



Annual Security Report

Indiana University School of Medicine-
South Bend

September | 16

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2016 Annual Security Report for Indiana University School of Medicine – South Bend

Indiana University School of Medicine Special Statement

The Indiana University School of Medicine (IUSM) – South Bend campus is considered a separate campus from the larger Indiana University Purdue University Indianapolis (IUPUI) campus for Clery Act reporting and is located on the campus of the University of Notre Dame (ND). IUSM students completing coursework on the ND campus are considered “Guest Students” of ND and may be subject to both IUPUI and ND policies, procedures, and disciplinary processes depending on the nature and/or location of an incident. Guest Students have full campus privileges, excluding the use of on-campus residence and counseling services. IU employees working at the IUSM – South Bend campus may also be subject to both ND and IUPUI policies, procedures and disciplinary action depending on the nature and/or location of an incident.

The IUSM – South Bend facilities, located on the ND campus, are subject to the safety and security policies and procedures of ND. There are no IU police or security personnel on site. In order to provide IUSM – South Bend students and employees with information relevant to space controlled by IU and space controlled by ND, as well as other relevant safety and security policies, available resources, programs, and information, IU is providing Annual Security Report safety and security policies of both IUPUI and ND.

Annual Security Report

In compliance with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act (Clery Act) and the safety-related requirements of the Higher Education Opportunity Act, the Indiana University Police Department (IUPD) on each Indiana (IU) campus produces an Annual Security Report. Each report includes policy statements and specific information regarding the University’s procedures, practices, and programs concerning safety and security (e.g. policies for responding to emergency situations and sexual offenses). Each report also includes three years’ worth of statistics for particular types of crimes that occurred on campus; in certain non-campus buildings or property owned or controlled by the University; and on public property on or immediately adjacent to the campus.

These reports are available online at <https://protect.iu.edu/police-safety/annual-reports/index.html>. You may also request a paper copy from your campus IUPD contact at:

Indiana University Police Department – Indianapolis Division
Ball Annex
1232 W. Michigan Street
Indianapolis, IN 46202
(317) 274-2058 (Administrative)
(317) 274-7911 (Emergency)

Policy Statements

This section of the Annual Security Report discloses the procedures, practices, and programs IU has implemented to keep its students and employees safe and its facilities secure.

I. Reporting Crimes and Other Emergencies

All community members, including students, faculty, staff, and guests, are encouraged to accurately and promptly report all criminal or suspicious actions and any potential emergencies to the Indiana University Police Department (IUPD) or appropriate law enforcement agency, including when the victim of a crime elects to, or is unable to, make such a report. Situations occurring on campus should be reported to the IUPD. For emergencies, dial 9-1-1; if you are using a cell phone, immediately state your location. Incidents may also be reported in any of the following ways:

- By a campus telephone at IUPD – Indianapolis at phone number 911.
- By a non-campus telephone to IUPD – Indianapolis at phone number (317) 274-7911.
- In person to IUPD – Indianapolis at 1232 W. Michigan Street, Indianapolis, IN 46202 (Ball Annex building).
- Via the blue light emergency telephones located on campus property.
- To a police officer, security officer, or cadet officer when encountered.
- Using the online Campus Security Authority Crime Report form at: <https://protect.iu.edu/machform/view.php?id=11507>.

For crimes or emergencies occurring off-campus, reports should be made to local law enforcement by either dialing 9-1-1 or visiting in person.

Clery Act crimes, as described in Appendix A of this report, should be reported to the IUPD for inclusion in the annual statistical disclosure of crimes, and for assessment for Timely Warning notifications.

Response to Report

Depending on the nature of the particular report, the IUPD dispatcher may either send an officer to the caller's location or ask the caller to come to the IUPD office to file an incident report. After the report is filed, an investigation may be conducted.

As required by law or policy, an incident report may be forwarded to other University offices for review for potential action. These offices include:

- Office of the Vice President and General Counsel
- University Title IX Coordinator
- Deputy Title IX Coordinator
- Human Resources
- Academic Affairs
- Office of Insurance, Loss, Control and Claims
- Environmental Health and Safety
- Chancellor
- Vice Chancellor for Finance and Administration
- Vice Chancellor of Student Affairs
- Dean of Students
- Office of Student Conduct
- Office of Housing and Residence Life
- Campus Facility Services

Voluntary, Confidential Reporting

If you are a victim of or witness to a crime, but you do not want to pursue action within the University system or the criminal justice system, you may still choose to make a report and request that it remain confidential. The purpose of such a report is to comply with your wish to keep your identity confidential, while also providing information to help ensure the future safety of yourself

and others. An IUPD officer can file a confidential report detailing the incident without revealing your identity, to the extent allowed by state and federal laws. Certain information and details may be requested for public inspection, as stated in [Indiana Code 5-14-3](#) and as described in the Daily Crime Log section below. Using the information provided in the confidential police report, the University can: keep an accurate record of the number of incidents involving students, employees, and visitors; determine whether there is a pattern of crime with regard to a particular location, method, or assailant; and alert the University community to potential dangers. Reports filed in this manner may be counted and disclosed in the annual statistical disclosure for the University, included in the Daily Crime Log, and used for the assessment of timely warning notifications without using any personally identifiable information.

Campus Security Authorities

Many individuals throughout the University have been identified as Campus Security Authorities (CSA) and have responsibilities to inform the IUPD of specific information regarding any crimes of which they are made aware. If you make a report to a CSA, be aware of their responsibilities and clearly express any interest you have in remaining confidential. Additional information on who at the University may qualify to be a CSA can be found at <https://protect.iu.edu/police-safety/clery/csa.html>.

Pastoral and Professional Counselors

Any pastoral counselors and licensed professional counselors on campus, working in that capacity, are not considered campus security authorities (CSAs). Therefore, they are not required to report crimes for inclusion into the annual disclosure of crime statistics. However, if they deem it appropriate, these counselors may inform students about the University's policies and procedures about reporting crimes on a voluntary basis and seeking help if they are the victim of a crime (see above section on Voluntary, Confidential Reporting).

II. Timely Warnings (Crime Notices) about Crimes

In order to promptly alert students and employees of a serious or continuing threat on or near campus, and to provide them with enough time and information to promote safety and aid in the prevention of similar crimes, IU has instituted a timely warning system. Timely Warnings at IU are called Crime Notices and may be issued for any of the Clery Act crimes, as described in Appendix A of this report, that occur on campus; in certain non-campus buildings or property owned or controlled by the University; and on public property on or immediately adjacent to the campus. Crime Notices may also be distributed for other crimes if deemed necessary by the campus IUPD Chief or their designee.

Crime Notices will be provided to students and employees in a manner that is timely, that withholds the names of victims as confidential, and that will aid in the prevention of similar occurrences. For a Crime Notice to be issued, the crime must be considered a serious or continuing threat to students or employees. The campus IUPD Chief or their designee is responsible for determining the necessity of a Crime Notice and for issuing the notice to members of the IU community. If a crime occurring on campus is determined to be an immediate threat to the health or safety of students or employees, IU will follow the emergency notification procedures listed in the Emergency Notifications (Emergency Alerts) section below.

In deciding whether or not to issue a Crime Notice, the campus IUPD Chief or their designee examines the facts of each incident and considers when and where the incident occurred, when the incident was reported, and any other information available to the IUPD. For example, if an assault occurs between two students who have a disagreement, there may be no ongoing threat to other University community members, and a Crime Notice would likely not be distributed.

Crime Notices are generally written and issued by the campus IUPD Chief or their designee. Certain details may be withheld from a notice if the information would compromise law enforcement efforts. Any details that could disclose the identity of the victim are withheld from Crime Notices. IU-Notify is generally used to send Crime Notices to members of the University

community. If additional information or updates are released, they will be posted to <http://emergency.iu.edu>. Email is the primary method of Crime Notice communication, however, other means of distribution may be used, including:

- Text messages.
- Posting to Protect IU webpage updates (<http://protect.iu.edu/>).
- Posted on <http://emergency.iu.edu>.
- Posted on <http://police.iupui.edu>, click on "IU Emergency Information" which links to <http://emergency.iu.edu>.

More information on IU-Notify and instructions on how to update your contact information can be found at <https://protect.iu.edu/emergency-planning/communication/iu-notify.html>. For members of the IU community, it is suggested that you provide the best phone number to reach you and an email address in order to receive alerts and notices. You should update and verify your information regularly.

III. Emergency Notifications (Emergency Alerts)

When IU receives a report of a potential emergency or other dangerous situation occurring on or imminently threatening the campus, public safety and campus officials respond and assess each incident. Upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students and/or employees, the University will immediately notify the campus community. Emergency notifications at IU are called Emergency Alerts. University officials authorized to send alerts via the emergency notification system will, without delay and taking into account the safety of the community, collaborate to determine the content of the notification and initiate the notification system. These officials will communicate information regarding the threat either to the campus community as a whole or to the appropriate segment of the community if the threat is limited to a particular building or segment of the population. IU will not immediately issue a notification for a confirmed emergency or dangerous situation if by doing so, in the professional judgment of public safety and campus officials, it will compromise efforts to assist a victim, to contain the emergency, to respond to the emergency, or to otherwise mitigate the emergency.

IU's use of emergency response and notification procedures is not necessarily limited to crimes. An incident such as a serious gas leak, tornado, hazardous materials spill, winter storm, outbreak of a serious illness, or other hazards could also warrant the use of this protocol following confirmation by the appropriate authorities that a hazardous condition exists.

University officials authorized to send alerts via the emergency notification system include the following staff: Public Safety and Institutional Assurance officials (including IUPD and Emergency Management and Continuity personnel) and Communications/Marketing personnel. These officials will use their discretion to determine the content of the alert, specific method(s) of notification, recipients of the notification, and the sending authority. Usually, such notification will be made using the IU-Notify emergency notification system. Notification may be accomplished using a variety of messaging methods which may include one or more of the following: text messages, telephone calls, email, social media, television cable override, sirens, digital signage, website banners, face-to-face communications, and/or public address systems. If there is a need to disseminate information outside of the campus community, it can be communicated in any of the following ways:

- Posted to the IU Protect website at <https://protect.iu.edu>.
- Distributed to local news agencies.
- Posted to Facebook at <https://www.facebook.com/iuemergencyupdates/>.
- Posted to <http://emergency.iu.edu>.
- Posted to WebEOC (which provides selected information to surrounding public safety jurisdictions and the Indiana Department of Homeland Security).

- Posted as a web banner at <http://www.iupui.edu>.
- Posters and flyers in campus buildings.

The purpose of initial emergency alerts is to put the campus community on alert. Initial alerts may contain very limited information on the nature of what is happening and specific locations. The University will provide proper follow-up information as it becomes available and as appropriate.

More information on IU-Notify and instructions on how to update your contact information can be found at <https://protect.iu.edu/emergency-planning/communication/iu-notify.html>. For members of the IU community, it is suggested that you provide the best phone number to reach you and an email address in order to receive alerts and notices. You should update and verify your information regularly.

IV. Emergency Response and Evacuation Procedures and Tests

Emergency Procedures

IU Emergency Management and Continuity (IUEMC) assists departments and campuses with developing, maintaining, and implementing emergency operations plans, developing and conducting exercises, hazard and risk education, and building partnerships with external response agencies. IUEMC is responsible for assisting with and coordinating the University's overarching mitigation, preparedness, response and recovery programs.

Emergency response and evacuation procedures are documented in the campus Comprehensive Emergency Management Plans and Emergency Procedures and Building Emergency Action Plans. Evacuation route maps are posted in hallways throughout campus buildings. Procedures for potential emergencies can be found at: <https://protect.iu.edu/emergency-planning/procedures/index.html>.

Tests, Drills, and Exercises

Announced and/or unannounced drills are scheduled and executed annually to test evacuation and emergency procedures.

An announced test of the IU-Notify emergency notification system is conducted at least once per calendar year. This test also publicizes the <https://protect.iu.edu> website, which contains information about emergency procedures.

Each test, drill, and exercise is designed to evaluate IU's emergency plans and capabilities and is documented in writing. The documentation includes a description of the test/drill/exercise, the date held, the time started and ended, whether the test/drill/exercise was announced or unannounced, and includes any follow-through activities designed for assessment and evaluation of emergency plans and capabilities.

Campus tests, drills, and exercises performed in the calendar year for this report include:

Description of Event (ie name of exercise)	Date	Start Time	End Time	Announced or Unannounced
Operation Stormy Weather	3/19/2015	10:00am	10:30am	Announced
Operation Stormy Weather	3/19/2015	7:30pm	8:00 pm	Announced
Fire/Evacuation Drills -Lohse & Thornburgh	3/30/2015	10:30 am	10:35 am	Unannounced
Fire/Evacuation Drills - Sewall, Stewart, Stout	3/30/2015	10:19 am	10:24 am	Unannounced
Fire/Evacuation Drills - Boaz, Blackford, Blackburn	3/30/2015	10:08 am	10:15 am	Unannounced
Fire/Evacuation Drills - McCormick, Orvis, Montgomery	3/30/2015	9:52 am	9:57 am	Unannounced
Fire/Evacuation Drills - Ball Residence	3/30/2015	10:48 am	10:55 am	Unannounced

Fire/Evacuation Drills - Ball Annex	3/30/2015	10:48 am	10:55 am	Unannounced
Fire/Evacuation Drills - Rubins, Garrett, Ransom	3/31/2015	10:03 am	10:09 am	Unannounced
Fire/Evacuation Drills - Warthin, Honors, Walker	3/31/2015	9:26 am	9:32 am	Unannounced
Fire/Evacuation Drills - International and Hardrick	3/31/2015	9:53 am	9:59 am	Unannounced
Fire/Evacuation Drills - Fox & Morton-Finney	3/31/2015	9:45 am	9:49 am	Unannounced
Fire/Evacuation Drills - Clark and Cable	3/31/2015	9:36 am	9:41 am	Unannounced
Mass Casualty Seminar	4/8/2015	8:30 am	3:30pm	Announced
Fire/Evacuation Drills - University Tower	4/22/2015	10:00 am	10:11 am	Unannounced
Business Continuity Table Top Exercise - University College	5/4/2015	1:00 pm	4:00 pm	Announced
Fire/Evacuation Drills - Lohse & Thornburgh	9/2/2015	10:09 am	10:15 am	Unannounced
Fire/Evacuation Drills - Sewall, Stewart, Stout	9/2/2015	10:19 am	10:24 am	Unannounced
Fire/Evacuation Drills - Boaz, Blackford, Blackburn	9/2/2015	10:29 am	10:33 am	Unannounced
Fire/Evacuation Drills - McCormick, Orvis, Montgomery	9/2/2015	11:18 am	11:23 am	Unannounced
Fire/Evacuation Drills - Rubins, Garrett, Ransom	9/2/2015	10:39 am	10:42 am	Unannounced
Fire/Evacuation Drills - Warthin, Honors, Walker	9/2/2015	10:57 am	11:01 am	Unannounced
Fire/Evacuation Drills - International and Hardrick	9/2/2015	10:45 am	10:48 am	Unannounced
Fire/Evacuation Drills - Fox & Morton-Finney	9/2/2015	11:12 am	11:16 am	Unannounced
Fire/Evacuation Drills - Clark and Cable	9/2/2015	11:03 am	11:07 am	Unannounced
Fire/Evacuation Drills - University Tower	9/2/2015	9:23 am	9:33 am	Unannounced
Fire/Evacuation Drills - Ball Residence	9/2/2015	1:15 pm	1:20 pm	Unannounced
Fire/Evacuation Drills - Glick Eye Clinic	9/5/2015	9:54 am	9:59 am	Unannounced
Fire/Evacuation Drills - University Hall	9/29/2015	10:58 am	11:06 am	Unannounced
Fire/Evacuation Drills - Lecture Hall	9/29/2015	11:20 am	11:24 am	Unannounced
Fire/Evacuation Drills - Education and Social Work	9/29/2015	10:35 am	10:43 am	Unannounced
Fire/Evacuation Drills - Business / SPEA	9/29/2015	10:18 am	10:27 am	Unannounced
Fire/Evacuation Drills - Health Information and Technologies	9/29/2015	9:46 am	9:53 am	Unannounced
Fire/Evacuation Drills - Inlow Hall	10/1/2015	10:30 am	10:36 am	Unannounced
Fire/Evacuation Drills - Engineering Science and Technology & Science Building	10/1/2015	9:43 am	9:48 am	Unannounced
Fire/Evacuation Drills - Science and Engineering Laboratories	10/1/2015	10:14 am	10:17 am	Unannounced
Fire/Evacuation Drills - Eskenazi Hall	10/1/2015	10:59 am	11:04 am	Unannounced
Fire/Evacuation Drills - Oral Health	10/1/2015	1:28 pm	1:30 pm	Unannounced
Fire/Evacuation Drills - Physical Plant	10/1/2015	1:43 pm	1:47 pm	Unannounced
Fire/Evacuation Drills - Gatch Hall	10/1/2015	12:50 pm	12:56 pm	Unannounced
Fire/Evacuation Drills - Nursing School	10/1/2015	12:35 pm	12:41 pm	Unannounced
Fire/Evacuation Drills - Long Hall	10/1/2015	1:02 pm	1:06 pm	Unannounced
Fire/Evacuation Drills - University Library	10/1/2015	9:27 am	9:32 am	Unannounced

Fire/Evacuation Drills - Rotary	10/5/2015	10:17 am	10:21 am	Unannounced
Fire/Evacuation Drills - Riley Research	10/5/2015	10:08 am	10:12 am	Unannounced
Fire/Evacuation Drills - Coleman Hall	10/5/2015	9:44 am	9:48 am	Unannounced
Fire/Evacuation Drills - Fesler Hall	10/5/2015	9:18 am	9:22 am	Unannounced
Fire/Evacuation Drills - Eskenazi Fine Arts Center / Campus Services 3	10/5/2015	3:34 pm	3:38 pm	Unannounced
Fire/Evacuation Drills - 1430 Indiana Ave	10/5/2015	3:22 pm	3:25 pm	Unannounced
Fire/Evacuation Drills - Research Institute	10/5/2015	10:42 am	10:49 am	Unannounced
Fire/Evacuation Drills - Walther Hall	10/5/2015	10:54 am	11:05 am	Unannounced
Fire/Evacuation Drills - Cancer Research Center	10/5/2015	11:09 am	11:15 am	Unannounced
Fire/Evacuation Drills - Campus Center	10/6/2015	2:31 pm	2:38 pm	Unannounced
Fire/Evacuation Drills - 1000 Waterway	10/6/2015	3:21 pm	3:25 pm	Unannounced
Fire/Evacuation Drills - 1200 Waterway	10/6/2015	3:06 pm	3:10 pm	Unannounced
Fire/Evacuation Drills - ICTC	10/9/2015	11:05 am	11:12 am	Unannounced
Fire/Evacuation Drills - Engineering and Technology	10/9/2015	11:25 am	11:29 am	Unannounced
Fire/Evacuation Drills - Vermont St. Garage	10/9/2015	11:52 am	11:54 am	Unannounced
Fire/Evacuation Drills - Biotechnology Research and Training Center	10/13/2015	10:33 am	10:38 am	Unannounced
Fire/Evacuation Drills - Cavanaugh Hall	10/13/2015	11:10 am	11:14 am	Unannounced
Fire/Evacuation Drills - Taylor Hall	10/13/2015	11:30 am	11:36 am	Unannounced
Fire/Evacuation Drills - Lockefield Village	10/13/2015	10:51 am	10:56 am	Unannounced
Fire/Evacuation Drills - Neuroscience	10/13/2015	10:06 am	10:11 am	Unannounced
Fire/Evacuation Drills - Hine Hall	10/15/2015	12:57 pm	1:02 pm	Unannounced
Fire/Evacuation Drills - Dental School	10/15/2015	1:21 pm	1:28 pm	Unannounced
Fire/Evacuation Drills - Regenstrief	10/15/2015	2:05 pm	2:07 pm	Unannounced
Fire/Evacuation Drills - Emerson Hall	10/15/2015	2:27 pm	2:31 pm	Unannounced
Fire/Evacuation Drills - Campus Services 4	10/16/2015	10:35 am	10:37 am	Unannounced
Fire/Evacuation Drills - VanNuys Medical Sciences Building / Daly Center	10/16/2015	1:31 pm	1:41 pm	Unannounced
Fire/Evacuation Drills - Medical Research Library	10/16/2015	1:45 pm	1:50 pm	Unannounced
Fire/Evacuation Drills - McCormick, Orvis, Montgomery	12/3/2015	10:20 am	10:25 am	Unannounced
Fire/Evacuation Drills - Rubins, Garrett, Ransom	12/3/2015	10:31 am	10:36 am	Unannounced
Fire/Evacuation Drills - Warthin, Honors, Walker	12/3/2015	10:55 am	11:01 am	Unannounced
Fire/Evacuation Drills - International and Hardrick	12/3/2015	10:41 am	10:46 am	Unannounced
Fire/Evacuation Drills - Natatorium	12/3/2015	8:30 am	8:42 am	Unannounced
Fire/Evacuation Drills - Lohse & Thornburgh	12/7/2015	10:23 am	10:28 am	Unannounced
Fire/Evacuation Drills - Sewall, Stewart, Stout	12/7/2015	10:38 am	10:43 am	Unannounced
Fire/Evacuation Drills - Boaz, Blackford, Blackburn	12/7/2015	10:49 am	10:54 am	Unannounced
Fire/Evacuation Drills - Fox & Morton-Finney	12/7/2015	11:00 am	11:03 am	Unannounced
Fire/Evacuation Drills - Clark and Cable	12/7/2015	11:08 am	11:11 am	Unannounced

Fire/Evacuation Drills - Ball Residence	12/7/2015	11:34 am	11:39 am	Unannounced
Fire/Evacuation Drills - University Tower	12/11/2015	1:30 pm	1:42 pm	Unannounced

V. Daily Crime Log

The Daily Crime Log includes records of criminal incidents and alleged criminal incidents that have been reported to the Indiana University Police Department (IUPD) on each campus. The Daily Crime Log entries contain more detail than the Annual Crime Statistics Disclosure. It includes all crimes, not just those reported for Clery Act purposes. It also includes crimes that occur within the IUPD's patrol jurisdiction, which may be broader than on-campus. Information may not be included in the log if prohibited by law or if the disclosure would jeopardize an ongoing investigation. If you would like to see your campus' Daily Crime Log, you can do so by:

- Visiting IUPD – Indianapolis at 1232 W. Michigan Street, Indianapolis, IN 46202 (Ball Annex building) during normal business hours.
- Visiting IUPD – Indianapolis website at <http://www.police.iupui.edu/crime-logs/default.asp>.

VI. Security of and Access to Campus Facilities

IU campuses are open to the public. During business hours, most buildings are open to students, parents, employees, contractors, guests, and invitees; however, there may be restricted areas that are not accessible without permission from a university representative. On evenings and weekends, certain buildings are open for scheduled classes, events, or meetings. Some buildings may stay open 24 hours or have hours that vary at different times of the year. Buildings will be closed according to schedules developed by the department responsible for the building. When a building is closed, only faculty, staff, and students with specific authorization are permitted inside. Emergencies may necessitate changes to any posted schedules.

Academic and Administrative Building Access

Campus security and access controls include:

- Building hours are determined by the schools and departments that occupy the building along with the building's building coordinator. When a building is closed, only faculty, staff, and students with specific needs are allowed inside.

Campus Residence Access

Special considerations for campus residence access include:

- Each community desk is open from 8am – 9pm daily and the staff working the desk help monitor access for each community.
- Each residential community have live-in professional staff (called Residence Coordinators) and live-in undergraduate resident assistants who are trained in safety and security.
- Live-in IUPD part-time officers monitor the residential communities. Full-time IUPD officers patrol the residential areas frequently.
- Every community has physical safety measures in place. Here is a breakdown of each facility:

Residential Community	Security and Access Controls
Park Place	<ul style="list-style-type: none"> • Cameras in the main lobby and elevator lobbies on each floor. • Door to elevator lobby locks at 9pm and is only accessible by students and guests with card access. • Each door to an apartment has a lock. • Each bedroom door in each apartment can be locked.

Riverwalk Apartments	<ul style="list-style-type: none"> • All exterior doors to each house are equipped with 24/7 electronic card access control. • Access to these houses is controlled by Housing and Residence Life. • There is a deadbolt lock on every main apartment door in the building. • Each bedroom can be locked.
Townhomes	<ul style="list-style-type: none"> • Exterior doors have deadbolt locks. • Interior sliding glass doors have rods in the base to prevent them from being opened as well as a lock.
Ball Residence	<ul style="list-style-type: none"> • Front doors to the building are locked 24/7 and require card access for entry. • This residential community is equipped with 24/7 electronic card access control to each of the residential wings. • Each room has a locking mechanism on it. • There are cameras located at entry points and in the lobby area on the first level.
University Tower	<ul style="list-style-type: none"> • The first two floors of this building are open to the public during the times the building is open. • The residential floors of this building are controlled 24/7 by electronic card access, including elevators and stairwells. • Access to the residential floors are controlled by Housing and Residential Life. • Each individual room door is on card access and set to lock as default when the door is closed. • Cameras are located in the main lobby area and in each elevator lobby.
North Hall	<ul style="list-style-type: none"> • The front door is locked 24/7 and requires card access for entry. • Elevators in the main lobby are on card access and can only be used by people with access on their cards. • Student room doors are on card access and locked automatically when shut. • Cameras are located in the main lobby and in elevator lobbies.

VII. Security Considerations for the Maintenance of Campus Facilities

IUPD officers patrol campus buildings and grounds regularly. If officers notice any unsafe conditions, such as poor lighting, they report such conditions to the appropriate campus administrators for correction.

Members of the campus community are encouraged to report safety issues to the IUPD or one of the following:

- IUPD – Indianapolis at (317) 274-7911
- Campus Facilities Services at (317) 278-1900
- Parking and Transportation Services at (317) 274-4232

A very strong commitment to campus security and safety is maintained through regular inspection of the following:

- IUPD and Campus Facilities Services employees constantly look for and report problems with lighting, locks, security equipment, and for other public safety hazards as they perform their daily duties.
- Members of the campus community are encouraged to report any exterior lighting deficiencies to Campus Facilities Services. A comprehensive survey of all exterior lighting is conducted on a monthly basis.

- Campus Facilities Services personnel check interior lighting regularly. Members of the campus community are encouraged to report any interior lighting deficiencies to Campus Facilities Services.
- IUPD checks exterior doors and locking hardware regularly. Members of the campus community are encouraged to report any door or locking hardware deficiencies to the Campus Facilities Services.
- Some exterior doors on campus are locked and secured each evening by IUPD personnel or by Campus Facilities Services personnel. Some exterior doors on campus are automatically locked electronically.
- Facilities and landscaping are maintained in a manner that minimizes hazardous conditions. IUPD regularly patrols campus and checks that pathways are well lit, and that other hazards are addressed. Report shrubs or trees that might create an unsafe area as well as poor lighting Campus Facilities Services.
- IUPD reports malfunctioning lights and other unsafe physical conditions to Campus Facilities Services for correction. Other members of the campus community are helpful when they report equipment problems to IUPD or Campus Facilities Services.
- Campus buildings and grounds are patrolled regularly.
- Emergency telephones are surveyed monthly for deficiencies.

VIII. Missing Student Notification

IU's policy is to thoroughly investigate all reports of missing persons, and to ensure that all missing person notifications to law enforcement and others are made promptly and in accordance with applicable state and federal law.

If a student who resides in on-campus housing is believed to be missing, University staff must report it immediately to the IUPD. The IUPD will obtain a report and initiate an investigation. If the IUPD determines that a student has been missing for more than 24 hours, the IUPD will notify local law enforcement and inform the student's designated contact person(s) no more than 24 hours after the student is determined to be missing. If circumstances warrant, IUPD may initiate these procedures if the student has been missing for less than the 24-hour time frame.

Any student residing in on-campus housing may identify both an emergency contact and a contact who will be notified should the student be determined missing by IUPD, and this information should be updated regularly. If a student has identified such a person, the IUPD will notify that person no more than 24 hours after the student is determined to be missing. If the missing student is under the age of 18 and is not an emancipated person, the IUPD will notify the student's parent or legal guardian in addition to the student's designated contact.

Contact information will be registered confidentially for all students, will be accessible only to authorized campus officials, and will not be disclosed unless needed in a missing student investigation. A student can register their missing student contact information by:

- Visit <http://housing.iupui.edu/HSC>, log into the Housing Service Center, and click on "Manage My Contacts."

Information about the missing person will be entered into the National Crime Information Center (NCIC) within two hours of being received by police. This information will also be sent to any police department near the location where the missing student was last seen and to any law enforcement agency requested by the reporting party, provided the officer considers the request to be reasonable.

IX. Crime Prevention and Security Awareness

The IUPD, along with many other IU departments, uses a variety of media to provide information about crime prevention, to publicize campus security procedures and practices, and to encourage community members to be responsible for their own security and for the security of others.

Campus security and fire safety procedures are specifically discussed during new student orientation. In addition, representatives from the IUPD, the Office of Environmental Health and Safety (EHS), and the Office of Emergency Management and Continuity (IUEMC) participate in forums, engage in town hall meetings, and are available by request to address student and employee questions and to explain University security, public safety, and fire safety measures. Members of the IUPD conduct presentations about crime prevention and general security and safety awareness upon request. Information typically provided includes crime prevention tips; statistics on crime at IU; fire safety information; information about campus security procedures and practices; and encouragement to all community members to be responsible for their own security and for the security of others. IU also offers ongoing educational programs to promote awareness and prevention of domestic violence, dating violence, sexual assault, and stalking. More information about these programs can be found in the Dating Violence, Domestic Violence, Sexual Assault and Stalking (Sexual Misconduct) section of this report.

Campus security awareness and crime prevention programs include:

Description of Program	Frequency	Contact/Additional Information
During floor and building meetings in every residential community, Housing and Residence Life staff address safety and security topics.	Beginning of each semester	Housing and Residence Life (317) 274-7200
Housing and Residence Life staff present information about safety and security in the on campus residential facilities.	Each new student orientation	Housing and Residence Life (317) 274-7200
Emergency Training for Housing Live-in Professional and Undergraduate Staff is designed for all housing live-in professional and undergraduate staff to be trained in emergency response, mental health crisis response, and to respond to acts of sexual and/or physical violence. Staff are trained so that they can assist the residents living on campus when there is an emergency or difficult personal situation.	Beginning of each semester	Housing and Residence Life (317) 274-7200
Campus Security Authority (CSA) training informs CSAs about their reporting responsibilities under the Clery Act and provides information on how to report crimes.	Available online through Expand anytime	IU Public Safety iups@iu.edu
Rape Aggression Defense (RAD) is offered to female students and employees only and teaches awareness, prevention, risk reduction, avoidance, and defense training.	Each Fall and Spring Semester	IUPD-Indianapolis (317) 274-2058
Handling Difficult Situations covers de-escalation techniques for dealing with irate individuals.	As Requested	IUPD-Indianapolis (317) 274-2058
General Safety Presentations cover crime prevention tips for personal safety, safety of others, and safety of the campus community.	As Requested	IUPD-Indianapolis (317) 274-2058 https://www.indiana.edu/~forms/iupuifa_forms/machform/view.php?id=45235

Workplace Violence educates employees on recognizing the warning signs of a violent person or situation, documentation, and reporting.	As Requested	IUPD-Indianapolis (317) 274-2058
Housing staff are provided a general overview of illegal narcotics and paraphernalia that they may encounter while performing their duties.	Beginning of each fall semester	IUPD-Indianapolis (317) 274-2058
Crime Prevention Through Environmental Design (CPTED) is a process that involves a survey of the physical, mechanical and organizational structure of a location for the purpose of identifying those features which may contribute to unwanted behaviors such as criminal acts. CPTED and Crime Prevention are very closely linked in that a CPTED survey often results in additional crime prevention recommendations. Eligibility for a CPTED survey is generally predicated upon the existence of a current behavioral problem related to a crime and is usually conducted upon request.	As Requested	Physical Security and Access physec@iu.edu
During CPR training, procedures for calling 911 while on campus are explained.	As Requested	Environmental Health and Safety (317) 274-2005
Response to Armed Assailant is a class for students and employees to learn about their options and the police response to an armed assailant.	As Requested	Emergency Management and Continuity iuemc@iu.edu IUPD-Indianapolis (317) 274-2058
Building Emergency Coordinator Campus Safety Information Meeting provides information about safety and security on campus, fire safety, safe working environments, and emergency preparedness.	Each Fall and Spring Semester	Emergency Management and Continuity iuemc@iu.edu
Public Safety Presentation provides an overview of public safety at IUPUI for new employees. Several topics are covered including information about the campus police department, Office of Insurance, Loss Control & Claims, fire safety, IU-Notify, and the Emergency Procedures Flipchart. Participants are also encouraged to report suspicious activities.	Each new employee orientation	Emergency Management and Continuity iuemc@iu.edu
The Division of Student Affairs presents information at summer orientation on the role student's play in keeping their community safe, including an overview of resources available to them to make a report or seek help. Sexual misconduct and consent receive particular attention in this session.	Every summer during each orientation rotation	Educational Partnerships and Student Success (317) 274-3699
Campus Recreation conducts a two-day student staff training addressing safety and security topics.	Required prior to fall semester	Campus Recreation (317) 274-0613
Campus Recreation provides training and proper procedure on two-way radio operations, rules and regulations for usage that include direct contact with IUPD dispatch and providing accurate information.	As Requested	Campus Recreation (317) 274-0613
Knowing the Code: Understanding Indiana University's Code of Student Rights, Responsibilities, and Conduct presentation focuses on the types of academic and personal misconduct and the consequences of violating the Code. Indiana Lifeline Law and bystander intervention techniques are also discussed.	As Requested	Office of Student Conduct (317) 274-4431

X. Campus Law Enforcement/Indiana University Police Department (IUPD)

Enforcement Authority and Jurisdiction

The IUPD employs sworn police officers who are certified by the State of Indiana and who meet state-mandated training requirements. These officers have full police powers, including the power to arrest, as granted by the State of Indiana ([IC 21-39-4](#)), and have access to national and state law enforcement computer networks.

IUPD also employs non-sworn security officers who provide additional patrols on campus. These non-sworn officers do not have the power to arrest nor do they have the power to enforce Indiana law. They report crimes that they observe to the sworn officers.

Both sworn and non-sworn IUPD officers have primary jurisdiction on any real property owned or occupied by the University, including the streets passing through and adjacent to such property. These officers also have the power to assist university officials in the enforcement of IU's rules and regulations. In addition, IUPD officers who have been certified by the State of Indiana as required by Indiana Code [21-39-4-6\(a\)\(2\)](#) are authorized to exercise their police powers throughout the State of Indiana, consistent with Indiana law, and subject to certain terms and restrictions contained in the [University's Exercise of Extended Jurisdiction by Officers of the Indiana University Police Department](#) policy.

On an as needed basis, for events occurring on campus, the University will retain contracted security personnel through approved security companies. Contracted security personnel do not have the power to arrest nor do they have the power to enforce Indiana law. They report crimes they observe to sworn officers. Contracted security personnel will report violations of institutional policy to the IUPD. Their jurisdiction is limited to the location and space described in the agreement for service.

Working Relationship with State and Local Enforcement Agencies

By resolution of the Indiana University Board of Trustees, and consistent with Indiana law, University police are authorized to exercise police powers beyond their primary jurisdiction in certain circumstances, as described in the policy linked in the Enforcement Authority and Jurisdiction section directly above. The IUPD maintains a cooperative working relationship with municipal and county law enforcement agencies in the geographic areas in which campuses are located, as well as with Indiana State Police and Federal agencies. When investigating alleged criminal offenses, the IUPD cooperates with the appropriate law enforcement agencies and other criminal justice authorities.

These cooperative working relationships include:

- Indianapolis Metropolitan Police Department– No written Memorandum of Understanding (MOU).
- Indiana State Capitol Police Department– No written MOU.
- Indiana State Police Department– No written MOU.
- Veterans Administration Police Department– No written MOU.
- Marion County Sheriff's Office– No written MOU.
- IU Health Police Department– No written MOU.
- Butler University Police Department– No written MOU.
- Marion University Police Department– No written MOU.

IUPD officers normally investigate all criminal offenses that occur in the IUPD's primary jurisdiction and work with the staff of cooperating agencies when incidents arise that require joint investigative efforts, resources, crime-related reports, and exchanges of information. The officers of IUPD and cooperating agencies communicate regularly at the scene of incidents that occur in and around the campus. Meetings may be held between the IUPD and cooperating law enforcement agencies for purposes of sharing information on both a formal and informal basis. Local and state police agencies provide back-up assistance for any emergency that might require extensive police

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services. Any law enforcement officer may come onto campus at any time; just as IUPD officers have powers to arrest, law enforcement officers from other agencies can arrest students and visitors on campus for violations of law within their agencies' jurisdictions. In addition, the University has the responsibility of advising the appropriate authorities of violations of civil or criminal law committed by anyone on campus. The University will report violations either when a request for specific information is made or when there is a danger to life or property.

XI. Crimes at Non-Campus Locations

The IUPD uses University records to identify and monitor activity at non-campus property. Non-campus property, for this purpose, is defined as (1) Any building or property owned or controlled by a student organization that is officially recognized by the institution; or (2) Any building or property owned or controlled by an institution that is used in direct support of, or in relation to, the institution's educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution. The IUPD sends annual requests to the law enforcement agencies with jurisdiction over these locations to request crime statistics and to be alerted when a serious or ongoing threat is occurring at any non-campus location.

If IU students are implicated in criminal activity occurring off-campus, including non-campus locations of student organizations officially recognized by IU (with or without housing facilities), the law enforcement agency with jurisdiction may notify the IUPD; however, there is no official policy requiring such notification. Students in these cases may be subject both to arrest by the law enforcement officers and to the University's disciplinary action through:

- IUPUI Office of Student Conduct (317) 274-4431.

IUPUI operates no off-campus housing or off-campus student organization facilities.

