



# Annual Security Report

Indiana University Purdue University  
Programs at Fort Wayne

September | 16

## Table of Contents

<b>IUPUI Programs Special Statement .....</b>	<b>3</b>
<b>Annual Security Report.....</b>	<b>3</b>
<b>Policy Statements .....</b>	<b>3</b>
I. Reporting Crimes and Other Emergencies .....	4
Response to Report.....	4
Voluntary, Confidential Reporting.....	5
Campus Security Authorities.....	5
Pastoral and Professional Counselors.....	5
II. Timely Warnings (Crime Notices) about Crimes .....	5
III. Emergency Notifications (Emergency Alerts) .....	6
IV. Emergency Response and Evacuation Procedures and Tests.....	7
Emergency Procedures.....	7
Tests, Drills, and Exercises.....	7
V. Daily Crime Log.....	10
VI. Security of and Access to Campus Facilities .....	10
Academic and Administrative Building Access .....	10
Campus Residence Access .....	10
VII. Security Considerations for the Maintenance of Campus Facilities .....	11
VIII. Missing Student Notification .....	12
IX. Crime Prevention and Security Awareness.....	13
X. Campus Law Enforcement/Indiana University Police Department (IUPD) .....	15
Enforcement Authority and Jurisdiction.....	15
Working Relationship with State and Local Enforcement Agencies .....	15
XI. Crimes at Non-Campus Locations.....	16
XII. Alcohol and Drugs.....	16
Underage Drinking .....	17
Alcohol and Drug Programs .....	17
Legal Sanctions .....	17
Health Risks .....	17
Resources .....	17
University/Campus Disciplinary Sanctions.....	17
University and Campus Policy.....	17
XIII. Dating Violence, Domestic Violence, Sexual Assault and Stalking (Sexual Misconduct) .	21
Definitions.....	21
Prevention and Awareness Programs .....	24
Safe and Positive Options for Bystander Intervention.....	28
Risk Reduction.....	29
Healthy, Unhealthy, and Abusive Relationships.....	29
Written Notification to Student and Employee Victims .....	30
Protective Measures.....	32
Procedures a Victim should follow if a crime of Domestic Violence, Dating Violence, Sexual Assault or Stalking Occurs .....	32
Procedures the University Will Follow with Reports of Sexual Misconduct.....	34
Institutional Disciplinary Procedures.....	35
Confidentiality and Privacy .....	36
XIV. Obtaining Registered Sex Offender Information .....	38
XIV. Preparation of Disclosure of Crime Statistics .....	38
<b>Disclosure of Annual Crime Statistics – IUPUI Campus.....</b>	<b>39</b>
I. 2015 Crime Statistics.....	39
II. 2014 Crime Statistics.....	40
III. 2013 Crime Statistics.....	41
<b>Annual Fire Safety Report.....</b>	<b>42</b>
<b>Disclosure of Annual Crime Statistics – IUPUI Programs at Fort Wayne ...</b>	<b>42</b>
I. 2015 Crime Statistics.....	43
II. 2014 Crime Statistics.....	44
III. 2013 Crime Statistics.....	44
<b>Appendix A - Crime Definitions .....</b>	<b>45</b>
<b>Appendix B – Procedures for Responding to Incidents of Student Sexual Misconduct .....</b>	<b>47</b>

<b>Appendix C – Procedures for Responding to Incidents Involving Allegations of Faculty or Staff Sexual Misconduct .....</b>	<b>51</b>
<b>Appendix D – Sexual Misconduct: Rights, Options, and Resource Guide ....</b>	<b>56</b>
<b>Annual Security Report &amp; Annual Fire Safety Report – Indiana University Purdue University Fort Wayne.....</b>	<b>59</b>

---

# *2016 Annual Security Report for IUPUI Programs – Fort Wayne*

---

## **IUPUI Programs Special Statement**

---

The Indiana University Purdue University Fort Wayne (IPFW) campus is considered a separate campus from the larger Indiana University Purdue University Indianapolis (IUPUI) campus for Clery Act reporting. Indiana University School of Medicine and School of Social Work students completing coursework in the IPFW campus and are considered “Guest Students” of IPFW and may be subject to both IUPUI and IPFW policies, procedures, and disciplinary processes depending on the nature and/or location of an incident. Guest Students have full campus privileges, including the option to reside in on-campus housing and other resources on the IPFW campus. IU employees working at the IPFW campus may also be subject to both IPFW and IUPUI policies, procedures and disciplinary action depending on the nature and/or location of an incident.

The IUPUI facilities, located on the IPFW campus, are subject to the safety and security policies and procedures of IPFW. There are no IU police or security personnel on site. In order to provide IUPUI students and employees with information relevant to space controlled by IUPUI and space controlled by IPFW, 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 IPFW.

## **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)

This report was revised on April 3<sup>rd</sup>, 2017 to reflect the updated 2016 Annual Security Report issued for the Indiana University - Purdue University Fort Wayne campus. The 2015 crime statistics table has been revised to indicate one (1) on-campus robbery, five (5) on-campus burglaries and two (2) on-campus motor vehicle thefts. Under crimes required to be reported by the Violence Against Women Act 2015 dating violence on-campus has been increased by 2 for on-campus residential property and two (2) domestic violence on-campus and four (4) Stalking, on-campus. The 2014 crime statistics table has been updated to indicate zero (0) rapes and zero (0) incest. Non-Forcible  
Report date 4/03/2017



Sex Offenses has also been added for 2013. Please note that IU's Annual Security Report statistics did not change as we had already confirmed the correct numbers with the host campus prior to publication and had anticipated these updates.

## **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:

<b>Description of Event (ie name of exercise)</b>	<b>Date</b>	<b>Start Time</b>	<b>End Time</b>	<b>Announced or Unannounced</b>
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:

<b>Residential Community</b>	<b>Security and Access Controls</b>
Park Place	<ul style="list-style-type: none"> <li>• Cameras in the main lobby and elevator lobbies on each floor.</li> <li>• Door to elevator lobby locks at 9pm and is only accessible by students and guests with card access.</li> <li>• Each door to an apartment has a lock.</li> <li>• Each bedroom door in each apartment can be locked.</li> </ul>
Riverwalk Apartments	<ul style="list-style-type: none"> <li>• All exterior doors to each house are equipped with 24/7 electronic card access control.</li> <li>• Access to these houses is controlled by Housing and Residence Life.</li> <li>• There is a deadbolt lock on every main apartment door in the building.</li> <li>• Each bedroom can be locked.</li> </ul>
Townhomes	<ul style="list-style-type: none"> <li>• Exterior doors have deadbolt locks.</li> <li>• Interior sliding glass doors have rods in the base to prevent them from being opened as well as a lock.</li> </ul>
Ball Residence	<ul style="list-style-type: none"> <li>• Front doors to the building are locked 24/7 and require card access for entry.</li> <li>• This residential community is equipped with 24/7 electronic card access control to each of the residential wings.</li> <li>• Each room has a locking mechanism on it.</li> <li>• There are cameras located at entry points and in the lobby area on the first level.</li> </ul>
University Tower	<ul style="list-style-type: none"> <li>• The first two floors of this building are open to the public during the times the building is open.</li> <li>• The residential floors of this building are controlled 24/7 by electronic card access, including elevators and stairwells.</li> <li>• Access to the residential floors are controlled by Housing and Residential Life.</li> <li>• Each individual room door is on card access and set to lock as default when the door is closed.</li> <li>• Cameras are located in the main lobby area and in each elevator lobby.</li> </ul>
North Hall	<ul style="list-style-type: none"> <li>• The front door is locked 24/7 and requires card access for entry.</li> <li>• Elevators in the main lobby are on card access and can only be used by people with access on their cards.</li> <li>• Student room doors are on card access and locked automatically when shut.</li> <li>• Cameras are located in the main lobby and in elevator lobbies.</li> </ul>

## **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
<b>Emergency Training for Housing Live-in Professional and Undergraduate Staff</b> 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
<b>Campus Security Authority (CSA)</b> 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 <a href="mailto:iups@iu.edu">iups@iu.edu</a>
<b>Rape Aggression Defense (RAD)</b> 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
<b>Handling Difficult Situations</b> covers de-escalation techniques for dealing with irate individuals.	As Requested	IUPD-Indianapolis (317) 274-2058
<b>General Safety Presentations</b> cover crime prevention tips for personal safety, safety of others, and safety of the campus community.	As Requested	IUPD-Indianapolis (317) 274-2058 <a href="https://www.indiana.edu/~forms/iupuifa_forms/machform/view.php?id=45235">https://www.indiana.edu/~forms/iupuifa_forms/machform/view.php?id=45235</a>
<b>Workplace Violence</b> 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

<b>Crime Prevention Through Environmental Design (CPTED)</b> 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 <a href="mailto:physec@iu.edu">physec@iu.edu</a>
During CPR training, procedures for calling 911 while on campus are explained.	As Requested	Environmental Health and Safety (317) 274-2005
<b>Response to Armed Assailant</b> 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 <a href="mailto:iuemc@iu.edu">iuemc@iu.edu</a>  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 <a href="mailto:iuemc@iu.edu">iuemc@iu.edu</a>
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 <a href="mailto:iuemc@iu.edu">iuemc@iu.edu</a>
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
<b>Knowing the Code: Understanding Indiana University's Code of Student Rights, Responsibilities, and Conduct</b> 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

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:

