Neglect hotline at (855) 642-4453.
Timely Warnings Crime Log

In compliance with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act of 1998, the University must issue timely warnings to community members when there exists a serious and continuing threat to their health or safety. Whether or not an individual instance of a potential sex offense triggers a timely warning is determined on a case-by-case basis, depending on the facts and information known by University officials. Those who report incidents of misconduct under this Policy should be aware that this may be necessary, although identifying information regarding the victim will not be disclosed as long as the University may provide sufficient detail for community members to make safety decisions in light of the danger.

Lourdes University does not discriminate on the basis of race, color, national origin, sex, disability, age, or any other legally protected category in its programs and activities. Lourdes University's policies against discrimination, harassment, sexual misconduct, and retaliation are consistent with Titles VI and VII of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, 34 CFR Part 106, the Americans with Disabilities Act of 1990, Section 504 of the Rehabilitation Act of 1973 and 34 CFR 104.7, the Age Discrimination Act of 1975, the Age Discrimination in Employment Act of 1967, and the Genetic Information Non-Discrimination Act of 2008.

SEX OFFENDER REGISTRATION

The federal Campus Sex Crimes Prevention Act, enacted on October 28, 2000, requires institutions of higher education to issue a statement advising the campus community where law enforcement agency information provided by a State concerning registered sex offenders may be obtained. It also requires sex offenders already required to register in a State to provide notice, as required under State law, of each institution of higher education in that State at which the person is employed, carries on a vocation, volunteers services or is a student.

In Ohio, convicted sex offenders must register with

the local County Sheriff's department in the county they reside. You can link to this information, which is appears on the Lucas County Sheriff's website, by accessing (list website from report along with Tier definitions)

Notification must also be given on their release from prison. Local Sheriff Departments handle the registration of the offenders; you can locate the list of offenders by accessing the local county sheriff's website. Lucas Counties list of sexual offenders can be found on the Sheriff's website at www.co.lucas.oh.us, under the government section.

CLASSIFICATIONS

Tier I Sexual Offender

Adult or juvenile convicted of a sexually oriented offense. They must register once a year for 15 years with the Sheriff's office in the county they live, work, or attend school. They must also register anytime they change address.

(Examples of Tier I Offenses could include: Importuning, Unlawful Sexual Conduct with a Minor, non-consensual and offender less than 4 years older than victim, Voyeurism, Sexual Imposition, Gross Sexual Imposition, Illegal Use of a Minor- nudity oriented material or performance, Child Enticement with sexual motivation, Pandering Obscenity, Menacing by Stalking with sexual motivation, Unlawful Restraint with sexual motivation.)

Tier II Sexual Offender

Adult or juvenile convicted of 1 or more sexually oriented offenses. They must register every 6 months for 25 years with the Sheriff's office in the county they live, work, or attend school. They must also register anytime they change address.

(Examples of Tier II Offenses could include: Compelling Prostitution, Pandering Obscenity Involving a Minor, Pandering Sexually Oriented Material Involving a Minor, Illegal Use of a Minor in nudity material or performance, Gross Sexual Imposition with victim under 13, Child Endangering, Kidnapping with sexual motivation, Kidnapping victim over 18, Abduction with sexual motivation, any sexual offense that occurs after an offender has been classified as a Tier I, these are also known as Habitual Offenders.)

Tier III Sexual Offender

Adult or juvenile convicted of serious or violent sexually oriented offense and determined likely in the future to commit sexually oriented offense(s). They must register every 90 days for Life, with the

Sheriff's office in the county they live, work, or attend school. They must also register anytime they change address. With this type of offender you will receive notification in the community. (Examples of Tier III Offenses could include: Rape, Sexual Battery, Aggravated Murder with sexual motivation, Unlawful Death or termination of pregnancy as a result of committing or attempt to commit a felony with sexual motivation, Kidnapping of minor to engage in sexual activity, Kidnapping of minor, not by parent, Felonious Assault with sexual motivation, any sexual offense that occurs after the offender is classified as Tier II or Tier III offender, these are known as Predators)