XII. Alcohol and Drugs

The possession, use, sale, manufacturing or distribution of any controlled substance, including alcohol, on the IU campus is governed by the University's [Substance Free Workplace Policy](#), [Substance-free Workplace for Academic Appointees Policy](#), [IU Code of Student Rights, Responsibilities, and Conduct](#), [Requirements for Service of Alcoholic Beverages on Indiana University Premises Policy](#), and the laws of the State of Indiana. The Indiana Alcoholic Beverage Commission (ABC) oversees state laws regarding the possession, use, sale, consumption, or furnishing of alcohol. However, the enforcement of alcohol laws on campus is primarily the responsibility of the IUPD. IU has been designated "drug free," and the consumption of alcohol on campus is only permitted under certain circumstances as set forth by University policy. The provision of and service of alcoholic beverages must be completely catered by an established firm which is currently licensed by the State of Indiana Alcoholic Beverage Commission with an "off-premises" permit. All persons engaged in the service must be agents of the licensed caterer. In addition, no alcoholic beverages may be served for any group of undergraduate students of the University, or for any function where it is reasonable to expect consumption by persons under the age of twenty-one years.

IU prohibits the unlawful possession, use, or distribution of illicit drugs and alcohol on IU property or as part of any IU sponsored activities. The illegal possession, use, sale, manufacture, or distribution of any controlled substance is against IU policy and enforced under both state and federal laws. The IUPD proactively enforces these laws and University policies, including state underage drinking laws. Violators may be subject to University disciplinary action, criminal prosecution, fine, and/or imprisonment. Additional information and resources can be found on [Protect IU](#).

Underage Drinking

It is unlawful to sell, furnish, or provide alcohol to a person who is under the age of 21. The possession of alcohol by anyone under 21 years of age is illegal. Organizations or groups violating alcohol/substance policies or laws, [Indiana Code \(IC 7.1-5-7-8\)](#), may be subject to sanctions by the University.

Please note that under [Indiana's Lifeline Law \(IC 7.1-5-1-6.5\)](#), individuals are afforded immunity against certain charges for alcohol related crimes in connection with a report of a medical emergency, so long as they cooperate with law enforcement at the scene.

Alcohol and Drug Programs

IU is committed to promoting the health and safety of its campus community through drug and alcohol education, prevention, and awareness programs and the implementation of relevant policies. Current education, prevention and awareness programs include:

Name of Program	Description	Contact/Additional Information
AlcoholEdu® for College	AlcoholEdu® for College is a third party online alcohol education course administered each Fall with incoming IUPUI students. The course includes information about IUPUI-specific policies, state laws, effects of alcohol, social perceptions of college drinking, harm reduction strategies, and healthy choices. Corresponds to NIAAA CollegeAIM IND-17.	Office of Health & Wellness Promotion (HWP) Eric Teske, Assistant Director of Substance Abuse Prevention (317) 274-4745 erictesk@iupui.edu
eCHECKUP TO GO	eCHECKUP TO GO modules are continuously available web-based screening and educational programs. These programs provide personalized, evidence-based, prevention interventions for alcohol & marijuana. The programs provide customized feedback and individual comparisons between student responses and national and IUPUI norms. The online courses cover quantity and frequency of use, amount consumed, normative comparisons, physical health information, amount and percent of income spent, negative consequence feedback, explanation, advice and local referral information. Corresponds to NIAAA CollegeAIM IND-21.	Counseling and Psychological Services (CAPS) Dr. Julie Lash, Director (317) 274-2548 capsindy@iupui.edu
Bystander Intervention Campaign and Training	IUPUI's bystander intervention campaign and training workshop provide background information on the effect of alcohol and other drugs, alcohol poisoning, the definition of sober consent, the Indiana Lifeline Law (medical amnesty law), alcohol social norms, and skills training for effective interventions. The training workshop is 90-minutes and includes scenario practice and practice interacting in pairs. The larger campus campaign, JagNation: A Culture of Care, includes social marketing and advocacy for peer interventions. Corresponds to NIAAA CollegeAIM ENV-6.	JagNation: A Culture of Care Ta-Kisha Darden, Health Promotion Coordinator takldard@iupui.edu Eric Teske, Assistant Director of Substance Abuse Prevention erictesk@iupui.edu (317) 274-4745

<i>BASICS</i>	<p>BASICS-style motivational interviewing screening interventions are utilized in partial fulfillment of student sanctions for mid-level to elevated alcohol policy violations, and a similar format is utilized for brief motivational interviewing screenings for marijuana. Following a BASICS-style format, these interventions are confidential and conducted in a counseling setting. They include intake paperwork, an initial 90 minute session that establishes rapport and gathers information about intensity and frequency of use, negative consequences, family history, and the client's support network. This session is followed by a paper-pencil assessment that includes a bundle of screening instruments that are scored and the results are interpreted with the student during the second 90 minute session that focuses on goals and risk reduction in the future. Corresponds to NIAAA CollegeAIM IND-16.</p>	<p>Counseling and Psychological Services (CAPS) Dr. Julie Lash, Director (317) 274-2548 capsindy@iupui.edu</p>
<i>Late Night Alcohol Alternative Events</i>	<p>The first 3 weeks of the semester are highlighted with a series of events called Weeks of Welcome. In addition to getting students involved with campus life, the series includes late-night options that serve as alternatives to partying with alcohol.</p> <p>In addition to late night events occurring during the first few weeks of school, the Office of Health and Wellness Promotion has been running a cost-effective Friday night program called "Unplugged Coffeehouse" for the past 2 years. These events are offered from 9-11pm in an on-campus bistro space, include live music, catered coffee, and regularly attract between 90-150 students. Corresponds to NIAAA CollegeAIM ENV-2.</p>	<p>Office of Educational Partnerships and Student Success Gwen Chastain, Director (317) 274-3699 ghobley@iupui.edu</p>
<i>Office of Health and Wellness Promotion</i>	<p>The Office of Health & Wellness Promotion provides services to students covering a wide range of topics, including mental health, sexual health, alcohol and drug education, sexual assault prevention, addiction recovery, fitness, nutrition, etc.</p> <p>The Alcohol and Other Drug Education section of the Health and Wellness Promotion website contains sections on alcohol education content, a drug glossary, campus statistics, state alcohol and drug laws, university alcohol and drug policies, community resources and referral network links, and information about the students in recovery program. Educational presentations on those topics and more can be requested through an online form. Corresponds to NIAAA CollegeAIM IND-1.</p>	<p>Alcohol and Other Drug Education Eric Teske, Assistant Director of Substance Abuse Prevention (317) 274-4745 erictesk@iupui.edu</p>
<i>Addiction Recovery Support</i>	<p>IUPUI's addiction recovery support initiatives include a registered student organization, free access to sessions with a professional Recovery Coach, weekly on-campus support meetings, opportunities to develop social support, and engagement with social norms, stigma reduction, and advocacy campaigns.</p>	<p>Addiction Recovery Support Eric Teske, Assistant Director of Substance Abuse Prevention (317) 274-4745 erictesk@iupui.edu</p>

Employee Assistance Program (EAP)	<p>The IU Employee Assistance Program (EAP) is a voluntary program that provides professional, confidential counseling to help individuals bring their life into better balance, is offered at no cost to eligible IU employees. Indiana University encourages individuals with alcohol or other drug related problems to seek assistance through their health care provider or the EAP. Full-time Academic and Staff employees, Medical Residents, and eligible Graduate Appointees and Fellowship Recipients are eligible to use the services of the EAP. Covered individuals also include household members.</p> <p>HR also provides information to employees related to FMLA as it covers time off associated with employee rehabilitation.</p>	<p>Employee Assistance Program 888-234-8327</p> <p>Human Resources Administration</p>
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Legal Sanctions

A description of applicable legal sanctions under local, state (Indiana), or federal law for the unlawful possession or distribution of illicit drugs and alcohol is found below.

- Laws governing the production, possession, storage, sale, delivery, transportation, or financing of alcohol and drugs are set forth in the Indiana Code.
 - Offenses Related to Controlled Substances ([Indiana Code 35-48-4](#))
 - Alcohol and Tobacco-Crime and Infractions ([Indiana Code 7.1-5](#))
- Federal laws and sanctions concerning distribution and penalties can be found at: <http://www.dea.gov/druginfo/ftp3.shtml>.

Health Risks

Fact sheets describing the health effects to your body and brain while using drugs and alcohol can be found on the Drug Enforcement Administration's website at: <http://www.dea.gov/druginfo/factsheets.shtml>.

Resources

IU encourages members of the community who may be experiencing difficulty with drugs or alcohol to utilize one of the following resources:

Contact	Contact information	Availability
Counseling and Psychological Services (CAPS)	Walker Plaza 719 Indiana Avenue, Suite 220, Indianapolis, IN 46202 http://studentaffairs.iupui.edu/health-wellness/counseling-psychology/ (317) 274-2548	On-Campus/Students only
IUPUI Campus Health	Coleman Hall 1140 W. Michigan St. Indianapolis, IN 46202 http://health.iupui.edu/education/drugs/index.html (317) 274-8214	On-Campus/Students and Employees
Office of Health and Wellness Promotion	IUPUI Campus Center 420 University Blvd., Suite 350 Indianapolis, IN 46202 http://studentaffairs.iupui.edu/health-wellness/hw-promotion/index.shtml hwpindy@iupui.edu	On-Campus/Students only

Office of the Dean of Students Office	IUPUI Campus Center 420 University Blvd., Suite 270 Indianapolis, IN 46202 http://studentaffairs.iupui.edu/student-rights/dean.shtml (317) 274-4431	On-Campus/Students only
Employee Assistance Program (EAP)	http://www.indiana.edu/~uhhs/benefits/eap.html (888) 234-8327	University/Full time employees, medical residents, and graduate appointees and their household members.
Fairbanks: Alcohol & Drug Addiction Treatment	8102 Clearvista Pkwy, Indianapolis, IN 46256 http://www.fairbanksd.org/ (317) 849-8222	Community/Everyone
EmberWood Center	1431 North Delaware St Indianapolis, IN 46202 http://emberwoodcenter.org/ (317) 536-7100	Community/Everyone
Families First	615 North Alabama St., Suite 320 Indianapolis, IN 46204 http://familiesfirstindiana.org/ (317) 634-6341	Community/Everyone
Roudebush VA Medical Center – Mental Health Services	1481 W. 10 th Street, D-wing, Room D5029 Indianapolis, IN 46202 http://www.indianapolis.va.gov/services/Mental_Health_Services.asp (317) 988-2721	Community/Veterans
Life Recovery Center	<u>South</u> 8150 Madison Ave Indianapolis, IN 46227 <u>West</u> 3607 W. 16 th Street, Suite B-3 Indianapolis, IN 46222 <u>East</u> 4455 McCoy Street, Suite 301 Indianapolis, IN 46226 <u>North</u> 8727 Commerce Park Place, Suite L Indianapolis, IN 46268 http://www.liferecoverycenterindiana.com/ (855) HELP-LRC (317) 887-3290	Community/Everyone

University/Campus Disciplinary Sanctions

IU will impose disciplinary sanctions on students and employees who violate IU policy, state law and/or federal laws, up to and including expulsion or termination of employment and referral for prosecution.

University and Campus Policies

Violators of IU policies are subject to the provisions of applicable laws as well as University disciplinary actions, which may include sanctions such as eviction from campus housing, revocation of other privileges, or suspension, expulsion, or termination from the University. Disciplinary action may also be taken to protect the interests of the University and the rights and safety of others.

University and campus policies pertaining to the possession, use, and sale of alcohol and controlled substances are outlined in:

- Section II of the IU Code of Student Rights, Responsibilities, and Conduct located at <http://www.iu.edu/~code/code/index.shtml>.
- The IU policy on a Substance-free Workplace (for all staff and hourly employees) located at <http://policies.iu.edu/policies/categories/human-resources/conduct/substance.shtml>.
- The IU policy on Substance-free Workplace for Academic Appointees located at <http://policies.iu.edu/policies/categories/academic-faculty-students/conditions-academic-employment/substance-free-workplace-acad-appointees.shtml>.
- The IU policy on Requirements for Service of Alcoholic Beverages on Indiana University Premises located at <http://policies.iu.edu/policies/categories/financial/insurance-loss-control-claims/FIN-INS-10-requirements-for-service-of-alcoholic-beverages-on-indiana-university-premises.shtml>.
- Housing and Residential Life Alcohol & Drug policy located at <http://housing.iupui.edu/img/photos/Residential%20Handbook%20Condensed.pdf>.
- Student Athlete Alcohol & Drug Policy located at http://www.iupuijags.com/sports/2008/8/7/SA_Handbook.aspx.

XIII. Dating Violence, Domestic Violence, Sexual Assault and Stalking (Sexual Misconduct)

Indiana University prohibits discrimination on the basis of sex or gender in its educational programs and activities, including the crimes of dating violence, domestic violence, sexual assault, and stalking as those terms are defined for the purposes of the Clery Act, as well as in the state of Indiana and under Indiana University Policy. In addition, prohibited conduct includes sexual harassment, all forms of sexual violence and sexual exploitation. Such behaviors are against the law and are unacceptable behaviors under Indiana University policy.

Definitions

The following definitions are applicable in the state of Indiana and for Indiana University; these are not the same definitions used when reporting crime statistics, as stated in the Crime Statistics Disclosure section of this report. The definitions used for counting crime statistics as set by the Clery Act are located in Appendix A of this report.

Domestic Violence (IC 5-26.5-1-3)

The [Indiana University Sexual Misconduct Policy](#) defines Domestic Violence as:

Includes conduct that is an element of an offense under [Indiana Code 35-42](#) (which includes crimes against a person) or a threat to commit an act described in [Indiana Code 35-42](#) by a person against a person who:

- (1) is or was a spouse of;
- (2) is or was living as if a spouse of;
- (3) has a child in common with;
- (4) is a minor subject to the control of; or
- (5) is an incapacitated individual under the guardianship or otherwise subject to the control of the other person regardless of whether the act or threat has been reported to a law

enforcement agency or results in a criminal prosecution.

Domestic Battery (IC 35-42-2-1.3)

The Indiana Code defines Domestic Battery as:

- (a) Except as provided in subsections (b) through (f), a person who knowingly or intentionally:
 - (1) touches a family or household member in a rude, insolent, or angry manner; or
 - (2) in a rude, insolent, or angry manner places any bodily fluid or waste on a family or household member; commits domestic battery, a Class A misdemeanor.
- (b) The offense under subsection (a)(1) or (a)(2) is a Level 6 felony if one (1) or more of the following apply:
 - (1) The person who committed the offense has a previous, unrelated conviction:
 - (A) for a battery offense included in this chapter; or
 - (B) in any other jurisdiction, including a military court, in which the elements of the crime for which the conviction was entered are substantially similar to the elements of a battery offense included in this chapter.
 - (2) The person who committed the offense is at least eighteen (18) years of age and committed the offense against a family or household member in the physical presence of a child less than sixteen (16) years of age, knowing that the child was present and might be able to see or hear the offense.
 - (3) The offense results in moderate bodily injury to a family or household member.
 - (4) The offense is committed against a family or household member who is less than fourteen(14) years of age and is committed by a person at least eighteen (18) years of age.
 - (5) The offense is committed against a family or household member of any age who has a mental or physical disability and is committed by a person having the care of the family or household member with the mental or physical disability, whether the care is assumed voluntarily or because of a legal obligation.
 - (6) The offense is committed against a family or household member who is an endangered adult (as defined in IC 12-10-3-2).
- (c) The offense described in subsection (a)(1) or (a)(2) is a Level 5 felony if one (1) or more of the following apply:
 - (1) The offense results in serious bodily injury to a family or household member.
 - (2) The offense is committed with a deadly weapon against a family or household member.
 - (3) The offense results in bodily injury to a pregnant family or household member if the person knew of the pregnancy.
 - (4) The person has a previous conviction for a battery offense:
 - (A) included in this chapter against the same family or household member; or Indiana Code 2016
 - (B) against the same family or household member in any other jurisdiction, including a military court, in which the elements of the crime for which the conviction was entered are substantially similar to the elements of a battery offense included in this chapter.
 - (5) The offense results in bodily injury to one (1) or more of the following:
 - (A) A family or household member who is less than fourteen (14) years of age if the offense is committed by a person at least eighteen (18) years of age.
 - (B) A family or household member who has a mental or physical disability if the offense is committed by an individual having care of the family or household member with the disability, regardless of whether the care is assumed voluntarily or because of a legal obligation.
 - (C) A family or household member who is an endangered adult (as defined in IC 12-10-3-2).
- (d) The offense described in subsection (a)(1) or (a)(2) is a Level 4 felony if it results in serious bodily injury to a family or household member who is an endangered adult (as defined in IC 12-10-3-2).

(e) The offense described in subsection (a)(1) or (a)(2) is a Level 3 felony if it results in serious bodily injury to a family or household member who is less than fourteen (14) years of age if the offense is committed by a person at least eighteen (18) years of age.

(f) The offense described in subsection (a)(1) or (a)(2) is a Level 2 felony if it results in the death of one (1) or more of the following:

(1) A family or household member who is less than fourteen (14) years of age if the offense is committed by a person at least eighteen (18) years of age.

(2) A family or household member who is an endangered adult (as defined in IC 12-10-3-2).

Dating Violence

Indiana does not have a law that defines Dating Violence. The definition in the University Sexual Misconduct Policy and provided below is based on the VAWA definition [42 U.S.C. 13925\(a\)](#).

Dating Violence is violence committed by any person who is or has been in a relationship of a romantic or intimate nature. The existence of such a relationship will be determined based on a consideration of the length of the relationship, the type of relationship, and the frequency of interactions between the persons involved in the relationship.

Sexual Assault

The [Indiana University Sexual Misconduct Policy](#) defines sexual assault as:

Sexual assault is committed when an individual subjects another person to sexual penetration without the consent of the person, and/or by force. Sexual assault is also committed when an individual touches the intimate area of another person (i.e., genitals, breasts, buttocks) or intentionally touches another person with any of these body parts, for the purpose of sexual arousal or gratification of either party without the consent of the person, and/or by force.

Rape ([IC35-42-4-1](#))

The Indiana Code defines Rape as:

(a) Except as provided in subsection (b), a person who knowingly or intentionally has sexual intercourse with another person or knowingly or intentionally causes another person to perform or submit to other sexual conduct (as defined in IC 35-31.5-2-221.5) when:

(1) the other person is compelled by force or imminent threat of force;

(2) the other person is unaware that the sexual intercourse or other sexual conduct (as defined in IC 35-31.5-2-221.5) is occurring; or

(3) the other person is so mentally disabled or deficient that consent to sexual intercourse or other sexual conduct (as defined in IC 35-31.5-2-221.5) cannot be given; commits rape, a Level 3 felony.

(b) An offense described in subsection (a) is a Level 1 felony if:

(1) it is committed by using or threatening the use of deadly force;

(2) it is committed while armed with a deadly weapon;

(3) it results in serious bodily injury to a person other than a defendant; or

(4) the commission of the offense is facilitated by furnishing the victim, without the victim's knowledge, with a drug (as defined in IC 16-42-19-2(1)) or a controlled substance (as defined in IC 35-48-1-9) or knowing that the victim was furnished with the drug or controlled substance without the victim's knowledge.

Sexual Misconduct ([Indiana University Sexual Misconduct policy UA-03](#))

IU has defined sexual misconduct as stated below; all acts that fall under this definition use the same disciplinary procedures and are defined in the [University Sexual Misconduct Policy \(UA-03\)](#).

Sexual Misconduct: includes sexual harassment, sexual violence, dating violence, domestic violence, sexual exploitation and stalking. For purposes of [UA-03](#), sex or gender based discrimination is considered sexual misconduct.

Stalking (IC 35-45-10-1)

A knowing or an intentional course of conduct involving repeated or continuing harassment of another person that would cause a reasonable person to feel terrorized, frightened, intimidated, or threatened and that actually causes the victim to feel terrorized, frightened, intimidated, or threatened. The term does not include statutorily or constitutionally protected activity.

Consent, in reference to sexual activity (Indiana University Sexual Misconduct policy UA-03)

Indiana does not have a definition for consent. The definition provided is Indiana University's definition.

Consent is an agreement expressed through affirmative, voluntary words or actions, and mutually understandable to all parties involved, to engage in a specific sexual act at a specific time:

- Consent can be withdrawn at any time, as long as it is clearly communicated.
- Consent cannot be coerced or compelled by force, threat, deception or intimidation.
- Consent cannot be given by someone who is incapacitated.
- Consent cannot be assumed based on silence, the absence of “no” or “stop”, the existence of a prior or current relationship, or prior sexual activity.

Incapacitated

A person is incapable of consent if they are unable to *understand the facts, nature, extent, or implications* of the situation due to drugs, alcohol, a mental disability, being asleep or unconscious, or based on their age (pursuant to Indiana law).

Consent does not exist when the individual initiating sexual activity *knew or should have known* of the other person's incapacitation.

Prevention and Awareness Programs

IU offers ongoing educational programs to promote awareness and prevention of domestic violence, dating violence, sexual assault, and stalking. These education programs include: (1) a statement that the University prohibits dating violence, domestic violence, sexual assault and stalking; (2) the definition of these terms, as well as the definition of consent in reference to sexual activity; (3) information about safe and positive options for bystander intervention; (4) information on risk reduction; and (5) information on University policies and procedures concerning sexual misconduct. Education and awareness programs may also include programming, initiatives, strategies, and campaigns intended to end dating violence, domestic violence, sexual assault, and stalking. Educational programs will also include information on how and where to report incidents of sexual misconduct and available resources. Efforts will be made to ensure that educational programs are culturally relevant and inclusive of the diverse communities and identities found on each IU campus.

Primary prevention and awareness programs offered to incoming students include:

Program	Additional Information
AlcoholEdu for College Haven – Understanding Sexual Assault AlcoholEdu and Haven are online education packages that employ adaptive pathways to provide a relevant education experience for students. AlcoholEdu for College empowers students to make well-informed decision about alcohol and help them respond better to the drinking behavior of peers. Haven - Understanding Sexual Assault addresses the critical issues of sexual assault, relationship violence, stalking and bystander intervention through an interactive platform. Intended behavior outcomes include: <ul style="list-style-type: none"> • Knowledge - Education around key terms, campus and community policy and resources, bystander intervention strategies. • Behavior - attitude changes and increased behavioral options for responding to alcohol misuse and/or to prevent sexual violence. 	Health and Wellness Promotion, Division of Student Affairs hwpindy@iupui.edu

Primary prevention and awareness programs offered to new employees include:

Program	Additional Information
University Employee Sexual Misconduct Training: Beginning in July 2015, the University made available to all employees an online training module titled “ Sexual Misconduct Training: Understanding Title IX and the University’s Policies & Procedures. ” All employees are instructed on how to access and take the training module. In addition, all employees that the University has designated as “Responsible Employees” (based on Title IX guidance) are required to take the online module on an annual basis, and new employees are required to take the training upon joining the university. The module contains important information to inform employees about the University’s prohibition and response to all forms of sexual misconduct. This includes key definitions (including sexual assault, dating violence, domestic violence, stalking, and consent), information on bystander intervention and risk reduction, signs of abusive relationships, an overview of the University process, and what happens when information regarding an incident of sexual misconduct is brought to the University’s attention. The module also explains reporting options and the specific reporting obligation of those employees designated as Responsible Employees.	The Office of Student Welfare & Title IX titleix@iu.edu

On-going prevention and awareness campaigns include:

Program	Additional Information
It’s On Us Student Leader Conference on Sexual Assault On Saturday, October 24th Indiana University hosted the first It’s on Us Student Leaders Conference on Sexual Assault at the IUPUI Campus Center. The Conference created an opportunity for students to learn about different sexual violence prevention efforts throughout the state, to connect with student leaders from institution of higher education across Indiana, and to assist student leaders to in identifying ways to work collectively to help end campus sexual assault.	Health and Wellness Promotion, Division of Student Affairs hwpindy@iupui.edu

Escalation Workshop Workshop created by the One Love Foundation to educate students about dating violence and healthy relationships. This program intended to Increase participant knowledge of dating violence, healthy relationships, and bystander intervention.	Health and Wellness Promotion, Division of Student Affairs hwpindy@iupui.edu
Orientation Presentation “The Jaguar Community” Presentation for new and transfer students with presenters from across the Division of Student Affairs to increase student knowledge of Student Affairs resources, the key definitions of consent and sexual assault, student responsibilities and rights, and campus resources.	Health and Wellness Promotion, Division of Student Affairs hwpindy@iupui.edu
R.A.D. Self-Defense Course Workshop for students to increase knowledge of safety techniques and self-defense competency.	IUPD Indianapolis (317) 274-7911
Alcohol and Other Drug Awareness Outreach AOD awareness programs, tabling, film screening, and magnet campaign to raise awareness of resources and reduce harm and stigma.	Health and Wellness Promotion, Division of Student Affairs hwpindy@iupui.edu
BASICS Intervention for indicated population of students who are known to have an AOD concern. This program covered harm reduction, motivational interviewing to learn to evaluate substance abuse, behaviors in relation to personal values and goals, and develop specific strategies to reduce risk of negative consequences of substance abuse.	Health and Wellness Promotion, Division of Student Affairs hwpindy@iupui.edu
Sexual Assault Awareness Outreach Consent campaign in the Fall that began at the start of the semester. This coordinated effort of active and passive awareness activities throughout the month of April included tabling, Clothesline Project. Take Back the Night Week, march, speak out, social media campaign for Denim Day at IUPUI, a self defense course, and a program addressing rape culture, film screenings of the Hunting Ground, tabling for campus and community partners (including two non-profits and Sexual Assault Nurse Examiners). This outreach was to raise awareness about sexual violence, increase community support for survivors and stigma-reduction around coming forward, as well as to increase knowledge of resources on and off campus.	Health and Wellness Promotion, Division of Student Affairs hwpindy@iupui.edu
Relationship Violence and Healthy Relationship Programs Awareness Campaign including tabling, social media and a community panel at IUPUI Campus Center in October around National Domestic Violence Awareness Month. A Healthy Relationships Screening event in February around Valentine's Day, in partnership with CAPS and HWP Sexual Health. #IUPUIpurple campus-wide event for domestic violence awareness in October. These programs were to Increase awareness about relationship violence and healthy relationships, as well as reduce stigma around seeking support.	Health and Wellness Promotion, Division of Student Affairs hwpindy@iupui.edu
Behind Closed Doors Interactive educational program for RAs to introduce challenging scenarios that come up in their important role on campus, including alcohol, sexual assault and dating violence. Increased confidence and skills at successfully intervening and providing assistance to students.	Health and Wellness Promotion, Division of Student Affairs hwpindy@iupui.edu
Students in Recovery Indianapolis (SIRI) Outreach Awareness events and alcohol-alternative activities to support the recovery community and ally at IUPUI.	Health and Wellness Promotion, Division of Student Affairs hwpindy@iupui.edu
JagNation: A Culture of Care JagNation: A Culture of Care is focused on creating a safe and positive campus climate at IUPUI through acts of kindness, bystander intervention, and school spirit.	Health and Wellness Promotion, Division of Student Affairs hwpindy@iupui.edu jagnation.iupui.edu

<p>JagNation Ambassador Training Participants learned to embody the Culture of Care philosophy with this intimate small group training session, and formally acquire the skills and recognition that bring JagNation to life. Ambassador Training is a 90-minute interactive seminar built around bystander intervention and harm reduction. Content includes icebreakers, alcohol and sexual assault prevention, scenario practice, and discussion on social barriers to intervention. Think outside yourself and connect with others on a new level.</p> <p>Participants who complete the training receive an exclusive Ambassador pin, an individually numbered certificate, and sign their name in the JagNation archives. This 90-minute training can be requested for organizations and works best in groups of 20 or less (e.g. officer training, or series of training times rather than large organizations at once).</p>	<p>Health and Wellness Promotion, Division of Student Affairs hwpindy@iupui.edu</p>
<p>Creating a Community Free from Interpersonal Violence Presentation for graduate and professional students around sexual violence prevention, basic understanding of federal guidelines for higher education, bystander intervention and community resources.</p>	<p>Health and Wellness Promotion, Division of Student Affairs hwpindy@iupui.edu</p>
<p>FSL New Member Academy FSL New Member Academy session on Sexual Assault Prevention and Bystander Intervention is part of a series to welcome and train-up new fraternity and sorority members to the positive culture and standards of Greek life at IUPUI.</p>	<p>Health and Wellness Promotion, Division of Student Affairs hwpindy@iupui.edu</p>
<p>Know the Code IUPUI students are entitled to respect and civility as members of this community but must also be aware of responsibilities and expectations as a student. The Code of Student Rights, Responsibilities, and Conduct is the governing document that ensures the rights of all IUPUI students are protected and respected. The Office of Student Conduct, under the dean of students, is responsible for enforcing the Code through the university's disciplinary processes. Know the Code – your time as an IUPUI student will be better for it.</p>	<p>Student Conduct (317) 274-4431</p>
<p>Building a Safer Community: Sexual Assault Prevention and Bystander Intervention Workshop for students to increase knowledge, skills and confidence around using bystander intervention to prevent sexual assault, as well as key terminology and resources. Program intended to help participants understand the key terms around the topic, including the definition of consent, sexual assault, and bystander intervention techniques to safely intervene to prevent violence from occurring.</p>	<p>Health and Wellness Promotion, Division of Student Affairs hwpindy@iupui.edu</p>
<p>Bystander Intervention Train-the-Trainer Training A 4 hour Bystander Intervention train-the-trainer session was offered to all Indiana University staff members. The purpose of this session was to provide a forum for IU staff to gain a better understanding of bystander intervention programs, how to empower students to step in, and to tailor a workshop to fit each unique campus' needs. The training provided a bystander intervention training manual. Materials in the manual included:</p> <ul style="list-style-type: none"> • Example presentations from IU Bloomington and IUPUI • Example program development materials • Facilitator Tips • Program evaluation examples • How to address questions regarding alcohol and consent • An outline of the Indiana University "Top Ten Things you need to know about the IU sexual misconduct policy" • Flow charts of the conduct process 	<p>Health and Wellness Promotion, Division of Student Affairs hwpindy@iupui.edu</p>

<p>Indiana University Student Welfare Initiative Reaching Underrepresented Populations Workshop Indiana University hosted the second workshop focused on reaching underserved populations. This workshop consisted of facilitated discussion lead by Kimber Nicoletti from MESA in the morning. The morning session focused on identifying and strategizing methods to better reach underserved populations. Additionally, risk factors and barriers for specific underserved groups were discussed. The Student Welfare Initiative team facilitated discussion on campus-based action planning to address sexual violence prevention and response efforts aimed at underrepresented student populations. Staff invited to attend the workshop included Administrators, Investigators, staff that develop and implement sexual violence prevention efforts, and staff that work directly with underrepresented students</p>	<p>The Office of Student Welfare & Title IX titleix@iu.edu</p>
<p>Indiana University Statewide Conference on Sexual Assault Indiana University hosted the first statewide conference on Sexual Assault at the IUPUI Campus Center. The conference featured nationally recognized researcher, Dr. David Lisak. Dr. Lisak is recognized for his research in trauma informed response and the neurobiology of trauma.</p> <p>Conference attendees were able to learn more about methods of perpetrators of rape, false reporting statistics, and neurobiology of the effects of trauma. There were 277 campus and community professionals in attendance from across the state and a few from Kentucky.</p> <p>The conference was sponsored by the Rape Prevention and Education (RPE) grant from the Indiana State Department of Health.</p>	<p>Health and Wellness Promotion, Division of Student Affairs hwpindy@iupui.edu</p>

Additional information and resources about the University's efforts to prevent sexual violence can be found at <http://stopsexualviolence.iu.edu>.

Safe and Positive Options for Bystander Intervention

The Clery Act defines bystander intervention as, "Safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is a risk of dating violence, domestic violence, sexual assault, or stalking. Bystander intervention includes recognizing situations of potential harm, understanding institutional structures and cultural conditions that facilitate violence, overcoming barriers to intervening, identifying safe and effective intervention options, and taking action to intervene."

All members of the IU community have a responsibility to create a safe, supportive, and inclusive learning environment. Bystander Intervention involves taking action in a situation when another individual needs help. This includes when someone may be at medical risk due to using drugs or alcohol, or vulnerable to sexual or intimate partner violence. To actively intervene, follow these steps:

1. **Notice the event.** Pay attention to your surroundings.
2. **Interpret the event as a problem.** Recognize that someone is being taken advantage of, vulnerable, or in danger. When in doubt, trust your gut, and intervene at the earliest possible point.
3. **Take personal responsibility to intervene.** If you don't intervene, it is unlikely that anyone else will.
4. **Decide how you are going to intervene.** Try not to put yourself at risk or make the situation worse.
5. **Decide to intervene.** Take action and intervene at the earliest possible point. If you are not able to fully intervene in a situation, consider responding by asking the victim if they need help or assistance, contacting the police, or seeking out others for assistance.

Types of Intervention:

- **Direct intervention:** Directly addressing the situation in the moment to prevent harm.
- **Delegation:** Seeking help from another individual. This may be someone who is in a role of authority, such as a police officer or campus official.
- **Distraction:** Interrupting the situation without directly confronting the offender by distracting the offender's attention or directing the potential victim away from the situation.

Most importantly, **“If you see something, say something!”**

Risk Reduction

The Clery Act defines risk reduction as, “Options designed to decrease perpetration and bystander inaction; increase empowerment for victims in order to promote safety; and help individuals and communities address conditions that facilitate violence.” Sexual assault, like all other forms of violence, is **never** the fault of the person assaulted. Below are some general safety tips to consider that may help you avoid or escape situations where someone is trying to harm or take advantage of you sexually or physically:

1. Be aware of your surroundings.
2. Listen to your intuition. If you feel like something is wrong, it probably is. Try to get out of the situation.
3. Don't be afraid to make a scene and yell, scream, or run for protection.
4. Remember, alcohol and drugs can impair your perceptions and reactions. Be especially careful when you drink, and when you're with someone who has been drinking.
5. Watch your beverage at all times. Date rape drugs are tasteless, colorless, and odorless. Victims don't know they have ingested these drugs until the effects are well under way.
6. Go with a group of friends when you go out to a party or to the bars, and look out for each other.
7. Speak up or call authorities if you see someone who could be in trouble.

Healthy, Unhealthy, and Abusive Relationships

A relationship is healthy if each involved is supported in being the person they want to be. A relationship that limits, manipulates, or damages a person's sense of self is unhealthy and can be harmful or abusive. Be honest when assessing your relationship on the following factors – you owe it to yourself!

- **Mutual respect** means valuing your partner for who they are, not who you want them to be or become, and receiving the same from your partner. Does your partner say, do, and believe things that you can support? Or, is one of you trying to change the other?
- **Trust** is present if you can share your thoughts and feelings with another person without fear of being hurt physically, cognitively or emotionally. Can you be yourself without fear of criticism or judgment? Can your partner trust you in the same way?
- **Honesty** is about being truthful in your words. Do you tell the truth? Do you believe what your partner tells you?
- **Support** means helping your partner in being his or her best, and feeling you get the same in return.
- **Fairness/equity** – Do you almost always give? Or give in? Do you expect your partner to do it your way? Healthy relationships involve give and take, compromise, and negotiation by all parties.
- **Separate identities** – Relationships are healthy when each individual shares their true self with their partner. Each continues to grow both in and out of the relationship. If you feel like you are losing yourself or your unique identity, you may be in a harmful relationship.

- **Effective communication is essential** — Don't get caught in the trap of believing your partner should know what you want, need, mean, or feel. Humans are rarely good mind readers, especially in intimate relationships. Do you and your partner take time to communicate? Does your partner really listen and work to understand you? Do you do this for your partner?

Harmful and abusive behaviors may come in many forms, and may include the following:

- **Intimidation** – actions, gestures, looks used to make another fearful
- **Emotional abuse** – name calling or humiliation causing the other to feel unworthy
- **Isolation** – limiting interactions and information in order to establish control
- **Minimizing/Denying/Blaming** – making light of the abusive behaviors causing the other to doubt their own feelings or perceptions
- **Dominance** – treating another as a lesser being and controlling all decisions
- **Economic abuse** – limiting another's access to work, money, food, or other resources to exert control
- **Coercion or Threats** – making threats to harm someone in order to control another's behaviors

Here are some rules for healthy sexual relationships:

- It is the responsibility of the person initiating sexual contact to ask for and clearly receive consent before acting.
- If someone is impaired by alcohol or another substance, that person is considered unable to make clear decisions about consent.
- If your partner expresses uncertainty or says no, it is your responsibility to STOP. Healthy sexual relationships are based on continuous communication about consent.

Written Notification to Student and Employee Victims

Upon receipt of a report of domestic violence, dating violence, sexual assault or stalking (regardless if the offense occurred on or off campus), Indiana University will provide written notification to the student and/or employee victim about existing assistance with and/or information about obtaining resources and services including counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other available resources and services on campus and in the community. Written notification will also be provided about the victim's options for the involvement of appropriate local law enforcement, including the option to notify law enforcement authorities, be assisted by campus authorities in notifying such law enforcement authorities if the individual chooses, and the option to decline notifying such authorities. These resources include the following:

Resource	Contact Information	Availability
Health Service		
Campus Center Student Health	Campus Center, Suite 213 420 University Blvd. Indianapolis, IN 46202 (317) 274-2274	On-Campus/IUPUI students
Campus Health	Coleman Hall, Room 100 1140 West Michigan Street Indianapolis, IN 46202 (317) 274-8214	On-Campus/IUPUI students
IU Health Methodist Hospital Center of Hope	1701 N Senate Blvd. Indianapolis, IN 46202 (317) 963-3394 (available 24/7)	Community/Everyone

Eskenazi Health Center of Hope	720 Eskenazi Avenue (near Ball Residence) (317) 880-8006	Community/Everyone
Center of Hope at St. Franciscan Health	8111 S. Emerson Ave. Indianapolis, IN 46237 (317) 528-5261	Community/Everyone
Other Center of Hope in Indianapolis	St. Vincent Hospital: (317) 338-2121 (317) 338-6629 Riley Hospital for Children: (317) 274-2617 Community Hospital East: (317) 355-HOPE (4673)	Community/Everyone
Counseling and Mental Health Service		
IUPUI Counseling & Psychological Services (CAPS) (CAPS provides professional psychological services for IUPUI students at minimal charge.)	719 Indiana Avenue, Walker Plaza, Suite 220 http://caps.iupui.edu (317) 274-2548	On-Campus/IUPUI students
Employee Assistance Program (EAP. Provides professional and confidential counseling to full time employees, medical residents, and graduate appointees and their household members.)	http://www.indiana.edu/~uhrs/benefits/eap.html (888) 234-8327	University Full time employees, medical residents, and graduate appointees and their household members.
24 Hour Crisis & Suicide Hotline	(317) 251-7575	Community/Everyone
Community Health Network Behavioral Care Services	http://www.ecommunity.com/behavioralcare	Community/Everyone
IUPUI Student Advocate Service		
Assistant Director of Sexual Assault Education and Prevention	(317) 274-2503	On-Campus/IUPUI students
Sexual Assault Prevention, Intervention, and Response Team (SAPIR)	http://sapiir.iupui.edu	On-Campus/IUPUI students
Legal Resources		
The Protective Order Pro Bono Project Assists in filing protective orders, developing safety plans, obtaining legal assistance, and accessing community resources.	City-County Building 200 East Washington Street, Room G-90 (317) 327-6999	Community/Everyone
Financial Aid Resources		
Office of Student Financial Services	420 University Blvd., CE 250 Indianapolis, IN 46202 finaid@iupui.edu (Email) (317) 274-4162 (Phone) (317) 274-3664 (Fax)	On-Campus/IUPUI students
VISA and Immigration Resources		
The Office of International Affairs can assist students with visa and immigration advising and other support services for international students.	(317) 274-7000 oia@iupui.edu	On-Campus/IUPUI students

Written notification will also be provided to victims about the University disciplinary procedures, as well as their rights and options. This written notification is located in Appendix D of this report.