<b>Name of Program</b>	<b>Description</b>	<b>Contact/Additional Information</b>
<b>AlcoholEdu® for College</b>	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. <b>Corresponds to NIAAA CollegeAIM IND-17.</b>	<a href="#">Office of Health &amp; Wellness Promotion (HWP)</a> Eric Teske, Assistant Director of Substance Abuse Prevention (317) 274-4745 <a href="mailto:erictesk@iupui.edu">erictesk@iupui.edu</a>
<b>eCHECKUP TO GO</b>	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. <b>Corresponds to NIAAA CollegeAIM IND-21.</b>	<a href="#">Counseling and Psychological Services (CAPS)</a> Dr. Julie Lash, Director (317) 274-2548 <a href="mailto:capsindy@iupui.edu">capsindy@iupui.edu</a>
<b>Bystander Intervention Campaign and Training</b>	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. <b>Corresponds to NIAAA CollegeAIM ENV-6.</b>	<a href="#">JagNation: A Culture of Care</a> Ta-Kisha Darden, Health Promotion Coordinator <a href="mailto:takldard@iupui.edu">takldard@iupui.edu</a>  Eric Teske, Assistant Director of Substance Abuse Prevention <a href="mailto:erictesk@iupui.edu">erictesk@iupui.edu</a> (317) 274-4745

<b>BASICS</b>	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.	<a href="#">Counseling and Psychological Services (CAPS)</a> Dr. Julie Lash, Director (317) 274-2548 <a href="mailto:capsindy@iupui.edu">capsindy@iupui.edu</a>
<b>Late Night Alcohol Alternative Events</b>	<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. <b>Corresponds to NIAAA CollegeAIM ENV-2.</b></p>	<a href="#">Office of Educational Partnerships and Student Success</a> Gwen Chastain, Director (317) 274-3699 <a href="mailto:ghobley@iupui.edu">ghobley@iupui.edu</a>
<b>Office of Health and Wellness Promotion</b>	<p>The Office of Health &amp; 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. <b>Corresponds to NIAAA CollegeAIM IND-1.</b></p>	<a href="#">Alcohol and Other Drug Education</a> Eric Teske, Assistant Director of Substance Abuse Prevention (317) 274-4745 <a href="mailto:erictesk@iupui.edu">erictesk@iupui.edu</a>
<b>Addiction Recovery Support</b>	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.	<a href="#">Addiction Recovery Support</a> Eric Teske, Assistant Director of Substance Abuse Prevention (317) 274-4745 <a href="mailto:erictesk@iupui.edu">erictesk@iupui.edu</a>

<b>Employee Assistance Program (EAP)</b>	<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><a href="#">Employee Assistance Program</a> 888-234-8327</p> <p><a href="#">Human Resources Administration</a></p>
------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	---------------------------------------------------------------------------------------------------------------------------

### 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 <a href="http://studentaffairs.iupui.edu/health-wellness/counseling-psychology/">http://studentaffairs.iupui.edu/health-wellness/counseling-psychology/</a> (317) 274-2548	On-Campus/Students only
IUPUI Campus Health	Coleman Hall 1140 W. Michigan St. Indianapolis, IN 46202 <a href="http://health.iupui.edu/education/drugs/index.html">http://health.iupui.edu/education/drugs/index.html</a> (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 <a href="http://studentaffairs.iupui.edu/health-wellness/hw-promotion/index.shtml">http://studentaffairs.iupui.edu/health-wellness/hw-promotion/index.shtml</a>  <a href="mailto:hwpindy@iupui.edu">hwpindy@iupui.edu</a>	On-Campus/Students only
Office of the Dean of Students Office	IUPUI Campus Center 420 University Blvd., Suite 270 Indianapolis, IN 46202 <a href="http://studentaffairs.iupui.edu/student-rights/dean.shtml">http://studentaffairs.iupui.edu/student-rights/dean.shtml</a> (317) 274-4431	On-Campus/Students only
Employee Assistance Program (EAP)	<a href="http://www.indiana.edu/~uhrs/benefits/eap.html">http://www.indiana.edu/~uhrs/benefits/eap.html</a> (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 <a href="http://www.fairbanksd.org/">http://www.fairbanksd.org/</a> (317) 849-8222	Community/Everyone
EmberWood Center	1431 North Delaware St Indianapolis, IN 46202 <a href="http://emberwoodcenter.org/">http://emberwoodcenter.org/</a> (317) 536-7100	Community/Everyone
Families First	615 North Alabama St., Suite 320 Indianapolis, IN 46204 <a href="http://familiesfirstindiana.org/">http://familiesfirstindiana.org/</a> (317) 634-6341	Community/Everyone
Roudebush VA Medical Center – Mental Health Services	1481 W. 10 <sup>th</sup> Street, D-wing, Room D5029 Indianapolis, IN 46202 <a href="http://www.indianapolis.va.gov/services/Mental_Health_Services.asp">http://www.indianapolis.va.gov/services/Mental_Health_Services.asp</a> (317) 988-2721	Community/Veterans
Life Recovery Center	<u>South</u> 8150 Madison Ave, Indianapolis, IN 46227  <u>West</u> 3607 W. 16 <sup>th</sup> 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  <a href="http://www.liferecoverycenterindiana.com/">http://www.liferecoverycenterindiana.com/</a> (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](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
<p><b>AlcoholEdu for College Haven – Understanding Sexual Assault</b></p> <p>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:</p> <ul style="list-style-type: none"> <li>• Knowledge - Education around key terms, campus and community policy and resources, bystander intervention strategies.</li> <li>• Behavior - attitude changes and increased behavioral options for responding to alcohol misuse and/or to prevent sexual violence.</li> </ul>	<p>Health and Wellness Promotion, Division of Student Affairs  <a href="mailto:hwpindy@iupui.edu">hwpindy@iupui.edu</a></p>

Primary prevention and awareness programs offered to new employees include:

Program	Additional Information
<p><b>University Employee Sexual Misconduct Training:</b></p> <p>Beginning in July 2015, the University made available to all employees an online training module titled “<b>Sexual Misconduct Training: Understanding Title IX and the University’s Policies &amp; Procedures.</b>” 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.</p> <p>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.</p>	<p>The Office of Student Welfare &amp; Title IX  <a href="mailto:titleix@iu.edu">titleix@iu.edu</a></p>

On-going prevention and awareness campaigns include:

Program	Additional Information
<p><b>It’s On Us Student Leader Conference on Sexual Assault</b></p> <p>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.</p>	<p>Health and Wellness Promotion, Division of Student Affairs  <a href="mailto:hwpindy@iupui.edu">hwpindy@iupui.edu</a></p>



<b>Escalation Workshop</b> 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 <a href="mailto:hwpindy@iupui.edu">hwpindy@iupui.edu</a>
<b>Orientation Presentation “The Jaguar Community”</b> 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 <a href="mailto:hwpindy@iupui.edu">hwpindy@iupui.edu</a>
<b>R.A.D. Self-Defense Course</b> Workshop for students to increase knowledge of safety techniques and self-defense competency.	IUPD Indianapolis (317) 274-7911
<b>Alcohol and Other Drug Awareness Outreach</b> 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 <a href="mailto:hwpindy@iupui.edu">hwpindy@iupui.edu</a>
<b>BASICS</b> 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 <a href="mailto:hwpindy@iupui.edu">hwpindy@iupui.edu</a>
<b>Sexual Assault Awareness Outreach</b> 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 <a href="mailto:hwpindy@iupui.edu">hwpindy@iupui.edu</a>
<b>Relationship Violence and Healthy Relationship Programs</b> 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 <a href="mailto:hwpindy@iupui.edu">hwpindy@iupui.edu</a>
<b>Behind Closed Doors</b> 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 <a href="mailto:hwpindy@iupui.edu">hwpindy@iupui.edu</a>
<b>Students in Recovery Indianapolis (SIRI) Outreach</b> Awareness events and alcohol-alternative activities to support the recovery community and ally at IUPUI.	Health and Wellness Promotion, Division of Student Affairs <a href="mailto:hwpindy@iupui.edu">hwpindy@iupui.edu</a>
<b>JagNation: A Culture of Care</b> 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 <a href="mailto:hwpindy@iupui.edu">hwpindy@iupui.edu</a> <a href="http://jagnation.iupui.edu">jagnation.iupui.edu</a>

<p><b>JagNation Ambassador Training</b> 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 <a href="mailto:hwpindy@iupui.edu">hwpindy@iupui.edu</a></p>
<p><b>Creating a Community Free from Interpersonal Violence</b> 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 <a href="mailto:hwpindy@iupui.edu">hwpindy@iupui.edu</a></p>
<p><b>FSL New Member Academy</b> 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 <a href="mailto:hwpindy@iupui.edu">hwpindy@iupui.edu</a></p>
<p><b>Know the Code</b> 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><b>Building a Safer Community: Sexual Assault Prevention and Bystander Intervention</b> 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 <a href="mailto:hwpindy@iupui.edu">hwpindy@iupui.edu</a></p>
<p><b>Bystander Intervention Train-the-Trainer Training</b> 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"> <li>• Example presentations from IU Bloomington and IUPUI</li> <li>• Example program development materials</li> <li>• Facilitator Tips</li> <li>• Program evaluation examples</li> <li>• How to address questions regarding alcohol and consent</li> <li>• An outline of the Indiana University "Top Ten Things you need to know about the IU sexual misconduct policy"</li> <li>• Flow charts of the conduct process</li> </ul>	<p>Health and Wellness Promotion, Division of Student Affairs <a href="mailto:hwpindy@iupui.edu">hwpindy@iupui.edu</a></p>