**** All listed offenses include attempt, complicity, or conspiracy to commit any of said offenses****

Programs provided for victims - call the Sophia Counseling Center at 419-882-4529

MISSING STUDENTS

This policy contains the official notification procedures of Lourdes University for missing students who reside in campus housing, in accordance with the requirements of the Higher Education Opportunity Act of 2008, Section 485(j). Students residing in campus housing will be informed annually that each student has the option to identify a person designated as a confidential contact to be notified by Lourdes University no later than twenty-four (24) hours after the time the student is determined to be missing by the Dean of Students or designee, who has been given the duty of making this determination. The confidential contact may be a person designated by the student in addition to the declared emergency contact. Should the student not formally declare a separate missing person contact, the emergency contact on record will be notified.

For persons under 18 years of age and not emancipated, the institution will still allow a separate person to be designated for the missing person notification; however, a legal parent or guardian will also be notified, in compliance with the Higher Education Opportunity Act. Notification of this policy will be made directly to all students residing in campus housing annually and be available in conjunction with the "Annual Crime Report" that provides information in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Security Crime Statistics Act.

All students attempting to register for campus housing will also be notified of this policy at the time of completion of housing related documents.

Students have the opportunity to submit missing person contact information at any time by notifying the Lourdes University Department of Campus and Residential Life. This contact information will be kept confidential and only used in the instance of a missing student. If a student chooses to register a separate missing person contact it should include the following:

- Student's full legal name
- Lourdes ID #
- Where the student resides in campus housing
- The student's cell phone # (or best contact phone #)
- The name and relationship of the person(s) who the student desires to be contacted
- A home and cell phone # for that person(s)
- An email address for that person(s)
- A home address for that person(s)

Each student who voluntarily chooses to file a separate missing person contact is solely responsible for the continued accuracy of the information.

A student is determined to be missing when the Dean of Students or designee has verified that reported information is credible and circumstances warrant declaring the person missing. Should the Dean of Students determine that a residential student is a missing person, the Director Public Safety or designee will be immediately notified to verify the appropriate missing person contact information. Contact will then be made within twenty-four (24) hours by the Dean of Students or designee. Once determination has been made and the emergency contact notified the case will be referred to a local law enforcement agency.

The Dean of Students will provide the Director of Public Safety or designee timely and continuous notification of the status of the investigation until the case is closed.

Dean of Students, Greg Kneser
419-824-3759, LH 211

Title IX Administrator, Michelle McDevitt
419-517-8953, the Commons - 6657 Brint Road

Director Residence Life, T. Todd Masman
419-824-3873, the Den - Sylvan Plaza

Director Public Safety, Michelle McDevitt
419-517-8953, the Commons - 6657 Brint Road

EMERGENCY EVACUATION PROCEDURES OVERVIEW

Fire

You should become familiar with the location of fire alarm pull stations in your area and the proper operation of that pull station. *It is also valuable to know locations of fire extinguishers in the building areas you are located.*

If you discover a FIRE: R.A.C.E

Reat to the situation - use a campus phone to call 911- Stay calm and answer all the dispatcher's questions

Activate nearest fire alarm pull station. Inform Public Safety of situation

Close doors behind you as you leave

Exit building using nearest, safe exit. DON'T USE ELEVATORS!

- Assemble at least 300 feet from the building
- Give any known information of any missing individuals
- Wait for the all clear signal to re-enter the building

If you hear an alarm:

- Immediately evacuate
- Close doors as you leave
- Exit the building using nearest, safe exit. DON'T USE ELEVATORS!
- Inform the Public Safety department of anyone needing assistance
- Calmly walk to the designed evacuation area
 - Assemble at least 300 feet from the building
 - Inform Public Safety of any missing employees
 - Wait for the all clear signal to re-enter the building

NOTE: Your work group supervisor will ensure all employees are safely evacuated from the building in emergencies requiring evacuation. Employees who have been evacuated because of fire, tornado, or other emergency will return to the appropriate work areas only upon issuance of an "all clear" signal from Lourdes University Public Safety Department, or other emergency respondents, or other method of communication.