Protective Measures

Students and employees who report being a victim of sexual misconduct, including dating violence, domestic violence, sexual assault or stalking, will also be provided written notification for options and requesting assistance in changing academic, living, transportation, and working situations, as well as information about other available protective measures. This written notification is located in Appendix D of this report. If reasonably available, the University will make requested accommodations, regardless of whether the victim chooses to report the crime to University police or local law enforcement. The University will maintain as confidential any accommodations or protective measures provided, to the extent maintaining such confidentiality would not impair the ability of the institution to provide accommodations or protective measures. Appropriate and reasonably available protective measures may be available regardless of whether the victim chooses to report the crime to campus or local law enforcement.

To request a change in academic, living, transportation, working situation or other protective measures, contact:

- Assistant Director of Sexual Assault Education and Prevention (317) 274-2503
- Office of Equal Opportunity (317) 274-2306

Examples of options for a potential academic change may be to transfer to a different section of a class, withdraw and take a class at another time if there is no option for moving to a different section, etc. Potential changes to living situations may include moving to a different room or residence hall. Possible changes to work situations may include changing working hours or working location. Possible changes in transportation may include having the student or employee park in a different location, assisting the student or employee with a safety escort, etc.

Procedures a Victim should follow if a crime of Domestic Violence, Dating Violence, Sexual Assault or Stalking Occurs

After an incident of sexual assault, dating violence or domestic violence, the victim should consider seeking medical attention as soon as possible. In Indiana, evidence may be collected even if you choose not to make a report to law enforcement. It is important that a victim of sexual assault not bathe, douche, smoke, change clothing or clean the bed/linen/area where the individual was assaulted if the offense occurred within the past 96 hours. This may allow evidence to be preserved that may assist in proving that the alleged criminal offense occurred/ is occurring, or may be helpful in obtaining a protection order. In circumstances of sexual assault, if victims do not opt for forensic evidence collection, health care providers can still treat injuries and take steps to address concerns of pregnancy and/or sexually transmitted infections. Victims of sexual assault, domestic violence, stalking, and/or dating violence are encouraged to also preserve evidence by saving text messages, instant messages, social networking pages, and other communications, as well as keeping pictures, logs or other copies of documents, if they have any, that would be useful to University adjudicators/investigators and/or police.

As time passes, evidence may dissipate or become lost or unavailable, thereby making investigation, possible prosecution, disciplinary proceedings, and/or obtaining protection orders related to the incident more difficult. If a victim chooses not to make a complaint regarding an incident, they nevertheless should consider speaking with the IUPD or other law enforcement to preserve evidence in the event that the victim decides to report the incident to law enforcement or the University at a later date. This may assist in proving that the alleged criminal offense occurred or may be helpful in obtaining a protection order.

Reporting the Incident

If you are the victim of any violence, including dating violence, domestic violence, sexual assault, or stalking, get help immediately. There are several reporting options available, including reporting to campus and local law enforcement, reporting to designated campus officials (see below), and/or filing a Title IX complaint. Under Title IX of the Education Amendments of 1972, sexual harassment, including sexual violence, is considered prohibited sex discrimination. Campus reporting options are listed below.

Contact type	Contact Information
Law Enforcement	Indiana University Police Department 1232 West Michigan Street Indianapolis, IN 46202 (317) 274-7911 or dial 911
Campus Authorities	IUPUI Office of Student Conduct 420 University Boulevard, CE 270 Indianapolis, IN 46202 (317) 274-4431
Title IX Coordination	University Title IX Coordinator Emily Springston, Chief Student Welfare & Title IX Officer (812) 855-4889 Deputy Title IX Coordinator Kim Kirkland, Director of the Office of Equal Opportunity (317) 274-2306

Retaliation against anyone who makes a report of sexual misconduct is prohibited by University policy.

Involvement of Law Enforcement

Although the University strongly encourages all members of its community to report crimes to law enforcement (including on campus law enforcement and/or local police), it is the victim's choice whether or not to make such a report. Furthermore, victims have the right to decline to notify law enforcement. However, the following University offices will assist any victim with notifying law enforcement if the victim so desires.

Contact type	Contact Information
Campus Authorities	IUPUI Office of Student Conduct 420 University Boulevard, CE 270 Indianapolis, IN 46202 (317) 274-4431
Title IX Coordination	University Title IX Coordinator Emily Springston, Chief Student Welfare & Title IX Officer (812) 855-4889 Deputy Title IX Coordinator Kim Kirkland, Director of the Office of Equal Opportunity (317) 274-2306

If you choose to report the incident to the IUPD, an officer will take a statement from you regarding what happened. The officer will ask you to describe the assailant(s) and may ask questions about the scene of the crime, any witnesses, and what happened before and after the incident. If you wish, you may have a support person with you during the interview. **IMPORTANT:** Reporting an incident to the police is a separate step from choosing to prosecute. By filing a report, you are NOT obligated to continue with legal proceedings or University disciplinary action. (See "Requests for No-University Action" under Confidentiality and Privacy). However, prosecutors could still decide to bring charges and/or the University may still choose to subject the respondent

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to disciplinary proceedings.

There are numerous reasons to report to the IUPD, including:

- Assisting the victim and helping the victim access necessary resources;
- Taking actions to prevent further victimization, including issuing a crime notice to warn the campus community of an impending threat to safety;
- Apprehending the assailant;
- Collection and preservation of evidence necessary for prosecution;
- Seeking justice for the wrong that has been done to the victim; and
- Having the incident recorded for purposes of reporting statistics about incidents that occurred on campus.

If a crime did not occur on University property, IUPD can still assist in contacting the appropriate law enforcement agency.

Protection Orders

IU will recognize all valid orders of protection, no contact orders, restraining orders, or similar lawful orders. If you have a valid order, please inform the IUPD to place the order on file. IUPD has authority to enforce violations of valid lawful orders of protection, no contact orders, restraining orders, or similar lawful orders. In addition, IUPD can serve the respondent of a court order of protection if the respondent is on campus. If you need to file a Petition for an Order of Protection, you can do so at the Marion County Superior Criminal Court Office. To learn more about protection orders or to get assistance with filing, contact the Indiana Coalition Against Domestic Violence (ICADV) hotline at 1.800.332.7385.

Marion County Superior Criminal Court 4
3rd Floor, Center Tower, Room 360
200 East Washington Street
Indianapolis, IN 46204
(317) 327-8577

Student victims may also request changes in University classroom, academic, and/or living arrangements; these requests will be granted when such changes are reasonably available.

The University may also impose a No Contact Order during and following disciplinary proceedings for sexual misconduct.

Procedures the University Will Follow with Reports of Sexual Misconduct

The University's institutional disciplinary procedures consist of a prompt, fair and impartial process from the initial investigation to the final result. Investigators and adjudicators, including members of any appeals boards, are trained at least annually on the issues related to domestic violence, dating violence, sexual assault, and stalking and taught how to conduct an investigation and hearing process that protects the safety of the complainant and promotes fairness and accountability.

The Sexual Misconduct Policy includes the following "Summary of Rights for the Complainant and Respondent in Sexual Misconduct Procedures" which includes:

- To be fully informed of University policies and procedures as well as the nature and extent of all alleged violations contained within the allegation.
- To be treated with respect by University officials.
- To have an advisor present during a University sexual misconduct proceeding, investigation meeting, or related meeting. The role of the advisor will be limited to being present only;

they will not be allowed to speak during any University sexual misconduct proceeding, investigation meeting, or related meeting.

- Adequate, reliable, and impartial investigation and appropriate resolution of all reports of sexual misconduct.
- To be informed by the University of options to notify proper law enforcement authorities including on-campus and local police, and the option to be assisted by campus authorities in notifying proper law enforcement, if the individual chooses.
- To be notified of available counseling, mental health, academic, legal and other support services, both at the University and in the community.
- To have allegations investigated by individuals who are properly trained to investigate and resolve allegations of sexual misconduct.
- Equitable participation in the investigation and disciplinary process, including the opportunity to identify witnesses and other appropriate evidence.
- To the use of the preponderance of the evidence standard (more likely than not) in determining responsibility.
- The right to appeal as set forth in these procedures.

As indicated in the above summary of rights for both parties, under the Sexual Misconduct Policy and procedures, the Complainant and Respondent may have the advisor of their choice present at any point of the disciplinary process.

To the extent possible, the Complainant and the Respondent will be notified simultaneously in writing of the outcome and results of any disciplinary proceedings, any changes to the results before they are final, as well as when the results are final. The Complainant and the Respondent will also be notified simultaneously in writing of the University's procedures for the complainant or the respondent to appeal the decision.

The University will, upon written request, disclose to the alleged victim of a crime of violence (as defined in section 16, of title 18, United States Code), or non-forcible sex offense (Incest or Statutory Rape), the results of any disciplinary hearing conducted by the University against the student who is the alleged perpetrator of the offense. If the alleged victim is deceased as a result of the crime or offense, the University will provide the results of the disciplinary hearing to the victim's next of kin, if so requested.

Institutional Disciplinary Procedures

Incidents of Student Sexual Misconduct

Appendix B contains the procedures that apply when handling cases that involve dating violence, domestic violence, sexual assault, stalking, and all forms of sexual misconduct when the accused is a student.

Incidents Involving Allegations of Faculty or Staff Sexual Misconduct

Appendix C contains the procedures that apply when handling cases that involve dating violence, domestic violence, sexual assault, stalking, and all forms of sexual misconduct when the accused is faculty and staff.

Sanctions

The University may impose sanctions on the respondent following a final determination of responsibility following University disciplinary procedures.

Possible sanctions for cases in which **students** are found in violation of the Student Code for acts of sexual misconduct include (see Appendix B):

- formal warnings,
- behavioral assessment and/or counseling,
- required educational training,
- disciplinary probation,
- deferred suspension,
- suspension, and/or
- permanent expulsion.

For employees, the University may impose any of the following sanctions (see Appendix C):

1. Level One Sanctions include sanctions that do not directly modify job duties or actual salary, such as informal discussions, additional training, periodic review, letter to personnel file (other than to promotion and tenure dossier which is included in Level Two Sanctions below). Level One Sanctions shall not be appropriate in the event the respondent was found responsible for sexual assault or other sexual violence.
2. Level Two Sanctions include sanctions that directly modify job duties, salary or job status, including withholding compensation, consideration in tenure or promotion decisions, suspension and termination.

Dating violence, domestic violence, sexual assault and stalking may be found to be criminal acts, which may also subject the perpetrator to criminal or civil penalties under federal and state laws.

Confidentiality and Privacy

Confidential Employees

Certain University employees – based on their own professional licensure and the nature of their role on campus – are available to speak with individuals about incidents of sexual misconduct and maintain the individual's desire for anonymity and absolute confidentiality. These confidential employees are exempt from the reporting requirements that apply to responsible employees. Individuals who desire anonymity in discussing and seeking assistance about sexual misconduct should contact and/or be referred to a confidential employee.

The University's confidential employees include, but are not limited to:

- Licensed, professional mental health counselors working in that capacity, and those they supervise;
- Health care professionals and staff located in on-campus health care centers; and
- Any staff or specialists on a campus specifically designated as non-professional sexual assault advocates.

Certain specifically identified non-professional student advocates and health center staff do not have to share identifying information unless you provide your consent. However, they are obligated to provide non-identifying information regarding the nature, date, time, and general location of the incident for purposes of compiling aggregate annual crime statistics and assessing the need to alert the University community of potential dangers.

Note, faculty, staff and other employees who are licensed mental health workers or are licensed medical workers, but who are not working in that capacity, such as faculty members in psychology, social work, nursing, etc., are not confidential employees under this policy. The University shall identify and publicize confidential employees. See the Stop Sexual Violence website at <http://stopsexualviolence.iu.edu/help/confidential.html> as well as the following chart for available confidential employees on each University campus. You should discuss your desires regarding the sharing of information with any University employee with whom you speak to ensure you understand their reporting obligations and what information they may be required to share.

Contact type	Contact Information
Counseling and Psychological Services (CAPS)	Walker Plaza, Suite 220 719 Indiana Ave. Indianapolis, IN 46202 (317) 274-2548
Assistant Director of Sexual Assault Education and Prevention	Campus Center, Suite 270 420 University Blvd. Indianapolis, IN 46202 (317) 274-2503
IUPUI Student Health Center	Campus Center, Suite 213 420 University Blvd. Indianapolis, IN 46202 (317) 274-2274 Coleman Hall, Room 100 1140 W. Michigan St. Indianapolis, IN 46202 (317) 274-8214

Privacy

The University is committed to safeguarding the privacy of the parties in a manner consistent with the objective to effectively investigate and prevent incidents of sexual misconduct. In all cases, the University will share the parties' information and details of the allegation only with University officials, law enforcement personnel, and other individuals who have a legitimate administrative or legal reason to be so informed. Records will not be disclosed outside the University unless required by law or subpoena.

All individuals with knowledge of an alleged incident of sexual misconduct are expected to safeguard the privacy of those involved and should refrain from discussing the incident with anyone other than appropriate University officials and law enforcement.

To protect privacy, the University completes publicly available recordkeeping, including Clery Act reporting and disclosures, *without* the inclusion of personally identifying information about the victim.

Requests for No-University Action

If an individual discloses that they have experienced an incident of sexual misconduct to a responsible employee, but requests that the University not investigate the particular incident, requests that no disciplinary action be taken, requests that the alleged perpetrator not be notified, or makes any similar request, the University will consider such request(s), and in general work to honor them. The responsible employee must still report the information to the designated officials, but also convey the individual's desired request(s). The University will weigh such request against its obligation to provide a safe, non-discriminatory environment for all students, including the individual who experienced the sexual misconduct. If the University determines that it is able to honor the individual's request(s), the individual should understand that the University's ability to meaningfully investigate the incident and/or respond appropriately may be limited.

The University has designated the following individual(s) to evaluate an individual's request for no or limited action by the University in connection with a report of sexual misconduct: the Title IX and Deputy Title IX Coordinator(s), in consultation with relevant administrators on each campus and University legal counsel, where appropriate.

Please note that under Indiana law, any person who has a reason to believe a person under the age of 18 is a victim of abuse or neglect, including relationship violence or assault, must make a report to the Indiana Department of Child Services and/or to local law enforcement. In addition, the University also requires that faculty, staff, students, volunteers, and other University personnel report any suspected abuse or neglect of minors on Indiana University property or as part of an

Indiana University program to the IU Superintendent of Public Safety. This information will be shared with the Indiana Department of Child Services.

XIV. Obtaining Registered Sex Offender Information

Effective January 1, 2003, Zachary's Law requires sheriff's departments to jointly establish and maintain the Indiana Sheriffs' Sex Offender Registry to provide detailed information about individuals who register as sex or violent offenders. The purpose of the registry is to inform the general public about the identity, location, and appearance of sex and violent offenders who live, work, or study in Indiana. Under the federal Campus Sex Crimes Prevention Act, any sex offender who is already required to register in any U.S. state must provide notice to any institution of higher education in the state(s) in which that person is employed, carries on a vocation, and/or is a student.

- The Indiana Sex and Violent Offender Registry can be accessed via: <http://www.icrimewatch.net/indiana.php>.
- The National Sex Offender Registry links public state, territorial, and tribal sex offender registries together and can be accessed via: <http://www.nsopr.gov/>.

XIV. Preparation of Disclosure of Crime Statistics

The IUPD prepares a disclosure of crime statistics and publishes it as part of this Annual Security Report by October 1 each year, adding new statistics for the previous year. Three years' worth of statistics are included for certain types of crimes, as defined in the Clery Act, that were reported to have occurred: on campus; in certain non-campus buildings or property owned or controlled by the University; or on public property on or immediately adjacent to the campus. Reported crimes that occur in IU owned or controlled housing that are occupied by students, or in IU owned or controlled student apartments, are reported as occurring in on-campus residential units, a subset of the reported crimes already included in the on-campus category. Reports of crimes and attempted crimes are listed according to the calendar year in which the crime was reported, as required by the Clery Act, as are arrests and referrals for illegal alcohol, drug, and weapons violations.

Statistics are based on IUPD records and those gathered annually by written request from cooperating law enforcement agencies and campus security authorities, including, but not limited to:

- Carmel Police Department
- Indiana State Capitol Police Department
- Indiana State Excise Police Department
- Greenwood Police Department
- Hendricks County Sheriff's Department
- Indianapolis Metropolitan Police Department
- Indiana State Police Department
- IU Health Police Department
- Lawrence Police Department
- Marion County Sheriff's Special Deputy's Office
- Perry Township Police Department
- Pike Township Police Department
- Plainfield Police Department
- Wayne Township Police Department

Although the following sources are not required by law to provide statistics for this report, statistical information, which contains no personal identifying information, is also requested from:

- Counseling and Psychological Services (CAPS)

Each year, enrolled students, faculty, and staff are notified via email when the new Annual Security Report is available, which is generally on or before October 1. Prospective students and prospective employees are notified of the report during application processes.

Statistics are reported using the Uniform Crime Reporting (UCR) Program and other definitions determined in the Clery Act. These definitions are listed in Appendix A of this report.

Disclosure of Annual Crime Statistics – IUPUI Campus

I. 2015 Crime Statistics

Criminal Offenses

Offense	On Campus (includes residential facilities)	Residential Facilities*	Non- Campus	Public Property
Murder/Non Negligent Manslaughter	0	0	0	0
Manslaughter by Negligence	0	0	0	0
Rape	3	3	2	1
Fondling	3	2	0	3
Incest	0	0	0	0
Statutory Rape	0	0	0	0
Robbery	3	0	1	1
Aggravated Assault	7	1	4	4
Burglary	17	4	3	0
Motor Vehicle Theft	11	0	4	0
Arson	0	0	0	0

*Note: Residential Facility Crime Statistics are a subset of the On Campus Category, i.e. they are counted in both categories.

VAWA Offenses

Offense	On Campus (includes residential facilities)	Residential Facilities*	Non- Campus	Public Property
Domestic Violence	2	1	1	1
Dating Violence	6	4	1	2
Stalking	28	7	1	1

*Note: Residential Facility Crime Statistics are a subset of the On Campus Category, i.e. they are counted in both categories.

Arrests and Referrals for Disciplinary Action

Offense	On Campus (includes residential facilities)	Residential Facilities*	Non- Campus	Public Property
Liquor Law Arrests	4	1	0	51
Drug Law Arrests	7	0	0	23
Weapons Law Arrests	2	0	0	3
Liquor Law Violations Referred for Disciplinary Action	147	145	0	1
Drug Law Violations Referred for Disciplinary Action	46	33	0	2
Weapons Law Violations Referred for Disciplinary Action	0	0	0	0

Hate Crimes

There was one (1) reported vandalism with a bias of race that occurred on campus.

Unfounded Crimes

There were nine (9) unfounded crimes in 2015.

II. 2014 Crime Statistics

Primary Crimes

Offense	On Campus (includes residential facilities)	Residential Facilities*	Non- Campus	Public Property	Unfounded Crimes
Murder/Non Negligent Manslaughter	0	0	0	1^	0
Negligent Manslaughter	0	0	0	0	0
Rape	5	5	1	0	0
Fondling	4	3	0	0	0
Incest	0	0	0	0	0
Statutory Rape	0	0	0	0	0
Robbery	3	0	0	3	1
Aggravated Assault	2	0	1	2	0
Burglary	48	8	2	0	1
Motor Vehicle Theft	7	0	2	1	3
Arson	0	0	0	0	0
Liquor Law Arrests	1	0	0	5	0
Drug Law Arrests	13	9	1	4	0
Weapons Law Arrests	0	0	0	0	0
Liquor Law Violations Referred for Disciplinary Action	122	122	0	1	0
Drug Law Violations Referred for Disciplinary Action	49	45	0	0	0
Weapons Law Violations Referred for Disciplinary Action	0	0	0	0	0

*Note: Residential Facility Crime Statistics are a subset of the On Campus Category, i.e. they are counted in both categories.

^Incident occurred in 2012 in White River State Park. IUPD was made aware of the incident being a murder in a press release in 2014. Incident was a result of a domestic with no affiliation to IUPUI.

Domestic Violence, Dating Violence, and Stalking

Offense	On Campus (includes residential facilities)	Residential Facilities*	Non- Campus	Public Property	Unfounded Crimes
Domestic Violence	10	0	1	1^	0
Dating Violence	2	1	0	0	1
Stalking	29	8	1	1	0

*Note: Residential Facility Crime Statistics are a subset of the On Campus Category, i.e. they are counted in both categories.

^Incident occurred in 2012 in White River State Park. IUPD was made aware of the incident being a murder in a press release in 2014. Incident was a result of a domestic with no affiliation to IUPUI.

Hate Crimes

There was one (1) reported Intimidation with a bias of ethnicity that occurred on campus.

III. 2013 Crime Statistics

Primary Crimes

Offense	On Campus (includes residential facilities)	Residential Facilities*	Non- Campus	Public Property
Murder/Non Negligent Manslaughter	0	0	0	0
Negligent Manslaughter	0	0	0	0
Sex Offenses, Forcible (Rape, Sodomy, Sexual Assault with an object, Fondling)	4	3	1	1
Sex Offenses, Non Forcible - Incest	0	0	0	0
Sex Offenses, Non Forcible - Statutory Rape	0	0	0	0
Robbery	4	0	3	1
Aggravated Assault	2	0	10	1
Burglary	45	4	3	0
Motor Vehicle Theft	5	0	14	1
Arson	1	1	0	1
Liquor Law Arrests	7	5	0	0
Drug Law Arrests	12	8	3	5
Weapons Law Arrests	0	0	1	0
Liquor Law Violations Referred for Disciplinary Action	103	103	0	0
Drug Law Violations Referred for Disciplinary Action	17	16	0	0
Weapons Law Violations Referred for Disciplinary Action	0	0	0	0

**Note: Residential Facility Crime Statistics are a subset of the On Campus Category, i.e. they are counted in both categories.*

Domestic Violence, Dating Violence, and Stalking

Offense	On Campus (includes residential facilities)	Residential Facilities*	Non- Campus	Public Property
Domestic Violence	6	0	4	1
Dating Violence	9	4	0	1
Stalking	8	2	4	1

**Note: Residential Facility Crime Statistics are a subset of the On Campus Category, i.e. they are counted in both categories.*

Hate Crimes

- There was one (1) reported Simple Assault with a bias of race that occurred on campus.
- There was one (1) reported Intimidation with a bias of national origin that occurred on campus.
- There was one (1) reported Destruction/Damage/Vandalism of property with bias of race that occurred on campus.

Annual Fire Safety Report

In compliance with the fire-related requirements of the Higher Education Opportunity Act, the IU Office of Insurance, Loss Control & Claims (INLOCC) provides an Annual Fire Safety Report for each IU campus that has on-campus student housing including information on policies, procedures and programs concerning fire safety. The Annual Fire Safety Report is located at the following link. You may also request a paper copy by contacting INLOCC via phone at 812-855-9758.

<https://inlocc.webhost.iu.edu/CAS/FireReporting/AnnualFireSafetyReport-IUPUI2015.pdf>

Disclosure of Annual Crime Statistics – IUSM South Bend

IUSM-South Bend students have full Notre Dame campus privileges, excluding the use of on-campus housing and counseling services; therefore statistics in this table are based on the entire on-campus and public property reported by the University of Notre Dame. Non-campus locations are based only on locations used by the IUSM-South Bend student.

I. 2015 Crime Statistics

Criminal Offenses

Offense	On Campus	Non-Campus	Public Property
Murder/Non Negligent Manslaughter	0	0	0
Manslaughter by Negligence	0	0	0
Rape	12	0	0
Fondling	9	0	0
Incest	0	0	0
Statutory Rape	0	0	0
Robbery	3	0	0
Aggravated Assault	0	0	0
Burglary	26	0	0
Motor Vehicle Theft	19	0	0
Arson	2	0	0

VAWA Offenses

Offense	On Campus	Non-Campus	Public Property
Domestic Violence	0	0	0
Dating Violence	1	0	0
Stalking	12	0	0

Arrests and Referrals for Disciplinary Action

Offense	On Campus	Non-Campus	Public Property
Liquor Law Arrests	33	0	4
Drug Law Arrests	8	0	11
Weapons Law Arrests	0	0	0
Liquor Law Violations Referred for Disciplinary Action	701	0	0
Drug Law Violations Referred for Disciplinary Action	17	0	0
Weapons Law Violations Referred for Disciplinary Action	0	0	0

Hate Crimes

There were zero (0) hate crimes reported for 2015.

Unfounded Crimes

In 2015, two (2) crimes were formally determined by sworn law enforcement personnel to be baseless, and were therefore “unfounded,” following a full investigation into each of the reported crimes.

II. 2014 Crime Statistics

Primary Crimes

Offense	On Campus	Non-Campus	Public Property
Murder/Non Negligent Manslaughter	0	0	0
Negligent Manslaughter	0	0	0
Rape	15	0	0
Fondling	4	0	0
Incest	0	0	0
Statutory Rape	0	0	0
Robbery	0	0	0
Aggravated Assault	1	0	0
Burglary	15	0	0
Motor Vehicle Theft	14	0	0
Arson	0	0	0
Liquor Law Arrests	34	0	0
Drug Law Arrests	5	0	3
Weapons Law Arrests	0	0	0
Liquor Law Violations Referred for Disciplinary Action	901	0	1
Drug Law Violations Referred for Disciplinary Action	16	0	0
Weapons Law Violations Referred for Disciplinary Action	0	0	0

Domestic Violence, Dating Violence, and Stalking

Offense	On Campus	Non-Campus	Public Property
Domestic Violence	1	0	0
Dating Violence	0	0	0
Stalking	5	0	1

Hate Crime Reporting

There were zero (0) hate crimes reported in 2014.

Unfounded Crimes

In 2014, four (4) crimes were formally determined by sworn law enforcement personnel to be baseless, and were therefore “unfounded,” following a full investigation into each of the reported crimes.

III. 2013 Crime Statistics

Primary Crimes

Offense	On Campus	Non-Campus	Public Property
Murder/Non Negligent Manslaughter	0	0	0
Negligent Manslaughter	0	0	0
Sex Offenses, Forcible (Rape, Sodomy, Sexual Assault with an object, Fondling)	16	0	0
Sex Offenses, Non Forcible - Incest	0	0	0
Sex Offenses, Non Forcible - Statutory Rape	0	0	0
Robbery	0	0	0
Aggravated Assault	1	0	0
Burglary	13	0	0
Motor Vehicle Theft	9	0	0
Arson	0	0	0
Liquor Law Arrests	30	0	3
Drug Law Arrests	7	0	4
Weapons Law Arrests	0	0	0
Liquor Law Violations Referred for Disciplinary Action	403	0	2
Drug Law Violations Referred for Disciplinary Action	5	0	0
Weapons Law Violations Referred for Disciplinary Action	0	0	0

Domestic Violence, Dating Violence, and Stalking

Offense	On Campus	Non-Campus	Public Property
Domestic Violence	1	0	0
Dating Violence	1	0	0
Stalking	5	0	0

Hate Crime Reporting

There were zero (0) hate crimes reported in 2013.

Appendix A - Crime Definitions

Definitions for *Murder, Rape, Robbery, Aggravated Assault, Burglary, Motor Vehicle Theft, Arson, Weapons: Carrying, Possessing, etc. Law Violations, Drug Abuse Violations, and Liquor Law Violations* are from the *Summary Reporting System (SRS) User Manual* from the FBI's Uniform Crime Reporting (UCR) program. The definitions of *Fondling, Incest, and Statutory Rape* are from the FBI's *National Incident-Based Reporting System (NIBRS) Data Collection Guidelines* edition of the UCR. Hate Crimes are classified according to the FBI's *Uniform Crime Reporting Hate Crime Data Collection Guidelines and Training Manual*. Definitions for the categories of *Domestic Violence, Dating Violence and Stalking*, are obtained from the *Violence Against Women Act of 1994* and repeated in the Department's *Clery Act* regulations.

- Murder/Non-negligent Manslaughter: the willful (non-negligent) killing of one human being by another.
- Manslaughter by Negligence: the killing of another person through gross negligence.
- Rape: the penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.
- Fondling: the touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is

- incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.
- Incest: sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
 - Statutory Rape: sexual intercourse with a person who is under the statutory age of consent.
 - Sex-Offenses – Forcible: any sexual act directed against another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent. Including: forcible rape, forcible sodomy, sexual assault with an object, forcible fondling. (2013 stats only)
 - Sex Offenses – Non-forcible: unlawful, non-forcible sexual intercourse. Including: incest and statutory rape. (2013 stats only)
 - Robbery: 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: an unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm.
 - 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, personal property of another, etc.
 - Hate Crimes: a criminal offense that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim. For the purposes of this section, the categories of bias include the victim's actual or perceived race, religion, gender, gender identity, sexual orientation, ethnicity, national origin, and disability. Hate Crimes reported include all of the crimes listed above, plus larceny/theft, simple assault, intimidation and destruction/damage/vandalism of property that are motivated by bias.
 - Larceny-Theft: the unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another. Constructive possession is the condition in which a person does not have physical custody or possession, but is in a position to exercise dominion or control over a thing.
 - 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.
 - Destruction/Damage/Vandalism of Property: to willfully or maliciously destroy, damage, deface, or otherwise injure real or personal property without the consent of the owner or the person having custody or control of it.
 - Domestic Violence: a felony or misdemeanor crime of violence committed—
 - (A) By a current or former spouse or intimate partner of the victim;
 - (B) By a person with whom the victim shares a child in common;
 - (C) By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;
 - (D) By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred; or

- (E) By any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.
- Dating Violence: violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.
 - (i) For the purposes of this definition—
 - (A) Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
 - (B) Dating violence does not include acts covered under the definition of domestic violence.
- Stalking: engaging in a course of conduct directed at a specific person that would cause a reasonable person to—
 - (A) Fear for the person's safety or the safety of others; or
 - (B) Suffer substantial emotional distress.
 - (i) For the purposes of this definition—
 - (A) *Course of conduct* means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property.
 - (B) *Reasonable person* means a reasonable person under similar circumstances and with similar identities to the victim.
 - (C) *Substantial emotional distress* means significant mental suffering or anguish that may, but does not necessarily require medical or other professional treatment or counseling.
- Arrest: persons processed by arrest, citation or summons.
- Referred for Disciplinary Action: the referral of any person to any official who initiates a disciplinary action of which a record is established and which may result in the imposition of a sanction.
 - Weapons: Carrying, Possessing, etc.: the violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices, or other deadly weapons. This classification encompasses weapons offenses that are regulatory in nature.
 - Drug Abuse Violations: the violation of laws prohibiting the production, distribution, and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use. The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation, or importation of any controlled drug or narcotic substance. Arrests for violations of state and local laws, specifically those relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs.
 - Liquor Law Violations: the violation of state or local laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, or use of alcoholic beverages, not including driving under the influence and drunkenness.

Appendix B – Procedures for Responding to Incidents of Student Sexual Misconduct

The University will promptly respond to all reports of sexual misconduct alleged against a University student following the procedures outlined in this policy. Allegations of sexual misconduct by students will be addressed by the Sexual Misconduct Policy and the Code of

Student Rights, Responsibilities and Conduct ("Student Code"). Students may be charged according to specific code violations under the Student Code, which will reference the Sexual Misconduct Policy.

Any individual reporting they have been a victim of sexual violence will be informed of how to, and provided assistance in, making a criminal complaint with the appropriate law enforcement agency. The pursuit of criminal charges may be in addition to (or instead of) pursuing cases through the University process. Individuals who identify as victims/survivors and all members of the Indiana University community are also encouraged to visit the Stop Sexual Violence website at <http://stopsexualviolence.iu.edu> for more information on reporting, campus resources and services available on their campus.

Throughout the process, the parties will have equal opportunities to present information, have advisors present, and pursue an appeal, if applicable. The University will have as a priority the interests of all parties involved, in regard to fairness, dignity, privacy, and due process.

The investigation and determination of responsibility will generally be concluded within 60 days of the report, absent special circumstances.

1. Investigation: Upon receipt of a report of sexual misconduct by a victim/survivor (hereinafter referred to as "complainant") or third party, and following an initial assessment to determine whether it falls within the scope of the Sexual Misconduct Policy and rises to the level of an allegation of sexual misconduct, the University will take immediate and appropriate steps to investigate the incident. If the complainant requests confidentiality or asks that the complaint not be pursued, the University will take all reasonable steps to investigate and respond to the incident consistent with those requests, keeping in mind that the University must weigh such requests against its obligation to provide a safe, non-discriminatory environment for all students, including the complainant.
 - a. If sexual misconduct proceedings are initiated, the Investigator(s) will notify the complainant and the student alleged to have engaged in sexual misconduct (hereinafter referred to as "respondent"). The respondent will be provided a date by which an appointment must be made to discuss the matter. The respondent shall be informed of the allegations made against them and shall be provided the opportunity to respond.
 - b. The investigation may include, but is not limited to, interviews with the complainant, the respondent, and other witnesses identified as having information relevant to the allegations made, as well as the examination of written statements by the parties, relevant documents, and other relevant information. Information for the investigation may be provided by complainants, respondents, witnesses identified by any party, or the University. Any person believed to have information relevant to an investigation may be contacted and requested to make an appointment to discuss the matter. The University shall determine what information and evidence will be included in the Investigation File.
 - c. Failure to comply with a request to make and/or keep an appointment related to an investigation may result in a disciplinary hold being placed on a student's account and/or the initiation of student conduct charges for failure to comply.
 - d. All members of the University are expected to cooperate with the investigative process. Failure to do so may result in disciplinary measures pursuant to applicable University policy and procedure.