<p><b>Indiana University Student Welfare Initiative Reaching Underrepresented Populations Workshop</b>  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 &amp; Title IX  <a href="mailto:titleix@iu.edu">titleix@iu.edu</a></p>
<p><b>Indiana University Statewide Conference on Sexual Assault</b>  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  <a href="mailto:hwpindy@iupui.edu">hwpindy@iupui.edu</a></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
<b>Health Service</b>		
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
<b>Counseling and Mental Health Service</b>		
IUPUI Counseling & Psychological Services (CAPS) (CAPS provides professional psychological services for IUPUI students at minimal charge.)	719 Indiana Avenue, Walker Plaza, Suite 220 <a href="http://caps.iupui.edu">http://caps.iupui.edu</a> (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.)	<a href="http://www.indiana.edu/~uhrs/benefits/eap.html">http://www.indiana.edu/~uhrs/benefits/eap.html</a> (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	<a href="http://www.ecommunity.com/behavioral_care">http://www.ecommunity.com/behavioral_care</a>	Community/Everyone
<b>IUPUI Student Advocate Service</b>		
Assistant Director of Sexual Assault Education and Prevention	(317) 274-2503	On-Campus/IUPUI students
Sexual Assault Prevention, Intervention, and Response Team (SAPIR)	<a href="http://sapiir.iupui.edu">http://sapiir.iupui.edu</a>	On-Campus/IUPUI students
<b>Legal Resources</b>		
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
<b>Financial Aid Resources</b>		
Office of Student Financial Services	420 University Blvd., CE 250 Indianapolis, IN 46202 <a href="mailto:finaid@iupui.edu">finaid@iupui.edu</a> (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 <a href="mailto:oia@iupui.edu">oia@iupui.edu</a>	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	<a href="#">Indiana University Police Department</a> 1232 West Michigan Street Indianapolis, IN 46202 (317) 274-7911 or dial 911
Campus Authorities	<a href="#">IUPUI Office of Student Conduct</a> 420 University Boulevard, CE 270 Indianapolis, IN 46202 (317) 274-4431
Title IX Coordination	<a href="#">University Title IX Coordinator</a> Emily Springston, Chief Student Welfare & Title IX Officer (812) 855-4889  <a href="#">Deputy Title IX Coordinator</a> 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	<a href="#">IUPUI Office of Student Conduct</a> 420 University Boulevard, CE 270 Indianapolis, IN 46202 (317) 274-4431
Title IX Coordination	<a href="#">University Title IX Coordinator</a> Emily Springston, Chief Student Welfare & Title IX Officer (812) 855-4889  <a href="#">Deputy Title IX Coordinator</a> 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 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  
3<sup>rd</sup> 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
<b>Counseling and Psychological Services (CAPS)</b>	Walker Plaza, Suite 220 719 Indiana Ave. Indianapolis, IN 46202 (317) 274-2548
<b>Assistant Director of Sexual Assault Education and Prevention</b>	Campus Center, Suite 270 420 University Blvd. Indianapolis, IN 46202 (317) 274-2503
<b>IUPUI Student Health Center</b>	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

#### Primary Crimes

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 <sup>^</sup>	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

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

<sup>^</sup>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 – IUPUI Programs at Fort Wayne

IUPUI students completing coursework at IPFW have full IPFW campus privileges; therefore statistics in this table are based on the entire on-campus, on-campus residence and public property reported by IPFW. Non-campus locations are based only on locations used by the IUPUI student. There are no non-campus properties used by IUPUI students.

### 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	1	1	0	0
Fondling	1	0	0	0
Incest	0	0	0	0
Statutory Rape	0	0	0	0
Robbery	1	1	0	0
Aggravated Assault	0	0	0	1
Burglary	6	1	0	0
Motor Vehicle Theft	2	1	1	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	2	0	0
Dating Violence	2	2	0	0
Stalking	4	3	0	0

*\*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	26	26	0	0
Drug Law Arrests	7	5	1	4
Weapons Law Arrests	0	0	0	0
Liquor Law Violations Referred for Disciplinary Action	29	29	0	0
Drug Law Violations Referred for Disciplinary Action	19	19	0	0
Weapons Law Violations Referred for Disciplinary Action	0	0	0	0

## Hate Crimes

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

## Unfounded Crimes

There were zero (0) 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	0	0
Negligent Manslaughter	0	0	0	1	0
Rape	0	0	0	0	0
Fondling	1	0	0	0	0
Incest	0	0	0	0	0
Statutory Rape	0	0	0	0	0
Robbery	0	0	0	0	0
Aggravated Assault	0	0	0	0	0
Burglary	3	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0
Arson	0	0	0	0	0
Liquor Law Arrests	2	2	0	0	0
Drug Law Arrests	3	3	0	3	0
Weapons Law Arrests	0	0	0	0	0
Liquor Law Violations Referred for Disciplinary Action	30	30	0	0	0
Drug Law Violations Referred for Disciplinary Action	12	12	0	0	0
Weapons Law Violations Referred for Disciplinary Action	2	2	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	Unfounded Crimes
Domestic Violence	0	0	0	1	0
Dating Violence	2	2	0	0	0
Stalking	2	1	0	0	0

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

## Hate Crimes

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

## 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	2	0	1
Sex Offenses, Non Forcible - Incest	0	0	0	0
Sex Offenses, Non Forcible - Statutory Rape	0	0	0	0
Robbery	1	0	0	0
Aggravated Assault	0	0	0	0
Burglary	5	2	0	0
Motor Vehicle Theft	1	0	0	0
Arson	0	0	0	0
Liquor Law Arrests	0	0	0	1
Drug Law Arrests	7	5	0	2
Weapons Law Arrests	1	0	0	0
Liquor Law Violations Referred for Disciplinary Action	24	22	0	0
Drug Law Violations Referred for Disciplinary Action	2	2	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	2	0	0	0
Dating Violence	3	3	0	0
Stalking	2	0	0	0

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

## Hate Crimes

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 include 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.

### 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), IUPUI recognized 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**.

## 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 fact, 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.

## 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 understanding 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 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).

## INDIANA STATE RIGHTS FOR VICTIMS OF DOMESTIC AND FAMILY VIOLENCE

*Alleged victims of domestic and family violence are provided the additional rights under Indiana IC-35-40-5, if they choose to proceed with criminal prosecution.*

1. You have the right to be:
  - (a) treated with fairness, dignity and respect; and
  - (b) free from intimidation, harassment and abuse;
2. You have the right to be informed, upon request, when a person who is:
  - (a) accused of committing; or
  - (b) convicted of committing; a crime perpetrated directly against you is released from custody or has escaped.
3. You have the right to confer with a representative of the prosecuting attorney's office:
  - (a) after a crime allegedly committed has been charged;
  - (b) before the trial of a crime allegedly committed; and
  - (c) before any disposition of a criminal case.This right does not include the authority to direct the prosecution of a criminal case.
4. You have the right to have your safety considered when decisions are made concerning pre-trial release from custody of a person accused of committing a crime against you.
5. You have the right to be heard at any proceeding involving sentencing, a post-conviction release decision, or a pre-conviction release decision under a forensic diversion program.
6. If the accused criminal is convicted, you have the right to make a written or oral statement to be used in a pre-sentence report.
  - (a) You have a right to read a Victim's Pre-sentence Report
  - (b) You have a right to respond to the material included in the pre-sentence report.
7. You have a right to pursue restitution and other civil remedies against the perpetrator.
8. You have a right to information, upon request, about the disposition of a case, the conviction or sentence on a case, and release of a perpetrator from custody.
9. You have a right to be informed of your constitutional and statutory rights.

If you wish to exercise these rights, you must provide a current address and telephone number to your local County Prosecutor's Office. If charges are filed in your case, it is likely that the Judge will have a hearing on the defendant's bond within days of the arrest. It is important to stay in contact with the prosecutor's office to determine when this hearing, and other hearings will be held.

# INDIANA UNIVERSITY- PURDUE UNIVERSITY INDIANAPOLIS



## SEXUAL MISCONDUCT: RIGHTS, OPTIONS, AND RESOURCE GUIDE

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

# RESOURCES

For additional information on available resources on your campus and in the community, as well as a link to the University Sexual Misconduct Policy and Procedures, please visit the Stop Sexual Violence website: <http://stopsexualviolence.iu.edu/>

## 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 Coordinators

Brian Tomlinson  
Assistant Dean and Director of Student Conduct  
**317-274-4431**

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://sapis.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](mailto: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.