SEVERE WEATHER (Tornado)

- Take shelter in your designated area

- Stay away from windows
- Wait for the all clear signal before returning to work area
- If you are on the top floor of a building: Use windowless, interior stairwell(s) to move down to an interior corridor on a floor below
- If you are outside: Take shelter indoors immediately

MEDICAL EMERGENCY

- Using an on-campus phone, call 911 for assistance
- Contact the Public Safety department
- If necessary and you are trained and qualified administer first aid/CPR
- Fill out an incident form

BOMB THREAT EVACUATIONS

If you receive a bomb threat:

- Signal your co-workers(s)
- Try to obtain as much information as possible
- If possible, transfer caller to Lourdes University Department of Public Safety
- Using an on-campus phone, call 911 and state your emergency
- Avoid using electronic devices including cell phones
- Check your immediate area for suspicious, out of place objects
- DO NOT TOUCH ANY OBJECTS YOU FIND!
- If suspicious packages or objects are found; use an on campus phone to call 911
- Follow Lourdes University Department of Public Safety instructions regarding evacuation
- Walk as calmly as possible to the designated evacuation
- Notify Public Safety of any missing co-workers
- Wait for the all clear signal

SUSPICIOUS LOOKING PERSON-ON CAMPUS

If an individual's appearance or actions arouse your suspicion:

- Ask the person to be seated, if the person is requesting to see a particular Lourdes University employee, be polite

- Call 411 or 419-574-3861 and state your emergency
- Give location, physical details and description, if possible
- This will alert Lourdes University Department of Public Safety that a potential problem exists and an officer will be dispatched to your area

LOCKDOWN POLICY

Building or Area Lockdown

A lockdown may be implemented in the face of a hazardous or life threatening situation. It is intended to limit access and hazards if faced with in order to increase safety and reduce possible victimization. When a lockdown is declared, all individuals are to stay put in their current position, unless they are immediately adjacent to the dangerous situation (shooter, bomb threat, etc.) Close and lock all doors, shut window and close blinds, stay low on the floor and behind a desk if possible and barricade, if needed.

The building will have restricted access until the "all clear" is given or individuals are directed by emergency personnel or staff. All University activities, classes and events are immediately paused and will not resume until official notice is given. A lockdown may be called by University officials, law enforcement agencies or other emergency responders. A lockdown may be called for a variety of reasons including; weapons, intruders, and police activity in or around the school, contamination or hazardous materials or terrorist events.

Faculty-Staff Response-Lockdown

During a lockdown a professor or staff person may:

- Detain students in the classroom
- Check the halls and clear hallways of individuals
- Keep students calm
- Keep an attendance log of all students in the room and update throughout the evacuation if necessary
- Keep students secure by locking windows and doors
- Do not allow anyone in or out until an "all clear" signal has been given
- Monitor mobile phone for "Lourdes Alert" text messaging, email

Once the local police arrive, they will be briefed on the situation and they will take command.

Lourdes University also uses the ALICE Program for violent intruders.

A.L.I.C.E.

- A – Alert:** Alert police by calling 911 and public safety by calling 419-574-3861
- L – Lockdown:** If needed lock down in your area, however; used enhanced lock down methods
- I – Inform:** Give as much information as possible to police and public safety so they know who they are looking for and they can inform others through the Lourdes Alert System
- C – Counter:** If possible counter the suspect, defending yourself
- E – Evacuate:** Do not stay in an area of harm, evacuate and get as far from the dangerous zone as possible

A.L.I.C.E does not need to be followed in order.

A.L.I.C.E gives the individual tools to use in a dangerous situation to better their survival against a violent intruder.

There will be a communication link between the local police, Campus Public Safety and University Administration

Lourdes Alert emergency message system will transmit information as quickly as possible.

Always be observant. The personal safety of others may depend on what you remember about the situation.

LOURDES ALERT

Lourdes Alert is a text message/e-mail system provided by Rave Mobile Safety designed to warn students, faculty and staff in the event of an emergency.