- e. Following their investigation, the Investigator will provide their Preliminary Investigation Report to the parties. At that time, the parties will be provided access to the Investigation File. The parties will be provided 10 calendar days to review the Preliminary Investigation Report and the Investigation File and provide any clarifying information to the Investigator. This period of 10 days will be the final opportunity for parties to submit any additional information to the Investigator.
 - f. At the conclusion of the 10-day period, the Investigator will review the information submitted by either party and determine whether and to what extent to incorporate such information into a Final Investigation Report.
 - g. At that time, the Investigator will determine the appropriate charge(s), if any, under the Sexual Misconduct Policy and the Student Code to be placed on respondent, and include the charge(s) in their Final Investigation Report. If the Investigator places a charge(s), the Final Investigation Report will be submitted to the hearing panel for the determination of responsibility, and the parties will be provided the Final Investigation Report and notified of next steps of the sexual misconduct process. If the Investigator determines that there is insufficient evidence to support placing a charge, the parties will be provided the Final Investigation Report and notified that no charges will be placed and the case has been closed.
2. Acceptance of Responsibility:
- a. In cases where the respondent expresses a willingness to accept responsibility for any or all charges in a case, the respondent will be offered the opportunity to waive the right to a formal hearing as to the specific charge(s) and all related procedural guarantees, and agree to receive a sanction from a designated student affairs conduct officer or by the hearing panel. In such situations, the parties will each be provided the opportunity to submit a written statement to the conduct officer or hearing panel for consideration in determining appropriate sanctions.
 - b. The conduct officer or hearing panel shall consider only the parties' written statements regarding sanctions, the relevant facts from the investigation, and past conduct history of the respondent (if applicable). In such cases, the right to appeal will be limited to an appeal on the grounds that the sanction is grossly disproportionate to the violation(s) committed, in light of all relevant aggravating and mitigating factors, and in consideration of applicable university guidelines.
3. Alternative Resolution Options:
- a. In appropriate cases, the University may pursue alternative resolution with the consent of all parties at any point in the investigation process. Alternative resolution options may include, but are not limited to, mediation, development action plans, voluntary resolutions, and/or appropriate sanctions.
 - b. Under any alternative resolution, the complainant will not be required to resolve the problem directly with the respondent, unless desired by the complainant. All parties must be notified of the right to end the alternative resolution process at any time, and begin the formal process. Mediation may not be used in cases involving any sexual violence. The Investigator shall document the outcome of any alternative resolution and share with the parties.
4. Sexual Misconduct Hearing: The respondent is required to attend the sexual misconduct hearing. The complainant has an equal right to attend the sexual misconduct hearing and participate to the same extent as the respondent, if they choose. If either respondent or complainant is unavailable to participate in person

based on significant travel or schedule restrictions, participation by other means may be made available.

a. Sexual Misconduct Hearing

- i. A hearing panel will be assembled for the sexual misconduct hearing to make a determination of respondent's responsibility as to the specific charge(s) set forth in the Final Investigation Report.
- ii. The hearing panel will be composed of three staff or faculty members of the University. Hearing panel members will be drawn from the pool of staff and faculty members who have completed the University's required annual training on issues related to sexual misconduct and University policies and procedures. At a minimum, at least one panel member shall be a student affairs administrator.
- iii. The sexual misconduct hearing is closed. However, the complainant and respondent may each select one advisor of their choice and at their expense to accompany them at any point in the disciplinary process. Advisors are limited to an advisory role and may not participate or speak for the parties.
- iv. Upon review of the Final Investigation Report, the hearing panel will determine witnesses who may be called, if any, to participate in the hearing.

b. Procedures for a Sexual Misconduct Hearing

- i. The Chair of the hearing panel shall review the charge(s) placed against the respondent and the specific facts alleged. The respondent may, but need not, respond to allegations.
- ii. Both the complainant and the respondent will have equal opportunity to provide a statement to the hearing panel.
- iii. No one other than the hearing panel members, the complainant, and the respondent may pose questions during the hearing. The complainant and respondent may not directly question each other, but may submit questions to the Chair, to be asked of the other party. The Chair or other panel members will review questions prior to posing to the other party to prevent questioning that is not permitted under these proceedings.
- iv. The sexual misconduct hearing is recorded. Deliberations by the panel, following the hearing, are not recorded.
- v. If the respondent fails to appear at the sexual misconduct hearing, the hearing may proceed without their participation. The respondent may explain the failure to appear in writing to the University within two business days of the scheduled hearing. Written documentation supporting the cause of absence must be included. Within three business days after receiving the respondent's letter, the University will notify the respondent and the complainant whether the failure to appear was excused, and if so the hearing may be rescheduled. The failure to appear will only be excused due to extraordinary circumstances.
- vi. If the respondent failed to appear and such failure was not excused, the respondent's right to appeal the finding and any sanction(s) imposed will be automatically forfeited, and the outcome reached in absentia will go into effect. The respondent shall not lose their right to appeal in the event the hearing panel's finding includes a sanction of expulsion from University housing, suspension from the University, or expulsion from the University.

c. Decision & Sanctions

- i. At the conclusion of a hearing, the panel shall deliberate without the parties present to determine responsibility for the specific charge(s) based on the evidence, and sanctions if applicable.
 - ii. If, after deliberations, the hearing panel determines that the information contained in the Final Investigative Report and gathered during the hearing, does not support by a preponderance of the evidence (more likely than not) that the respondent is responsible for a violation of the Sexual Misconduct Policy and the Student Code, the hearing panel will notify both the respondent and the complainant by means of a written notice. The complainant and/or respondent may request an appeal (see section 5a.).
 - iii. If, after deliberations, the hearing panel determines that the information contained in the Final Investigative Report and gathered during the hearing, does support by a preponderance of the evidence (more likely than not) that the respondent is responsible for a violation of the Sexual Misconduct Policy and the Student Code, the hearing panel will notify both the respondent and the complainant and will assign appropriate sanctions by means of a written notice. The respondent and/or the complainant may request an appeal (see section 5a.).
 - iv. Possible sanctions for cases in which students are found in violation of Sexual Misconduct Policy and the Student Code for acts of sexual misconduct include, but are not limited to formal warnings, behavioral assessment and/or counseling, required educational training, disciplinary probation, suspension, and/or permanent expulsion.
- 5. Appeal: The respondent or the complainant may appeal the decision of the sexual misconduct hearing panel to the Senior Student Affairs Administrator on the respective campus, or their designee. To initiate an appeal, respondent/complainant must send written notice of appeal to the designated official. The written notice must include the basis for seeking the appeal and include information to support such basis (See Section 5b.)
 - a. Timing: The notice of appeal must be filed no later than five calendar days after the date the written decision of the sexual misconduct hearing panel is sent. If an appeal is submitted by either party, the underlying decision and any corresponding sanction will be held in abeyance until final notice of the appeal outcome. During this time, any interim measures in place will remain in effect (e.g., no contact order, no trespass). If no written request for an appeal is received by the University within the time specified, the decision of the hearing panel and any sanction(s) imposed will be final and in effect.
 - b. Basis for Appeal: The Senior Student Affairs Administrator will have the sole discretion in determining whether the basis for appeal has been met and whether the appeal can move forward. An appeal must be based on one of the following criteria:
 - i. Significant procedural error that reasonably would have affected the outcome of the student's case.
 - ii. The sanction imposed is grossly disproportionate to the violation(s) committed, in light of all relevant aggravating and mitigating factors, and in consideration of applicable University guidelines.
 - c. Decision and Sanction: If the basis for appeal has been met, the Senior Student Affairs Administrator will review the written appeal and the pertinent part of the sexual misconduct hearing panel record only. The Senior Student Affairs Administrator will not consider new evidence or information that is not a part of that record. The Senior Student Affairs

Administrator must render a decision within 10 calendar days of receipt of the appeal and may take any of the following actions:

- i. Affirm the original decision regarding responsibility.
 - ii. Affirm the original decision concerning the disciplinary sanction/s to be imposed.
 - iii. Set aside the original decision regarding responsibility and impose a new decision.
 - iv. Set aside the original decision regarding responsibility and order that a new sexual misconduct hearing be held before a new hearing panel.
 - v. Set aside the original decision concerning the disciplinary sanction/s to be imposed and impose a different sanction or set of sanctions.
- d. The Senior Student Affairs Administrator will notify the respondent and the complainant, in writing, of their decision and will initiate the necessary procedures to effectuate the decision.
 - e. The decision of the Senior Student Affairs Administrator or their designee is final and there will be no further appeals.
6. Notice: The complainant and the respondent will be provided written notice of the outcome of the sexual misconduct hearing, the appeals process, and the appeal decision, if applicable. Written notice may be provided electronically through Indiana University email accounts.
 7. NOTE: Just as students with disabilities may be eligible for accommodations in their classes, accommodations may be available for these procedures as well. Students with disabilities requesting accommodations and services under these procedures will need to present a current accommodation verification letter from their campus disability services office before accommodations can be considered and provided. Further information and definitions of key terms can be found in the University Sexual Misconduct Policy.

Further information and definitions of key terms can be found in the University Sexual Misconduct Policy. (<http://policies.iu.edu/policies/categories/administration-operations/equal-opportunity/sexual-misconduct.shtml>)

Appendix C – Procedures for Responding to Incidents Involving Allegations of Faculty or Staff Sexual Misconduct

The University will promptly respond to all complaints of Sexual Misconduct alleged against a University employee. Any individual reporting that they have been a victim of sexual violence will be informed of how to make a criminal complaint with the appropriate law enforcement agency and will be provided assistance in making such a complaint. Individuals who identify as victims/survivors and all members of the Indiana University community are also encouraged to visit the Stop Sexual Violence website at <http://stopsexualviolence.iu.edu> for more information on reporting, campus resources and services available on their campus.

All parties will have equal opportunities to present information, have advisors present, and pursue an appeal, if applicable. All procedures, excluding any appeal, should be completed within 60 days, absent any special circumstances.

Throughout this process, the University will have as a priority, the interests of all parties involved, with regard to fairness, dignity, privacy, and due process. Students reporting sexual misconduct against an employee will be provided interim and remedial measures as described in this policy, where appropriate and necessary.

For the purpose of these procedures, relevant officials with key responsibilities are:

Investigator - the Deputy Title IX Coordinator(s) for the respective campus, or an appropriate designee, will conduct fact-finding as the Investigator.

Decisional Official (DO) - will issue the decision determining responsibility and assigning appropriate sanctions, if applicable. The DO will be as follows:

1. For complaints against staff employees, including temporary (hourly), the DO will be the appropriate Campus HR Director.
2. For complaints against faculty and academic employees, the DO will be the Vice Provost/Vice Chancellor for Academic Affairs of the respective campus.
3. For complaints against a Dean, a Vice Provost, or a Vice Chancellor, the DO will be the Provost/Chancellor of the respective campus.
4. For complaints against a University Vice President, a Provost, a Chancellor, or equivalent, the DO will be the President.
5. For complaints against the President, the DO will be the Board of Trustees.

Faculty Board of Review – constituted on each campus, in faculty cases may review action of DO.

Appellate Official – may review action of DO on each campus following appeal by either party. The Appellate Official will be as follows:

1. For an appeal in a complaint against staff employees, including temporary (hourly), the Associate Vice President of University Human Resources.
2. For an appeal in a complaint against faculty or academic employees, the Provost/Chancellor of the respective campus.
3. For an appeal in a complaint against a Dean, a Vice Provost, or a Vice Chancellor, the President.
4. For an appeal in a complaint against a Vice President, a Provost, a Chancellor, or equivalent, the Board of Trustees.

All relevant officials and any review board members will receive annual University training on issues related to sexual misconduct and be familiar with University policies and procedures. The University Title IX Coordinator shall be informed of each complaint and be available to all relevant officials and review board members for consultation during this process.

Complaint

Initial Assessment: Upon receipt of a complaint against faculty or staff, an Investigator will conduct an initial assessment to determine whether it falls within the scope of the Sexual Misconduct Policy, and whether it rises to the level of an allegation of sexual misconduct. The initial assessment will include informing complainants and respondents regarding the nature of allegations and explanation of this policy and procedures.

The process that follows shall apply if the Investigator determines that this threshold has been met. If a complaint raises allegations that are outside the scope of the Sexual Misconduct Policy, but may violate other University policy(ies), the Investigator will refer the complaint to the appropriate University office.

In the event the Investigator determines not to pursue an investigation under this Policy, that decision may be appealed by either party to the DO, requesting a review of the decision not to proceed in an investigation. Upon review, the DO may uphold that decision or order an Investigation to proceed.

Interim Action: If, upon the receipt of a complaint, the University Title IX Coordinator and/or the Deputy Title IX Coordinator(s) for the respective campus, or their designee, determines a need for immediate interim action, e.g. removal, reassignment, administrative leave, or suspension, they shall consult with the DO. The DO may administer such interim action at any point in this process pending final outcome.

Alternative Resolution Options: In appropriate cases, the University may pursue informal resolution with the consent of all parties at any point in the investigation process. Informal resolution options may include, but are not limited to, mediation, development action plans, and voluntary resolutions. Under informal resolution, the complainant will not be required to resolve the problem directly with the respondent, unless desired by the complainant. All parties must be notified of the right to end the alternative resolution process at any time, and begin the formal process. Mediation may not be used in cases involving any sexual violence or where the complaint is made against an employee with a position of authority over the complainant. The Investigator shall document the outcome of any alternative resolution and share with the University Title IX Coordinator and the DO.

Investigation

When an investigation is initiated, the Investigator will conduct fact-finding as to the allegations made against the respondent employee. The investigation may include, but is not limited to, interviews with the complainant, the respondent, and other witnesses identified as having information relevant to the allegations made, as well as the examination of written statements by the parties, relevant documents, and other relevant information. Information for the investigation may be provided by complainants, respondents, witnesses identified by any party, or the University. The Investigator shall ensure that the respondent is informed of all allegations raised and is provided the opportunity to respond. The University may consider information relating to prior complaints of misconduct known to the University. Evidence regarding a party's past sexual behavior or activity is prohibited, except in connection to evidence of past sexual activity **between** the parties where the exclusion of such information would adversely affect the integrity or fairness of the finding. Previous consensual relationships between the parties will not in itself establish consent or preclude a finding of sexual misconduct.

All members of the University are required to cooperate fully with the investigative process. Failure to do so may result in disciplinary measures pursuant to applicable University policy and procedure.

Report of Investigation

The Investigator will create a report of the investigation setting forth:

1. factual determination(s);
2. recommendation as to whether the respondent is responsible for the sexual misconduct using a preponderance of the evidence standard (more likely than not); and
3. recommendation as to appropriate sanctions, if any, as set forth below.

The report will be forwarded to the DO.

Finding and Decision

Upon receiving the Investigator's report, the DO may consult with the Investigator concerning his or her recommendations. If the DO wishes further consultation with the parties, the Investigator will facilitate consultations to ensure equal opportunities for the parties to meet with the DO.

The DO will issue one of the following findings, using a preponderance of the evidence standard:

1. Finding of “No Violation” of the University’s Sexual Misconduct Policy:

If there is a determination that the behavior alleged and investigated did not violate the Sexual Misconduct Policy, the parties will be so informed of the finding. The parties will receive a summary of the information considered during the investigation. In the event the investigation reveals that the employee may have violated a different University policy, the DO may address any such potential violation through other applicable University policies. Documentation regarding a finding of “No Violation” shall be maintained with the respective Deputy Title IX Coordinator’s office, and not in the employee’s personnel file.

2. Finding of a “Violation” of the University’s Sexual Misconduct Policy:

If there is a determination that the behavior alleged and investigated was in violation of the Sexual Misconduct Policy, the DO shall issue the finding and sanction(s) (based on the level of sanctions set forth below) and notify all parties. The parties will receive a summary of the information considered during the investigation.

Sanctions

Sanctions for a violation of the University’s Sexual Misconduct Policy include the following:

1. Level One Sanctions include sanctions that do not directly modify job duties or actual salary, such as informal discussions, additional training, periodic review, letter to personnel file (other than to promotion and tenure dossier which is included in Level Two Sanctions below). Level One Sanctions shall not be appropriate in the event the respondent was found responsible for sexual assault or other sexual violence.
2. Level Two Sanctions include sanctions that directly modify job duties, salary or job status, including withholding compensation, consideration in tenure or promotion decisions, suspension and termination.

When determining the appropriate sanctions, consideration shall be given to the nature and severity of the behavior and the existence of any prior incidents or violations.

Appeals

Appeals to Appellate Officer

Following a finding of “No Violation” any party may request an appeal directly to the Appellate Officer on the basis of:

1. Significant procedural error that reasonably would have affected the outcome.
2. Significant bias in the process.

Following a finding of “Violation” and Level One Sanction: any party may request an appeal directly to the Appellate Officer on the basis of:

1. Significant procedural error that reasonably would have affected the outcome.
2. Significant bias in the process.

Following a finding of “Violation” and Level Two Sanction: any party may request an appeal directly to the Appellate Officer on the basis of:

1. Significant procedural error that reasonably would have affected the outcome.
2. Significant bias in the process.

3. The finding of responsibility is in error.
4. The appropriateness of the sanctions.

All requests for appeal must be submitted in writing within 10 calendar days of receiving the DO's decision. The request must set forth the basis for seeking an appeal, and include information to support such basis(es). If an appeal is requested, all concerned parties will be notified. The Appellate Officer shall first determine whether the basis of appeal has been met, and if so, shall review the findings, and any applicable sanctions, in making a decision. The Appellate Officer shall not revisit findings of fact as determined in the investigation.

The Appellate Officer shall make a final determination within 10 calendar days of the receipt of any appeal, indicating one of the following:

1. Affirming the DO's original finding(s).
2. Setting aside the DO's original finding(s) and imposing a new finding and/or sanctions.
3. Setting aside the DO's original finding(s) and ordering a new investigation (this option will generally be reserved for cases where significant procedural error has been identified to have affected the outcome).

To the extent possible, the parties will be notified simultaneously in writing of the final decision following an appeal.

Request for Review to Faculty Board of Review

In cases involving a faculty member as a respondent, any party may request review by a Faculty Board of Review prior to an appeal to the Provost or Chancellor according to the provisions below. This request must be made within 10 calendar days of receiving the decision from the DO.

Level One Sanctions are only eligible for review by the Faculty Board of Review if the requesting party can show significant bias in the process or significant procedural error that reasonably would have affected the outcome. For an appeal of "No Violation" or Level One Sanctions, the Faculty Board of Review may decline a request for review at which point, the requesting party may appeal to the Provost or Chancellor. For Level Two Sanctions, the grounds for review by the Faculty Board of Review may also include the finding of responsibility and the appropriateness of the sanctions. The Board may not conduct new fact-finding, and may not revisit the factual determination. The Board will only receive the Report of the Investigation, but may consult with the DO and Title IX Coordinator about further questions.

Throughout the Faculty Board of Review process, hearing members and participants shall ensure that the privacy of the matter and the parties is upheld. Hearings shall be closed to the public to protect the privacy of all parties. In addition to faculty members serving on the Board of Review hearing panel, others present during a hearing may include the party requesting review, the Investigator, the DO, the University Title IX Coordinator, and any other University official necessary to the proceedings. No witnesses will be allowed in the Faculty Board of Review. If the party requesting review is the faculty employee, the other party may choose to participate in the Faculty Board of Review by either being present and/or by submitting a written statement. All parties may have an advisor present, but the advisor will not be allowed to participate or speak during the Review, unless for the purpose of reading the party's written statement, if provided and requested.

A Faculty Board of Review must be concluded promptly, and within no more than 60 days of the request. After review, the Faculty Board may support the decision of the DO or make an alternative recommendation regarding the finding or sanctions to the Provost or Chancellor, (or relevant official). The Provost or Chancellor (or relevant official) will make a final determination within 10 days of receiving the Faculty Board of Review recommendation.

Note: Adversary hearings, including confrontation, cross-examination by the parties and active advocacy by attorneys or other advocates, are neither appropriate nor permitted during the investigation or appeal phase of these processes.

Further information and definitions of key terms can be found in the University Sexual Misconduct Policy. (<http://policies.iu.edu/policies/categories/administration-operations/equal-opportunity/sexual-misconduct.shtml>)

Appendix D – Sexual Misconduct: Rights, Options, and Resource Guide

WHAT IS SEXUAL MISCONDUCT?

Indiana University does not tolerate sexual misconduct in any form, including sexual harassment, sexual violence, sexual assault, dating violence, domestic violence, sexual exploitation and stalking.

UNIVERSITY DISCIPLINARY PROCESS

The university disciplinary process includes a prompt, fair, and impartial investigation and resolution process, which, absent any appeal, is generally completed within 60 days. This includes the following rights to all parties:

- To be conducted by officials who are properly trained annually on issues related to sexual misconduct and how to conduct an investigation and/or hearing process.
- To have an advisor of their choice present during a University sexual misconduct proceeding, investigation meeting, or related meeting. The role of any advisor is limited to being present only.
- Each party will be simultaneously notified in writing of the outcome and results of any disciplinary proceedings, as well as the equal right to appeal the outcome of any disciplinary proceedings.

The University procedures used are determined by the status of the accused. Procedures for complaints against a student, as well as procedures for complaints against University faculty or staff can be found in the University's Sexual Misconduct Policy, and online at [StopSexualViolence.iu.edu](http://stopsexualviolence.iu.edu).

Individuals found responsible by a preponderance of the evidence through the University's disciplinary process for engaging in sexual misconduct will be sanctioned. Sanctions for sexual misconduct violations may include, but are not limited to, separation from the university, including suspension, expulsion or termination. Other protective measures may include separating the parties, placing limitations on contact between the parties, or making alternative living, class-placement, or workplace arrangements.

Sexual assault, domestic violence, dating violence, and stalking may also be found to be criminal acts following a law enforcement investigation, which may also subject the respondent to criminal penalties under federal and state law.

ABOUT CONSENT

Consent is about communication and respect. Sexual activity without consent is sexual misconduct.

University Definition of Consent

Consent is an agreement expressed through affirmative, voluntary words or actions, and mutually understandable to all parties involved, to engage in a specific sexual act at a specific time:

- **Consent** can be withdrawn at any time, as long as it is clearly communicated.
- **Consent** cannot be coerced or compelled by force, threat, deception or intimidation.
- **Consent** cannot be given by someone who is incapacitated, as defined below.
- **Consent** cannot be assumed based on silence, the absence of "no" or "stop", the existence of a prior or current relationship, or prior sexual activity.

Incapacitated

A person is incapable of consent if they are unable to *understand the facts, nature, extent, or implications* of the situation due to drugs, alcohol, a mental disability, being asleep or unconscious, or based on their age (pursuant to Indiana law).

Consent does not exist when the individual initiating sexual activity *knew or should have known* of the other person's incapacitation.

RETALIATION

Retaliation against anyone who has reported an incident of sexual misconduct, provided information, or participated in procedures or an investigation into a report of sexual misconduct, is prohibited by the University and will not be tolerated. Concerns about potential retaliation in connection with a report of sexual misconduct should be reported to a Deputy Title IX Coordinator.

PROTECTIVE MEASURES

In addition to the interim and remedial measures available through the University (see Resources), IU recognizes all valid orders of protection, no contact orders, restraining orders, or similar lawful orders. If you have a valid order, please inform IUPD, so the order can be enforced on campus, if necessary. To learn more about protection orders contact the Indiana Coalition Against Domestic Violence (ICADV) hotline at **1-800-332-7385**.

CONFIDENTIALITY & PRIVACY

Information Confidentiality

The University is committed to protecting your privacy by sharing information with only those who need to know. Your information may need to be shared with those involved in investigating the incident, those responsible for providing necessary resources and remedies, and those responsible for ensuring the public's safety. You should discuss your desires regarding confidentiality with any University employee with whom you speak, to ensure you understand their reporting obligations and what information they may be required to share.

As a note, the university completes publicly available recordkeeping, including Clery Act reporting, *without* including personally identifying information.

Responsible Employees

Most employees are considered Responsible Employees, which means they have to share any information they know about an incident of sexual misconduct with the University or Deputy Title IX Coordinator. Responsible employees include all supervisors, all employees that interact directly with students, and all employees that students might reasonably believe have some authority to take action or a duty to report. Though not exhaustive, this includes faculty and other instructors, academic advisors, coaches and athletic staff, student affairs administrators and residential hall staff, employees in offices that serve students, and all supervisors within the university.

Confidential Employees

There are employees on your campus that you can talk to confidentially, who do not have the same reporting obligations as a Responsible Employee. Confidential employees include those designated on your campus to be confidential, such as health center staff, a victim advocate, as well as any licensed, professional counselors (e.g. mental health counselors, psychologists).

ADDITIONAL INFORMATION

For additional information on available resources on campus and in the community, as well as a link to the Sexual Misconduct Policy and Procedures, please visit:

<http://stopsexualviolence.iu.edu/>

INDIANA UNIVERSITY- PURDUE UNIVERSITY INDIANAPOLIS



SEXUAL MISCONDUCT: RIGHTS, OPTIONS, AND RESOURCE GUIDE

For Emergencies Dial 9-1-1
<http://stopsexualviolence.iu.edu/>

RESOURCES

WHERE TO REPORT

Law Enforcement

Indiana University Police Department (IUPD)

Responds to incidents on campus

317-274-7911 or 911

Indianapolis Metropolitan Police Department

Responds to incidents in the Indianapolis metropolitan area

317-327-3811 or 911

IUPUI Office of Student Conduct

The IUPUI disciplinary process is a fair and educational process designed to promote a safe educational environment and develop students who are productive members of both the local and global communities. Responds to reports of student misconduct.

317-274-4431

Title IX Coordination

Under Title IX of the Education Amendments of 1972, sexual violence is considered a form of sexual discrimination. You may file a Title IX sex discrimination complaint using one of the resources below:

University Title IX Coordinator

Emily Springston
Chief Student Welfare and Title IX Officer
812-855-4889

Deputy Title IX Coordinator

Kim Kirkland
Director of the Office of Equal Opportunity
317-274-2306

CONFIDENTIAL COUNSELING SERVICES

IUPUI Counseling & Psychological Services (CAPS)

CAPS provides professional psychological services for IUPUI students at minimal charge.

719 Indiana Avenue, Walker Plaza 220
317-274-2548

<http://caps.iupui.edu>

24 Hour Crisis & Suicide Hotline

317-251-7575

Community Health Network Behavioral Care Services

<http://www.ecommunity.com/behavioralcare>

Employee Assistance Program

Provides professional and confidential counseling to full time employees, medical residents, and graduate appointees and their household members.

888-234-8327

MEDICAL SERVICES

Infection and injury evaluation, treatment, and evidence collections are available at the following locations (*locations closest to campus are listed, however additional centers exists in most Indianapolis hospitals*):

IU Health Methodist Hospital Center of Hope

1701 N Senate
317-963-3394 (available 24/7)

Eskenazi Health Center of Hope

720 Eskenazi Avenue (near Ball Residence)
317-880-8006

IUPUI Student Health

The IUPUI Student Health Center offers services for general medical needs, such as annual exams, birth control, acute illnesses and injuries in two locations.

Campus Center Student Health
Campus Center, Suite 213
420 University Blvd
317-274-2274

Campus Health
Coleman Hall, Room 100
1140 West Michigan Street
317-274-8214

OTHER CAMPUS RESOURCES

Assistant Director of Sexual Assault Education and Prevention

The IUPUI Assistant Director of Sexual Assault Education and Prevention is a *confidential resource* that assists those that have been the target of relationship violence or sexual assault. The Assistant Director will provide resources and support independently of your decision to report or not report the crime to law enforcement or the university disciplinary process. If you decide to report the crime, the Assistant Director will help facilitate your connection with the appropriate campus and community offices and agencies. **317-274-2503**

Sexual Assault Prevention, Intervention, and Response Team (SAPIR)

The task force coordinates sexual assault prevention and education efforts for students, faculty and staff.

<http://sapir.iupui.edu>

Interim & Remedial Measures

Upon request, interim and remedial measures may be provided if appropriate and reasonable. These measures could include no contact orders; assistance in changing academic, living, transportation, and/or work situations; counseling services; victim advocacy services; financial aid information; and assistance in obtaining protective orders. Other advocate services may be available. For more information contact:

Assistant Director of Sexual Assault Education and Prevention 317-274-2503

Office of Equal Opportunity 317-274-2306

Office of International Affairs

The Office of International Affairs can assist students with visa and immigration advising and other support services for international students.

317-274-7000 or oia@iupui.edu

COMMUNITY RESOURCES

Legal Services

The Protective Order Pro Bono Project can assist in filing protective orders, developing safety plans, obtaining legal assistance, and accessing community resources.

Advocates can be contacted at the

City-County Building

200 East Washington Street, Room G-90

317-327-6999

Protection Orders

If you need to file a Petition for an Order of Protection, you can do so at the Marion Superior Court Office.

Marion Superior Criminal Court 4
3rd Floor, Center Tower, Room 360
200 East Washington Street
317-327-8577

HELP IS AVAILABLE: RIGHTS & OPTIONS

Below is important information to consider. Please see contact options under the “Resources” section.

Find a safe place

Most importantly, call 911 if you or anyone else is in immediate danger and try to get to a safe place. Once you are safe, contact someone you trust to be with you for support. This could be a friend, family member, a resident assistant or even a trained sexual assault advocate.

Seek medical attention

Medical attention should be sought as soon as possible. This is necessary to mitigate the risk of sexually transmitted diseases or pregnancy and to treat any physical injury.

Preserve evidence of the incident(s)

If you have experienced any form of sexual misconduct, it is important to preserve any evidence that may be helpful should you decide to pursue a university or criminal complaint, or obtain a protective order. Physical evidence is best collected as soon as possible or at least within 96 hours of the assault. Do **not** do any of the following things until you’ve gotten medical attention and/or contacted the police.

- Bathe or shower
- Use the restroom
- Change clothes or comb hair
- Clean up the crime scene
- Move anything the offender may have touched

It is best not to try to collect this physical evidence yourself, but to seek assistance from medical and/or law enforcement personnel. Consider also preserving any electronic and other types of physical evidence (e.g., text messages, social media posts, receipts, photos).

Counseling support is available

Counseling is recommended during this difficult time. Whether services are sought on campus or in the community, remember that self-care is an important part in coping with the event. Confidential employees are available on your campus (see “Confidentiality & Privacy”).

Consider reporting the incident

There are several reporting options including reporting to campus or local law enforcement, reporting to a campus Deputy Title IX Coordinator, going through the student conduct system, and/or reporting online at **StopSexualViolence.iu.edu**. Campus authorities can assist in notifying law enforcement if requested, however, you may also decline to notify law enforcement.

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Law Enforcement on Campus

The University of Notre Dame Security Police Department (NDSP) is fully authorized as a police agency by the State of Indiana. The University employs both sworn police officers (with arrest authority) and non-sworn campus safety officers who patrol campus and respond to emergencies. Additional staff members work as security monitors or in other support positions in the department. Notre Dame police officers complete state mandated training requirements established for law enforcement officers and have the same legal authority as any other police officers in Indiana.

Notre Dame Security Police staff frequently work with city, county, state and federal law enforcement authorities. Agencies cooperate whenever possible on investigations and crime prevention programs to provide the best possible police services to our campus and local communities. NDSP has a written agreement with the St. Joseph County Metro Homicide Unit regarding death investigations and a written agreement with the South Bend Police for response to possible explosive devices. NDSP does not have a written Memorandum of Understanding with any other police agency. When a Notre Dame student is involved in an off-campus offense, university officers may assist with the investigation in cooperation with local, state or federal law enforcement. The University of Notre Dame does not officially recognize any student organization with an off-campus location. Many students live in the neighborhoods surrounding Notre Dame. Responsibility for providing police services in these neighborhoods rests primarily with city and county police (depending on location).

Officers maintain a 24-hour patrol of campus every day. In addition to the patrol section, officers are assigned to an investigation unit, a crime prevention and technical service unit, and a parking services and special event security unit.

Emergency Procedures and Crime Reporting

Any crime, emergency or suspicious situation on campus, should be reported immediately to the Notre Dame Security Police Department (NDSP). This includes situations where the victim of a crime elects to report a crime, as well as when a victim is unable to make such a report. Anyone may call at any time! Individuals are encouraged to accurately and promptly report crimes to NDSP for various security and safety reasons, including for the purpose of making timely warning reports and the annual statistical disclosure to the community. A number of blue light emergency call stations are positioned around the campus for use in contacting NDSP, and telephones are located at the main entrances of most residence halls. For any emergency, dial 9-1-1 to summon assistance. When calling from a cell phone, NDSP recommends dialing (574) 631-5555 for emergency and non-emergency situations and to request services on campus. Both of these numbers are answered 24 hours a day. Except for confidential communications made to pastoral or professional counselors or health care professionals, federal law requires University employees who are Campus Security

Authorities to report to NDSP any crime reported to the employee that occurred at the University. This policy is necessary not only to protect the Notre Dame community, but also to enable the University to comply with its legal obligation to disclose and report campus crimes.

The section below entitled “Sexual Assault, Dating Violence, Domestic Violence and Stalking” provides an overview of the University’s procedures for reporting instances of sexual assault, dating violence, domestic violence and stalking, and of the confidential resources available to students and employees. For more detailed information concerning the reporting options and on- and off-campus resources available to those who wish to report incidents of sexual assault, dating violence, domestic violence and stalking, see the Reporting and Response Procedure set forth in *du Lac: A Guide to Student Life* (“Reporting and Response Procedure for Student Violations”), which is attached as Appendix 3 and also located at <http://dulac.nd.edu/community-standards/important/#procedures>, for reporting violations by students; and see the *Reporting and Response Procedure for Violations of the University’s Policy on Sexual and Discriminatory Harassment by Faculty and Staff* (“Reporting and Response Procedure for Faculty/Staff Violations”), which is attached to this Report as Appendix 2 and also located at <https://equity.nd.edu/sexual-harassment-title-ix/>, for reporting violations by faculty and staff.

Confidential reports that provide sufficient detailed information for classification of the offense by law enforcement officials using FBI Uniform Crime Report (UCR) guidelines will be included in crime statistics. NDSP sends a memorandum to University pastoral and professional counselors encouraging them to refer crime victims to NDSP and/or to inform the victim of any procedures to report crimes on a confidential basis for inclusion in the annual disclosure of crime statistics. Note that crime reports may be made confidentially and such reports will enable NDSP to provide more complete data on crimes committed on campus. Reporting forms are available from NDSP to use in reporting crimes for inclusion in the annual disclosure of crime statistics. The form for reporting sexual assaults confidentially for inclusion in such crime statistics is available at http://ndsp.nd.edu/assets/123429/sexual_assault_form.pdf. The form for reporting other crimes confidentially for inclusion in such crime statistics is also available at http://ndsp.nd.edu/assets/123428/crime_statistic_form.pdf. These forms are in .pdf format and can be downloaded and filled out. Once completed, the form can be attached to an email to NDSP at ndsp@nd.edu; sent by mail to: Notre Dame Security Police, 204 Hammes Mowbray Hall, Notre Dame, IN 46556; or dropped off to NDSP at Hammes Mowbray Hall.

Confidential crime reports made to pastoral or professional counselors may be shared with NDSP officials with no personally identifying information disclosed for the purposes of including the information in crime statistics and in timely notices to the community. Anonymous crime reports may be made through Michiana Crime Stoppers by calling (800)-342-STOP (7267) or online at <http://www.michianacrimestoppers.com/>. Anonymous reports that contain sufficiently detailed facts for classification of the offense by law enforcement officials using FBI UCR guidelines will be included in annual crime report disclosures.

Response to Reported Incidents

Communications Officers at NDSP are available 24 hours a day to answer your calls. In response to a call, NDSP will take the required action, either dispatching an officer or asking the victim to report to NDSP at Hammes Mowbray Hall to file an incident report. NDSP incident reports concerning students are forwarded to the Office of Community Standards for review and potential disciplinary action, as appropriate. NDSP Investigators will investigate a report when it is deemed appropriate. NDSP Officers may also arrest individuals based on a reported criminal incident.

Additional information obtained via the investigation of students will also be forwarded to the Office of Community Standards for review, as deemed necessary. For information about the specific response to reports of sexual assault, dating violence, domestic violence and stalking, see the *Reporting and Response Procedure for Student Violations* in Appendix 3 (and at <http://dulac.nd.edu/community-standards/important/#procedures>), and the *Reporting and Response Procedure for Faculty/Staff Violations* in Appendix 2 (and at <https://equity.nd.edu/sexual-harassment-title-ix/>).

Notification to the ND Community about Reported Crimes

In the event a serious crime occurs on campus and poses a serious, ongoing threat to members of the Notre Dame community, a mass email Crime Alert will be sent to all students and employees on campus and posted on the Notre Dame Security Police website, and may be posted in the residence halls and various other buildings on campus. The alerts are generally written by the Director and Chief of Security Police or a designee, and they are distributed to the community by listserv operated by the University's Office of Public Affairs and Communications. Updates to the Notre Dame community about any particular case resulting in a Crime Alert may be distributed via email, may be posted on the Notre Dame Security Police website or may be shared with the Observer student newspaper for a follow-up story. Crime Alerts and any updates will be drafted and disseminated in a way that protects the confidentiality of complainants. Such alerts and updates shall not include identifying information about the complainant in any publicly-available recordkeeping to the extent permitted by law.

Crime Alerts are usually distributed for the following Uniform Crime Reporting Program (UCR) classifications: criminal homicide, robbery, and major incidents of arson. Cases involving other serious crimes, such as aggravated assault, sex offenses and motor vehicle thefts, are considered on a case-by-case basis, depending on the facts of the case and the information known by NDSP. For example, if an assault occurs between two students who have a disagreement, there may be no ongoing threat to other ND community members and a Crime Alert would not be distributed. In cases where a serious crime is reported long after the incident occurred, there may be no ability to distribute a "timely" warning to the community and a Crime Alert would not be distributed. For this reason, the decision of whether to issue a Crime Alert for serious crimes is considered on a case-by-case basis, depending on when and where the incident occurred, when it was reported, and other relevant information available to the University.

Campus Safety Begins With You...

The Notre Dame Security Police department provides important services to the community, but nothing we do can replace your actions in maintaining security and safety on campus. The crime prevention and security awareness programs and information described below are designed to inform students and employees about campus security procedures and practices and to encourage students and employees to be responsible for their own security and the security of others. Take time to learn about crime prevention and safety – for yourself and your fellow community members. Information and awareness are your best weapons against crime and accidents. Information in *du Lac: A Guide to Student Life* and a brochure, “How to be ‘Streetwise’ and Safe”, which is available from NDSP upon request, provide important strategies for promoting safety. Additional pamphlets and posters, addressing a wide variety of safety related matters, are available from NDSP. Upon request by students, residence hall staff, faculty or other employees, NDSP staff will provide educational programs addressing related safety matters including self-defense, security awareness, campus security procedures and practices, crime prevention, safe driving, alcohol laws, bystander intervention, active shooter prevention and response or other safety topics. The frequency of programs facilitated in person varies from year to year and is based on requests for programs by the ND community. Safety information outposts are staffed during orientation weekend. Staff receive basic safety information during employee orientation. Throughout the year, NDSP in cooperation with other university organizations presents crime prevention awareness sessions and campus security procedure sessions on average 10 times per month. These sessions cover a variety of topics. In addition, information is disseminated to students and employees through crime prevention and campus security procedure messages, posters, displays, on-line videos, articles and advertisements in university and student newspapers. For more information about the date and location of such programs, contact the NDSP crime prevention coordinator.

The best source of information concerning campus crime reported to NDSP is the department website: <http://ndsp.nd.edu/>. The site contains timely notices or crime alerts, a log of crimes reported to NDSP, crime statistics and crime prevention information (as well as other information about NDSP services). Crime prevention information includes video presentations on a variety of topics such as protecting property and identity, sexual assault, everyday personal safety, stalking, and what to do in a classroom or crowd shooting.

A printed copy of the crime log is also available during normal business hours from NDSP in Room 252 Hammes Mowbray Hall. NDSP staff regularly provide information to *The Observer* for news stories. And as noted, in the event of a serious crime or incident on campus that may pose a serious, continuing threat, alerts are sent to the university community via e-mail and posted on the NDSP website. Everyone is encouraged to review such information and to share the information with others who may not have seen it so steps can be taken to minimize exposure to risks.

SafeBouND formerly known as O’SNAPE

When walking on campus after dark, students can use the SafeBound app (found at NDMobile) or call [\(574\) 631-5555](tel:5746315555) for an escort from the men and women of Notre Dame SafeBouND. A

SafeBouND employee will meet the student and escort that student from any point on campus. The service is free and confidential. SafeBouND is comprised of student employees; they will typically operate a golf cart, equipped with an amber light on top, or they will wear a SafeBouND vest. They are in radio contact with the NDSP Communication Center. SafeBouND will operate in the evening hours during the academic year. Golf carts will be used Sunday through Wednesday, and walking escorts will be offered Thursday through Saturday. During evening hours when SafeBouND is not operating, Campus Safety officers and police officers provide this service and can be reached by using the SafeBouND app.

Bus Service On Campus

The University of Notre Dame is party to an agreement with the South Bend Public Transportation Corp. (TRANSPo) that allows students, faculty and staff to ride fare-free on all TRANSPo routes in South Bend/Mishawaka. This includes the #7 and the Sweep routes that serves the Notre Dame and Saint Mary's campuses. TRANSPo schedule and route information is available at <http://www.sbtranspo.com/>. An administrative shuttle runs from the circle north of Main Building to Lots B16 (near the East Gate) and B2 (Library Lot). The shuttle runs in the morning, at lunch and at the end of the business day. For more information, contact Business Operations at (574) 631-6661.