[www.ipfw.edu/police](http://www.ipfw.edu/police)

# YOUR CAMPUS, YOUR SAFETY

## *IPFW Annual Security and Fire Safety Report 2016*



UNIVERSITY POLICE

INDIANA UNIVERSITY—PURDUE UNIVERSITY FORT WAYNE





## QUICK REFERENCE RESOURCE GUIDE

### Safety and Security

#### IPFW Police Department (On Campus)

Emergency: 911  
Non-emergency: 260-481-6827  
Support Services Building  
ipfw.edu/police

#### Fort Wayne Fire Department

Emergency: 911  
Non-emergency: 260-427-1222  
fortwaynefiredepartment.org

**IPFW Escorts** ..... 260-481-6827  
Escorts to and from campus buildings available 24/7

**Office of the Dean of Students**.....260-481-6601  
Walb Union 111  
ipfw.edu/dean

**Title IX Coordinator**..... 260-481-6106  
Assistance with sexual assault, dating and domestic violence,  
and stalking complaints  
Kettler Hall 110P  
ipfw.edu/equity

**Fort Wayne Police Department (Off Campus)**  
Emergency: 911  
Non-emergency: 260-427-1222  
fwpd.org

**Allen County Sheriff's Department (Off Campus)**  
Emergency: 911  
Non-emergency: 260-449-3000  
allencountysheriff.org

**Indiana State Police (Off Campus)**  
Emergency: 911  
Non-emergency: 260-432-8661  
In.gov/isp

### Crisis Services

IPFW/Parkview Student Assistance Program .....260-373-8060

Center for Women and Returning Adults... ..... 260-481-6029

Sexual Assault Treatment Center... .....260-423-2222

Rape Crisis Hotline (24 Hours)... ..... 260-426-7273  
Toll Free.....888-311-7273

YWCA Domestic Violence.....260-447-7233  
Toll Free.....800-441-4073

Victim's Assistance.....260-427-1205

Fort Wayne Women's Bureau.....260-424-7977

National Sexual Assault/Online  
Message Service.....1-800-656-HOPE (4373)

National Domestic Violence  
Hotline ..... 1-800-799-SAFE (7223)

National Suicide Prevention  
Hotline .....1-800-73-TALK (8255)

National Center on  
Drug Abuse Hotline..... 1-800-662-HELP

Health  
IPFW Campus Clinic .....260-481-5748

Dupont Hospital.....260-416-3000

Lutheran Hospital..... 260-435-7001

Parkview Hospital.....260-373-4000

St. Joseph Hospital..... 260-425-3000

### AVAILABILITY OF ANNUAL SECURITY AND FIRE SAFETY REPORT

The Indiana University–Purdue University (IPFW) Police Department *Your Campus, Your Safety: Annual Security and Fire Safety Report* includes statistics for the previous three years concerning reported crimes that occurred on campus, in certain off-campus buildings or property owned or controlled by IPFW, and on public property within, or immediately adjacent to and accessible from, campus. The report also includes policies concerning campus security, dating violence, domestic violence, sexual assault, stalking, and other related matters. Copies of this report can be obtained by contacting the IPFW Police Department at 260-481-6827, at Support Services Building, 2101 East Coliseum Boulevard, Fort Wayne, IN, or at [ipfw.edu/offices/police/documents/IPFW\\_Police\\_Current\\_Annual.pdf](http://ipfw.edu/offices/police/documents/IPFW_Police_Current_Annual.pdf)

# CAMPUS CRIME STATISTICS

## Introduction

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (“Clery Act”) is a federal law that requires the distribution of an annual security report to all current faculty, staff, and students and notice of its availability to prospective students, faculty, and staff. This annual security report includes statistics for the previous three years concerning specific reported crimes that occurred on campus, in certain off-campus buildings or property owned or controlled by the university, and on public property within or immediately adjacent to, and accessible from, campus. This report also includes information regarding personal safety and general crime prevention; safety and educational programs offered at Purdue; sexual assault risk reduction, prevention, and disciplinary processes; how the university communicates to students, faculty, staff, and the larger community about emergency or imminently dangerous situations; emergency preparedness; alcohol and drug policies; and fire safety. A copy of this report is made available to faculty, staff, and students October 1 of each fall semester and is available for public viewing online. The definitions for crimes in the below statistics come from the FBI Uniform Crime Reporting Handbook.

Campus Crime Statistics, 2013-2015 <sup>1</sup>						
Primary Crimes	Year	On-Campus Property	On-Campus Student Housing	Noncampus Property	Public Property	Unfounded
Murder/Non-Negligent Manslaughter	2015	0	0	0	0	0
	2014	0	0	0	0	0
	2013	0	0	0	0	0
Negligent Manslaughter	2015	0	0	0	0	0
	2014	0	0	0	1	0
	2013	0	0	0	0	0
Rape	2015	1	1	0	0	0
	2014	0	0	0	0	0
Fondling	2015	1	0	0	0	0
	2014	1	0	0	0	0
Incest	2015	0	0	0	0	0
	2014	0	0	0	0	0
Statutory Rape	2015	0	0	0	0	0
	2014	0	0	0	0	0
Forcible Sex Offenses <sup>2</sup>	2013	4	2	0	1	0
Non-Forcible Sex Offenses <sup>2</sup>	2013	0	0	0	0	0

<sup>1</sup> On October 12, 2016, all crime tables were updated due to routine, thorough data review.

Robbery	2015	1	1	0	0	0
	2014	0	0	0	0	0
	2013	1	0	0	0	0
Aggravated Assault	2015	0	0	0	1	0
	2014	0	0	0	0	0
	2013	0	0	0	0	0
Burglary	2015	6	1	0	0	0
	2014	3	0	0	0	0
	2013	5	2	0	0	0
Motor Vehicle Theft	2015	2	1	1	0	0
	2014	0	0	0	0	0
	2013	1	0	0	0	0
Arson	2015	0	0	0	0	0
	2014	0	0	0	0	0
	2013	0	0	0	0	0

<i>Hate Crimes<sup>[1],[2]</sup>*Fields will be collapsed where there is no data to shorten tables.</i>	Year	On-Campus Property	On-Campus Student Housing	Noncampus Property	Public Property	Unfounded
RACE						
GENDER						
RELIGION						
SEXUAL ORIENTATION						
ETHNICITY						
Intimidation	2015	1	0	0	0	0
DISABILITY						
NATIONAL ORIGIN						
GENDER IDENTITY						

<i>Crimes Required to be Reported by the Violence Against Women Act</i>	Year	On-Campus Property	On-Campus Student Housing	Noncampus Property	Public Property	Unfounded
Dating Violence	2015	2	2	0	0	0
	2014	2	2	0	0	0
	2013	3	3	0	0	0
Domestic Violence	2015	2	2	0	0	0
	2014	0	0	0	1	0

	2013	2	0	0	0	0
Stalking	2015	4	3	0	0	0
	2014	2	1	0	0	0
	2013	2	0	0	0	0

<i>Disciplinary Referrals and Arrests</i>	Year	On-Campus Property	On-Campus Student Housing	Noncampus Property	Public Property	Unfounded
Weapons Law Violations (Arrests)	2015	0	0	0	0	0
	2014	0	0	0	0	0
	2013	1	0	0	0	0
Weapons Law Violations (Disciplinary Referrals)	2015	0	0	0	0	0
	2014	2	2	0	0	0
	2013	0	0	0	0	0
Drug Law Violations (Arrests)	2015	7	5	1	4	0
	2014	3	3	0	3	0
	2013	7	5	0	2	0
Drug Law Violations (Disciplinary Referrals)	2015	19	19	0	0	0
	2014	12	12	0	0	0
	2013	2	2	0	0	0
Liquor Law Violations (Arrests)	2015	26	26	0	0	0
	2014	2	2	0	0	0
	2013	0	0	0	1	0
Liquor Law Violations (Disciplinary Referrals)	2015	29	29	0	0	0
	2014	30	30	0	0	0
	2013	24	22	0	0	0

<sup>2</sup> The categories for identifying sex crimes were changed in 2014 with the re-authorization of the Violence Against Women Act (VAWA). Forcible and non-forcible statistics are only applicable for the year 2013.

## Definitions

THE FOLLOWING DEFINITIONS ARE FROM THE "SUMMARY REPORTING SYSTEM (SRS) USER MANUAL" FROM THE FBI'S UNIFORM CRIME REPORTING (UCR) PROGRAM

**Criminal homicide** - a.) Murder and non-negligent manslaughter: the willful (non-negligent) killing of one human being by another. Deaths caused by negligence, attempts to kill, assaults to kill, suicides, and accidental deaths are excluded. The program classifies justifiable homicides separately and limits the definition to: (1) the killing of a felon by a law enforcement officer in the line of duty; or (2) the killing of a felon, during the commission of a felony, by a

private citizen. b.) Manslaughter by negligence: the killing of another person through gross negligence. Deaths of persons due to their own negligence, accidental deaths not resulting from gross negligence, and traffic fatalities are not included in the category manslaughter by negligence. (UCR)

**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. (UCR)

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

**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. Simple assaults are excluded. (UCR)

**Burglary** (breaking or entering) - The unlawful entry of a structure to commit a felony or a theft. Attempted forcible entry is included (UCR)

**Motor vehicle theft** - The theft or attempted theft of a motor vehicle. A motor vehicle is self-propelled and runs on land surface and not on rails. Motorboats, construction equipment, airplanes, and farming equipment are specifically excluded from this category. (UCR)

**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. (UCR)

**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.

**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.

#### CRIME DEFINITIONS FROM THE HATE CRIME DATA COLLECTION GUIDELINES AND TRAINING MANUAL FROM THE FBI'S UCR PROGRAM

**Larceny-Theft (Except Motor Vehicle Theft)** - The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another. Attempted larcenies are included. Embezzlement, confidence games, forgery, worthless checks, etc., are excluded.

**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.

#### CRIME DEFINITIONS FROM THE NATIONAL INCIDENT-BASED REPORTING SYSTEM (NIBRS) USER MANUAL FROM THE FBI'S UCR PROGRAM

**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 or physical incapacity (NIBRS)

**Incest** - Nonforcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law (NIBRS)

**Statutory Rape** – Nonforcible sexual intercourse with a person who is under the statutory age of consent (NIBRS)

#### DEFINITIONS FROM THE VIOLENCE AGAINST WOMEN REAUTHORIZATION ACT

The Violence Against Women Act of 1994 defines the term “**dating violence**” to mean violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim; where the existence of such a relationship is determined based on a consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

The Violence Against Women Act of 1994 defines the term “**domestic violence**” to mean a felony or misdemeanor crime of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies under VAWA, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction.