The program is an enhancement of the Lourdes' overall emergency preparedness plan and will typically only be used to notify participants of emergency situations, immediate weather alerts and school closings. The University Administration usually will distribute messages to participants. To receive these messages, you must "Register" to the *Lourdes Alert* system using your Lourdes Username.

In order to "Register" go to www.lourdes.edu

- Click on faculty and staff or current students
- Under Resources click Safety and Health
- Click "*LourdesAlert*"
- Click "Register"
- Then follow directions

Fires – On Campus, Student Housing Facilities

	Year	Fires	Injuries	Death
Bonaventure	2018	0	0	0
	2017	0	0	0
	2016	1	0	0
Emmanuel	2018	0	0	0
	2017	2	1	0
	2016	0	0	0
Justinian	2018	3	0	0
	2017	7	0	0
	2016	4	0	0
Rosaria	2018	2	0	0
	2017	0	0	0
	2016	1	0	0
Pioneer	2018	6	0	0
	2017	3	0	0
	2016	5	0	0
Ambrose	2018	1	0	0
	2017	1	0	0
	2016	0	0	0
Cabrini	2018	0	0	0
Felicia	2018	0	0	0

RESIDENCE HALLS FIRE SYSTEM

Fire safety equipment includes smoke detectors and fire extinguishers. Fire extinguishers are located in the hallways of each building and usually the front closet of each apartment. Tampering with equipment compromises the safety of the community and is a violation of university policy and is subject to serious disciplinary action. Each residence hall is equipped with smoke and heat detection sensors that are continuously monitored by Simplex Grinnell County Fire. Smoke alarms will signal the panel box and automatically notify the public safety office to check and clear the alarm. Smoke and heat signals will alarm the building for full evacuation. The alarm will send a signal notifying the Sylvania Fire Department for response. Sylvania fire department will ensure a full evacuation of the building, inspect the reason for the alarm and reset the alarm allowing students to reenter if all is clear. There are two detection devices per residence hall.

FIRE DRILLS & EVACUATIONS

Fire drills are conducted periodically in every building. Throughout each semester there will typically be one scheduled and one unscheduled fire drill. Students and guests are required to exit the building during fire drills and will remain

outside the building until given permission to re-enter when the drill is complete. Failure to leave a residence hall during a fire drill or any actual fire alarm may result in a fine or other student conduct sanctions. The green space across the parking lot is typically the congregation point for students to report to ensure all students are present and out of the building. Report any problems with the detectors immediately to a residence life staff member.

FIRE SAFETY

For fire safety reasons, candles, incense, simmering potpourri and appliances with open heating elements are not permitted in the rooms or apartments. Fireworks and gasoline-powered items are prohibited as well. The following are prohibited: failure to evacuate when a fire alarm is activated, setting a fire in a residence hall or areas associated with residence halls, falsely reporting a fire, using fire equipment for other than the prevention or control of a fire, and damaging or removing the fire equipment, including but not limited to fire alarms, fire extinguishers, smoke detectors, fire hoses, and any other safety devices.

In the event of fire detection, always call 911. Wake your neighbors when possible and evacuate the

building promptly. Notify the RD and or RA when possible. Remain outside the building and away from the route of emergency vehicles until given permission to re-enter.

The university will not be responsible for the loss of or damage to, any personal property of a student. The university strongly recommends that all residents have their belongings covered by renters' insurance.

FIRE SAFETY EDUCATION & TRAINING

Fire safety education and training are included in the RA & RD training week every year. Education and training are generally instructed with the Director of Public Safety as well as the Sylvania Fire Department. Typically included are fire extinguishers, evacuations and general fire safety and care as well as other relevant issues. Usually fire education and training for residence hall students are also part of programming that is generally offered during the fall semester.

FIRE REPORTING

Fires that occur generally should be reported to:

Director Residence Life, T. Todd Masman
419-824-3873, the Den - Sylvan Plaza

Director Public Safety, Michelle McDevitt
419-517-8953, the Commons - 6657 Brint Road