Campus Lighting and Physical Plant

Facilities Design & Operations ("FD&O") and Landscape Services maintain University buildings and grounds with a concern for safety and security. Campus facilities and lighting are regularly surveyed by physical plant staff. NDSP staff assist FD&O by reporting potential safety or security concerns. Anyone who notices a safety or security problem with the physical plant or campus landscaping should contact the manager of the facility or Facilities Operations (574-631-7701) or Landscape Services (574-631-6537). After business hours, contact NDSP.

Security of and Access to Residence Halls and Other Campus Facilities

The campus and University facilities are private property. Individuals are allowed on campus at the pleasure of the University. It is the University's expectation that visitors abide by University rules. Policies for persons visiting residence halls are outlined in du Lac: A Guide to Student Life. Visitation in residence halls by members of the opposite sex is restricted to hours between 9 a.m. and midnight Sunday through Thursday, and until 2 a.m. on weekends. Except in those buildings where posted notices prohibit trespassing, most non-residence campus buildings are open to guests during normal business hours. Visitors' access to offices, rooms, labs and studios is restricted in these buildings and not permitted without permission from a University representative. Community members are encouraged to immediately notify NDSP if visitors are present in these areas. Academic and administrative buildings are generally open and accessible to students, staff and

visitors during the day and into the evening hours, depending on the activities scheduled in each facility. For information about specific building hours, contact the building manager or NDSP.

Safety and security within undergraduate residence halls is the joint responsibility of the Offices of Community Standards and Housing, and NDSP. Entrances to residence halls are generally locked at all times except during move-in and move-out. Student ID cards are required to operate the locks on exterior residence hall entrances. Residents of graduate student housing are responsible for maintaining security in their apartments by keeping doors and windows secured.

Ensuring that residence halls are free from uninvited visitors requires that residents themselves take an active role in making sure strangers are reported to hall staff and/or Security. Residents should protect themselves by always locking their doors whether they are in or away from their rooms – even when leaving for a moment. Residents should not prop open locked doors. Remember too, that residents are held accountable for the actions of their guests. NDSP officers patrol the campus through vehicle, bicycle and foot patrols and conduct periodic checks of residence halls.

Alcohol and Other Drugs

The University has adopted and implemented a program to prevent the use of illicit drugs and the abuse of alcohol by students and employees.

With respect to students, the specific policies and standards pertaining to the use of illicit drugs and alcohol are presented in du Lac: A Guide to Student Life, which is available at the following web site: <http://dulac.nd.edu/community-standards/resources/drugfree/>. The information presented in du Lac includes the standards of conduct that apply to the unlawful possession, use, or distribution of illicit drugs and alcohol by students; the sanctions the University will impose on students for violations of such standards; the legal sanctions that apply to the unlawful possession or distribution of illicit drugs and alcohol; and the health risks-associated with the use of illicit drugs and the abuse of alcohol. The website of the Center for Student Well-Being describes the drug and alcohol education, counseling, treatment, rehabilitation, and reentry programs available to students: <http://wellness.nd.edu/>.

With respect to employees, the specific policies and standards pertaining to the use of illicit drugs and alcohol are maintained by the Office of Human Resources and are available at the following website: http://hr.nd.edu/assets/32995/drugfree_for_employees.pdf. These policies and standards include the standards of conduct that apply to the unlawful possession, use, or distribution of illicit drugs and alcohol by employees; the sanctions the University will impose on employees for violations of such standards; the legal sanctions that apply to the unlawful possession or distribution of illicit drugs and alcohol; the health risks-associated with the use of illicit drugs and the abuse of alcohol; and the employee assistance program available for employees who want assistance with overcoming drug and/or alcohol abuse.

The Center for Student Well-Being provides prevention, intervention and educational programs and coordinates assessment activities that support the health of Notre Dame students. All incoming students must complete AlcoholEdu, an online pre-matriculation course, prior to their arrival on

campus. The Center also provides online assessments, group education and workshops upon request to support the health and well-being of all students throughout their time at the University. Additional information is available for students from the Center for Student Well-Being (574-631-7970) and the University Counseling Center (574-631-7336). Employees may call LifeWorks at 1-888-267-8126 for information or assistance programs.

Support Services for Victims

A number of services are available to assist students, faculty and staff who may become the victim of a crime on campus, or who may be injured in a serious accident or other emergency situation on campus. In addition to prompt and professional emergency medical services provided by NDSP, the Notre Dame Fire Department (“NDFD”), ambulance, hospital or Health Center staff, victims will be offered an opportunity to meet with Campus Ministry staff, and students may meet with professional staff from the Office of Student Affairs. University Counseling Center staff provide services for students 24 hours a day in emergency situations during the academic year. In cases of criminal activity, information regarding victims’ rights and the steps followed by the criminal justice system to address their case is available from NDSP staff. Assistance for crime victims is also available from the County Prosecutor’s Office.

Resources For Victims Needing Visa And Immigration Assistance

Assistance for those victims needing help with Visa and Immigration issues can be found at Notre Dame’s Office of International Student and Scholar Affairs located in Room 105 of the Main Building. The office can be contacted by phone at (574) 631-3825 or by email at issa@nd.edu. The office is open Monday through Friday from 8:00 am to 5:00 pm.

Immigration Services are also available off-campus through Catholic Charities located at 1817 S. Miami St. in South Bend. They can be reached at (574) 234-3111 ext. 33 or by email at ccoleman@ccfwsb.org. The Board of Immigration Appeals (U.S. Department of Homeland Security) recognizes Catholic Charities’ Immigration Services as a program that provides accurate and affordable services to immigrants who seek to adjust their status, reunite with family members, obtain employment authorization, or file paperwork to make other status adjustments through U.S.C.I.S (U.S. Citizenship and Immigration Services, formerly the U.S. Immigration and Naturalization Service, or INS). Citizenship classes and assistance with the process of naturalization are also provided.

Another off-campus resource for assistance with visa and immigration issues is Indiana Legal Services. Their local office is located in the Commerce Building at 401 E. Colfax Suite 116, South Bend, IN. Their phone number is (574) 234-8121 and their email address is www.indianalegalservices.org. They are open from 8:00 am to 4:30 pm, Monday through Friday. Additional information regarding visas and immigration issues can be found on the U. S. State Department website at <https://travel.state.gov/content/travel/en.html>.

Sexual Assault, Dating Violence, Domestic Violence, and Stalking

The University of Notre Dame strives to maintain a community characterized by a respect for others. At a minimum, this means a community that is free from sexual harassment and sexual violence. The acts of sexual assault, dating violence, domestic violence and stalking can be considered forms of sexual harassment. Accordingly, Notre Dame prohibits sexual harassment in all its forms, including, but not limited to, the acts of sexual assault, dating violence, domestic violence and stalking.

Additional information concerning the University's prohibition of sexual assault, dating violence, domestic violence and stalking, can be found in the University's *Policy on Sexual and Discriminatory Harassment*, which is attached to this Report as Appendix 1 and is also located at <https://equity.nd.edu/sexual-harassment-title-ix/>.

A. Definitions of Sexual Assault, Dating Violence, Domestic Violence and Stalking

Acts of sexual assault, dating violence, domestic violence and stalking not only violate University policy, but can be crimes as well.

1. Indiana State Law

Acts of sexual assault, dating violence, domestic violence and stalking occurring within the context of interpersonal relationships may be criminal offenses under the Indiana Criminal Code.

a. Sexual assault

Under the Indiana Criminal Code, the crime most closely corresponding to sexual assault is *rape*. The crime of *rape* is committed when an individual knowingly or intentionally has sexual intercourse with another person or knowingly or intentionally causes another person to perform or submit to other sexual conduct when:

- (1) the other person is compelled by force or imminent threat of force;
- (2) the other person is unaware that the sexual intercourse or other sexual conduct is occurring; or
- (3) the other person is so mentally disabled or deficient that consent to sexual intercourse or other sexual conduct cannot be given.

"Other sexual conduct" means an act involving: (1) a sex organ of one (1) person and the mouth or anus of another person; or (2) the penetration of the sex organ or anus of a person by an object.

The crime of rape is a Level 3 felony.

b. Dating violence

There is no specific definition or prohibition of “dating violence” in the Indiana Criminal Code. However, physical violence by one person against another would be considered *battery*, which the Indiana Criminal Code defines as knowingly or intentionally:

- (1) touching another person in a rude, insolent, or angry manner; or
- (2) placing any bodily fluid or waste on another person in a rude, insolent, or angry manner.

The crime of battery is a Class B misdemeanor.

c. Domestic violence

The Indiana Criminal Code defines *domestic battery* as knowingly or intentionally touching an individual who:

- (1) is or was a spouse of the other person;
- (2) is or was living as if a spouse of the other person; or
- (3) has a child in common with the other person;

in a rude, insolent, or angry manner that results in bodily injury to the person.

The crime of domestic battery is a Class A misdemeanor.

d. Stalking

The Indiana Criminal Code defines *stalking* as a knowing or intentional course of conduct involving repeated or continuing harassment of another person that would cause a reasonable person to feel terrorized, frightened, intimidated, or threatened and that actually causes the victim to feel terrorized, frightened, intimidated, or threatened. The term does not include statutorily or constitutionally protected activity.

e. Consent

The age of consent in Indiana is 16, but the term *consent* is not defined by Indiana law.

2. Definitions under University Policy

The University prohibits all forms of sexual harassment including, but not limited to, the acts of sexual assault, dating violence, domestic violence and stalking. The University’s definitions of those prohibited acts, along with its definition of consent, can be found in its Policy on Sexual and Discriminatory Harassment (attached hereto as Appendix A) and are also set forth below.

a. Sexual assault

Sexual assault is any sexual intercourse by any person upon another without consent. It includes oral, anal and vaginal penetration, to any degree, with any part of the body or other object. It is also referred to as “non-consensual sexual intercourse.”

b. Dating violence

Dating violence is physical violence or the threat of physical violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with an individual, and the existence of such a relationship shall be determined based on factors such as the length and type of relationship, and frequency of interaction between the persons involved.

c. Domestic violence

Domestic violence is physical violence or the threat of physical violence committed by a current or former spouse of an individual, by a person with whom the individual has a child in common, by a person who is cohabiting or has cohabitated with the individual as if a spouse (as determined under applicable law), or by any other person against an adult or youth who is protected from that person's acts by applicable domestic or family violence laws.

d. Stalking

Stalking is knowingly or intentionally engaging in a course of conduct involving repeated or continuing harassment of another person that would cause a reasonable person to feel terrorized, frightened, intimidated, or threatened and that actually causes the individual to feel terrorized, frightened, intimidated, or threatened.

e. Consent

Consent means informed, freely given agreement, communicated by clearly understandable words or actions, to participate in each form of sexual activity. Consent cannot be inferred from silence, passivity, or lack of active resistance. A current or previous dating or sexual relationship is not sufficient to constitute consent, and consent to one form of sexual activity does not imply consent to other forms of sexual activity. By definition, there is no consent when there is a threat of force or violence or any other form of coercion or intimidation, physical or psychological. A person who is the object of sexual aggression is not required to physically or otherwise resist the aggressor; sexual contact without informed, freely given consent is sexual misconduct. There is no consent when the individual in question is under the legal age of consent. The legal age of consent in Indiana is 16.

Intoxication is not an excuse for failure to obtain consent.

An incapacitated person is incapable of giving consent. A person is incapacitated if that person is in a physical or mental state such that he or she lacks the ability to make a knowing and deliberate choice to engage in the sexual interaction. For the purposes of the University's Policy, a person who is asleep or unconscious is incapacitated, without exception. A person may also become incapacitated due to other factors, which may include the use of alcohol and/or drugs to such a degree that the person no longer has the ability to make a knowing or deliberate choice to engage in the sexual interaction. Engaging in sexual activity with a person whom you know, or should reasonably know, to be incapacitated constitutes a violation. If there is a question about whether the complainant was incapacitated, the relevant standard is whether the respondent knew, or a sober, reasonable person in

the respondent's position should have known, that the complainant was incapacitated and therefore could not consent to the sexual activity.

B. Ongoing Prevention And Awareness Campaigns

The University provides prevention and awareness campaigns for new and current students and employees to promote awareness and reduce the risk of sexual assault, dating violence, domestic violence and stalking. These programs are offered during orientation sessions for new students and employees to raise awareness of such crimes, and to help prevent them from occurring by addressing options for bystander intervention and information on risk reduction, including recognizing warning signs of abusive behavior and how to avoid potential attacks. Throughout the year, programming of this nature is directed to the campus community through other training programs made available both online and in person (e.g., numerous residence halls sponsor speakers and host panel discussions on sexual assault), or through emails or other communications. The NDSP Crime Prevention office gives various presentations throughout the year on sexual assault, stalking, and violence in relationships, and offers "360 Stay Safe," an educational video that addresses stalking and relationship violence, at <http://ndsp.nd.edu/crime-prevention-and-safety/stay-safe-on-campus/>.

C. Reporting and Responding to Complaints Alleging Sexual Assault, Dating Violence, Domestic Violence and Stalking

The University provides resources and has procedures in place to support those who report sexual assault, dating violence, domestic violence and stalking.

1. Reporting Sexual Assault, Dating Violence, Domestic Violence and Stalking Violations to the University and Law Enforcement

Reports of sexual assault, dating violence, domestic violence or stalking should be made to the University's Deputy Title IX Coordinator (574-631-7728; deptitleixcoordinator@nd.edu) when the alleged perpetrator is a University student. When the alleged perpetrator is a faculty or staff member, or a third party with whom the complainant interacts as part of his or her work or educational responsibilities, reports should be made to the Title IX Coordinator / Office of Institutional Equity (574-631-0444) or any other individuals identified in the University's *Reporting and Response Procedure for Violations of the University's Policy on Sexual and Discriminatory Harassment by Faculty and Staff* ("Reporting and Response Procedure for Faculty/Staff Violations"), which is attached to this Report as Appendix 2 and also located at <https://equity.nd.edu/sexual-harassment-title-ix/>.

In addition to the reporting violations to the University, the University encourages all members of the Notre Dame community to report all incidents of sexual assault, dating violence, domestic violence and stalking to the police. In such cases, complainants may (a) notify proper law enforcement authorities, including NDSP and other local police; (b) be assisted by campus authorities in notifying law enforcement authorities if the complainant so chooses; or (c) decline to notify law enforcement authorities.

The University will provide complainants with written notice of their rights and reporting options, including their rights to pursue their complaints through the University Conduct Process. Complainants interested in exploring whether they might be entitled to an order of protection, restraining order, or other similar orders issued by a criminal or civil court, are encouraged to contact Notre Dame Security Police or the Family Justice Center of St. Joseph County.

For more detailed information concerning the reporting options available to those who wish to report incidents of sexual assault, dating violence, domestic violence and stalking, see the Reporting and Response Procedure set forth in du Lac: A Guide to Student Life (“*Reporting and Response Procedure for Student Violations*”), which is attached to this report as Appendix 3 and also located at <http://dulac.nd.edu/community-standards/important/#procedures>, for reporting violations by students; and see the *Reporting and Response Procedure for Faculty/Staff Violations* (Appendix 2, or <https://equity.nd.edu/sexual-harassment-title-ix/>) for reporting violations by faculty and staff.

2. Resources for Medical, Counseling and Pastoral Care

Individuals who have been sexually assaulted, or subjected to other intimate partner violence such as dating violence, domestic violence or stalking, are strongly encouraged to seek immediate and appropriate medical treatment for their injuries. Such treatment is also important to preserve evidence that may assist in the proof of the sexual assault or other sexual misconduct in the event the individual later files criminal charges, or seeks to obtain an order of protection. The two hospitals in the South Bend area are St. Joseph Regional Medical Center (sjmed.com) and Memorial Hospital (qualityoflife.org). While both offer emergency care and evidence collection, only St. Joseph has a specially trained sexual assault nurse examiner available 24 hours a day, seven days a week. Under Indiana law, the tests and procedures at the hospitals are free of charge if treatment is sought within 120 hours of the assault. The evidence gathered in this examination is maintained by the hospital and is not provided to the police unless the individual reports the assault to the police.

For additional information concerning the medical, mental health and pastoral services available for complainants and respondents, both within the University and in the community, see the *Reporting and Response Procedure for Student Violations* (Appendix 3) and the *Reporting and Response Procedure for Faculty/Staff Violations* (Appendix 2).

3. Privacy and Confidentiality of Reports

Students and employees who wish to keep confidential the details of an incident of sexual assault, dating violence, domestic violence and stalking are provided a number of on-campus and off-campus confidential resources (including, but not limited to, counselors, health providers, and vowed religious). These resources will honor confidentiality unless there is an imminent danger to the individual or others, or unless otherwise required by law. In addition, an individual’s disclosure of such incidents during the sacrament of confession will not be revealed by the priest for any reason, which is a sacred obligation protected by law.

Campus officials (other than those identified as confidential resources) who receive a report of sexual assault, dating violence, domestic violence or stalking are required to share that information with appropriate University officials for investigation and follow-up. To the extent any such reports result

in the issuance of Crime Alerts (a/k/a timely warnings) to the campus community, the Alerts and any updates to the Alerts will be drafted in a way that does not include personally identifying information about the complainant, to the extent permitted by law.

For additional information concerning the privacy and confidentiality of reports, including the identification of the specific confidential resources available to members of the Notre Dame community and the role of University ombudspersons, see the *Reporting and Response Procedure for Student Violations* (Appendix 3) and the *Reporting and Response Procedure for Faculty/Staff Violations* (Appendix 2).

4. University Response to Reports

Upon receiving a complaint of sexual assault, dating violence, domestic violence or stalking, the Title IX Coordinator or Deputy Title IX Coordinator (as appropriate), or a designee, shall issue no contact orders to the complainant and respondent. The complainant and respondent will also be referred to separate Resource Coordinators, who will help the complainant and respondent to identify, explain and navigate their reporting options and available support services.

The University also reserves the right to provide interim measures to protect complainants pending the final outcome of an investigation. Such measures can include, but are not limited to, making alternative academic arrangements; making adjustments to extracurricular activities or work schedules, locations or assignments; and making transportation, housing and dining arrangements. The University will provide written notice to student and employee complainants about existing counseling, health, mental health, victim advocacy, and other services available for complainants, both within the University and in the community.

For additional information concerning the University's response to reports, including how complainants are notified of, and how to request, interim or other protective measures, see the *Reporting and Response Procedure for Student Violations* (Appendix 3) and the *Reporting and Response Procedure for Faculty/Staff Violations* (Appendix 2).

5. Procedures for University Disciplinary Action in Cases of Alleged Sexual Assault, Dating Violence, Domestic Violence and Stalking

Members of the Notre Dame community who have been subjected to sexual assault, dating violence, domestic violence or stalking are strongly encouraged to review and report the incident in accordance with the *Reporting and Response Procedure for Student Violations* (see Appendix 3, or <http://dulac.nd.edu/community-standards/important/#procedures>), or the *Reporting and Response Procedure for Faculty/Staff Violations* (see Appendix 2, or <https://equity.nd.edu/sexual-harassment-title-ix/>), as appropriate. They are also strongly encouraged to contact the Title IX Coordinator or the Deputy Title IX Coordinator with any questions concerning their rights and options, or the University's procedures. University policy prohibits acts of retaliation against those who in good faith report alleged sexual harassment, and/or participate in a related investigation or proceeding. Although the *Reporting and Response Procedure* documents describe in detail the University's procedures for institutional disciplinary action in cases of sexual assault, dating violence, domestic

violence or stalking, the following are some of the key components of the University's procedures for disciplinary action in such cases:

Procedures for Alleged Violations by Students

- Upon receiving a report of sexual assault, dating violence, domestic violence or stalking alleged to have been committed by a student, the Deputy Title IX Coordinator (or designee) will initiate an Administrative Investigation, which ordinarily will include a review of relevant documents, obtaining statements from the complainant and respondent(s), and interviewing the complainant, respondent(s) and any witnesses, as appropriate.
- If the Deputy Title IX Coordinator (or designee) determines, after completing the Administrative Investigation, that the facts alleged by the complainant may constitute a violation of the University policy prohibiting sexual assault, dating violence, domestic violence or stalking, the complainant may then elect to have the matter addressed through the "University Conduct Process." The University Conduct Process consists of an Administrative Hearing, which is a formal proceeding to resolve student conduct matters.
- The University's Administrative Hearing is designed to provide a prompt, fair and impartial resolution through a process that is equitable for both the complainant and respondent.
- The University will typically complete its Administrative Investigation and, if the matter is referred to the University Conduct Process, communicate a decision within 60 calendar days of the initial report.
- The complainant and respondent will each have the same opportunities to have others present during any proceeding involved in the Administrative Investigation or Administrative Hearing, including the opportunity to be accompanied by an advisor of their choice. The advisor role is non-speaking. Additional information concerning the role of the advisor is contained in the *Reporting and Response Procedure for Student Violations* (see Appendix 3).
- Administrative hearings will be conducted by officials who receive training at least annually on issues related to sexual assault, dating violence, domestic violence and stalking, and on how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability.
- Decisions regarding a student's responsibility (or lack thereof) are evaluated using a preponderance of the evidence standard.
- The complainant and the respondent will be simultaneously informed in writing of the outcome of the Administrative Hearing; the procedures for both parties to file a request for a Case Review; any change to the results that occurs prior to the time that such results become final; and when the results become final.
- A respondent found responsible for the conduct alleged in the complaint will be subject to conduct process outcomes, up to and including dismissal from the University. See <http://dulac.nd.edu/community-standards/important/#outcomes> for a complete list of possible conduct process outcomes.

Procedures for Alleged Violations by Faculty or Staff

- In cases where a faculty or staff member is accused of sexual assault, dating violence, domestic violence or stalking, the Office of Institutional Equity (or designee) will investigate the complaint and determine whether a violation occurred.
- The University will provide a prompt, fair and impartial investigation and resolution.
- The University aims to complete all investigations within 60 calendar days of the initial report.
- The investigation will be conducted by individuals who receive annual training on issues related to sexual assault, dating violence, domestic violence and stalking, and on how to conduct an investigation and resolution process that protects the safety of victims and promotes accountability.
- The complainant and respondent will each be permitted to be accompanied by an advisor of his or her choice, at their respective investigatory meetings. The advisor role is non-speaking. Additional information concerning the role of the advisor is contained in the *Reporting and Response Procedure for Faculty/Staff Violations* (see Appendix 2).
- A preponderance of the evidence standard is used to determine the outcome of an investigation.
- The complainant and the respondent will be simultaneously informed in writing of the outcome of the investigation (i.e., whether a policy violation occurred, the rationale for that determination, and the sanctions imposed, if any); the procedures for requesting a review of that outcome; any change to the results that occurs prior to the time that such results become final; and when the results become final.
- A respondent found responsible for the alleged violation will be subject to sanctions, up to and including termination of employment.

Sex and Violent Offender Registry in Indiana

The Indiana Sheriffs' Sex and Violent Offender Registry provides detailed information about individuals who register as sex or violent offenders at Indiana sheriff departments. The purpose of the registry is to inform the general public about the identity, location, and appearance of sex and violent offenders who live, work, or study in Indiana. The registry, as well as detailed information about Indiana's laws governing the Sex and Violent Offender Registry, is available at <http://www.indianasheriffs.org/>. Indiana's Sex and Violent Offender Directory is maintained by the Indiana Criminal Justice Institute (ICJI) and lists individuals who have been convicted of one or more of the sex and violent offenses requiring registration with local law enforcement authorities. The directory and information about ICJI is available at <http://www.icrimewatch.net/indiana.php>.

Emergency Response

The University's Campus Emergency Preparedness and Response Plan includes information about the Management of Emergency Response and Operations, the Emergency Operations Center (EOC), and Communication Responsibilities. University departments are responsible for developing contingency plans and continuity of operations plans for their staff and areas of responsibility. The University conducts emergency response drills and exercises each year, such as table top exercises, field exercises, and tests of the emergency notification systems on campus. These tests are designed to assess and evaluate the emergency plans and capabilities of the institution. The University's emergency response coordinator plans these drills and exercises, and maintains a record with the following details on each such drill and exercise: description; date; time; whether it was announced or unannounced; and the opportunities for improvement identified as a result of the drill/exercise. Tests of the emergency notification systems, certain emergency response drills, and field exercises will be announced in advance to the campus community via email and other messaging tools. Table top exercises and select emergency response drills will not be announced to the campus community.

The University's emergency responders, NDSP police officers, their supervisors and administrators have all received training in Incident Command and Responding to Critical Incidents on campus. When a serious incident occurs that causes an immediate threat to the campus, the first responders to the scene are usually NDSP and NDFD, with the assistance of neighboring public safety agencies, as needed. These agencies typically respond and work together to manage the incident, under the unified command of NDSP and NDFD. Depending on the nature of the incident, other University departments and other local or federal agencies could also be involved in responding to the incident.

The institution has general evacuation guidelines, in the event that a segment of the campus needs to be evacuated. Most evacuations occur during activated fire alarms, which require all occupants to promptly evacuate the building. Other portions of the plan would be affected by a myriad of factors, including the type of threat, the occupancy of the other buildings and areas of the campus at the time of the incident, etc. Therefore, specific information about a multi-building or area evacuation cannot be shared with the campus community in advance. ND expects members of the community to follow the instructions of first responders on the scene, as this type of evacuation would be coordinated on-site. For example, in some emergencies, you may be instructed to "shelter-in-place." This option may be utilized if an incident occurs and the areas around you become unstable, or if the air outdoors becomes dangerous due to toxic or irritating substances. In these cases it may be safer to stay indoors, because leaving the area may expose you to that danger. Thus, to "shelter-in-place" means to make a shelter of the building that you are in, and with a few adjustments this location can be made even safer and more comfortable until it is safe to go outside. This means that if an incident occurs and the building you are in is not damaged, stay inside in an interior room until you are told it is safe to come out. If your building is damaged, take your personal belongings (purse, wallet, access cards, etc.) and follow the evacuation procedures for your building (close your door, proceed to the nearest exit, and use the stairs instead of the elevators). Other options include moving to another part of your building, evacuating from your building to an outside area

or to a neighboring building, as directed. Please follow the directions of on-scene police or fire department personnel or the announcements made via the ND Alert system.

Additional information about the emergency response/evacuation procedures are available in du Lac and online at <http://emergency.nd.edu/> and at <http://ndfd.nd.edu/>. The University also publicizes a summary of its emergency response and evacuation procedures at least once each year in conjunction with an emergency test, such as an exercise or drill.

ND community members are encouraged to notify NDSP of any situation or incident on campus that involves a significant emergency or dangerous situation that may involve an immediate threat to the health and safety of students, employees or any others on campus. NDSP has the responsibility of responding to, and summoning the necessary resources, to mitigate, investigate, and document any situation that may cause a significant emergency or dangerous situation. In addition, NDSP has a responsibility to respond to such incidents to determine if the situation does, in fact, pose a threat to the community. If so, federal law requires that the institution notify the campus community or the appropriate segments of the community that may be affected by the situation.

Notification to the Notre Dame Community about an Immediate Threat

Notre Dame will immediately notify the campus community upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on campus. NDSP and NDFD are primarily responsible for confirming that there is a significant emergency or dangerous situation on campus that could cause an immediate threat to the health and safety of the members of the campus community. However, there are other departments on campus that could be in a position to confirm certain types of emergencies, such as a pandemic flu outbreak, chemical spill in a lab, etc.

The University has implemented *ND Alert*, a comprehensive emergency notification system, to communicate with campus constituents during a major emergency. The EOC Leader, Vice President for Campus Safety (or designee) and the Vice President for Public Affairs and Communications (or designee) are generally responsible for developing and authorizing the use of such tools as well as approving the messages to be distributed unless there are extenuating circumstances, such as a weather emergency or an active critical situation that warrants immediate distribution of an alert. In those cases, the NDSP officer in charge is authorized to approve the activation of an alert.

A basic set of alert messages has already been developed by the institution to expedite the delivery of these messages during a critical incident, but the Vice President for Public Affairs and Communications (or designee) and NDSP Communications Officers may edit those messages, as necessary.

The Vice President for Public Affairs and Communications (or designee), and NDSP Communications Officers will, 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 NDSP and NDFD), compromise the efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency.

Depending on the scope of the incident, the EOC may use one or any combination of the following *ND Alert* tools. While the scope of the University's plan includes physical and non-physical emergencies, the mass notification system outlined below will be used only during emergencies threatening the health and safety of students, faculty, staff and other constituencies on campus at the time of an incident and will always be sent to all segments of the community, when activated. These tools may also be used to inform the community about instructions for immediate evacuation, shelter in place or other action needed on the part of students, employees, and campus visitors.

- **Mass notification system:** Through this service, campus leaders can send simultaneous alerts to individuals in a matter of minutes through landline phones, cellular phones, Public Address over Internet Protocol (IPPA), text messaging, speakers on VOip telephones and e-mail. To fully participate in this system, students, faculty and staff need to provide the University with key contact information such as their cell phone numbers and e-mail addresses in addition to their Notre Dame e-mail. Students can provide emergency contact information during the semester enrollment process, and employees can update such information via "insideND" on the University's intranet. The Vice President for Public Affairs and Communications (or designee) and NDSP Communications Officers are trained to distribute messages via the mass notification system, and the system will be used in events where the University assesses a risk of serious bodily injury or death to Notre Dame constituents. As noted, while all messages must typically be approved by the Vice President for Public Affairs and Communications (or designee), messages may be automatically distributed by the NDSP Communications Officer in certain campus emergencies. Specifically, in the event that the St. Joseph County tornado siren is activated, the NDSP on-duty supervisor would authorize an ND alert message to be distributed to the campus community. In other incidents that provide immediate danger to campus (e.g., active shooter, NDSP in pursuit of the suspect of a serious violent crime, HAZMAT situation, etc.), the NDSP officer in charge would approve an ND Alert message.
- **emergency.nd.edu:** The University emergency website will serve as the primary source of follow-up information and instruction during times of campus emergencies. In times of no emergency, a statement will remain on the site indicating that the University is operating under normal business conditions. The Office of Public Affairs and Communications (OPAC), under the direction of the EOC, will update the website.

Emergency information is made available to the larger community, including parents of students and the people in South Bend and the surrounding areas, through the website at emergency.nd.edu.

Notification of Missing Students

If a member of the Notre Dame community has reason to believe that a student who resides in on-campus housing has been missing for at least 24 hours, he or she should promptly report the matter to NDSP, which may be contacted at (574) 631-5555. When NDSP receives or is referred a report on a missing student, it will generate a missing person report and initiate an investigation.

After investigating the missing person report, should NDSP determine that the student is missing and has been missing for more than 24 hours, ND will notify St. Joseph County Police, the student's emergency contact, as well as any additional contact identified by the student, within 24 hours after the student is determined to be missing. If the missing student is under the age of 18 and is not an emancipated individual, the University will notify the student's custodial parent or legal guardian within 24 hours after NDSP has determined that the student has been missing in addition to notifying any additional contact person designated by the student. NDSP may make notification sooner than 24 hours.

In addition to registering an emergency contact, students residing in on-campus housing have the option to identify, confidentially, an individual to be contacted by Notre Dame in the event the student is determined to be missing for at least 24 hours. If a student has identified such an individual, ND will notify that individual no later than 24 hours after the student is determined to be missing. A student who wishes to identify a confidential contact can do so by adding information to the Residence Hall registration card available from the Hall Rector. A student's confidential contact information will be accessible only by authorized campus officials and law enforcement, as appropriate in furtherance of a missing person investigation.

Crime Statistics

Compilation of information disclosed in accordance with the Clery Act is the responsibility of the Director and Chief of the Notre Dame Security Police. The Notre Dame Security Police department will gather data from its own records, as well as those maintained by other University departments and offices, and from local, county and state police agencies. A written request for statistical information is made on an annual basis to all Campus Security Authorities (as defined by federal law). Crime reports are classified following FBI Uniform Crime Report guidelines. University Security Police record all reports of criminal activity made to the department. The most commonly reported crime is larceny (theft).¹ Frequently, thefts are from unlocked rooms and offices, or the theft is of property left unattended in a common area. Tables 1, 2, and 3 provide information about serious crimes and attempted crimes that were reported as well as arrests and referrals for violations of liquor laws, for drug offenses and for weapons offenses.

¹ The crime of larceny is not required to be included in the Annual Security Report.

Notes for Crime Statistics

NDSP seeks and includes crime data provided by the Indiana State Excise Police, The Indiana State Police, St. Joseph County Police, South Bend Police and Roseland Town Marshal.

The crime statistics for the 2016-2017 Annual Security Report were compiled using the guidelines set forth in the 2011 Edition of The Handbook for Campus Safety and Security Reporting (the “Clery Handbook”). Crime statistics for the 2016 calendar year, which will be reflected in the University’s 2017-18 Annual Security Reports, will be compiled using the guidelines in the 2016 Edition of the Clery Handbook.

2013, 2014 and 2015 Hate Crimes Statistics

There were no crimes of prejudice reported to Notre Dame Security Police, nor to other campus security authorities for the below categories (listed in tables 1, 2, and 3), nor for any crime involving bodily injury that manifested evidence that the victim was intentionally selected because of the victim’s actual or perceived race, gender, religion, national origin, sexual orientation, gender identity, ethnicity, or disability.

Unfounded Crimes

In 2013, no crimes were formally determined to be unfounded by law enforcement.

In 2014, four crimes were formally determined by sworn law enforcement personnel to be baseless, and were therefore “unfounded,” following a full investigation into each of the reported crimes.

In 2015, two crimes were formally determined by sworn law enforcement personnel to be baseless, and were therefore “unfounded,” following a full investigation into each of the reported crimes.