The Violence Against Women Act of 1994 defines the term “**stalking**” to mean “engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for his or her safety or the safety of others; or suffer substantial emotional distress.”

#### Definitions from Clery Act

**Unfounded** – “An institution may withhold, or subsequently remove, reported crime from its crime statistics in the rare situation where sworn or commissioned law enforcement personnel have fully investigated the reported crime and, based on the results of this full investigation and evidence, have made a formal determination that the crime report is false or baseless and therefore “unfounded.” Only sworn or commissioned law enforcement personnel may “unfound” a crime report for purposes of reporting under this section. The recovery of stolen property, the low value of stolen property, the refusal of the victim to cooperate with the prosecution, and the failure to make an arrest do not “unfound” a crime report.

An institution must report to the department and disclose in its annual security report statistics the total number of crime reports listed in paragraph (c)(1) of this section that were “unfounded” and subsequently withheld from its crime statistics pursuant to paragraph (c)(2)(iii) of this section during each of the three most recent calendar years.”

“**Advisor** means any individual who provides the accuser or accused support, guidance, or advice.”

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

“**Result** means any initial, interim, and final decision by any official or entity authorized to resolve disciplinary matters within the institution. The result must include any sanctions imposed by the institution. Notwithstanding section 444 of the General Education Provisions Act (20 U.S.C. 1232g), commonly referred to as the Family Educational Rights and Privacy Act (FERPA), the result must also include the rationale for the result and the sanctions.”

#### Geography

**Campus:** (1) Any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institution's educational purposes, including residence halls; and  
(2) Any building or property that is within or reasonably contiguous to the area identified in paragraph (1) of this definition, that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes (such as a food or other retail vendor).

**On-Campus Student Housing:** Any student housing facility that is owned or controlled by the institution, or is located on property that is owned or controlled by the institution, and is within the reasonably contiguous geographic area that makes up the campus is considered an on-campus student housing facility.

**Non-campus building or property:** (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.

**Public property:** All public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus, or immediately adjacent to and accessible from the campus.

**Prospective Employee** - Prospective employee means an individual who has contacted an eligible institution for the purpose of requesting information concerning employment with that institution.

**Prospective Student** - Prospective student means an individual who has contacted an eligible institution requesting information concerning admission to that institution.

---

# CAMPUS SAFETY

---

## Introduction

The IPFW community offers numerous advantages to students and residents. The community is a great place to live, work, and study. However, it is not immune to the kinds of problems that beset the rest of the nation. Unfortunately, one of these problems— crime — is a reality at IPFW and in Fort Wayne.

The university attempts to provide a safe and secure environment for students, staff, and visitors. However, it is possible to maintain safety and security only when every student, faculty, and staff member takes an active part in the effort.

The purpose of this publication is to:

- Provide the IPFW community with an overview of IPFW University Police Department services
- Share crime statistics required by federal law (Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act)
- Inform current and prospective students, staff, and visitors about the university's more than 200 policies and programs designed to help keep them safe
- Share information regarding emergency preparedness and planning
- Share information regarding fire safety, fire statistics, and fire-related information

No matter how effective the university's programs may be, the primary responsibility for safety and security lies with each of us. No police department or set of procedures can be effective unless individuals exercise reasonable care and prudence. Safety and security are everyone's personal responsibility.

## IPFW University Police Department

The university maintains its own professional police agency. State law grants IPFW police officers the same powers of arrest and law enforcement as city and county officers. The IPFW Police Department is staffed by competent law enforcement professionals who use advanced equipment, techniques, and current technology to perform their duties. I.C. 21-17-5-5 permits IPFW police officers to "... exercise the powers granted under this chapter upon any real property owned or occupied by the educational institution employing the police officer, including the streets passing through and adjacent to the

educational institution. An institution may extend a police officer's territorial jurisdiction..."

The department works closely with the Indiana State Police, the FBI, and the City of Fort Wayne Police and Allen County and has been approved by the state legislature and Purdue's Board of Trustees to maintain jurisdiction across the entire state of Indiana. The IPFW University Police Department has a memorandum of understanding with the Fort Wayne Police Department for immediate mutual aid assistance. The IPFW Police Department encourages the other agencies to inform it of all reported criminal activity at any site affiliated with the university or with university-recognized organizations on and off campus. In an emergency, police can be summoned via any of the nearly 66 emergency telephones located throughout campus as well as by dialing 911. All reports of criminal activity will be handled and investigated in an appropriate and professional manner.

**Crime Prevention Programs.** Besides direct efforts in crime prevention and detection, the IPFW Police Department carries out a number of programs to foster safety and security:

**Bike Patrol.** The IPFW Police Department's bike patrol unit consists of four officers. Officers can perform nearly all of their duties on bicycles, with the exception of transporting prisoners. The bike patrol is a cost-effective community outreach program that allows officers to interact with people while patrolling the campus.

**Public Information.** The police department works closely with Marketing Communications and student publications to publicize crimes and criminal investigations. Police Daily Activity logs are open to the general public and can be viewed on University Police's homepage at [www.ipfw.edu/police](http://www.ipfw.edu/police) under the Crime Statistics link.

**Group Presentations.** IPFW police officers present safety and security talks to the campus community upon request. Presentations are scheduled regularly to address the special concerns of residence managers, resident assistants, library staff, international students, sororities, fraternities, and other groups.

**Bicycle Registration.** Students are encouraged to register their bicycles as an aid to recovery in case of theft. Bicycles can be registered at no charge through the main Student Housing Office.



**Property Engraving.** Students can bring property, such as calculators, to the IPFW Police Department to be engraved

## 911

You can summon help in an emergency by dialing 911 on any phone in Allen County. Place routine calls to the police and other agencies by using the non-emergency numbers listed in the front cover of this guide.

### Reporting of Criminal Offenses

The IPFW University Police Department encourages anyone who is the victim or witness to any crime to promptly report the crime by calling 911, by calling the non-emergency number at (260) 481-6827, or by going to the IPFW Police department at Support Services Building, 2101 East Coliseum Boulevard, Fort Wayne, IN. All reports of criminal activity will be handled and investigated in an appropriate and professional manner.

Off-campus reports of crime may be reported by calling 911 or by calling the non-emergency numbers for the following departments:

- Fort Wayne Police Department: 260-427-1222
- Allen County Sheriff's Department: 260-449-3000
- Indiana State Police: 260-432-8661

### Daily Crime Log

The IPFW University Police Department maintains a daily crime log that records, by the date the crime was reported, any crime that occurred on campus, on a non-campus building or property, or within our patrol jurisdiction.

The logs include the nature, date, general location, and disposition of each crime. Reported crimes, updates in disposition, and additional information will normally be added to the daily crime log within two business days of receipt.

The daily crime log for the most recent 60-day period will be open to public inspection during normal business hours. The IPFW University Police Department will make any portion of the log older than 60 days available for inspection within two business days of request.

with ID numbers as an aid to recovery in case of theft.

## Emergency Telephone System

These emergency telephones are placed at strategic locations around campus and are equipped with a blue light for easy access. For assistance, push the button, which will connect you to the Emergency Dispatch Center.

**Anonymous Reporting.** Indiana provides an anonymous crime reporting hotline: WeTip Hotline: 1-800-78-CRIME. Additionally, Purdue has a system-wide (which includes IPFW) anonymous reporting program that is maintained by an external company, managing the intake of information with trained interview specialists who are available 24 hours a day, 7 days a week. After the intake is complete, the report will be provided to designated university personnel for appropriate action. Reports will be handled promptly and discreetly; however, sufficient and detailed information is necessary to conduct a thorough investigation. To utilize the Purdue University Enterprise-Wide Hotline, please call 1-866-818-2620.

IPFW does have policies that allow for voluntary, confidential reporting reports of crimes for inclusion in the annual disclosure of crime statistics. Crimes reported to the anonymous hotlines are included in the annual crime statistics and aid in providing timely warning notices to the community, when appropriate and possible.

### Pastoral and Professional Counselors

IPFW does not have policies or procedures to encourage pastoral and professional counselors who are exempt from Clery reporting requirements to report aggregate statistical information.

### Campus Offices Designated to Receive Crime Reports

While all individuals who have witnessed or been the victim of a crime are encouraged to report crimes to the IPFW Police Department first and foremost, IPFW has designated other specific campus offices that may receive crime reports in addition to the IPFW Police Department:

Official	Address	Phone Number
IPFW University Police Department	Support Services Building, 2101 E. Coliseum Blvd.	260-481-6827
Office of the Dean of Students	Walb Union Room 111	260-481-6601
Human Resources	Kettler Hall Room G02	260-481-6840
Office of Institutional Equity	Kettler Hall Room 110N	260-481-6106

This publication contains information about on-campus and off-campus resources. That information is made available to provide Purdue University community members with specific information about the resources that are available in the event that they become the victim of a crime. The information about “resources” is not provided to imply that any resources other than the Purdue Police Department or those offices specifically identified in this section are “reporting entities” for the Purdue University Police Department.

### Building Security

Physical Plant personnel are responsible for security considerations used in the maintenance of campus facilities. Security-related maintenance issues, such as broken windows, faulty doors and locks, missing screens, and discharged fire extinguishers are given first priority by the maintenance personnel.

Most academic buildings must remain unlocked until late at night due to evening classes, student, and faculty research projects, and special events. Custodians are instructed to report any suspicious activities to the police department immediately. Building hours are 7 a.m – 11 p.m. and closed on campus holidays.

University housing staff strives to provide safe and secure environments for their residents. The residential facilities are equipped with roughly 560 cameras monitoring residential entrances, hallways, lobbies, elevators, and building exteriors. Housing staff publish guidebooks that explain building access and security policies. The guidebooks are distributed to residents and staff and can

be found on the Student Housing website. Entrance to most residences is restricted to the people who live and work there by the use of electronic key fobs.

### Missing Student Notification Procedures

In the event that a student is missing for more than 24 hours, notify the IPFW University Police Department immediately. If a resident assistant or other university personnel is notified of a missing student, that individual must report the missing student immediately to the IPFW University Police Department. Each student living in on-campus housing has the option to identify a contact person or persons whom the university will notify within 24 hours if the student is determined to be missing by the IPFW University Police Department. Each student will designate their emergency contacts with university housing at the beginning of the school year. The student may also change and amend their emergency contacts, throughout the year, at the front desk of their residence hall. This contact information will be registered confidentially, will be accessible only to authorized university officials, and will not be disclosed, except to law enforcement personnel in furtherance of the missing person investigation.

If a student is under 18 years of age and not emancipated, Purdue must notify a custodial parent or guardian within 24 hours of the determination that the student is missing, in addition to any additional contact person designated by the student.

Unless a local law enforcement agency was the entity that made the determination that the student was missing, the university will notify the local law enforcement agencies surrounding our main campus within 24 hours of the determination that the student is missing.

### Crisis Intervention Team

There are several IPFW police officers specially trained to safely de-escalate contacts with emotionally distressed and mentally ill persons and work with the mental health system in Allen County to get help for people in need. The

Crisis Intervention Team (CIT) is a county-wide effort that involves the hospitals, counselors, courts, and law enforcement officers from various local agencies. All officers are provided training to help them recognize when a person’s actions may be the result of a mental health issue, and they are encouraged to involve CIT members to help bring the situation to a successful resolution for the person in distress and the community.

**WETIP HOTLINE**  
**1-800-78-CRIME / 1-800-782-7463**  
**24 hours a day.** This hotline is a way for all citizens to report illegal activity anonymously.

**SEX OFFENDER REGISTRATION**  
The Campus Sex Crimes Prevention Act (CSCPA) is a federal law that provides for the tracking of convicted sex offenders enrolled at or employed by institutions of higher education. The CSCPA’s intent is to extend the protection of the sex offender registries and Megan’s Law to college campuses. It also amends the Clery Act to require institutions of higher education to issue a statement advising the campus community where to obtain law enforcement agency information provided by a state concerning registered sex offenders. The Indiana Sex and Violence Offender Registry may be checked online at [icrimewatchnet/indiana.php](http://icrimewatchnet/indiana.php). Megan’s Law can be found online at [www.klaaskids.org/st-ind.htm](http://www.klaaskids.org/st-ind.htm), or you can visit the PUPD website: [purdue.edu/police](http://purdue.edu/police).

- National: [www.nsopr.gov](http://www.nsopr.gov)

# COMMUNICATION ABOUT CAMPUS CRIMES AND SAFETY

IPFW provides information about campus security procedures and practices to students and employees in a variety of ways and encourages them to be responsible for the security of themselves and others. This section discusses some of the ways in which campus offices communicate information about crime on campus.

## IPFW Emergency Warning Notification System: IPFW ALERT

IPFW is a large and complex institution, and people move about our campus freely. A key part to IPFW’s campus preparedness is the university emergency warning notification system — IPFW ALERT. Despite advances in communication, there is no way to reach everyone instantly with a single message. However, the multi-layered communication approaches we have in place will help spread the word on emergency incidents. We use very simple concepts to initiate our warning notification:

- **Fire Alarms:** immediately evacuate the building

- and proceed to your Emergency Assembly Area
- **All-Hazards Outdoor Emergency Warning Sirens:** immediately seek shelter (“shelter in place”) in a safe location within the closest building. This course of action may need to be taken during a weather event (such as a tornado), accidental release of toxic chemicals in the outside air, or a serious civil disturbance such as gunshots fired.

Go inside to the lowest internal room and seek additional information by all means possible. Remain in place until police, fire, or other emergency response personnel tell you it is safe to leave or until such information is announced through the IPFW ALERT system.

Additional warning notifications and follow-up information will use other layers of the IPFW ALERT.

They are:

- **Text Messaging:** IPFW faculty, staff, and students

may sign up via the myIPFW website to receive an emergency notification text message.

- **Social Media:** Emergency information may also be found on IPFW's Facebook page at [www.facebook.com/ipfw.mastodons](http://www.facebook.com/ipfw.mastodons) or IPFW's twitter account at [www.twitter.com/ipfw](http://www.twitter.com/ipfw).
- **Email:** An e-mail will be sent to all people with an ipfw.edu address.
- **IPFW home page:** [www.ipfw.edu](http://www.ipfw.edu) is the focal point of the most complete information in all campus-related emergencies.
- **Local Media:** The university works with the news media, radio, TV, newspapers, and Internet to help spread the word.

### **Emergency Response and Evacuation**

The IPFW University Police Department embraces the National Incident Management System (NIMS) and uses Incident Command principles while responding to major incidents.

IPFW will, without delay, and taking into account the safety of the community, determine the content of notification by the university's emergency warning notification system, IPFW ALERT, and will initiate the IPFW ALERT system if a significant emergency or imminently dangerous situation involving a threat to the health and safety of students, employees or visitors occurs on or near campus, unless in the professional judgment of the responsible authorities the notification will compromise efforts to assist victims or to contain, respond to, or otherwise mitigate the emergency. The significant emergency or imminently dangerous situation will normally be confirmed by University Police Department personnel prior to alerting the campus community.

Most significant emergencies or dangerous situations will be reported to the Consolidated Communication Partnership Communications Center, which will dispatch University Police Department personnel to investigate and confirm the emergency. If confirmed, the university chief of police or designee will start the notification process by notifying public safety officials. Activation of all or part of the overall warning notification system, including the determination of the appropriate segment or segments of the campus community to receive the notification, will be decided by the chancellor, vice chancellor for Financial and Administrative Affairs, university chief of police, officer in charge, or designee. Each incident will be evaluated based on incident specifics

and life safety factors; a decision to make an emergency notification will then be made.

The university chief of police or chief communications officer will normally direct IPFW ALERT activation. However, the responding incident commander may direct IPFW ALERT activation if immediate life safety issues exist. The initial IPFW ALERT notifications will normally use a pre-formatted message that provides very basic information designed to immediately notify IPFW faculty, staff, and students. More detailed information will be included in subsequent notifications and posted on the IPFW homepage.

IPFW ALERT will normally be tested at the beginning of each academic semester. Tests may be announced or unannounced. In conjunction with the testing, IPFW public safety officials will publicize IPFW's emergency response procedures, and will document for each test, a description of the exercise, the date, time, and whether it was announced or unannounced. When IPFW ALERT is tested, the University Police Department recommends that the IPFW community should review their emergency response and evacuation procedures as contained in the *Emergency Procedures Handbook*.

### **Emergency Warning Notification System Test**

During the 2015 calendar year, there were several instances in which IPFW used the Emergency Notification System for real-time notifications (i.e. weather alerts, hazardous situation). From January through November 2015, eight notifications were sent, most of which covered all Emergency Notification System layers. Additionally, there were two unannounced ENS system tests conducted in September and December.

### **Timely Warning Procedures**

The IPFW Police Department will issue timely warnings to notify the campus community of Clery reportable crimes reported to Campus Security Authorities or local police agencies and that are considered to represent a serious or continuing threat to our community. Upon receipt of a report of a crime on or near campus, the university chief of police (or designated representative) will determine, on a case-by-case basis, whether to issue a timely warning. Factors considered include, but are not limited to:

- **The nature of the crime**, including but not limited to whether it was a Clery crime and whether it involved harm to person or property;
- **The continuing danger to the campus community**, including but not limited to whether the suspect has

been apprehended and whether there is a substantial risk to the safety of other members of the campus community; and

- **The possible risk of compromising law enforcement efforts.** This risk will not prevent IPFW from issuing a timely warning but may impact the content of any issued timely warning.

The purpose of timely warnings is to allow campus community members to protect themselves. Thus, timely warnings will include information that helps promote safety and aids in the prevention of similar crimes, including information about the crime that triggered the warning and steps individuals can take to protect themselves. The name of any crime victim is not included in a timely warning.

Once a decision has been made to issue a timely warning, the chief of police / designee or the chief communications officer will create and disseminate timely warnings. Timely warnings are issued to the IPFW campus through a variety of methods, which is determined on a case-by-case basis by the chief of police or designee. Methods of delivery include:

- **Text Messaging:** IPFW faculty, staff, and students may sign up via the myIPFW website to receive an emergency notification text message.
- **Social Media:** Emergency information may also be found on IPFW's Facebook page at [www.facebook.com/ipfw.mastodons](http://www.facebook.com/ipfw.mastodons) or IPFW's twitter account at [www.twitter.com/ipfw](http://www.twitter.com/ipfw)
- **Email:** An e-mail will be sent to all people with an ipfw.edu address.
- **IPFW home page:** [www.ipfw.edu](http://www.ipfw.edu) is the focal

point of the most complete information in all campus-related emergencies.