Table 1: 2013 Statistics for Referrals, Arrests, and Reported Crimes

2013	All Campus Property				Non- Campus Property				Public Property					Campus Residential Only			
Main Campus	Reported to NDSP	Reported to Other Police	Reported to Non-police	Sub-Total	Reported to NDSP	Reported to Other Police	Reported to Non-police	Sub-Total	Reported to NDSP	Reported to Other Police	Reported to Non-police	Sub-Total	Grand Total	Reported to NDSP	Reported to Other Police	Reported to Non-police	Sub-Total
Criminal Homicide/ Non- Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Criminal Homicide/ Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Aggravated Assault	1	0	0	1	0	0	0	0	0	0	0	0	1	0	0	0	0
Dating Violence	1	0	0	1	0	0	0	0	0	0	0	0	1	0	0	0	0
Domestic Violence	1	0	0	1	0	0	0	0	0	0	0	0	1	0	0	0	0
Stalking	5	0	0	5	0	0	0	0	0	0	0	0	5	2	0	0	2
Motor Vehicle Theft	9	0	0	9	0	0	0	0	0	0	0	0	9	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
BURGLARY (Total)	13	0	0	13	0	0	0	0	0	0	0	0	13	10	0	0	10
Forcible Burglary	2	0	0	2	0	0	0	0	0	0	0	0	2	1	0	0	1
Non-Forcible Burglary	11	0	0	11	0	0	0	0	0	0	0	0	11	9	0	0	9
SEX OFFENSES FORCIBLE (TOTAL)	6	0	10	16	0	0	0	0	0	0	0	0	16	4	0	9	13
Forcible Rape	2	0	8	10	0	0	0	0	0	0	0	0	10	2	0	7	9
Forcible Sodomy	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Sexual Assault w/object	1	0	0	1	0	0	0	0	0	0	0	0	1	1	0	0	1
Forcible Fondling	3	0	2	5	0	0	0	0	0	0	0	0	5	1	0	2	3
SEX OFFENSES NON-FORCIBLE (TOTAL)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Liquor Law Arrests	30	0	0	30	0	0	0	0	1	2	0	3	33	16	0	0	16
Liquor Law Violations referred for Disciplinary Action	118	0	285	403	0	0	0	0	2	0	0	2	405	49	0	225	274
Drug Law Arrests	7	0	0	7	0	0	0	0	2	2	0	4	11	0	0	0	0
Drug Law Violations Referred for Disciplinary Action	3	0	2	5	0	0	0	0	0	0	0	0	5	3	0	2	5
Illegal weapons Possession Arrests	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Illegal Weapons Possession Violations Referred for Disciplinary Action	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Hate Crimes	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
2013	All Campus Property				Non- Campus Property				Public Property					Campus Residential Only			
	Reported to NDSP	Reported to Other Police	Reported to Non-police	Sub-Total	Reported to NDSP	Reported to Other Police	Reported to Non-police	Sub-Total	Reported to NDSP	Reported to Other Police	Reported to Non-police	Sub-Total	Grand Total	Reported to NDSP	Reported to Other Police	Reported to Non-police	Sub-Total
Larceny**	417	na*	na*	417	0	na*	na*	0	0	na*	na*	0	417	14	na*	2	16

Table 2: 2014 Statistics for Referrals, Arrests, and Reported Crimes

2014	All Campus Property				Non- Campus Property				Public Property					Campus Residential Only			
Main Campus	Reported to NDSP	Reported to Other Police	Reported to Non-police	Sub-Total	Reported to NDSP	Reported to Other Police	Reported to Non-police	Sub-Total	Reported to NDSP	Reported to Other Police	Reported to Non-police	Sub-Total	Grand Total	Reported to NDSP	Reported to Other Police	Reported to Non-police	Sub-Total
Criminal Homicide/ Non-Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Criminal Homicide/ Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Aggraveted Assault	1	0	0	1	0	0	0	0	0	0	0	0	1	0	0	0	0
Domestic Violence	1	0	0	1	0	0	0	0	0	0	0	0	1	1	0	0	1
Dating Violence	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Stalking	2	0	3	5	0	0	0	0	1	0	0	1	6	0	0	1	1
Motor Vehicle Theft	14	0	0	14	0	0	0	0	0	0	0	0	14	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
BURGLARY	15	0	0	15	0	0	0	0	0	0	0	0	15	5	0	0	5
SEX OFFENSES (TOTAL)	3	0	16	19	0	0	0	0	0	0	0	0	19	1	0	13	14
Rape	1	0	14	15	0	0	0	0	0	0	0	0	15	1	0	12	13
Fondling	2	0	2	4	0	0	0	0	0	0	0	0	4	0	0	1	1
Incest	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Liquor Law Arrests	33	1	0	34	0	0	0	0	0	0	0	0	34	7	0	0	7
Liquor Law Violations referred for Disciplinary Action	901	0	0	901	0	0	0	0	1	0	0	1	902	755	0	0	755
Drug Law Arrests	5	0	0	5	0	0	0	0	3	0	0	3	8	0	0	0	0
Drug Law Violations Referred for Disciplinary Action	14	0	2	16	0	0	0	0	0	0	0	0	16	14	0	2	16
Illegal weapons Possesion Arrests	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Illegal Weapons Possesion Violations Referred for Disciplinary Action	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Hate Crimes	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
2014	All Campus Property				Non- Campus Property				Public Property					Campus Residential Only			
	Reported to NDSP	Reported to Other Police	Reported to Non-police	Sub-Total	Reported to NDSP	Reported to Other Police	Reported to Non-police	Sub-Total	Reported to NDSP	Reported to Other Police	Reported to Non-police	Sub-Total	Grand Total	Reported to NDSP	Reported to Other Police	Reported to Non-police	Sub-Total
Larceny**	362	na*	5	367	0	na*	na*	0	1	na*	na*	1	368	23	na*	1	24

Table 3: 2015 Statistics for Referrals, Arrests, and Reported Crimes

2015	All Campus Property				Non- Campus Property				Public Property					Campus Residential Only				
Main Campus	Reported to NDSP	Reported to Other Police	Reported to Non-police	Sub-Total	Reported to NDSP	Reported to Other Police	Reported to Non-police	Sub-Total	Reported to NDSP	Reported to Other Police	Reported to Non-police	Sub-Total	Grand Total	Reported to NDSP	Reported to Other Police	Reported to Non-police	Sub-Total	
	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
	3	0	0	3	0	0	0	0	0	0	0	0	3	0	0	0	0	
	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
	1	0	0	1	0	0	0	0	0	0	0	0	1	0	0	0	0	
	12	0	0	12	0	0	0	0	0	0	0	0	12	1	0	0	1	
	19	0	0	19	0	1	0	1	0	0	0	0	20	0	0	0	0	
	2	0	0	2	0	0	0	0	0	0	0	0	0	2	0	0	2	
	BURGLARY	26	0	0	26	0	0	0	0	0	0	0	0	26	16	0	0	16
	SEX OFFENSES (TOTAL)	5	0	16	21	0	0	0	0	0	0	0	0	21	2	0	16	18
	Rape	3	0	9	12	0	0	0	0	0	0	0	0	12	2	0	9	11
	Fondling	2	0	7	9	0	0	0	0	0	0	0	0	9	0	0	7	7
	Incest	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	Statutory Rape	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	Liquor Law Arrests	29	4	0	33	0	0	0	0	0	4	0	4	33	8	0	0	8
	Liquor Law Violations referred for Disciplinary Action	185	0	516	701	0	0	0	0	0	0	0	0	701	72	0	509	581
	Drug Law Arrests	8	0	0	8	0	0	0	0	5	6	0	11	19	0	0	0	0
	Drug Law Violations Referred for Disciplinary Action	11	0	6	17	0	0	0	0	0	0	0	0	17	11	0	6	17
Illegal weapons Possesion Arrests	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Illegal Weapons Possesion Violations Referred for Disciplinary Action	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Hate Crimes	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Unfounded Crimes	0	0	0	0	0	0	0	0	0	0	0	0	2	0	0	0	0	
2015	All Campus Property				Non- Campus Property				Public Property					Campus Residential Only				
	Reported to NDSP	Reported to Other Police	Reported to Non-police	Sub-Total	Reported to NDSP	Reported to Other Police	Reported to Non-police	Sub-Total	Reported to NDSP	Reported to Other Police	Reported to Non-police	Sub-Total	Grand Total	Reported to NDSP	Reported to Other Police	Reported to Non-police	Sub-Total	
Larceny**	273	0	4	277	0	0	0	0	0	0	0	0	277	10	0	1	11	

Important Telephone Numbers

Emergency (police, fire, medical)

9-1-1

Security Police 574-631-5555

Health Services 574-631-7497

Fire Dept. 574-631-6200

Center for Student Well-Being 574-631-7970

University Counseling Ctr. 574-631-7336

Deputy Title IX Coordinator 574-631-7728

LifeWorks Employee Assistance 888-267-8126

Office of Community Standards 574-631-5551

Office of Student Affairs 574-631-5550

SOS of the Family Justice Center 574-289-4357

St. Joseph's Medical Ctr. ER 574-237-7264

Area Police Agencies (notify police in locale where the incident occurred)

St. Joseph County 574-235-9611

South Bend 574-235-9201

Mishawaka 574-258-1678

Indiana State Police (District 24) 574-546-4900

St Joseph County Prosecuting Attorney's Office 574-235-9544

Website: <http://ndsp.nd.edu>

The policy statements included in this brochure are up-to-date as of September 2016. For the most current version of campus policies, please visit <http://dulac.nd.edu/> and <http://equity.nd.edu/>.

Notre Dame Security Police gratefully acknowledges the assistance of campus law enforcement agencies from across the country for their assistance in developing this brochure. The Daily Crime Log can be reviewed at Room 252 of Hammes Mowbray Hall during normal business hours and on-line at <http://www3.nd.edu/~ndspd/nwsblot/>.

University of Notre Dame Fire Safety Policies

Reporting a Fire

If a fire occurs in a Notre Dame building, community members should immediately notify the Notre Dame Fire Department by calling (574) 631-5555 or 911 from a campus phone. If a member of the ND community finds evidence of a fire that has been extinguished, and the person is not sure whether NDSP has already responded, the community member should immediately notify NDSP, which will investigate and document the incident.

University of Notre Dame Fire Safety Policies

The following are a list of the University's Fire Safety Policies.

Health, Safety, and Security Policies

1. Unless authorized by the Office of Student Affairs or Notre Dame Security Police, firearms or other weapons of any kind, fires, fireworks, explosives, explosive devices, and highly flammable materials are not allowed on University property.
2. Tampering with or misuse of fire alarm and safety devices, emergency communication equipment and related emergency system components is strictly prohibited.
3. Failure to respond appropriately to fire alarms and emergency notifications may result in disciplinary action.
4. Unauthorized presence in construction areas, campus underground tunnels or any restricted area is prohibited.

Housing Policies

The University believes its residential facilities provide the foundation of community life. In order to maintain the proper safety and security of these communities, residents and guests must abide by certain housing policies and expectations. The following includes some of the University's housing policies. Students are expected to know and abide by these policies. Failure to do so may result in disciplinary action.

Appliances

To meet fire, health and safety requirements, the University discourages the proliferation of electrical appliances in student rooms. All large, domestic-type refrigerators are prohibited. Refrigerators in student rooms must not exceed 5.0 cubic feet in size and must be in good operating condition.

The use of the following electrical appliances is prohibited in all residence halls:

1. Air Conditioners
2. Broilers
3. Rotisseries
4. Ceiling Fans
5. Skillets
6. Rice Cookers
7. Dimmer Switches
8. Hot Plates
9. Microwaves
10. Tabletop Grills
11. Toaster Ovens
12. Bread makers
13. Other such high-wattage appliances

Health and Safety Issues

All students share responsibility for the health and safety conditions of their residence hall. To keep halls safe, students must keep the following facts in mind:

1. Know the fire exit routes from the residence hall.
2. Burned-out light bulbs in corridors will be replaced by Maintenance technicians. Students should not replace any light bulb with brighter or colored bulbs. Oversized bulbs can overload the circuits and create a fire hazard.
3. Installation and/or the use of ceiling fans, air conditioners, water bed, and/or electronic or kerosene space heaters are not permitted.
4. Propane grills or any other type of liquid gas tanks are not to be stored in residence halls.
5. The following are prohibited as interior finish to any residence hall room:
 - a. The installation of plywood paneling, plywood sheets, decorative wood shingles, particleboard, hardboard, wallpaper, paperboards, and any other flame and smoke propagating materials.
 - b. Combustible fabrics, burlap, paper, cork, and other flame and smoke-propagating materials.
6. Combustible materials should not be placed against or left in contact with radiators, heating units, light bulbs or lighting fixtures, or any other electrical items.
7. Halogen torchiere lamps that have a tubular halogen bulb greater than 300 watts are prohibited. All halogen lamps must have a properly installed safety guard. Individuals owning these lamps must be able to prove the bulb wattage is 300 watts or less, replace all bulbs without wattage ratings and obtain and properly install the wire safety guard. Lamps should never be placed near curtains, bedding, posters or pictures. Clothing, towels, etc., should not be draped over lamps.

8. Carpeting is not permitted on walls or ceilings. Ceilings shall not be draped with any fabric, netting or paper products.
9. Partitions shall not be constructed in any residence hall suites or rooms.
10. Storage is not permitted in corridors or stairwells.
11. Bunk beds, as provided by the University, are always permissible. No more than two beds in any bunk structure are permitted. Extension beyond normal height of bunk structure is not permitted. A single bed spring raised on double end pieces is not permitted. Beds must be debunked and returned to floor level when residents move out of the hall.
12. Platforms or structures at any level constituting additional floor surfaces are prohibited.
13. Bed structures may not render windows unusable for emergency access or for air circulation. Bed structures may not block access to heating or ventilating units, plumbing, lighting fixtures and thermostats. Automatic sprinkler heads will be kept clear of all obstruction.
14. In multi-room suites, the corridor door in the center room shall be maintained for easy exit. The center room corridor door must be maintained so as to open at least 90 degrees. No bed structure or other furniture will block use of the connecting room doors so there is a clear passage or direct access to the center room for exiting. All corridors in every room (including suites) shall be maintained for easy exit.
15. Fire safety equipment may not be tampered or interfered with for any reason.

Housing Safety Guidelines for Decorations

For reasons of hall safety and security:

1. All decorations must be non-combustible or factory-treated with flame retardant. No paper of any type may be used to line the exit corridors and stairs.
2. Smoke detectors, heat detectors or sprinkler heads cannot be covered or removed at any time. Nothing can be attached to these devices.
3. No decorations can be put on the floors that may be a trip hazard in an emergency or otherwise.
4. Hose cabinets, fire extinguishers, cabinets, and fire alarm stations may not be covered with any decorative materials.
5. Residence hall room doors may be decorated (not knobs, just the door surface), but no part of an exit or emergency lighting may be covered.
6. Only artificial, flame retardant wreaths and trees may be used in residence halls. Natural evergreen branches or trees are not permitted inside residence halls.
7. Only low voltage, indoor rated incandescent or LED lighting is permitted and no outdoor displays or animated/mechanized decorations are allowed inside of a building.
8. Open flames, including all types of candles and incense, are prohibited.

9. Nothing may impede or hinder occupants' access to exits, including obstructing the view of an exit sign or exit doorway. This also means windows cannot be blocked with decorations, either inside or outside of the window.
10. No modification of the building electrical system is permitted. Extension cord use must be kept to a minimum, and electrical cords cannot run through doorways, windows, or fire doors.
11. Colored lights may not be installed in corridor lighting fixtures.

Smoking

Smoking is prohibited in all residence facilities. Refer to the University's Smoking Policy for more information.

University of Notre Dame Procedures for Student Housing Evacuation During Fires

The following is a list of the University's student housing evacuation procedures for students to follow during fires.

Fire Emergency Instructions

Any student in a building which is involved in a fire should:

1. Call the Notre Dame Fire Department immediately by pulling the nearest pull station in the building. Pull stations are usually located near or at exits. Dial 911 to report the fire alternately.
2. Use stairwells and stay off elevators.
3. Get out of the building if possible and stay out until firefighters signal that it is safe to return.
4. Stay back a reasonable distance from the building to avoid falling objects from upper floors.

REMEMBER: Call 911 for all fire, medical or police emergencies.

University of Notre Dame Procedures for Students and Employees During Fires

The following is a list of the University's procedures for students and employees to take during fires.

Fire Emergency Instructions

Any student or employee trapped by smoke or fire in corridors and who cannot leave by normal exits should:

1. Stay in or return to his or her room, office, or some other smoke and fire-free area. Shut the door and remain there until rescued.
2. If smoke enters the room from under or around the door, place sheets, blankets or clothing around the door to seal it as well as possible.
3. Open windows from the top in order to evacuate any smoke that may enter.
4. Try to stay calm and signal firefighters of your location. They will work their way to you as fast as possible.

REMEMBER: Call 911 for all fire, medical or police emergencies.

University of Notre Dame Fire Safety Education and Training Program

The University provides numerous fire safety education and training opportunities for students and employees.

1. The Notre Dame Fire Department's website contains fire safety education and training opportunities for students and employees. See <http://ndfd.nd.edu/about-ndfd/fire-safety-policies-annual-fire-safety-report-fire-log/>.
2. Fire Safety and Fire Extinguisher Use Training
 - a. Selected employees receive fire safety training and are trained in the use of extinguishers
 - b. All residence hall staff are trained in fire safety and are provided hands-on fire extinguisher training
3. Fire Safety Events
 - a. The Notre Dame Fire Department holds a fire safety event with contests and activities geared to increase fire safety knowledge.
 - b. The Notre Dame Fire Department hosts fire safety awareness booths during several campus wide events throughout the year.

Future Plans for Fire Safety Improvements in Student Housing

There are no Fire Safety Improvements planned for Student Housing at this time.

Student Housing Fire Safety Systems

Residence Halls and/or On-Campus Buildings containing Student Residences	Central Alarm Monitoring by Notre Dame Fire Department	Smoke Detection in Common and Sleeping Areas	Full Automatic Fire Sprinkler System	Fire Extinguishers Installed	Evacuation Plans & Placards	Number of evacuation (fire) drills each calendar year
Alumni Hall	Yes	Yes	Yes	Yes	Yes	4
Badin Hall	Yes	Yes	Yes	Yes	Yes	4
Breen-Phillips Hall	Yes	Yes	Yes	Yes	Yes	4
Carroll Hall	Yes	Yes	Yes	Yes	Yes	4
Cavanaugh Hall	Yes	Yes	Yes	Yes	Yes	4
Cripe Street Apartments	Yes	Yes	Yes	Yes	Yes	2
Dillon Hall	Yes	Yes	Yes	Yes	Yes	4
Duncan Hall	Yes	Yes	Yes	Yes	Yes	4
Farley Hall	Yes	Yes	Yes	Yes	Yes	4
Fischer-O'Hara-Grace Graduate	Yes	Yes	Yes	Yes	Yes	2
Fisher Hall	Yes	Yes	Yes	Yes	Yes	4
Howard Hall	Yes	Yes	Yes	Yes	Yes	4
Keenan Hall	Yes	Yes	Yes	Yes	Yes	4
Keough Hall	Yes	Yes	Yes	Yes	Yes	4
Knott Hall	Yes	Yes	Yes	Yes	Yes	4
Lewis Hall	Yes	Yes	Yes	Yes	Yes	4
Lyons Hall	Yes	Yes	Yes	Yes	Yes	4
McGlinn Hall	Yes	Yes	Yes	Yes	Yes	4
Morrissey Manor	Yes	Yes	Yes	Yes	Yes	4
Old College	Yes	Yes	Yes	Yes	Yes	4
O'Neill Hall	Yes	Yes	Yes	Yes	Yes	4
Pangborn Hall	Yes	Yes	Yes	Yes	Yes	4
Pasquerilla Center (ROTC)	Yes	Yes	Yes	Yes	Yes	2
Pasquerilla East Hall	Yes	Yes	Yes	Yes	Yes	4
Pasquerilla West Hall	Yes	Yes	Yes	Yes	Yes	4
Ryan Hall	Yes	Yes	Yes	Yes	Yes	4
St. Edwards Hall	Yes	Yes	Yes	Yes	Yes	4
Siegfried Hall	Yes	Yes	Yes	Yes	Yes	4
Sorin Hall	Yes	Yes	Yes	Yes	Yes	4
Stanford Hall	Yes	Yes	Yes	Yes	Yes	4
University Village Apartments	Yes	Yes	Yes	Yes	Yes	2
Walsh Hall	Yes	Yes	Yes	Yes	Yes	4
Welsh Family Hall	Yes	Yes	Yes	Yes	Yes	4
Zahm Hall	Yes	Yes	Yes	Yes	Yes	4

Student Housing Fire Occurrence Statistics for Calendar Year 2013

Residence Halls and/or On-Campus Buildings containing Student Residences	Total Fires Within the Building(s) for the Year	Date	Time	Cause of Fire	Number of Injuries that Required Treatment at a Medical Facility	Number of Deaths Related to a Fire	Value of Property Damage Caused by Fire	Incident Number
Alumni Hall	0	N/A	N/A	N/A	0	0	0	N/A
Badin Hall	0	N/A	N/A	N/A	0	0	0	N/A
Breen-Phillips Hall	0	N/A	N/A	N/A	0	0	0	N/A
Carroll Hall	0	N/A	N/A	N/A	0	0	0	N/A
Cavanaugh Hall	0	N/A	N/A	N/A	0	0	0	N/A
Dillon Hall	0	N/A	N/A	N/A	0	0	0	N/A
Cripe Street Apts.	0	N/A	N/A	N/A	0	0	0	N/A
Duncan Hall	0	N/A	N/A	N/A	0	0	0	N/A
Farley Hall	0	N/A	N/A	N/A	0	0	0	N/A
Fischer Grad/O'Hara-Grace	1	11/20/2013	8:58pm	Cooking	0	0	\$1000.00	14-710
Fisher Hall	0	N/A	N/A	N/A	0	0	0	N/A
Howard Hall	0	N/A	N/A	N/A	0	0	0	N/A
Keenan Hall	0	N/A	N/A	N/A	0	0	0	N/A
Keough Hall	0	N/A	N/A	N/A	0	0	0	N/A
Knott Hall	0	N/A	N/A	N/A	0	0	0	N/A
Lewis Hall	0	N/A	N/A	N/A	0	0	0	N/A
Lyons Hall	0	N/A	N/A	N/A	0	0	0	N/A
McGlinn Hall	0	N/A	N/A	N/A	0	0	0	N/A
Morrissey Manor	0	N/A	N/A	N/A	0	0	0	N/A
Old College	0	N/A	N/A	N/A	0	0	0	N/A
O'Neill Hall	0	N/A	N/A	N/A	0	0	0	N/A
Pangborn Hall	0	N/A	N/A	N/A	0	0	0	N/A
Pasquerilla East Hall	0	N/A	N/A	N/A	0	0	0	N/A
Pasquerilla ROTC Center	0	N/A	N/A	N/A	0	0	0	N/A
Pasquerilla West Hall	0	N/A	N/A	N/A	0	0	0	N/A
Ryan Hall	0	N/A	N/A	N/A	0	0	0	N/A
St. Edwards Hall	0	N/A	N/A	N/A	0	0	0	N/A
Siegfried Hall	0	N/A	N/A	N/A	0	0	0	N/A
Sorin Hall	0	N/A	N/A	N/A	0	0	0	N/A
Stanford Hall	0	N/A	N/A	N/A	0	0	0	N/A
University Village Apts	2	10/09/2013	5:00pm	Cooking	0	0	\$250.00	14-489
		11/07/2013	9:14pm	Cooking	0	0	\$25.00	14-642
Walsh Hall	0	N/A	N/A	N/A	0	0	0	N/A
Welsh Family Hall	0	N/A	N/A	N/A	0	0	0	N/A
Zahm Hall	0	N/A	N/A	N/A	0	0	0	N/A

Student Housing Fire Occurrence Statistics for Calendar Year 2014

Residence Halls and/or On-Campus Buildings containing Student Residences	Total Fires Within the Building(s) for the Year	Date	Time	Cause of Fire	Number of Injuries that Required Treatment at a Medical Facility	Number of Deaths Related to a Fire	Value of Property Damage Caused by Fire	Incident Number
Alumni Hall	0	N/A	N/A	N/A	0	0	0	N/A
Badin Hall	0	N/A	N/A	N/A	0	0	0	N/A
Breen-Phillips Hall	0	N/A	N/A	N/A	0	0	0	N/A
Carroll Hall	0	N/A	N/A	N/A	0	0	0	N/A
Cavanaugh Hall	0	N/A	N/A	N/A	0	0	0	N/A
Dillon Hall	0	N/A	N/A	N/A	0	0	0	N/A
Cripe Street Apts.	0	N/A	N/A	N/A	0	0	0	N/A
Duncan Hall	0	N/A	N/A	N/A	0	0	0	N/A
Farley Hall	0	N/A	N/A	N/A	0	0	0	N/A
O'Hara-Grace	3	1/8/2014	12:07am	Unknown	0	0	0	14-908
Fischer Grad.		08/14/2014	2:54pm	Accidental	0	0	\$750.00	15-187
Fischer Grad.		10/06/2014	6:54pm	Cooking	0	0	\$10.00	15-611
Fisher Hall	0	N/A	N/A	N/A	0	0	0	N/A
Howard Hall	0	N/A	N/A	N/A	0	0	0	N/A
Keenan Hall	1	4/14/2014	7:20pm	Accidental	0	0	\$25.00	14-1358
Keough Hall	0	N/A	N/A	N/A	0	0	0	N/A
Knott Hall	0	N/A	N/A	N/A	0	0	0	N/A
Lewis Hall	0	N/A	N/A	N/A	0	0	0	N/A
Lyons Hall	0	N/A	N/A	N/A	0	0	0	N/A
McGlinn Hall	0	N/A	N/A	N/A	0	0	0	N/A
Morrissey Manor	0	N/A	N/A	N/A	0	0	0	N/A
Old College	0	N/A	N/A	N/A	0	0	0	N/A
O'Neill Hall	0	N/A	N/A	N/A	0	0	0	N/A
Pangborn Hall	0	N/A	N/A	N/A	0	0	0	N/A
Pasquerilla East Hall	0	N/A	N/A	N/A	0	0	0	N/A
Pasquerilla ROTC Center	0	N/A	N/A	N/A	0	0	0	N/A
Pasquerilla West Hall	0	N/A	N/A	N/A	0	0	0	N/A
Ryan Hall	0	N/A	N/A	N/A	0	0	0	N/A
St. Edwards Hall	0	N/A	N/A	N/A	0	0	0	N/A
Siegfried Hall	0	N/A	N/A	N/A	0	0	0	N/A
Sorin Hall	0	N/A	N/A	N/A	0	0	0	N/A
Stanford Hall	0	N/A	N/A	N/A	0	0	0	N/A
University Village Apartment	0	N/A	N/A	N/A	0	0	\$0.00	N/A
Walsh Hall	0	N/A	N/A	N/A	0	0	0	N/A
Welsh Family Hall	0	N/A	N/A	N/A	0	0	0	N/A
Zahm Hall	0	N/A	N/A	N/A	0	0	\$0.00	N/A

Student Housing Fire Occurrence Statistics for Calendar Year 2015

Residence Halls and/or On-Campus Buildings containing Student Residences	Total Fires Within the Building(s) for the Year	Date	Time	Cause of Fire	Number of Injuries that Required Treatment at a Medical Facility	Number of Deaths Related to a Fire	Value of Property Damage Caused by Fire	Incident Number
Alumni Hall	0	N/A	N/A	N/A	0	0	0	N/A
Badin Hall	0	N/A	N/A	N/A	0	0	0	N/A
Breen-Phillips Hall	0	N/A	N/A	N/A	0	0	0	N/A
Carroll Hall	0	N/A	N/A	N/A	0	0	0	N/A
Cavanaugh Hall	0	N/A	N/A	N/A	0	0	0	N/A
Dillon Hall	0	N/A	N/A	N/A	0	0	0	N/A
Duncan Hall	0	N/A	N/A	N/A	0	0	0	N/A
Farley Hall	0	N/A	N/A	N/A	0	0	0	N/A
Fischer-O'Hara-Grace Graduate	2	2/5/2015 3/28/2015	16:00 19:07	Cooking Cooking	0 0	0 0	0 \$3000	15-1190 15-1453
Fisher Hall	0	N/A	N/A	N/A	0	0	0	N/A
Howard Hall	0	N/A	N/A	N/A	0	0	0	N/A
Keenan Hall	0	N/A	N/A	N/A	0	0	0	N/A
Keough Hall	0	N/A	N/A	N/A	0	0	0	N/A
Knott Hall	1	12/20/2015	1:41am	Intentional	0	0	\$250	16-1121
Lewis Hall	0	N/A	N/A	N/A	0	0	0	N/A
Lyons Hall	0	N/A	N/A	N/A	0	0	0	N/A
McGlinn Hall	0	N/A	N/A	N/A	0	0	0	N/A
Morrissey Manor	1	12/12/2015	9:28	Accidental	0	0	\$1,000	16-1077
Old College	0	N/A	N/A	N/A	0	0	0	N/A
O'Neill Hall	0	N/A	N/A	N/A	0	0	0	N/A
Pangborn Hall	0	N/A	N/A	N/A	0	0	0	N/A
Pasquerilla Center (ROTC)	0	N/A	N/A	N/A	0	0	0	N/A
Pasquerilla East Hall	1	7/9/2015	10:12	Cooking	0	0	\$100	16-0040
Pasquerilla West Hall	0	N/A	N/A	N/A	0	0	0	N/A
Ryan Hall	0	N/A	N/A	N/A	0	0	0	N/A
St. Edwards Hall	0	N/A	N/A	N/A	0	0	0	N/A
Siegfried Hall	0	N/A	N/A	N/A	0	0	0	N/A
Sorin Hall	0	N/A	N/A	N/A	0	0	0	N/A
Stanford Hall	1	N/A	12:35	Accidental	0	0	\$100	16-0028
University Village Apartments	0	N/A	N/A	N/A	0	0	0	N/A
Walsh Hall	0	N/A	N/A	N/A	0	0	0	N/A
Welsh Family Hall	0	N/A	N/A	N/A	0	0	0	N/A
Zahm Hall	0	N/A	N/A	N/A	0	0	0	N/A

A printed copy of the daily campus Fire Log can viewed in at Room 252 Hammes Mowbray Hall during normal business hours.

APPENDIX 1



POLICY ON SEXUAL AND DISCRIMINATORY HARASSMENT

Responsible Executives:
Provost, Vice President of
Human Resources, Vice
President for Student Affairs
Responsible Office:
Office of Institutional Equity
Approved by: University Policy
Committee
Issued: November 19, 2013
Revised: August 2015

1. INTRODUCTION

The University of Notre Dame strives to maintain a community characterized by a respect for others. At a minimum, this means a community that is free from Sexual and Discriminatory Harassment. Sexual and Discriminatory Harassment includes, but is not limited to, sexual assault and other sexual misconduct (as defined below). At Notre Dame, our goal is to promote respectful behavior and interactions. Our culture of respect means that no type of Sexual or Discriminatory Harassment is tolerated, and all allegations or reports of such misconduct will be investigated and addressed. This culture of respect is regularly conveyed to members of the University community, including through the education programs described in this Policy. The University is also dedicated to responding quickly and thoroughly to all reported or alleged violations of this Policy, and to enforcing the Non-Retaliation Policy to protect those who report and/or are involved in an investigation of conduct prohibited by this Policy.

2. POLICY STATEMENT

The University of Notre Dame does not tolerate Sexual or Discriminatory Harassment (as defined in this Policy) by or against any member of its community, nor will it tolerate sexual or discriminatory harassing conduct that affects job or educational benefits or that interferes with an individual's work or academic performance, or that creates an intimidating, hostile, or offensive work or educational environment. Individuals who engage in conduct prohibited by this Policy may be subject to disciplinary action, up to and including termination or dismissal.

3. SCOPE

This Policy applies to all faculty, staff, and students. This Policy applies to any allegation of Sexual or Discriminatory Harassment that is made in the context of an educational program or activity or that otherwise affects the University's work or educational environment. However, the University's

investigation may be limited where the alleged conduct occurred outside the context of the University's programs or activities, or work or educational environment.

Nothing in this Policy restricts the University's right to address and take appropriate action with respect to conduct that, while not meeting the definitions of conduct prohibited by this Policy, is nevertheless inconsistent with the University's value of respect for others.

4. RESPONSIBLE PARTY

The Director of the Office of Institutional Equity (or designee) is responsible for implementing and monitoring compliance with this Policy on behalf of the University. This includes coordination of training, education, communications and administration of the reporting and response procedures concerning suspected or alleged violations of this Policy.

Any inquiries regarding conduct prohibited by this Policy may be directed to the Director of the Office of Institutional Equity / Title IX Coordinator:

Director, Office of Institutional Equity
Title IX Coordinator
100 Grace Hall
University of Notre Dame
Notre Dame, IN 46556
574-631-0444
equity@nd.edu

5. PROHIBITION OF DISCRIMINATORY HARASSMENT

Discriminatory Harassment includes offensive, unwelcome conduct or language that is based on an individual's race, color, national or ethnic origin, religion, sex, sexual orientation, age, disability, veteran status, or genetic information, and that would create an intimidating, hostile, offensive, or demeaning environment for a reasonable person and that actually creates such an environment for that individual.

Discriminatory Harassment may include the following types of misconduct, when such misconduct concerns one or more of the characteristics listed above:

- Verbal abuse, slurs, derogatory comments or insults about, directed at or made in the presence of an individual or group.
- Display or circulation of written materials or pictures that are offensive or degrading.
- Damage to, trespass on or unauthorized use of property, such as spraying or scratching of a motor vehicle, damage or theft of property.
- Physical contact, or threatening language or behavior.
- Other conduct that interferes with an individual's performance; limits participation in University activities; or otherwise creates an intimidating, hostile, or offensive University environment.

For information on how to report Discriminatory Harassment, see Section 8.

6. PROHIBITION OF SEXUAL HARASSMENT

Sexual Harassment as defined and prohibited in this Policy includes sexual assault, other sexual misconduct, and the creation of a hostile environment, as described below.

A. Sexual Assault

Sexual assault is any sexual intercourse by any person upon another without consent (as defined in Section 7 below). It includes oral, anal and vaginal penetration, to any degree, with any part of the body or other object. It is also referred to as “non-consensual sexual intercourse.”

Sexual assault is one of the most egregious forms of sexual harassment. Students, faculty and staff found responsible for sexual assault or other forms of sexual misconduct will be subject to discipline (in the case of faculty and staff) or Conduct Process Outcomes (as defined in du Lac, in the case of students) up to and including termination of employment or permanent dismissal from the University.

The University believes that no person should bear the effects of sexual assault alone. When a sexual assault occurs, the University’s paramount concern is for the safety, health and well-being of those impacted. The University provides a wide range of services and resources to support and assist its students, faculty and staff as soon as it receives a report of an alleged sexual assault. To learn more about these resources, please see [du Lac: A Guide to Student Life](#), the *[Reporting and Response Procedure for Violations of the University’s Policy on Sexual and Discriminatory Harassment by Faculty and Staff](#)*, or the [Committee on Sexual Assault Prevention](#).

B. Other Sexual Misconduct

Other sexual misconduct may take the form of any of the following offenses:

- **Non-consensual sexual contact**, which is any sexual touching with any part of the body or other object, by any person upon another, without consent. Sexual touching is contact of a sexual nature, however slight.
- **Domestic violence**, which is defined as physical violence or the threat of physical violence committed by a current or former spouse of an individual, by a person with whom the individual has a child in common, by a person who is cohabiting or has cohabited with the individual as if a spouse (as determined under applicable law), or by any other person against an adult or youth who is protected from that person’s acts by applicable domestic or family violence laws.
- **Dating violence**, which is defined as physical violence or the threat of physical violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with an individual, and the existence of such a relationship shall be determined

based on factors such as the length and type of relationship, and frequency of interaction between the persons involved.

- **Stalking**, which is knowingly or intentionally engaging in a course of conduct involving repeated or continuing harassment of another person that would cause a reasonable person to feel terrorized, frightened, intimidated, or threatened and that actually causes the individual to feel terrorized, frightened, intimidated, or threatened.
- Other sexual misconduct offenses may also include, but are not limited to:
 - Indecent exposure
 - Sexual exhibitionism
 - Sex-based cyber-harassment
 - Prostitution or the solicitation of a prostitute
 - Peeping or other voyeurism
 - Going beyond the boundaries of consent (e.g. recording, sharing or disseminating recordings, or threatening to share or disseminate recordings, of sexual activity or nudity without the consent of all parties involved)

C. **Hostile Environment**

Conduct that creates a **hostile environment** includes unwelcome sexual advances, requests for sexual favors, and other verbal, non-verbal, or physical conduct of a sexual nature when:

- Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or a student's status in a course, program or activity;
- Submission to or rejection of such conduct by an employee or student is used as the basis for employment or academic decisions; or
- Viewed from the perspective of both the individual and a reasonable person in the same situation, the conduct interferes with performance, limits participation in University activities, or creates an intimidating, hostile, or offensive University environment.

Examples of conduct that may create a hostile environment include:

- Unwelcome sexual jokes, language, epithets, advances or propositions;
- The display of sexually suggestive objects, pictures, magazines, posters or cartoons;
- Comments about an individual's body, sexual orientation, sexual prowess or sexual deficiencies;
- Unwelcome physical contact of a sexual nature;
- Sexually suggestive, insulting or obscene comments, gestures or conduct (such as leering or whistling);

- Offering or implying an offer of an education- or employment-related reward, such as a favorable review, grade, assignment, promotion, or continued employment, in exchange for sexual favors; or
- Taking or threatening to take an adverse education- or employment-related action, such as an unfavorable review, grade or assignment, because sexual conduct or advances are rejected.

Because of the gravity of these offenses, the University has adopted specific procedures for reporting and responding to the conduct described in this section. For information on how to report Sexual Harassment, see Section 8.

7. INFORMATION ABOUT CONSENT, INTOXICATION AND INCAPACITATION

Consent means informed, freely given agreement, communicated by clearly understandable words or actions, to participate in each form of sexual activity. Consent cannot be inferred from silence, passivity, or lack of active resistance. A current or previous dating or sexual relationship is not sufficient to constitute consent, and consent to one form of sexual activity does not imply consent to other forms of sexual activity. By definition, there is no consent when there is a threat of force or violence or any other form of coercion or intimidation, physical or psychological. A person who is the object of sexual aggression is not required to physically or otherwise resist the aggressor; sexual contact without informed, freely given consent is sexual misconduct. There is no consent when the individual in question is under the legal age of consent. The legal age of consent in Indiana is 16.

Intoxication is not an excuse for failure to obtain consent.

An incapacitated person is incapable of giving consent. A person is incapacitated if that person is in a physical or mental state such that he or she lacks the ability to make a knowing and deliberate choice to engage in the sexual interaction. For the purposes of this Policy, a person who is asleep or unconscious is incapacitated, without exception. A person may also become incapacitated due to other factors, which may include the use of alcohol and/or drugs to such a degree that the person no longer has the ability to make a knowing or deliberate choice to engage in the sexual interaction. Engaging in sexual activity with a person whom you know, or should reasonably know, to be incapacitated constitutes a violation. If there is a question about whether the complainant was incapacitated, the relevant standard is whether the respondent knew, or a sober, reasonable person in the respondent's position should have known, that the complainant was incapacitated and therefore could not consent to the sexual activity.

8. REPORTING AND RESPONSE PROCEDURES FOR VIOLATIONS OF THIS POLICY

Violations of this Policy by a student must be reported in accordance with the [Reporting and Response Procedures](#) set forth in du Lac: A Guide to Student Life.

Violations of this Policy by University faculty or staff, or a third party (such as a vendor, contractor or guest) must be reported in accordance with the reporting and response procedures set forth in the

Reporting and Response Procedure for Violations of the University's Policy on Sexual and Discriminatory Harassment by Faculty and Staff.

All University community members are expected to provide truthful information. If an investigation reveals that an individual has provided deliberately false information and/or made an accusation in bad faith or with a view to personal gain or intentionally harming another in connection with an incident, disciplinary action may be taken. This provision does not apply to information provided in good faith, even if the facts alleged are not later substantiated.

9. EDUCATION PROGRAMS

The University shall provide the following educational programming designed to promote the awareness of rape, acquaintance rape, domestic violence, dating violence, sexual assault, and stalking.

Primary and ongoing prevention and awareness programs. The University shall provide primary prevention and awareness programs for all incoming students and new faculty and staff, and ongoing prevention and awareness campaigns for current students, faculty and staff, that include the following:

- a statement that the University prohibits the offenses of sexual assault, domestic violence, dating violence, and stalking and a description of the University's policies that prohibit this conduct;
- the definition of consent, in reference to sexual activity, as defined in this Policy;
- the definitions of sexual assault, domestic violence, dating violence, and stalking under Indiana law;
- safe and positive options for bystander intervention that may be carried out by an individual to prevent harm or intervene when there is a risk of sexual assault, domestic violence, dating violence, or stalking against a person other than the bystander;
- information on risk reduction to recognize warning signs of abusive behavior and how to avoid potential attacks;
- the possible sanctions or protective measures that the University may impose following a final determination of a University disciplinary procedure or investigation regarding allegations of sexual misconduct or other interpersonal misconduct;
- the procedures that a complainant should follow if a sex offense, sexual assault, domestic violence, dating violence, or stalking has occurred, as described in this Policy;
- the procedures for University disciplinary action in cases of alleged sexual assault, domestic violence, dating violence, or stalking, as described in this Policy;

- information about how the University will protect the confidentiality of complainants, including how publicly-available recordkeeping will be accomplished without the inclusion of identifying information about the complainant, to the extent permitted by law;
- information about existing counseling, health, mental health, victim advocacy, legal assistance, student financial aid, and other services available for student and employee complainants both on-campus and in the community; and
- information about options for, and available assistance in, changing academic, living, transportation, and working situations, if so requested by the complainant and if such accommodations are reasonably available, regardless of whether the complainant chooses to report the crime to campus police or local law enforcement.

APPENDIX 2



REPORTING AND RESPONSE PROCEDURE FOR VIOLATIONS OF THE UNIVERSITY'S POLICY ON SEXUAL AND DISCRIMINATORY HARASSMENT BY FACULTY AND STAFF

1. INTRODUCTION

Violations of the Policy on Sexual and Discriminatory Harassment (the "Policy") by University faculty or staff, or a third party (such as a vendor, contractor or guest) must be reported in accordance with the reporting and response procedures set forth below. Violations of the Policy by a student must be reported in accordance with the reporting and response procedures set forth in [*du Lac: A Guide to Student Life*](#).