- **Local Media:** The university works with the news media, radio, TV, newspapers, and Internet, to help spread the word.

### Policy for Reporting the Annual Disclosure of Crime Statistics

The IPFW Police Department prepares this report to comply with the federal law (the Clery Act). The full text of the Clery Act can be located on the Web at [www2.ed.gov/admins/lead/safety/campus.html](http://www2.ed.gov/admins/lead/safety/campus.html). IPFW's Annual Security and Fire Safety Report can be accessed on the Web by visiting the IPFW University Police Department's home page at [ipfw.edu/police](http://ipfw.edu/police) or visiting the direct link at [ipfw.edu/offices/police/documents/IPFW\\_Police\\_Current\\_Annual.pdf](http://ipfw.edu/offices/police/documents/IPFW_Police_Current_Annual.pdf). This report is prepared in cooperation with the local law enforcement agencies surrounding our main campus and alternate sites, IPFW Student Housing on the Waterfield Campus, Office of the Dean of Students, the Office of Student Life, the Center for Women and Returning Adults, Human Resources, and IPFW Athletics, Recreation, and Intramural Sports. Each entity provides updated statistical information.

Campus crime, arrest, and referral statistics include those reported to the IPFW Police Department, designated campus security authorities (including but not limited to directors, deans, department heads, residence halls disciplinary personnel, athletic coaches), and local law enforcement agencies.

#### IF YOU HEAR:

##### The All-Hazards Outdoor Emergency Warning sirens:

- ✓ Shelter inside a building in a safe location and seek additional information by all means possible.

##### A fire alarm:

- ✓ Evacuate the building immediately.

See the Emergency Preparedness Guide for more "how-to" information.

#### Sign Up For Text Messaging System (Faculty, Staff and Students)

At [www.my.ipfw.edu](http://www.my.ipfw.edu)



# CRIME PREVENTION PROGRAMS AND SECURITY AWARENESS

---

The university offers a variety of safety programs and services throughout the year and/or upon request. The focus of these programs and services changes depending on need. Currently, the following are offered:

**International Student Orientation Program.** These programs are offered at the beginning of each school year during International Student Orientation. Topics covered are proper utilization of the 911 system and signing up for the campus alerts under my.ipfw.edu.

**Personal Safety.** This program is offered as requested and presented by the University Police. Topics that are covered include personal safety tips and theft prevention measures to safeguard personal items.

**Personal Safety.** The IPFW University Police department provides escort services for faculty, staff, and students

**Student Housing Training.** This program is offered at the beginning of each semester to the RA staff and describes the police department's role in assisting them with investigations and how they can supplement our efforts. Also included are personal safety tips and theft prevention measures to safeguard personal items.

**Publications.** The police department and the Office of the Dean of Students distribute various publications that address problems such as date rape, alcohol abuse, and theft.

**Lighting.** The campus is routinely surveyed to ensure that exterior areas are adequately lighted at night. Sidewalks are specifically reviewed to determine whether additional lighting is needed. Trees and shrubs that impair lighting along walks are trimmed as needed.

**Escort.** The IPFW University Police department provides escort services for faculty, staff, and students when requested by dialing 260-481-6827.

**Office of the Dean of Students (ODOS).** Staff members in this office provide a variety of services to students, including victim assistance, counseling about personal concerns, and information about university resources.

# SEXUAL ASSAULT, DATING AND DOMESTIC VIOLENCE, AND STALKING

---

IPFW proactively addresses sexual assault, dating violence, domestic violence, and stalking. These crimes will not be tolerated on campus and are a violation of state law as well as the university's *Anti-Harassment Policy*.

## **Sexual Assault, Dating Violence, Domestic Violence, and Stalking Programs**

IPFW offers risk reduction, prevention, and awareness programs and campaigns designed to prevent and eliminate sexual assault, dating violence, domestic violence, and stalking.

### **Primary Prevention Programs**

A three-module online primary prevention and risk reduction program entitled "Respect Boundaries: Sexual Assault Awareness" is required of all incoming students. New employees are required to complete an in-person module during New Employee Orientation. The components of these programs include:

1. Definitions of sexual assault, dating violence, domestic violence, and stalking.
2. Dynamics of sexual assault and intimate partner violence, with particular emphasis on college-aged populations.
3. Data concerning sexual assault victimization, including the role of alcohol in sexual assaults and intimate partner violence.
4. Services and resources available to victims/survivors.
5. Strategies for primary prevention.
6. Bystander intervention strategies.

### **Awareness Campaign**

Since 2010, in collaboration with the Fort Wayne Women's Bureau and the Center for Women and Returning Adults present six to eight sexual assault prevention workshops at various sites around IPFW's Student Housing complex during the fall semester. Though the workshops are targeted for freshman who are statistically the most vulnerable to sexual assault, they also draw a significant number of upperclassmen.

In 2012, IPFW received a grant from the Indiana Campus Sexual Assault Primary Prevention Program (INCSAPPP) to launch a social marketing program aimed at urging

students to understand the meaning of legal consent. The campaign was tested by student focus groups during the spring of 2013 and continued into the 2014-2015 academic year. This program is offered to university residents and is done in conjunction with the Office of Institutional Equity and The Office of Diversity and Multicultural Programs.

### **Ongoing Prevention and Educational Programs**

IPFW offers several ongoing sexual assault risk reduction, prevention, and educational programs across campus. A list of programs follows:

#### **Rape Aggression Defense (RAD)**

Available at IPFW since 2000, Rape Aggression Defense (RAD) is a women's self-defense program. This 12-hour comprehensive course equips participants with realistic self-defense tactics and techniques. The IPFW Police Department conducts RAD classes for student and staff groups, organizations, and the general public. The initial focus of RAD is on education and awareness, prevention, risk reduction, and avoidance of assault and rape. The program then progresses to the basics of hands-on defense training. Certified instructors provide a workbook/reference manual and hands-on training. RAD is dedicated to teaching defensive concepts and techniques against various types of assault by utilizing easy, effective, and proven self-defense martial arts tactics. The program provides participants with the knowledge to make an educated decision about resistance.

R.A.D. training is available for \$5 per person for faculty, staff, alumni, and student participants and their children and spouses. Non-campus participants are charge \$25. RAD is a class for women only. Enrollment priority is given to university students, faculty, and staff, and is handled on a first-come, first-served basis. Classes are typically held four-to-six times a year depending on class size. For additional information, e-mail Cpl. Grant Cowan at [cowan@ipfw.edu](mailto:cowan@ipfw.edu) or call 260-481-6827

#### **Self-Defense Awareness and Familiarization Exchange (SAFE)**

The Self-Defense Familiarization and Exchange (SAFE)



training is a two-and-a-half-hour long program that is an introduction to women's self-defense. Presented by the designers of RAD, the SAFE program exposes participants to information that may reduce their risk of exposure to violence, and allows them to familiarize themselves with physical skills training. This program serves as a precursor to the full RAD program. Enrollment priority is given to university students, faculty, and staff, and is handled on a first-come, first-served basis. For additional information on the above classes, e-mail Cpl. Grant Cowan at [cowang@ipfw.edu](mailto:cowang@ipfw.edu) or call 260-481-6827.

**Student Assistance Program** provides sexual assault programming upon request, and tailors the program to the audience requesting the program.

- Offers free and confidential short-term group, individual, and couples counseling to all currently enrolled IPFW students
- Facilitates referrals to community agencies for long-term service needs
- Works with a variety of concerns, including, but not limited to, depression, anxiety, relationship issues, substance abuse, and eating disorders
- Available for consultation and outreach services

**Peer Health Educators** offer IPFW students health and wellness education, awareness, and support that promotes academic success, student retention, positive health attitudes, and health-enhancing behaviors. Topics include overall wellness; Alcohol, Tobacco, and Other Drug education; bystander interventions; sexual assault, dating violence, and dating safety; and Peer Pressure.

**Dean's Diplomats** focus on areas that include student rights, responsibilities and conduct (which has personnel misconduct such as alcohol, drugs and harassment), academic integrity, conflict resolution, sexual violence and bystander intervention in monthly meetings.

**Campus Escort Service** provides crime prevention lectures and seminars for new staff and students, as well as 24 hour safe walks for students and staff.  
Phone 260-481-6827

**Athlete Orientation Program** is a program in which all athletes at IPFW attend yearly. This educational program and orientation reviews the Code of Students Rights and Responsibilities, with specific discussion on alcohol and drug use, as well as sexual assault and harassment.

**New Student Orientation** New students and families attend a program during New Student Orientation that provides an overview of Student Rights and Responsibilities. There are specific discussions on Drugs, Alcohol, the Tobacco Free policy, Harassment and Sexual Violence, as well as bystander interventions. The students are also reintroduced to these topics during the week of welcome. New Students are provided the Student Handbook which delineates the policies regarding all of these topics.

**International Student Training** Incoming international students attend an orientation program whereby information on Harassment and Sexual Violence, Alcohol, and Drug use, as well as being informed about campus resources by the Office of Institutional Equity, the Student Assistance Program, and the Office of the Dean of Students.

**Student Housing Residence Assistance Training** All RA's receive comprehensive training on the university policies and procedures as they relate to Harassment and Sexual Violence and other violations of the Code of Student Rights and Responsibilities.