2. HOW TO REPORT VIOLATIONS OF THE POLICY BY FACULTY, STAFF OR THIRD PARTIES

A. Reporting Violations to the University

The University is dedicated to providing an environment of respect for all, free from Sexual and Discriminatory Harassment. To the extent any of the University's students, faculty, staff experience offensive or harassing behavior by students, faculty, staff or third parties with whom they must interact as part of their work or educational responsibilities, the University is committed to eliminating such misconduct. To do so, the University must be informed of any conduct that violates the Policy. Accordingly, individuals who believe that they have been subjected to violations of the Policy by members of the University's faculty or staff, or third parties such as vendors, contractors or guests, must promptly report the alleged violation to the University as described below.

i. Reporting when Alleged Offender is a Faculty Member

For violations of the Policy committed by a faculty member or postdoctoral scholar, report such conduct to the Title IX Coordinator/Office of Institutional Equity (574-631-0444), the Faculty Affairs Specialist in the Office of the Provost (574-631-9927), or a department chair, dean or director of an institute or center (who in turn, must immediately report the allegation to the Office of Institutional Equity or the Office of the Provost). Additional contact information for these offices and/or individuals may be found on the Office of Institutional Equity website at equity.nd.edu.

ii. Reporting when Alleged Offender is a Staff Member

For violations of the Policy committed by a staff member, report such conduct to the Title IX Coordinator/Office of Institutional Equity, or a supervisor in or the Human Resources Consultant for the complainant's department (who in turn, must immediately report the allegation to the Office of Institutional Equity). Additional contact information for these offices and/or individuals may be found on the Office of Institutional Equity website at equity.nd.edu.

iii. Reporting when Alleged Offender is a Vendor, Contractor, or Other Third Party

For violations of the Policy by a vendor, contractor or third party with whom the complainant interacts as part of his or her work duties or educational responsibilities, report such conduct to the Title IX Coordinator/Office of Institutional Equity (574-631-0444) immediately. The Office of Institutional Equity will work with the reporting party to investigate the complaint and the University will take prompt action within its power to stop the behavior.

B. Reporting to Law Enforcement in Cases Involving Sexual Assault and Other Sexual Misconduct

In addition to the reporting violations to the University, an individual has the option to pursue a criminal complaint with an appropriate law enforcement agency in cases involving Sexual Assault or Other Sexual Misconduct. In such cases, complainants may (a) notify proper law enforcement authorities, including on-campus and local police (as described below); (b) be assisted by campus authorities in notifying law enforcement authorities if the complainant so chooses; or (c) decline to notify law enforcement authorities.

The University encourages members of the University community to report all incidents of Sexual Assault and Other Sexual Misconduct to the police. If the incident occurred on Notre Dame property, the Notre Dame Security Police, a duly authorized police agency in the state of Indiana, is an appropriate agency with which to file a report. On campus incidents may also be reported to the St. Joseph County Police Department. For off-campus incidents, including at international locations, reports may be filed with the local law enforcement agency with jurisdiction where the incident occurred. In the South Bend area, the local law enforcement agencies include the South Bend, St. Joseph County, and Mishawaka police departments. Notre Dame Security Police (911 from a campus phone, or 574-631-5555 from a cell phone) can assist with contacting the appropriate agency.

Reports of Sexual Assault or Other Sexual Misconduct committed by faculty or staff that are reported to Notre Dame Security Police will also be referred to the Title IX Coordinator (or other appropriate office), who will follow-up and investigate as appropriate. Similarly, where the University receives a report from another police agency of an incident of Sexual Assault or Other Sexual Misconduct, the Title IX Coordinator (or designee) and NDSP will follow-up and investigate as appropriate.

The administrative investigation conducted by the Title IX Coordinator (or designee) is distinct from the criminal investigation as a result of the University's obligation under Title IX to ensure that it is providing a safe environment for all members of the University community. If a complainant wishes

to pursue a criminal complaint, the complainant may choose to temporarily defer the University's administrative investigation by making a formal written request to the Title IX Coordinator (or designee), which may temporarily delay the administrative investigation and the University's ability to respond. However, the University may choose not to defer its administrative investigation where it has reason to believe that the alleged offender may be an imminent threat to the safety of the complainant and/or other members of the University community. At any time, the complainant may choose to rescind the deferral by making a formal written request to the Title IX Coordinator (or designee), electing to resume the University's administrative investigation. The University will maintain documentation of the date of deferral. Information obtained through the criminal investigation may be considered in the University's administrative investigation.

Where the University is aware that an individual is pursuing a criminal complaint, a member of the Office of Campus Safety will request that the St. Joseph County Prosecutor's Office keep the University informed and immediately advise of its decision whether to prosecute the complaint. The University will maintain documentation of the date of the request to the Prosecutor's Office. In cases where the Prosecutor's Office declines prosecution, a member of the Office of Campus Safety will work with the Prosecutor's Office to notify the complainant of the Prosecutor's decision.

In addition to having the option of pursuing a criminal complaint, complainants also have the option of exploring whether they might be entitled to an order of protection, restraining order, or other similar orders issued by a criminal or civil court. For more information about such orders, including the University's responsibilities concerning such orders, individuals should contact Notre Dame Security Police or the [Family Justice Center of St. Joseph County \(fjcsjc.org\)](http://fjcsjc.org) (discussed below).

Individuals who report alleged Sexual Assault, Dating Violence, Domestic Violence or Stalking to the University will be provided with written notice of the above-referenced options.

C. Support of an Ombudsperson

The Ombudsperson is a member of the Notre Dame faculty or staff appointed by the President to provide information and assistance regarding Sexual or Discriminatory Harassment to the University community.

Regardless of the status of the alleged offender, a complainant may contact an Ombudsperson for advice and guidance related to the complaint or the resolution process at any time. An Ombudsperson who receives a report of a violation of the Policy must share that information with the Title IX Coordinator/Office of Institutional Equity for investigation and follow-up. Specific contact information for these offices and/or individuals may be found on the Office of Institutional Equity website at equity.nd.edu.

D. Direct Communication with the Alleged Offender in Cases that do not Involve Sexual Assault or Other Sexual Misconduct

In cases involving creation of a Hostile Environment and Discriminatory Harassment, the complainant may speak directly with the alleged offending person to address his or her concerns and

obtain an appropriate resolution, if he or she feels comfortable doing so. Sometimes, an effective manner of addressing offensive behavior is to politely and calmly advise the person, verbally or in writing, that his or her behavior or language is offensive and unwelcome, and to request that the person stop uttering such words or engaging in such behavior.

While this approach may be effective to eliminate the offensive behavior, individuals who choose to address the alleged offender directly must also promptly report the offensive behavior to the Office of Institutional Equity, which will direct the report as appropriate. Such reporting will enable the University to decide whether there is an impact to the community (such as egregious conduct or a pattern of inappropriate behavior) that warrants University to maintain an environment of respect. An individual who directly addresses his or her concerns with the offending person must also notify the Office of Institutional Equity if they did not obtain a satisfactory outcome through their discussions.

3. CONSIDERATIONS TO ENCOURAGE REPORTING AN INCIDENT

Students who report alleged violations by faculty, staff and third parties are entitled to the [Considerations to Encourage Reporting an Incident](#) set forth in du Lac: A Guide to Student Life.

Faculty and staff who report alleged violations by faculty, staff and third parties are entitled to the considerations to encourage reporting set forth below.

A. University Response to Reports

The University will take the interim measures it deems necessary to protect the parties while a complaint of sexual or discriminatory harassment is being investigated. In addition, upon receipt of a report of alleged sexual assault, dating violence, domestic violence or stalking in which the respondent is a member of Notre Dame's faculty or staff, the following steps will be taken:

i. No Contact Orders Issued to the Complainant and the Respondent

The Title IX Coordinator (or designee) shall issue no contact orders to the complainant and respondent. Such a measure may also be appropriate when the respondent is a Notre Dame vendor or other third party who interacts with members of the University community.

ii. Other Interim Measures

The University reserves the right to take other intermediate steps to protect complainants pending the final outcome of an investigation, including work-related accommodations and other interim measures. These steps may include the ability to change work schedules, locations or assignments. The goal of any adjustment will be to minimize the burden on the complainant. Any adjustments will be administered by the Title IX Coordinator (or designee).

iii. Assignment of a Resource Coordinator

The complainant and the respondent will be referred to separate Resource Coordinators (RCs), who are trained Notre Dame faculty or administrators who will serve as resource persons to the complainant and respondent to identify, explain and navigate the reporting options and the available support services. This can include referrals to counseling, educational support, pastoral care, and medical treatment, and information about University and legal processes. The RCs can also provide guidance and answer questions about the process for requesting the interim measures and relief outlined above.

B. Retaliation and Intimidation Prohibited

The University's [Non-Retaliation Policy](#) prohibits acts of retaliation against those who engage in good faith conduct (as described in the Non-Retaliation Policy), which includes, but is not limited to, reporting alleged prohibited harassment, and participating in a related investigation or proceeding.

To report retaliation, please contact the following officials:

- **For retaliation committed by students:** the Deputy Title IX Coordinator (574-631-7728);
- **For retaliation committed by staff:** the Title IX Coordinator/Office of Institutional Equity (574-631-0444) or Human Resources (574-631-5900); and
- **For retaliation committed by faculty:** the Faculty Affairs Specialist in the Office of the Provost (574-631-9927) or the Title IX Coordinator/Office of Institutional Equity (574-631-0444).

In addition, all members of the University community may report actual or threatened retaliation to NDSP by calling 574-631-5555.

For more information about the University's response to reports of retaliation, see the University's Non-Retaliation Policy at http://equity.nd.edu/assets/112799/non_retaliation_policy.pdf.

4. PRIVACY AND CONFIDENTIALITY

A. Confidential Resources

Individuals who wish to keep the details of an incident confidential have several options. Faculty and staff may speak with counselors through [Lifeworks](#), the Employee Assistance Program (888-267-8126) or health providers such as the [Notre Dame Wellness Center](#) (wellnesscenter.nd.edu) (574-634-9355). Students may speak with counselors at the [University Counseling Center](#) (ucc.nd.edu) (574-631-7336) or health providers such as those at [University Health Services](#) (uhs.nd.edu) (574-631-7567). Students, faculty and staff may also speak with off-campus resources, such as [S-O-S of the Family Justice Center of St. Joseph County](#) (fjcsjc.org/sos) (discussed below). Vowed religious (priests, deacons, and religious sisters and brothers) working within Campus Ministry and who are operating in that role are confidential resources. These resources will honor confidentiality unless

there is an imminent danger to the individual or to others, or unless otherwise required by law. In addition, an individual's disclosure during the sacrament of confession will not be revealed by the priest for any reason, which is a sacred obligation protected by law.

B. Parameters of Confidentiality in Reports of Sexual or Discriminatory Harassment

In all instances and to the extent possible, the University will protect the privacy of all parties to a report of Sexual or Discriminatory Harassment. That said, campus officials (with the exception of those listed under Confidential Resources, above) who receive a report of Sexual or Discriminatory Harassment, whether from the student, staff or faculty involved or a third party, must share that information with the appropriate University authorities for investigation and follow-up. Any response by the University may be hindered by the complainant's requests for anonymity and/or inaction.

In an effort to provide timely notice to the Notre Dame community, and in the event of a serious crime that occurs on campus and poses a serious, ongoing threat to members of the Notre Dame community, a mass email Crime Alert will be sent to all students, faculty and staff on campus and is posted on the Notre Dame Security Police [website](#), and may also be posted in residence halls and various other buildings on campus. Crime Alerts and any updates will be drafted and disseminated in a way that protects the confidentiality of complainants. Such alerts and updates shall not include identifying information about the complainant in any publicly-available recordkeeping to the extent permitted by law.

5. RESOURCES FOR MEDICAL, COUNSELING AND PASTORAL CARE

A. Medical Resources

It is especially important for individuals who have been sexually assaulted or subjected to other sexual misconduct that involves physical contact to seek immediate and appropriate medical treatment. Such treatment is also important to preserve evidence as may be necessary to the proof of the sexual assault or other sexual misconduct in the event the student later files criminal charges, or seeks to obtain an order of protection. The two hospitals in the South Bend area are [St. Joseph Regional Medical Center](#) (sjmed.com) and [Memorial Hospital](#) (qualityoflife.org). While both hospitals offer emergency care and evidence collection, St. Joseph has a specially trained sexual assault team available 24 hours a day, seven days a week. Under Indiana law, the tests and procedures at the hospitals are free of charge if treatment is sought within 120 hours of the assault. The evidence gathered in this examination will be maintained by the hospital and will not be provided to the police unless the individual reports the assault to the police. Any decision about whether or not to talk to the police is up to the individual.

Faculty and staff may visit the [Notre Dame Wellness Center](#) (574-634-9355), which is equipped to provide confidential and professional medical care to faculty and staff. Students may visit [University Health Services](#), which is open 24 hours a day during the academic year and is equipped to provide confidential and professional medical care to students. University Health Services can be reached in Saint Liam Hall, 574-631-7567. While the Notre Dame Wellness Center and University Health

Services staff are unable to perform procedures related to the collection of evidence for the purposes of pursuing criminal prosecution, they can provide assistance and support when an individual requests or requires transportation to the hospital.

B. Counseling Resources

LifeWorks, the Employee Assistance Program for Notre Dame faculty and staff, provides referrals to professionals who provide confidential counseling and support on a wide range of issues. The service is available 24 hours a day, seven days a week, and can be reached at 888-267-8126 or online at <https://www3.nd.edu/~hr/lifeworks/eap.shtml>.

Students may receive specialized support and assistance from the University Counseling Center, which is staffed by trained professionals and counselors. Current students may seek counseling at any time, even years after the incident. The confidential services of the UCC are available to any student who may need support or assistance. The [Counseling Center](#) can be reached at 574-631-7336 (24 hours). In addition, a Walk-In Crisis Service is available to students in Saint Liam Hall, Monday-Friday, 9 a.m. – 5 p.m. For further information, go to ucc.nd.edu.

[The Family Justice Center of St. Joseph County \(fjcsjc.org\)](http://fjcsjc.org) is a collaboration of civil, legal, medical, and social services which supports individuals (including students and employees) affected by domestic violence. The Family Justice Center can be reached by calling 574-234-6900 and its office is located at 533 North Niles Avenue in South Bend. [S-O-S of the Family Justice Center \(fjcsjc.org/sos\)](http://fjcsjc.org/sos) is staffed by trained professionals and volunteer advocates who are available 24 hours a day. The staff can provide confidential counseling and recovery services, as well as support and information about communication with the police, family and friends. S-O-S Volunteer Advocates provide emotional support and information on the phone and in person at area hospital Emergency Departments around the clock. Specially trained professionals offer confidential counseling, group therapy, information, and referrals. The S-O-S Advocate acts as a liaison between the individual and the legal process, and can accompany the individual to court, if desired. The 24-hour telephone number for the S-O-S is 574-289-4357.

The [Rape, Abuse and Incest National Network \(RAINN\) \(rainn.org\)](http://rainn.org) is an anti-sexual violence organization that partners with more than 1,100 local rape crisis centers across the country. Among its programs, RAINN has two resources available globally: (1) the National Sexual Assault Online Hotline (<https://ohl.rainn.org/online/>), a secure web-based hotline that provides live and confidential help through an interface similar to instant messaging; and (2) the National Sexual Assault Hotline (800-656-HOPE), which provides free, confidential services 24 hours a day, seven days a week.

C. Pastoral Resources

Vowed religious (priests, deacons, and religious sisters and brothers) working within Campus Ministry and who are operating in that role are confidential resources. In addition, an individual's disclosure during the sacrament of confession will not be revealed by the priest for any reason, which is a sacred obligation protected by law. Campus Ministry can be reached at 574-631-7800 or at campusministry.nd.edu.

For more information about resources, please visit the University's [Office of Institutional Equity](#) website or the [Division of Student Affairs](#) website.

6. INVESTIGATION PROCEDURES

A. Investigation Process

In cases where a faculty or staff member is accused of a violation of the Policy, the Office of Institutional Equity (or designee) will investigate complaints and determine whether or not a violation of the Policy occurred. The University will provide a prompt, fair, thorough, and impartial investigation and resolution. A preponderance of the evidence standard (*i.e.*, whether it is more likely than not a violation occurred) is used to determine the outcome of an investigation.

The University aims to complete all investigations within 60 calendar days of the initial report. However, there may be some investigations that cannot be completed within 60 calendar days. In such cases, the University will communicate to the complainant and respondent that the investigation is going to take longer than 60 calendar days and, in doing so, will indicate when the University believes it will complete the investigation.

B. Additional Investigative Procedures in Cases Involving Sexual Assault, Dating Violence, Domestic Violence or Stalking

Investigations of cases involving sexual assault, dating violence, domestic violence or stalking shall be conducted by individuals who have received annual training on these issues and on how to conduct an investigation and resolution process that protects the safety of complainants and promotes accountability.

In the course of the investigation, both parties will be afforded an opportunity to provide information. The complainant and respondent will each be permitted to be accompanied by an advisor of his or her choice at their respective investigatory meetings. The advisor role is non-speaking. Advisors will not be permitted to make comments, pass notes, or otherwise disrupt an investigative meeting. Advisors who are disruptive during an investigative meeting will be required to leave. Both parties will also be provided with timely notice of meetings at which one or the other or both may be present.

While both parties are encouraged to provide any information they believe may be relevant, evidence about a party's prior sexual conduct with anyone other than the other party is ordinarily not considered. In addition, evidence of a prior consensual dating or sexual relationship between the parties, by itself, does not imply consent or preclude a finding of sexual misconduct.

C. Sanctions and Remedial Measures and Related Communications

The University will take the appropriate remedial measures to protect the complainant and/or stop any misconduct by faculty or staff, and will impose any sanctions it deems appropriate. The remedial measures may include the provision of counseling, training, educational programming, accommodations, and other assistance as outlined in Section 3.A. above. Appropriate sanctions may include counseling or education, a verbal or written reprimand, transfer, reassignment, suspension, demotion, or other disciplinary action, up to and including termination.

In cases where the respondent is a faculty member, if the investigation reveals that the conduct is such that a “severe sanction” or dismissal is contemplated, the procedures for Severe Sanctions Including Dismissal for Serious Cause as outlined in Article III, Section 8 of the Academic Articles shall be followed.

The University’s determination as to whether a violation of the Policy occurred will be communicated to the complainant and the respondent in writing. The University will notify the complainant of any remedial measures or sanctions imposed that directly relate to the complainant.

In cases involving sexual assault, dating violence, domestic violence or stalking, the complainant and the respondent shall be simultaneously informed in writing of the outcome of the investigation (i.e., whether a policy violation occurred, the rationale for that determination, and the sanctions imposed, if any), and the procedures for requesting a review of that outcome.

D. Requests for Review

i. Where Respondent is a Staff Member

In cases involving a violation of this Policy where the respondent is a staff member, the complainant or respondent may request a review of the outcome of the investigation by submitting a [Complaint Procedure Form](#) to the Vice President of Human Resources within ten (10) calendar days of notification of the outcome of the investigation. The request for review must state with specificity acceptable grounds for seeking a review. Acceptable grounds for review are limited to the following: (1) a procedural defect that would have been substantial enough to have changed the outcome; and/or (2) the discovery of substantive new information that was unknown or unavailable at the time of the investigation and would have had a significant effect on the outcome. Except in cases of termination, the severity of the outcome is not considered a legitimate ground for review. The Vice President of Human Resources (or designee) will simultaneously provide the parties the University’s written response. This response will identify any changes to the outcome of the investigation, and is final.

ii. Where Respondent is a Faculty Member

The complainant or respondent may request that the Vice President and Associate Provost for Faculty Affairs review the outcome of the investigation. This request must be in writing or email, must occur within ten (10) calendar days of notification of the outcome of the investigation, and must state with specificity acceptable grounds for seeking a review. Acceptable grounds are limited to the following:

(1) a procedural defect that would have been substantial enough to have changed the outcome; and/or
 (2) the discovery of substantive new information that was unknown or unavailable at the time of the investigation and would have had a significant effect on the outcome. The Vice President and Associate Provost (or designee) will provide a written response to the party seeking a review, and this response is final.

If a respondent faculty member wishes to appeal the outcome of an investigation that results in “severe sanctions,” as defined in the Academic Articles, that faculty member is entitled to the procedural protections (including the right of appeal) set forth in Article III, Section 8 of the Academic Articles.

7. DEFINITIONS

Consent	Informed, freely given agreement, communicated by clearly understandable words or actions, to participate in each form of sexual activity. For further information, see Section 7 of the Policy (“Information about Consent, Intoxication and Incapacitation”).
Dating Violence	Physical violence or the threat of physical violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with an individual, and the existence of such a relationship shall be determined based on factors such as the length and type of relationship, and frequency of interaction between the persons involved.
Discriminatory Harassment	Offensive, unwelcome conduct or language that is based on an individual’s race, color, national or ethnic origin, religion, sex, sexual orientation, age, disability, veteran status, or genetic information, and that would create an intimidating, hostile, offensive, or demeaning environment for a reasonable person and that actually creates such an environment for that individual.
Domestic Violence	Physical violence or the threat of physical violence committed by a current or former spouse of an individual, by a person with whom the individual has a child in common, by a person who is cohabiting or has cohabitated with the individual as if a spouse (as determined under applicable law), or by any other person against an adult or youth who is protected from that person’s acts by applicable domestic or family violence laws.
Hostile Environment	Conduct including unwelcome sexual advances, requests for sexual favors, and other verbal, non-verbal, or physical conduct of a sexual nature when submission to such conduct is made either explicitly or implicitly a term or condition of an individual’s employment or a student’s status in a course, program or activity; submission to or rejection of such conduct by an employee or student is used as the basis for employment or academic decisions; or viewed from the perspective of both the individual and a

	reasonable person in the same situation, the conduct interferes with performance, limits participation in University activities, or creates an intimidating, hostile, or offensive University environment.
Non-Consensual Sexual Contact	Any sexual touching with any part of the body or other object, by any person upon another, without consent. Sexual touching is contact of a sexual nature, however slight.
Ombudspersons	Members of the Notre Dame faculty or staff appointed by the President to provide information and assistance regarding Sexual or Discriminatory Harassment to the entire University community.
Other Sexual Misconduct	Misconduct of a sexual nature that may take the form of, but is not limited to, any of the following offenses: non-consensual sexual contact, domestic violence, dating violence, stalking, indecent exposure, sexual exhibitionism, sex-based cyber-harassment, prostitution or solicitation of a prostitute, peeping or other voyeurism, or going beyond the boundaries of consent.
Sexual Assault	Any sexual intercourse by any person upon another without consent. It includes oral, anal and vaginal penetration, to any degree, with any part of the body or other object. It is also referred to as “non-consensual sexual intercourse”
Sexual Harassment	Sexual Assault, Other Sexual Misconduct, and the creation of a Hostile Environment.
Staff	All non-faculty employees of the University.
Stalking	Knowingly or intentionally engaging in a course of conduct involving repeated or continuing harassment of another person that would cause a reasonable person to feel terrorized, frightened, intimidated, or threatened and that actually causes the individual to feel terrorized, frightened, intimidated, or threatened.

APPENDIX 3

IMPORTANT INFORMATION REGARDING

SEXUAL ASSAULT, SEXUAL MISCONDUCT, DATING VIOLENCE, DOMESTIC VIOLENCE, STALKING, AND CONDUCT THAT CREATES A HOSTILE ENVIRONMENT

INTRODUCTION

Sexual harassment, which includes sexual assault and sexual misconduct, is a form of sex discrimination which is prohibited under Title IX of the Education Amendments of 1972. Dating violence, domestic violence and stalking could also be considered forms of sex discrimination. Because of the seriousness of these offenses, the University has adopted specific policies and procedures outlined in this website to address alleged violations of [sexual assault](#), [sexual misconduct](#), [dating violence](#), [domestic violence](#), [stalking](#), and [conduct that creates a hostile environment](#).

note: A [Table of Contents](#) is available (on a separate page) as a quick reference.

REPORTING OPTIONS

Students are provided different options both on and off-campus for reporting sexual assault, sexual misconduct, dating violence, domestic violence, stalking, and conduct that creates a hostile environment. See the section titled [How To Report Incidents of Sexual Assault, Sexual Misconduct, Dating Violence, Domestic Violence, Stalking, and/or Conduct that Creates a Hostile Environment](#) for information about how to report an incident.

ADMINISTRATIVE CONTACTS

The [Office of Student Affairs](#) has designated a Deputy Title IX Coordinator (and his/her designees) to handle alleged violations of sexual assault, sexual misconduct, dating violence, domestic violence and stalking, and/or conduct that creates a hostile environment by Notre Dame students:

Deputy Title IX Coordinator
[Office of Student Affairs](#)
316 Main Building
University of Notre Dame
Notre Dame, IN 46556
574-631-7728

DepTitleIXCoordinator@nd.edu

The University has designated the Director of its Office of Institutional Equity to handle all inquiries regarding its efforts to comply with and carry out its responsibilities under Title IX. The Title IX Coordinator may be contacted as follows:

Director, [Office of Institutional Equity](#)
Title IX Coordinator
100 Grace Hall
University of Notre Dame
Notre Dame, IN 46556
574-631-0444
equity@nd.edu

EDUCATION PROGRAMS

The University will provide a variety of education programs designed to promote the awareness of sexual assault (including but not limited to rape and acquaintance rape), sexual misconduct, dating violence, domestic violence, stalking, and conduct that creates a hostile environment for all incoming students and new employees. Additionally, the University will also coordinate ongoing prevention and awareness campaigns for students and employees. For more information about the education programs offered by the University, please [click here](#).

PROMPT, FAIR, AND IMPARTIAL INVESTIGATION AND RESOLUTION

The University processes to address allegations of sexual assault, sexual misconduct, dating violence, domestic violence, stalking, and/or conduct that creates a hostile environment provide a prompt, fair, and impartial investigation and resolution of such allegations and will be conducted by University officials who receive annual training on issues related to sexual assault, sexual misconduct, dating violence, domestic violence, stalking, and conduct that creates a hostile environment and on how to conduct an investigation and resolution process that protects the safety of complainants and promotes accountability.

REFERENCES TO “COMPLAINANT” AND “RESPONDENT”

For the purposes of the policies and procedures described in this website, the alleged victim shall be referred to as the “complainant.” A student alleged to have violated a University policy shall be referred to as the “respondent.”

ACCOUNTABILITY FOR STUDENT GROUPS

In addition to investigating and addressing behavior of individual students, the University reserves the right to investigate and hold accountable the collective behavior of student groups (clubs, organizations, teams, residence facilities, etc.).

APPLICABLE UNIVERSITY POLICIES

SEXUAL HARASSMENT

Sexual Harassment as defined and prohibited by the University includes sexual assault, other sexual misconduct, and the creation of a hostile environment, as described below.

A. SEXUAL ASSAULT

Sexual assault is any sexual intercourse by any person upon another without consent. It includes oral, anal and vaginal penetration, to any degree, with any part of the body or other object. It is also referred to as “non-consensual sexual intercourse.”

Sexual assault is one of the most egregious forms of sexual harassment. Federal law views sexual misconduct and sexual assault as forms of sexual harassment prohibited under Title IX. Sexual assault also violates state law as well as University policy.

Students found responsible for sexual assault will ordinarily face Conduct Process Outcomes up to and including permanent dismissal from the University.

Sexual assault is inconsistent with the University’s values and incompatible with the safe, healthy environment that the Notre Dame community expects. All members of this community share responsibility for creating and maintaining an environment which promotes the safety and dignity of each individual.

The University believes that no person should bear the effects of sexual misconduct or sexual assault alone. When such conduct occurs, the University’s paramount concern is for the safety, health and well-being of those impacted. To support and assist students, the University provides a wide range of services and resources. Please see the Resources for Medical, Counseling and Pastoral Care or the Committee on Sexual Assault Prevention to learn more about these resources.

Information about how to report sexual assault and what procedures will be followed can be found in the Reporting and Response Procedures for Incidents of Sexual Assault, Sexual Misconduct, Dating Violence, Domestic Violence, Stalking, and/or Conduct that Creates a Hostile Environment.

B. OTHER SEXUAL MISCONDUCT

Other sexual misconduct may take the form of any of the following offenses:

◦ NON-CONSENSUAL SEXUAL CONTACT

Non-consensual sexual contact is any sexual touching with any part of the body or other object, by any person upon another, without consent. Sexual touching is contact of a sexual nature, however slight.

Information about how to report non-consensual sexual misconduct and what procedures will be followed can be found in the Reporting and Response Procedures for Incidents of Sexual Assault, Sexual Misconduct, Dating Violence, Domestic Violence, Stalking, and/or Conduct that Creates a Hostile Environment.

◦ DATING VIOLENCE

Dating violence is defined as physical violence or the threat of physical violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with an individual. The existence of such a relationship shall be determined based on factors such as the length and type of relationship, and frequency of interaction between the persons involved.

Information about how to report dating violence and what procedures will be followed can be found in the Reporting and Response Procedures for Incidents of Sexual Assault, Sexual Misconduct, Dating Violence, Domestic Violence, Stalking, and/or Conduct that Creates a Hostile Environment.

◦ DOMESTIC VIOLENCE

Domestic violence is defined as physical violence or the threat of physical violence committed by a current or former spouse of an individual, by a person with whom the individual has a child in common, by a person who is cohabiting or has cohabited with the individual as if a spouse (as determined under applicable law), or by any other person against an adult or youth who is protected from that person's acts by applicable domestic or family violence laws.

Information about how to report domestic violence and what procedures will be followed can be found in the Reporting and Response Procedures for Incidents of Sexual Assault, Sexual Misconduct, Dating Violence, Domestic Violence, Stalking, and/or Conduct that Creates a Hostile Environment.

◦ STALKING

Stalking is defined as knowingly or intentionally engaging in a course of conduct involving repeated or continuing harassment of another person that would cause a reasonable

person to feel terrorized, frightened, intimidated, or threatened and that actually causes the individual to feel terrorized, frightened, intimidated, or threatened.

Information about how to report stalking and what procedures will be followed can be found in the Reporting and Response Procedures for Incidents of Sexual Assault, Sexual Misconduct, Dating Violence, Domestic Violence, Stalking, and/or Conduct that Creates a Hostile Environment.

◦ OTHER SEXUAL MISCONDUCT OFFENSES

Other sexual misconduct offenses include, but are not limited to:

- Indecent exposure
- Sexual exhibitionism
- Sex-based cyber-harassment
- Prostitution or the solicitation of a prostitute
- Peeping or other voyeurism
- Going beyond the boundaries of consent (e.g. recording, sharing or disseminating recordings, or threatening to share or disseminate recordings, of sexual activity or nudity without the consent of all parties involved)

Information about how to report other sexual misconduct offenses and what procedures will be followed can be found in the Reporting and Response Procedures for Incidents of Sexual Assault, Sexual Misconduct, Dating Violence, Domestic Violence, Stalking, and/or Conduct that Creates a Hostile Environment.

C. HOSTILE ENVIRONMENT

Conduct that creates a hostile environment includes unwelcome sexual advances, requests for sexual favors, and other verbal, non-verbal, or physical conduct of a sexual nature when:

- Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or a student's status in a course, program or activity;
- Submission to or rejection of such conduct is used as the basis for employment or academic decisions; or
- Viewed from the perspective of both the individual and a reasonable person in the same situation, the conduct interferes with performance, limits participation in University activities, or creates an intimidating, hostile, or offensive University environment.

Examples of conduct that may create a hostile environment include:

- Unwelcome sexual jokes, language, epithets, advances or propositions;
- The display of sexually suggestive objects, pictures, magazines, posters or cartoons;
- Comments about an individual's body, sexual orientation, sexual prowess or sexual deficiencies;

- Sexually suggestive, insulting or obscene comments, gestures or conduct (such as leering or whistling);
- Offering or implying an offer of an education- or employment-related reward, such as a favorable review, grade, assignment, promotion, or continued employment, in exchange for sexual favors; or
- Taking or threatening to take an adverse education- or employment-related action, such as an unfavorable review, grade or assignment, because sexual conduct or advances are rejected.

Procedures to Address Conduct That Creates a Hostile Environment

Individuals who have been affected by conduct that creates a hostile environment by a Notre Dame student may have the option of proceeding with an informal or formal resolution process. Please note that the formal resolution process (see below) is available for sexual harassment of any nature, and that the availability of the informal resolution process is not intended to discourage use of the formal resolution process.

Informal resolution is not an option for complaints involving sexual assault, non-consensual sexual contact, dating violence, domestic violence, stalking, and other sexual misconduct offenses, including sexual or inappropriate touching of any kind.

Informal Resolution for Conduct that Creates a Hostile Environment

If a complainant chooses to proceed with an informal resolution, the complainant should report the matter to the Deputy Title IX Coordinator to be investigated and resolved without a referral to the University Conduct Process.

If the matter is not resolved informally to the satisfaction of the complainant, the complainant can submit a written request to the Deputy Title IX Coordinator for formal resolution. This request must be submitted in writing to the Deputy Title IX Coordinator within ten (10) calendar days of the informal resolution.

Formal Resolution for Conduct that Creates a Hostile Environment

If a complainant chooses to proceed with a formal resolution, the procedures outlined in the Reporting and Response Procedures for Incidents of Sexual Assault, Sexual Misconduct, Dating Violence, Domestic Violence and Stalking will be followed.

INFORMATION ABOUT CONSENT, INTOXICATION AND INCAPACITATION

Consent means informed, freely given agreement, communicated by clearly understandable words or actions, to participate in each form of sexual activity. Consent cannot be inferred from silence, passivity, or lack of active resistance. A current or previous dating or sexual relationship is not sufficient to constitute consent, and consent to

one form of sexual activity does not imply consent to other forms of sexual activity. By definition, there is no consent when there is a threat of force or violence or any other form of coercion or intimidation, physical or psychological. A person who is the object of sexual aggression is not required to physically or otherwise resist the aggressor; the lack of informed, freely given consent to sexual contact constitutes sexual misconduct. There is no consent when the individual in question is under the legal age of consent. The legal age of consent in Indiana is 16.

Intoxication is not an excuse for failure to obtain consent.

An incapacitated person is incapable of giving consent. A person is incapacitated if that person is in a physical or mental state such that he or she lacks the ability to make a knowing and deliberate choice to engage in the sexual interaction. For the purposes of this policy, a person who is asleep or unconscious is incapacitated, without exception. A person may also become incapacitated due to other factors, which may include the use of alcohol and/or drugs to such a degree that the person no longer has the ability to make a knowing or deliberate choice to engage in the sexual interaction. Engaging in sexual activity with a person whom you know, or should reasonably know, to be incapacitated constitutes a violation. If there is a question about whether the complainant was incapacitated, the relevant standard is whether the respondent knew, or a sober, reasonable person in the respondent's position should have known, that the complainant was incapacitated and therefore could not consent to the sexual activity.

REPORTING AND RESPONSE PROCEDURES FOR INCIDENTS OF SEXUAL ASSAULT, SEXUAL MISCONDUCT, DATING VIOLENCE, DOMESTIC VIOLENCE, STALKING, AND/OR CONDUCT THAT CREATES A HOSTILE ENVIRONMENT

PRIVACY AND CONFIDENTIALITY

Confidential Resources

If a student wishes the details of an incident to be kept confidential, the student can speak with:

- counselors at the [University Counseling Center](#);
- health providers, such as [University Health Services](#) and local hospitals;
- off-campus rape crisis resources, such as [S-O-S](#), the rape crisis center for St. Joseph County; and/or

- vowed religious (priests, deacons, and religious sisters and brothers) working within [Campus Ministry](#) and who are operating in that role.

These individuals will honor confidentiality unless there is an imminent danger to the student or to others. In addition, a student's disclosure during the Sacrament of Reconciliation (confession) will not be revealed by the priest for any reason, which is a sacred obligation protected by law.

Parameters of Privacy and Confidentiality for Investigations

In all instances and to the extent possible, the University will protect the privacy of all parties to a report of sexual assault, sexual misconduct, dating violence, domestic violence, stalking, and/or conduct that creates a hostile environment. That said, under federal law, campus officials (with the exception of those listed under [Confidential Resources](#), above) who receive a report of sexual assault, sexual misconduct, dating violence, domestic violence, stalking, and/or conduct that creates a hostile environment, whether from the student involved or a third party, must share that information with the appropriate University authorities for investigation and follow-up.

Parameters of Privacy and Confidentiality Related to Crime Alerts Issued by the University

In an effort to provide timely notice to the Notre Dame community, and in the event of a serious crime that occurs on campus and poses a serious, ongoing threat to members of the Notre Dame community, a mass email [Crime Alert](#) will be sent to all students, faculty and staff on campus and is posted on the [Notre Dame Security Policy website](#), and may also be posted in residence halls and various other buildings on campus. Crime Alerts and any updates will be drafted and disseminated in a way that protects the confidentiality of complainants. Such alerts and updates shall not include identifying information about the complainant in any publicly-available recordkeeping to the extent permitted by law.

RESOURCES FOR MEDICAL, COUNSELING AND PASTORAL CARE

The following resources are available to all Notre Dame students:

- *Medical Resources*

Students who have been injured during sexual assault or sexual misconduct, dating violence, domestic violence, stalking, and/or conduct that creates a hostile environment should seek immediate and appropriate medical treatment for their injuries. Such treatment is also important to preserve evidence that may assist in the proof of sexual assault, sexual misconduct, dating violence, domestic violence, stalking, and/or conduct that creates a hostile environment in the event that the student later files criminal charges, or seeks to obtain an order of protection.

Students may visit University Health Services, which is open 24 hours a day during the academic year for confidential and professional medical care. University Health Services is located in Saint Liam Hall and can be reached at 574-631-7497. While the University Health Services staff are unable to perform procedures related to the collection of evidence for the purposes of pursuing criminal prosecution, they can provide medical care including wound care, testing and treatment for sexually transmitted infections, and referral and transportation to a Sexual Assault Nurse Examiner.

A Sexual Assault Nurse Examiner (SANE) can both provide medical care and preserve evidence of sexual assault, sexual misconduct, dating violence, domestic violence, stalking, and/or conduct that creates a hostile environment in the event that the individual later files criminal charges, or seeks to obtain an order of protection. The two hospitals in the South Bend area are St. Joseph Regional Medical Center (sjmed.com) and Memorial Hospital of South Bend (qualityoflife.org). The SANE program of St. Joseph Regional Medical Center offers emergency care and evidence collection 24 hours a day, seven days a week. Memorial Hospital also provides these services but does not have a 24/7 program, so the availability of a sexual assault nurse examiner may be limited. Under Indiana law, the tests and procedures at the hospitals are free of charge if treatment is sought within 120 hours of the assault. Evidence gathered in this examination is maintained by the hospital and is not provided to the police unless the individual reports the assault to the police. Any decision about whether or not to talk to the police is up to the individual.

- *Counseling Resources*

Students may receive specialized support from the [University Counseling Center \(UCC\)](#), which is staffed by trained professionals and counselors. Current students may seek counseling at any time, even years after the incident. The confidential services of the UCC are available to any student who may need support or assistance. The UCC can be reached at 574-631-7336 (24 hours). In addition, a Walk-In Crisis Service is available in Saint Liam Hall, Monday-Friday, 9 a.m. – 5 p.m. For further information, go to ucc.nd.edu.

The [Family Justice Center of St. Joseph County \(fjcsjc.org\)](#) is a collaboration of civil, legal, medical, and social services which supports individuals affected by relationship violence and sexual assault. The Family Justice Center can be reached by calling 574-234-6900 and their office is located at 533 North Niles Avenue in South Bend. The Family Justice Center website is www.fjcsjc.org.

One service of the Family Justice Center is [S-O-S](#), the rape-crisis center for St. Joseph County. S-O-S is staffed by trained professionals and volunteer advocates who are available 24 hours a day. The staff can provide confidential counseling and recovery services, as well as support and information about communication with the police, family and friends. S-O-S Volunteer Advocates provide emotional support and information on the phone and in person at area hospital Emergency Departments around the clock. Specially trained professionals offer confidential counseling, group therapy, information, and

referrals. The S-O-S Advocate acts as a liaison between the student and the legal process, and can accompany them to court, if desired. The 24-hour telephone number for the Rape Crisis Center is 574-289-4357.

The Rape, Abuse and Incest National Network (RAINN) (rainn.org) is an anti-sexual violence organization that partners with more than 1,100 local rape crisis centers across the country. Among its programs, RAINN has two resources available globally: (1) the [National Sexual Assault Online Hotline](#), a secure web-based hotline that provides live and confidential help through an interface similar to instant messaging; and (2) the National Sexual Assault Hotline (800-656-HOPE), which provides free, confidential services 24 hours a day, seven days a week.

- *Pastoral Resources*

Vowed religious (priests, deacons, and religious sisters and brothers) working within [Campus Ministry](#) and who are operating in that role are confidential resources.

These individuals will honor confidentiality unless there is an imminent danger to the student or to others. In addition, a student's disclosure during the Sacrament of Reconciliation (confession) will not be revealed by the priest for any reason, which is a sacred obligation protected by law. Campus Ministry can be reached at 574-631-7800 or atcampusministry.nd.edu.

For more information about resources, please visit the [Committee on Sexual Assault Prevention](#).

CONSIDERATIONS TO ENCOURAGE REPORTING AN INCIDENT

The following information is provided to encourage students to report incidents of sexual assault, sexual misconduct, dating violence, domestic violence, stalking, and/or conduct that creates a hostile environment to the University.

University Response to Reports

The University's response to reports of sexual assault, sexual misconduct, dating violence, domestic violence and stalking includes the following:

1. *No Contact Orders Issued to the Complainant and Respondent*

The Deputy Title IX Coordinator (or designee) shall issue [No Contact Orders](#) to the complainant and respondent.

2. Assignment of a Resource Coordinator

The complainant and the respondent will be referred to separate Resource Coordinators (RCs), who are trained Notre Dame faculty or administrators who will serve as resource persons to the complainant and respondent to identify, explain and navigate the reporting options and the available support services. This can include referrals to counseling, educational support, pastoral care, and medical treatment, and information about University and legal processes. The RCs can also provide guidance about the process for requesting the interim measures and relief outlined below.

3. Interim Measures

The University reserves the right to take immediate steps to protect complainants through the investigation and, if applicable, a resolution through the University Conduct Process. Interim measures may include alternative academic arrangements, adjustments to extracurricular activities or work schedules, transportation, housing and dining arrangements, and other interim measures. The goal of any adjustment will be to minimize the burden on the complainant's educational program. Where appropriate, to the extent that a student's requests are reasonable and can be adjusted, every effort will be made to do so. Adjustments will be administered by the Deputy Title IX Coordinator (or designee).

The resources and measures outlined above will be offered when a student requests a formal resolution to an incident of conduct that creates a hostile environment, and may be offered when a student requests an informal resolution to an incident of a conduct that creates a hostile environment.

Information about No Contact Orders

Unless otherwise stated in writing, a student who is issued a No Contact Order by the University may not have contact, either directly, indirectly, or through third parties, with specific individuals for a specified period of time. "Third parties" include friends, family, attorneys, and other individuals acting on behalf of a student who has been issued a No Contact Order. "Contact" includes, but is not limited to, email, social media, instant messaging, text messaging, phone calls, voicemail, or direct visits. Unintentional contact is not considered a violation of the no contact order.

Students are encouraged to report violations of No Contact Orders promptly. Students are provided the following options to report a violation of the No Contact Order:

- The University offers an online incident reporting form at speakup.nd.edu. All reports submitted through the speakup.nd.edu online reporting form will be forwarded to an appropriate University administrator to review within two (2) University business days.
- The University's Deputy Title IX Coordinator is available by calling 574-631-7728 or by e-mailing DepTitleIXCoordinator@nd.edu.
- The Office of Community Standards is available by calling 574-631-5551 or by e-mailing ocs@nd.edu.

Students found responsible for violating a University-issued No Contact Order may be assigned Conduct Process Outcomes up to and including dismissal from the University.

No Contact Orders are separate and distinct from court-administered actions such as Protective Orders and Restraining Orders. Questions about court-administered actions should be directed to local law enforcement.

Retaliation and Intimidation Prohibited

The University strongly encourages students to report any incident of sexual assault, sexual misconduct, dating violence, domestic violence, stalking, and/or conduct that creates a hostile environment. Notre Dame takes such reports very seriously. Any actual or threatened retaliation or any act of intimidation to prevent or otherwise obstruct the reporting of sexual assault, sexual misconduct, dating violence, domestic violence, stalking, and/or conduct that creates a hostile environment or the participation in proceedings relating to an incident by a respondent, witness, or other individual is itself prohibited and may result in a referral to the University Conduct Process.

An individual who is threatened in any way should immediately report these concerns to the Deputy Title IX Coordinator (call 574-631-7728 or e-mail DepTitleIXCoordinator@nd.edu). In addition, all members of the University community may report actual or threatened retaliation to [NDSP](#) by calling 574-631-5555.

Any report of alleged retaliatory behavior related to an incident or report of sexual assault, sexual misconduct, dating violence, domestic violence, stalking, and/or conduct that creates a hostile environment may be investigated through an [Administrative Investigation](#). After the Administrative Investigation, the matter may be referred to the University Conduct Process (see [Process After the Administrative Investigation](#)).

The reporting party should make every effort to submit a [written report to the Deputy Title IX Coordinator](#) within thirty (30) calendar days of the alleged conduct.

Addressing Student Concerns About Other Violations (Alcohol, Parietals, etc.)

At times, students are hesitant to report the occurrence of sexual assault, sexual misconduct, dating violence, domestic violence, stalking, and/or conduct that creates a hostile environment to University officials because they are concerned that they themselves, or witnesses to the misconduct, may be found responsible for other policy violations (e.g., [parietals](#) or [alcohol](#) violations). These behaviors are not condoned by the University, but the importance of addressing the alleged sexual assault, sexual misconduct, dating violence, domestic violence, stalking, and/or conduct that creates a hostile environment outweighs the University's interest in addressing lesser violations. Accordingly, in these cases, the University will not refer a complainant or witness to the [University Conduct Process](#) to address lesser policy violations (e.g., parietals or alcohol violations).

INFORMATION TO CONSIDER ABOUT PURSUING A COMPLAINT THROUGH THE UNIVERSITY CONDUCT PROCESS AND/OR LAW ENFORCEMENT

A complainant has the option to pursue a complaint of sexual assault, sexual misconduct, dating violence, domestic violence, stalking, and/or conduct that creates a hostile environment through the [University Conduct Process](#). In addition, a complainant may also pursue a criminal complaint with an appropriate law enforcement agency. A complainant will be provided with written notice of these options.

Information about Pursuing a Complaint through the University Conduct Process

If an incident of sexual assault, sexual misconduct, dating violence, domestic violence, stalking, and/or conduct that creates a hostile environment committed by a student is reported to the University the Deputy Title IX Coordinator (or designee) will respond to the report, generally by conducting an Administrative Investigation. Typically, at the conclusion of the Administrative Investigation, the complainant may choose to pursue the matter through the University Conduct Process. For more information, please refer to:

- [Administrative Investigation](#)
- [Process After the Administrative Investigation](#)
- [University Conduct Process \(Administrative Hearing\)](#)

Information about Pursuing a Criminal Complaint through Law Enforcement

The University encourages students to report all incidents of sexual assault, sexual misconduct, dating violence, domestic violence and stalking to the police.

Reports of sexual assault, sexual misconduct, dating violence, domestic violence, and/or stalking committed by students that are reported to [Notre Dame Security Police](#) will also be referred to the Deputy Title IX Coordinator for follow-up and investigation (see [Administrative Investigation](#)). Similarly, where the University received a report from another police agency, the Deputy Title IX Coordinator (or designee) and NDSP will follow-up and investigate as appropriate.

The [Administrative Investigation](#) conducted by the Deputy Title IX Coordinator (or designee) is distinct from the criminal investigation as a result of the University's obligation under the law to ensure that it is providing a safe environment for all students.

If a complainant wishes to pursue a criminal complaint, the complainant may submit a request to temporarily defer the [Administrative Investigation](#) and/or [University Conduct Process](#) by making a formal [written request to the Deputy Title IX Coordinator](#), which may temporarily delay the Administrative Investigation and the University's ability to respond. However, the University may choose not to defer its Administrative Investigation where it has reason to believe that the respondent may be an imminent threat to the safety of the complainant and/or other members of the University community. At any time, the complainant may choose to rescind the deferral by making a [formal written request to the Deputy Title IX Coordinator](#), electing to resume the Administrative Investigation and/or University Conduct Process. The University will maintain documentation of the date of deferral.

Information obtained through the criminal investigation may be considered in the University's [Administrative Investigation](#) and by the Office of Community Standards for consideration in the [University Conduct Process](#).

Where the University is aware that a student is pursuing a criminal complaint, a member of the [Office of Campus Safety](#) will request that the Prosecutor's Office keep the University informed and immediately advise of its decision whether to prosecute the complaint. The University will maintain documentation of the date of the request to the Prosecutor's Office. In cases where the Prosecutor's Office declines prosecution, a member of the Office of Campus Safety will work with the Prosecutor's Office to notify the complainant of the Prosecutor's decision.

In addition to having the option of pursuing a criminal complaint, students also have the option of exploring whether they might be entitled to an order of protection, restraining order, or other similar orders issued by a criminal or civil court. For more information about such orders, including the University's responsibilities concerning such orders, students should contact [Notre Dame Security Police](#) or the [Family Justice Center for St. Joseph County](#).

HOW TO REPORT INCIDENTS OF SEXUAL ASSAULT, SEXUAL MISCONDUCT, DATING VIOLENCE, DOMESTIC VIOLENCE, STALKING, AND/OR CONDUCT THAT CREATES A HOSTILE ENVIRONMENT

The University encourages students to report all incidents of sexual assault, sexual misconduct, dating violence, domestic violence, stalking, and conduct that creates a

hostile environment. Students may choose either or both of the following reporting options:

- **Reporting to the University**

The University's Deputy Title IX Coordinator is available by calling 574-631-7728 or by e-mailing DepTitleIXCoordinator@nd.edu. The Deputy Title IX Coordinator is available Monday-Friday, 8:00 a.m. – 5:00 p.m. during University business days.

The University offers an online incident reporting form at: speakup.nd.edu. All reports of sexual assault, sexual misconduct, dating violence, domestic violence, stalking, and/or conduct that creates a hostile environment involving Notre Dame students submitted through the speakup.nd.edu online reporting form will be forwarded to the University's Deputy Title IX Coordinator.

- **Reporting to Law Enforcement**

Notre Dame Security Police (NDSP) is available 24 hours a day, 7 days a week by calling 574-631-5555. Students may also call 911 in an emergency. If the incident occurred on Notre Dame property, NDSP, a duly authorized police agency in the state of Indiana, is an appropriate agency with which to file a report. On campus incidents may also be reported to the St. Joseph County Police Department (574-235-9611). For off-campus incidents, including at international locations, reports may be filed with the local law enforcement agency where the incident occurred. In the South Bend area, the local law enforcement agencies include the South Bend, St. Joseph County, and Mishawaka police departments. Notre Dame Security Police (911 from a campus phone, or 574-631-5555 from a cell phone) can assist with contacting the appropriate agency. Although students are encouraged to notify NDSP or other law enforcement authorities, they are not required to do so.

Regardless of the reporting option chosen, the University is obligated to respond once the University receives a report regarding an incident of sexual assault, sexual misconduct, dating violence, domestic violence, stalking, and/or conduct that creates a hostile environment by a student.

REQUESTS FOR ANONYMITY AND/OR NO ADMINISTRATIVE INVESTIGATION

In the event that a complainant requests anonymity or that a matter not go to an Administrative Investigation, the University will consider such a request. A Student Affairs tripartite board will make a determination about whether the request can be granted. The tripartite board will be composed of three senior members of the Office of Student Affairs or their designees. The tripartite board will make its decision based on a review of numerous factors, including, but not limited to, patterns of behavior involving the

respondent, a group of individuals and/or a specific location; threats of future sexual or other violence by the respondent; the use of a weapon; whether the complainant is a minor; and/or other risks to the University community. If the University is able to agree to a complainant's request for anonymity and/or not to conduct an Administrative Investigation, the complainant will be notified in writing that he/she has six (6) months (from the date of the tripartite board decision) to request that the matter be referred to an Administrative Investigation.

If the University is able to agree to a complainant's request for anonymity or if a complainant decides not to participate in an Administrative Investigation, the University's ability to meaningfully investigate the incident or pursue conduct action against the alleged respondent(s) may be limited.

In some cases, based on this review, the University may not be able to agree to the complainant's request in order to adhere to its obligation to provide a safe, non-discriminatory environment for all students. If the University determines that it is unable to agree to a complainant's request not to conduct an Administrative Investigation, the complainant will be notified in writing prior to the commencement of an Administrative Investigation.

If the University is unable to agree to a complainant's request for anonymity, the Deputy Title IX Coordinator will notify the complainant in writing prior to initiating an Administrative Investigation and will, to the extent possible, only share information with people responsible for handling the University's response.

ADMINISTRATIVE INVESTIGATION

The University is obligated under the law to respond to complaints, to take action to eliminate sexual assault, sexual misconduct, dating violence, domestic violence, stalking, and/or conduct that creates a hostile environment, prevent its recurrence, and address its effects.

When an Administrative Investigation is initiated, the nature and extent of an investigation will depend on the extent to which the University has enough information to reasonably determine key facts, e.g., time, date, location and names of parties involved in an alleged incident.

Ordinarily, this Administrative Investigation will include a review of statements obtained from the complainant and respondent, interviews with the complainant and respondent, interviews with witnesses as appropriate and review of relevant documents, and will be conducted by the Deputy Title IX Coordinator (or designee).

In the event that a respondent makes a complaint against a complainant, the University may investigate that complaint at or about the same time it investigates the original

complaint. In the event that both complaints are referred to the University Conduct Process, both complaints may be simultaneously heard in a single Administrative Hearing or heard separately in different Administrative Hearings.

All University community members are expected to provide truthful information. If an investigation reveals that an individual has provided deliberately false information and/or made an accusation in bad faith or with a view to personal gain or intentionally harming another in connection with an incident, disciplinary action may be taken. This provision does not apply to information provided in good faith, even if the facts alleged do not result in a finding of responsibility for a violation of the University's Standards of Conduct.

In the course of the Administrative Investigation, information will be shared as necessary with people who need to know, such as investigators, witnesses, and the respondent. Any response by the University may be hindered by the complainant's requests for anonymity and/or inaction.

The complainant and respondent will be afforded opportunities to provide information and present his/her own report during the Administrative Investigation. The complainant and respondent will be asked to provide a list of possible witnesses, as well as any supporting documents (e.g., text messages, emails, social media, photographs, telephone records, etc.) that they wish to be considered through the investigation. Information submitted through the Administrative Investigation will be used in the Administrative Hearing should the matter be referred to the University Conduct Process.

The complainant and the respondent will have the opportunity to be accompanied by an advisor of his/her choice at their respective meetings related to the Administrative Investigation, including investigative interviews. The advisor's role is non-speaking, and advisors who are disruptive during the proceedings will be required to leave.

The Deputy Title IX Coordinator (or designee) shall communicate directly with the complainant and respondent, not through any third party. A representative may not appear in the place of either the complainant or respondent.

The Administrative Investigation will be conducted in a timely manner. The University will typically complete the Administrative Investigation and, should the matter be referred to the University Conduct Process, communicate a decision (not including the Case Review Procedures) within sixty (60) calendar days of the initial report. The sixty calendar day timeframe does not typically include academic break periods and may be affected by holidays or other extenuating circumstances. If the Administrative Investigation [and initial decision (not including the Case Review Procedures), should the matter be referred to the University Conduct Process] cannot be completed within the sixty calendar days, the Deputy Title IX Coordinator (or designee) will contact the complainant and respondent and provide a time frame in which the investigation and decision (not including the Case Review Procedures) will be completed.

Generally, a respondent may not withdraw or take a leave of absence from the University after the University receives a report of an alleged violation of the University's Standards of Conduct. The University reserves the right to proceed with an Administrative Investigation and the University Conduct Process regardless of a student's request for a withdrawal or for a leave of absence from the University. The University also reserves the right to place a hold on a student's diploma or academic transcript pending the investigation or resolution of a conduct matter.

PROCESS AFTER THE ADMINISTRATIVE INVESTIGATION

After the Administrative Investigation is completed, the Deputy Title IX Coordinator (or designee) will review the Administrative Investigation documents to determine if the facts alleged by the complainant warrant a referral to the University Conduct Process.

- If the Deputy Title IX Coordinator (or designee) determines that the facts alleged by the complainant do not constitute a violation of the Sexual Assault, Sexual Misconduct, Dating Violence, Domestic Violence, Stalking, and/or Hostile Environment policies, the case will be closed with no further action.

Should a complainant wish to request a review of the Deputy Title IX Coordinator's decision to close the case, the complainant may submit a written request for review via online form to a Student Affairs tripartite board within three (3) calendar days of the notification from the Deputy Title IX Coordinator. The tripartite board shall be composed of three senior members of the Office of Student Affairs or their designees.

The Deputy Title IX Coordinator shall have the opportunity to provide a written response to the complainant's request.

The tripartite board will review the complainant's request and the Administrative Investigation documentation to determine if the facts alleged by the complainant may constitute a violation of the Sexual Assault, Sexual Misconduct, Dating Violence, Domestic Violence, Stalking, and/or Hostile Environment policies.

The decision of the tripartite board is final.

Reviews will generally be resolved within fourteen (14) calendar days of receipt of the initial request for review. When extenuating circumstances necessitate additional time to resolve the review, the complainant will be notified in writing.

- If the Deputy Title IX Coordinator (or designee) determines that the facts alleged by the complainant may constitute a violation of the Sexual Assault, Sexual Misconduct, Dating Violence, Domestic Violence, Stalking, and/or Hostile Environment policies, the complainant may elect to have the matter addressed through the University Conduct Process. A referral to the University Conduct Process will be addressed with an Administrative Hearing for Alleged Violations of the Sexual Assault, Sexual Misconduct, Dating Violence, Domestic Violence, Stalking, and/or Hostile Environment Policies.

If the complainant does not elect to have the matter referred to the University Conduct Process, a Student Affairs tripartite board will make a determination about whether the case should be referred to the University Conduct Process, with or without the cooperation of the complainant. The tripartite board shall be composed of three senior members of the Office of Student Affairs or their designees. The tripartite board will make its decision based on review of the Administrative Investigation report. The tripartite board may also consider additional information including, but not limited to, patterns of behavior involving the respondent, a group of individuals and/or a specific location; threats of future sexual or other violence by the respondent; the use of a weapon; whether the complainant is a minor; and/or other risks to the University community.

If the complainant does not elect to have the matter referred to the University Conduct Process and the Student Affairs tripartite board determines that the case will not be referred to the University Conduct Process, the complainant will be notified in writing that he/she has six (6) months (from the date of the tripartite board decision) to request that the matter be referred to the University Conduct Process. Simultaneous notification will also be made to the respondent about the opportunity for the complainant to request the matter to be referred to the University Conduct Process within six (6) months.

UNIVERSITY CONDUCT PROCESS: ADMINISTRATIVE HEARING FOR ALLEGED VIOLATIONS OF THE SEXUAL ASSAULT, SEXUAL MISCONDUCT, DATING VIOLENCE, DOMESTIC VIOLENCE, STALKING, AND/OR HOSTILE ENVIRONMENT POLICIES

The Administrative Hearing for Alleged Violations of the Sexual Assault, Sexual Misconduct, Dating Violence, Domestic Violence, Stalking, and/or Hostile Environment Policies (also referred to as “Administrative Hearing”) is a formal proceeding to resolve student conduct matters referred to the Office of Community Standards after an Administrative Investigation has been completed by the University.

If an individual chooses to proceed with the University Conduct Process following an Administrative Investigation, that individual's role within the University Conduct Process will be that of a "complainant." The student who is alleged to have violated University Standards of Conduct is referred to as a "respondent." In some instances, the University may, in its discretion, choose to initiate an Administrative Hearing on its own.

The documents collected through the Administrative Investigation (including but not limited to applicable interview statements with the respondent, complainant, and witnesses, as well as other information such as text messages, social media, telephone records, campus building access records, etc.) will be forwarded to the Office of Community Standards along with a summary report from the investigator. This information will be used in the Administrative Hearing.

When a respondent is involved in more than one investigation or an incident with more than one complainant, the University reserves the right to address the incidents in a combined Administrative Hearing. When more than one respondent is involved in an incident or series of related incidents with the same complainant, the University reserves the right to address the incidents in a combined Administrative Hearing.

The Office of Community Standards reserves the right to reasonably modify the University Conduct Process based on a case by case basis of extenuating circumstances. Any modifications to the procedures outlined below will be communicated via electronic letter to both the complainant and respondent.

Procedures Provided to Both the Respondent and Complainant

The Administrative Hearing is designed to provide a prompt, fair, and impartial resolution through an equitable process for both the complainant and the respondent. As such, both the complainant and the respondent shall be provided:

1. a meeting in person or by telephone with a representative from the Office of Community Standards for the student to learn about the Administrative Hearing process and ask questions.
2. periodic updates regarding the status of the process, upon request.
3. equivalent notice via electronic letter of the date, time and location of the Administrative Hearing and the nature of the alleged policy violations to be addressed at least seven (7) calendar days before the Administrative Hearing will be held. The Office of Community Standards reserves the right to provide less than seven calendar days' notice when an Administrative Investigation report is referred to the Office of Community Standards after the last class day of the semester. Administrative Hearings are not typically rescheduled. The Office of Community Standards may reschedule an Administrative Hearing based on extenuating circumstances. The Office of Community Standards may also provide less than seven calendar days' notice with the approval of both the complainant and the respondent. In such cases, the Office of Community Standards will modify the deadlines listed below.

4. access to read the Administrative Investigation documents prior to the Administrative Hearing.
 - a. The Office of Community Standards shall be reasonably available for the complainant and respondent for this purpose (e.g. Monday-Friday, 8:00 a.m. – 5:00 p.m. when University offices are open).
 - b. Investigation documents may not be photocopied, photographed, recorded or duplicated.
 - c. All documents are property of the University and shall remain in the Office of Community Standards; however, the Office of Community Standards may provide alternative arrangements to review documents.
 - d. An individual participating as a witness at the Administrative Hearing may not be present during the review of the Administrative Investigation documents.
5. an excused absence from University obligations, including academic courses, in order to attend the Administrative Hearing.
6. the opportunity to have a residence hall staff member to be present at the Administrative Hearing in a non-speaking role. A student who lives off campus may invite his/her former rector or assistant rector to attend the Administrative Hearing.
7. the opportunity to have an advisor of his/her choice to be present at the Administrative Hearing and any other meetings with the Office of Community Standards.
 - a. The advisor's role is non-speaking.
 - b. Advisors will not be permitted to make comments, pass notes, or otherwise disrupt the Administrative Hearing or meetings.
 - c. Advisors who are disruptive during the Administrative Hearing may be required to leave.
 - d. Breaks will be offered during the Administrative Hearing for the complainant and respondent to confer with their respective advisors in a location outside of the room where the Administrative Hearing will be held. The scheduling and length of all breaks will be at the discretion of the Hearing Panel.
8. the opportunity to clarify information presented through the Administrative Investigation.
 - a. If the complainant or respondent requests to submit additional documentation related to the facts of the incident that was not originally presented through the Administrative Investigation (e.g. text messages, photographs, etc.), such documentation must be submitted to the Office of Community Standards at least four (4) calendar days before the Administrative Hearing.
 - b. Additional documentation will be made available to the complainant and the respondent no later than two (2) calendar days before the scheduled date of the Administrative Hearing.
9. the opportunity to submit questions in writing to the Hearing Panel for consideration to be asked to the respondent or complainant by the Hearing Panel.
 - a. Any questions asked will be at the sole discretion of the Hearing Panel.

- b. Neither the complainant nor the respondent will be permitted to engage in direct communication with each other before, during or immediately after the Administrative Hearing.
10. the opportunity to hear and respond to all information presented in the Administrative Hearing. All responses shall be directed only toward the Hearing Panel, not to any others present in the Administrative Hearing.
11. the opportunity to invite witnesses to the incident to participate in a portion of the Administrative Hearing to clarify information presented through the Administrative Investigation.
- a. The participation of any witness is at the sole discretion of the Hearing Panel.
 - i. Character witnesses are not permitted.
 - ii. A witness who participates in the Administrative Hearing may not also participate as a residence hall staff member (as described in [section 6](#)) or as an advisor (as described in [section 7](#)).
 - b. "Witness to the incident" is defined as an individual who had direct contact with at least one of the individuals involved in the incident, before, during or after the incident occurred.
 - c. The respondent and complainant must notify the Office of Community Standards at least five (5) calendar days before the scheduled date of the Administrative Hearing of any witnesses they wish to invite that have not already been invited by the Hearing Panel.
 - d. If the witness did not participate in the [Administrative Investigation](#), the witness will be required to submit a written description of their involvement in the incident no later than three (3) calendar days before the scheduled date of the Administrative Hearing. This document will be made available to the complainant and the respondent no later than two (2) calendar days before the scheduled date of the Administrative Hearing.
 - e. The Office of Community Standards will notify the witnesses of their scheduled time for their participation in the Administrative Hearing.
 - f. The Office of Community Standards will provide an excused absence from University obligations in order for witnesses to attend the Administrative Hearing.
 - g. The Office of Community Standards reserves the right to provide an alternative arrangement for the witness to participate if the witness does not wish to be present in the same room as the respondent or complainant during the Administrative Hearing.
 - h. A complete list of any witnesses invited to the Administrative Hearing will be communicated to the complainant and respondent at least two (2) calendar days before the scheduled date of the Administrative Hearing.
 - i. The complainant and respondent may submit questions in writing to the Hearing Panel for consideration to be asked to the witnesses by the Hearing Panel. Any questions asked to witnesses will be at the sole discretion of the Hearing Panel.

12. the opportunity to submit a request for Case Review upon the notification of the outcome of the Administrative Hearing as prescribed by the University's Conduct Case Review Procedures.

Additional Protocol for Administrative Hearings

In addition to the procedures outlined above, the following protocol applies to Administrative Hearings.

1. The complainant will have the opportunity to be present throughout the entire Administrative Hearing. The complainant will be provided options for reasonable alternative arrangements if he or she does not want to be present in the same room as the respondent during the Administrative Hearing.
2. Should the respondent or complainant fail to attend the scheduled Administrative Hearing, the Administrative Hearing will proceed and a decision will be made in his or her absence.
3. Generally, a respondent may not withdraw or take a leave of absence from the University after he/she has been referred to the University Conduct Process. The University reserves the right to proceed with the University Conduct Process regardless of a student's request for a withdrawal or for a leave of absence from the University. The University also reserves the right to place a hold on a student's diploma or academic transcript pending the investigation or resolution of a conduct matter.
4. The Office of Community Standards and University Conduct Officers shall communicate directly with the respondent and complainant, not through any third party. A representative may not appear in the place of a respondent or complainant.
5. Administrative Hearings are closed to all but the respondent, complainant, witnesses, residence hall staff, advisors, and the Hearing Panel. The University reserves the right to permit a staff member from the University's Office of General Counsel to participate as an observer.
6. Administrative Hearings will be audio recorded by the Office of Community Standards. Administrative Hearings may not be recorded by anyone other than the Office of Community Standards. The audio recording may be listened to by the complainant and/or respondent during the Case Review period should a request for Case Review be filed. The audio recording may not be recorded or duplicated. The audio recording is property of the University and shall remain in the Office of Community Standards; however, the Office of Community Standards may provide alternative arrangements. The recording will be preserved for at least one year after the conclusion of the University Conduct Process or as long as necessary to provide evidence should the matter be referred to legal processes. The Office of Community Standards will exercise reasonable care to minimize technical issues with the recording; however, technical issues that result in no recording or an inaudible recording are not considered procedural defects for the purposes of the Conduct Case Review Procedures.
7. During the Administrative Hearing, information shared regarding any party's past sexual conduct will ordinarily not be considered, except in those instances where there was a

prior sexual relationship between the parties and the information shared may be relevant to the issue of consent.

8. The Hearing Panel shall not make a decision about a finding of responsibility until after the Administrative Hearing process is complete.
9. Decisions regarding a student's responsibility – or lack thereof – for a violation of policy will be based upon careful consideration of all available information presented and evaluated using a preponderance of the evidence standard (i.e. if it is "more likely than not" that the policy was violated).
10. If the respondent is found responsible for a violation of the University's Standards of Conduct alleged in the complaint, his or her conduct record, including any past sexual misconduct, may be considered in determining the appropriate Conduct Process Outcomes.
11. An Administrative Hearing may result in the assignment of any Conduct Process Outcomes, including Dismissal with the Opportunity to Apply for Readmission or Permanent Dismissal. See the Conduct Process Outcomes for a full list of outcomes.
12. The results of Administrative Hearings are documented and may be used to establish a student's conduct history at the University.
13. The complainant and the respondent will be simultaneously informed in writing of:
 - a. the outcome of the Administrative Hearing;
 - b. the procedures for both parties to file a request for Case Review; and
 - c. any change to the results that occurs prior to the time that such results become final; and
 - d. when the results become final.

If the complainant is deceased as a result of the crime or offense, the next of kin shall be informed in writing of the outcome of the Administrative Hearing upon written request.

CONDUCT PROCESS OUTCOMES

If the Office of Community Standards or designee determines that a student is responsible for a violation of a University Standard of Conduct or regulation, the student shall be assigned one or more Conduct Process Outcomes.

For more information, visit the Conduct Process Outcomes page.

CONDUCT CASE REVIEW PROCEDURES FOR RESULTS OF ADMINISTRATIVE HEARINGS

Respondents found in violation of University Standards of Conduct from an Administrative Hearing shall be provided the opportunity to request a Case Review as described below. Likewise, complainants are provided an opportunity to request a Case Review as described below.

Third parties may not file Case Reviews on behalf of a complainant or respondent. Failure to submit a request for Case Review within the time specified will render the original decision final and conclusive.

Unless otherwise stated, the outcomes assigned by the Office of Community Standards and/or its designee(s) will not become effective until the Case Review process is complete.

Upon timely receipt of a request for Case Review, the Administrative Hearing file, including the Administrative Investigation documents, will be forwarded to the appropriate reviewer. The Office of Community Standards and/or its designee(s) shall also have the opportunity to provide a response to a request for Case Review. This response may include any information that the Office of Community Standards and/or its designee(s) regards as relevant to the review, including any information used in making its determination.

Separate conduct Case Review routes exist for a: (A.) finding of responsibility and the assignment of permanent dismissal as an outcome in an Administrative Hearing, and (B.) finding of responsibility which results in an outcome other than permanent dismissal or a finding of “not responsible” in an Administrative Hearing.

A. Finding of responsibility and the assignment of permanent dismissal as an outcome in an Administrative Hearing

1. The respondent has the opportunity to request a Case Review by the Office of the President of the University or designee.
2. The respondent may request a review of any aspect of the decision for any reason. Within seven (7) calendar days of being informed of the decision, the respondent must submit a request for Case Review via online form which describes all issues to be considered by the Office of the President or designee.
3. The complainant will have an opportunity to provide a response to the respondent's request for Case Review via online form. The complainant's response must be submitted

within seven (7) calendar days of receipt of notice of the respondent's request for Case Review and supporting materials.

4. Decisions of the Office of the President or designee will be based on a review of the file and are final.

B. Finding of responsibility which results in an outcome other than permanent dismissal or a finding of “not responsible” in an Administrative Hearing

1. The respondent or complainant (as described below in 4. and 5.) has the opportunity to request a review by:
 - i. the Conduct Case Review Board for those requests submitted from the first day of class to the last Monday of class before Final Exams in the Fall Semester, and from the first day of class to the last Monday of class before Final Exams in the Spring Semester.
 - ii. the Office of the Vice President for Student Affairs for those requests submitted outside of those dates listed in (i.) above.
2. The Conduct Case Review Board for Administrative Hearing cases shall be composed of a panel of three faculty members and administrators selected by the Conduct Case Review Coordinator. Board members will be given case review assignments on a rotating basis.
3. Case reviews conducted by the Conduct Case Review Board or the Office of the Vice President for Student Affairs are of the file and are based only upon the following grounds:
 - i. procedural defect in the University Conduct Process which would have been substantial enough to have changed the outcome, and/or
 - ii. the discovery of substantive new information which was unknown or unavailable to the student at the time of the Administrative Hearing and would have had a significant effect on the outcome.

The severity of outcome is not considered a legitimate ground for a Case Review.

4. For requests for Case Reviews for a finding of responsibility which results in an outcome other than permanent dismissal, the respondent will have the opportunity to submit a request for Case Review via online form which may be based only upon the criteria listed above in subsection 3. The request must be received within seven (7) calendar days of being informed of the original decision. For such requests, the complainant will have the opportunity to provide a response which may be based only upon the criteria listed above in subsection 3. The complainant's response must be submitted via online form within seven (7) calendar days of receipt of notice of the respondent's request and supporting materials.

5. For a finding of “not responsible” to any of the policy violations in question, the complainant will have the opportunity to submit a request for Case Review via online form which may be based only upon the criteria listed above in subsection 3 and applies only to those policy violations for which the respondent was found “not responsible. For such requests, the respondent will have the opportunity to provide a response via online form which may be based only upon the criteria listed above in subsection 3. The request must be received within seven (7) calendar days of being informed of the original decision. The respondent’s response must be submitted via online form within seven (7) calendar days of receipt of notice of the complainant’s request and supporting materials.
6. If the appropriate reviewer determines that a procedural defect occurred in the University Conduct Process, the case may be:
 - i. remanded to the Office of Community Standards with specific instructions to correct the defect(s) and reconsider the case, or
 - ii. referred to (or retained by) the Office of the Vice President for Student Affairs for a final decision.
7. If the appropriate reviewer determines that the review request contains substantive new information, the case shall be remanded to the Office of Community Standards for disposition.
8. Decisions of the Conduct Case Review Board and the Office of the Vice President for Student Affairs are final.

Case reviews will generally be resolved within 30 days of receipt of the initial request for review (not including responses, if applicable). When extenuating circumstances necessitate additional time to resolve the Case Review, the respondent and complainant will be notified via electronic letter.

EDUCATION PROGRAMS

The University will provide the following education programs designed to promote the awareness of sexual assault (including but not limited to rape and acquaintance rape), domestic violence, dating violence, and stalking.

PRIMARY PREVENTION AND AWARENESS PROGRAMS

The University will provide primary prevention and awareness programs for all incoming students and new employees that includes the following:

- a statement that the University prohibits the offenses of domestic violence, dating violence, sexual assault, and stalking and a description of the University's policies that prohibit this conduct;
- the definition of consent, in reference to sexual activity;
- the definition of domestic violence, dating violence, sexual assault, and stalking under Indiana law;
- safe and positive options for bystander intervention that may be carried out by an individual to prevent harm or intervene when there is a risk of domestic violence, dating violence, sexual assault, or stalking against a person other than such individual;
- information on risk reduction to recognize warning signs of abusive behavior and how to avoid potential attacks;
- the possible sanctions or protective measures that the University may impose following a final determination of a University disciplinary procedure regarding allegations of sexual misconduct, dating violence, domestic violence and stalking;
- the procedures that a complainant should follow if a sex offense, domestic violence, dating violence, sexual assault, or stalking has occurred, as described in this website;
- the procedures for University disciplinary action in cases of alleged domestic violence, dating violence, sexual assault, or stalking, as described in this website;
- information about how the University will protect the confidentiality of complainants, including how publicly-available recordkeeping will be accomplished without the inclusion of identifying information about the complainant, to the extent permissible by law;
- information about existing counseling, health, mental health, victim advocacy, legal assistance, and other services available for student and employee complainants both on-campus and in the community; and
- information about options for, and available assistance in, changing academic, living, transportation, and working situations, if so requested by the complainant and if such accommodations are reasonably available, regardless of whether the complainant chooses to report the crime to campus police or local law enforcement.

ONGOING PREVENTION AND AWARENESS CAMPAIGNS

The University will also provide ongoing prevention and awareness campaigns for students and employees that include the information covered in the primary prevention and awareness programs.