**Upward Bound Student Training** Students attend a program done in concert with the Office of Institutional Equity and the Dean of Students, which reviews the definition of sexual harassment and sexual violence. Policies and procedures are discussed along with respective resources.

### **Indiana Law**

The Indiana Code defines and sets forth prescribed sentences for the crimes associated with sexual assault, relationship violence, and stalking. Indiana law does not define "consent" in reference to sexual activity. The University has adopted a definition of "consent" in its *Anti-Harassment Policy*, which is available in Appendix C. Appendix G contains relevant Indiana laws that apply to these crimes on the IPFW campus.

### **Consent in reference to Sexual Activity Indiana Law**

The state of Indiana does not define Consent as it pertains to sexual activity but the Purdue University has defined it by policy.

### **Consent/Consensual (University Ethics /Anti-Harassment Policy [III.C.1] Appendix C.)**

"Affirmative, clear communication given by words or actions that shows an active, knowing and voluntary agreement to engage in mutually agreed-upon sexual

activity. Consent is given freely and voluntarily. Consent may not be inferred from silence, passivity or when an individual is Incapacitated or otherwise prevented from giving Consent as a result of impairment due to a mental or physical condition or age. No Consent exists when there is a threat of force or physical or psychological violence. Although Consent may be given initially, it may be withdrawn at any point without regard to activity preceding the withdrawal of Consent. The voluntary nature of Consent will be subject to heightened scrutiny in circumstances in which a person engages in a sexual relationship with a person over whom he or she has any power or authority within the university.”

**Procedures for Sexual Assault Victims/Survivors should follow if they are the victim of a dating violence, domestic violence, sexual assault, or stalking crime**

People who have been sexually assaulted or victimized react in many different ways — there is no right or wrong reaction. Listed here are some important things to consider. Even if you were victimized days, weeks, months or years ago, it is never too late — or less important — for you to seek help and start your healing process.

**Reporting Dating Violence, Domestic Violence, Sexual Assault or Stalking**

Reporting dating violence, domestic violence, sexual assault, or stalking is optional but highly encouraged. Victims/survivors have a number of different reporting options.

**Law Enforcement.** Victims may report the crime to the IPFW Police Department by calling 911, by calling the non-emergency number at (260)481-6827, or by going to the department at the Support Services building, 2101 East Coliseum Boulevard, Fort Wayne, IN.

University officials can assist you in notifying law enforcement authorities of an assault if you would like such assistance. For more on what to expect while filing a police report, visit [www.purdue.edu/sexual\\_assault/faq/police.html](http://www.purdue.edu/sexual_assault/faq/police.html).

Off-campus crimes can be reported to the local law enforcement agency with jurisdiction over the location where the assault occurred. Individuals may call 911 or the non-emergency numbers below.

Fort Wayne Police Department  
260-427-1222

Allen County Sheriff's Department  
260-449-3000

Indiana State Police  
260-432-8661

**Non-Confidential Reporting Options.**

While reporting a crime to Law enforcement is always an option, reporting dating violence, domestic violence, sexual assault, stalking, or other crimes to non-law enforcement personnel at the university is an option as well. This will allow the university to take steps to protect the safety and well-being of all university community members, accurately document the statistic, and conduct an internal university investigation that is separate and distinct from the criminal investigation. Matters reported to the below offices will be kept as private as possible, in consideration of the victim's wishes as well as the need to ensure the safety of all university community members. University officials will also assist you in notifying the proper law enforcement agency if so desired.

Title IX Coordinator  
Kettler Hall, Room 110P  
Monday-Friday, 8 a.m. – 5 p.m.  
260-481-6106

Office of the Dean of Students  
Monday-Friday, 8 a.m. – 5 p.m.  
Walb Union, Room 111  
260-481-6601

**Confidential Reporting Options.** Dating Violence, Domestic Violence, Sexual Assault or Stalking and other crimes may be reported to the below offices and will remain entirely confidential. Purdue staffs from these offices are not required to report identifying information about the assault or the victim to law enforcement or other university officials, unless the victim is a minor. They may provide statistical information about the offense but will not divulge identity of the victim or others involved without permission from the victim/survivor. information about the assault or the victim to law enforcement or other university officials, unless the victim is a minor.

IPFW/Parkview Student Assistance Program  
Monday – Friday, 8 a.m. – 4:30 p.m.  
260-373-8060  
800-721-8809

### IPFW Campus Clinic

Monday – Friday, 8:30 a.m. – 4:30 p.m.

Walb Union, Room 234

260-481-5748

### **What to Do if You Have Been Victimized**

Get to a safe place as soon as you can. If the situation poses an immediate danger to you or anyone else, alert the police as soon as possible by calling 911.

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 specially trained victim's advocate.

### **Preservation of Evidence following an incident of dating violence, domestic violence, sexual assault, or stalking.**

Purdue University Police or other university entities including but not limited to the vice president for ethics and compliance, Office of the Dean of Students, and Human Resources will provide all known student or employee victims with written notification about available counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available for victims, both within the institution and in the community and the importance of preserving evidence that may assist with an investigation or may be helpful in obtaining a protection order.

If an incident of dating violence, domestic violence, sexual assault, or stalking occurs, it is important to preserve evidence to aid in the possibility of a successful prosecution or obtaining a protective order. Try to preserve all physical evidence even if you don't know if you want to report the assault or press charges. Evidence may be maintained so that it will be available if you decide to move forward with criminal charges at a later point in time.

In cases of **sexual assault** do not eat, drink, bathe, shower, wash your hands, use the toilet or brush your teeth. Don't change your clothes if possible, but if you need to change, put all of the clothes you were wearing in a bag and bring them with you to your medical exam. Take a minute to write down everything you remember about the assault, including a description of the assailant.

Evidence of **violence**, such as bruising or other visible injuries, should be documented including through photographs.

**Stalking** evidence including any communication, such as written notes, voice mail, social media postings, or

other electronic communications should be saved without altering in any manner.

Try to preserve all physical evidence, such as clothing, even if you don't know if you want to report the crime or press charges. Evidence may be maintained so that it will be available if you decide to move forward with criminal charges at a later point in time.

- ✓ Do not eat, drink, bathe, shower, wash your hands, use the toilet or brush your teeth
- ✓ Don't change your clothes if possible, but if you need to change, put all of the clothes you were wearing in a bag and bring them with you to your medical exam
- ✓ Take a minute to write down everything you remember about the crime, including a description of the assailant

**Medical Care.** You should seek medical care as soon as possible, even if you don't have any apparent injuries. For more on what to expect during a post-sexual assault exam, visit [www.purdue.edu/sexual\\_assault/what-to-do/medical-care.html](http://www.purdue.edu/sexual_assault/what-to-do/medical-care.html).

**Emotional Support.** Seek emotional support to help sort out your feelings about the assault.

### **Support Services**

There are a number of support services and rights to which students and employees of the university are entitled in matters of dating violence, domestic violence, sexual assault, and stalking. These rights and services are provided whether the conduct occurred on- or off-campus and whether or not a police report is filed.

### **Local Crisis Services Available 24/7**

These community centers are specially trained to deal with sexual assault and everything that comes after.

#### Sexual Assault Treatment Center

2270 Lake Avenue Suite 201, Fort Wayne

260-423-2222

#### YWCA Domestic Violence Crisis Line

260-447-7233

800-441-4073 (toll-free)

#### Fort Wayne Women's Bureau Rape Crisis Hotline

260-426-7273

888-311-7273 (toll-free)

**Protective Orders and No-Contact Directives.** Protective orders, which would direct an assailant not to contact you under a court order, are available through the Allen County Courts. Additionally, the university can issue No-Contact directives that restrict a respondent not to contact you. Contact the Office of the Dean of Students, Walb Union, Room 111, 260-481-6601, for these services.

**Advocacy and Other Support Services.**

IPFW provides its students with professional staff who can assist sexual assault victims with academic and advocacy/support services and the provision of interim remedial measures. These services are available whether an assault occurred on- or off-campus. Professional staff within the Office of the Dean of Students is available to assist students with the following:

- Coordination of services
- Academic adjustments, including processing absence notifications or changing class sections
- Housing reassignments and assistance with emergency housing needs
- Support during the campus disciplinary process, including in-person attendance at all meetings and ongoing in-person support
- Support during the law enforcement process, including in-person attendance at meetings with law enforcement and/or the Prosecutor's Office
- Assistance in obtaining no-contact directives within the university
- Assistance in obtaining a protective order through the Allen County court system

Office of the Dean of Students

Monday-Friday, 8 a.m. – 5 p.m.

Walb Union, Room 111

260-481-6601

**Medical Facilities (confidential).** There are a number of medical facilities both on and off-campus that provide confidential medical care to victims.

Parkview Hospital

2200 Randallia Drive, Fort Wayne

260-373-4000

Sexual Assault Treatment Center

2270 Lake Avenue Suite 201, Fort Wayne

260-423-2222

**Confidentiality**

IPFW recognizes the importance of ensuring the confidentiality of victims of dating violence, domestic violence, sexual assault, and stalking and others to the greatest extent practicable. For purposes of the Clery Act disclosures, Campus Security Authorities do not disclose the name of the victim or others as it pertains to FERPA in making their required reports without the express permission of victim. Further, IPFW will keep confidential any remedial or protective measures provided to victims to the greatest extent possible that does not otherwise prevent the university from providing such measures.

**Campus Disciplinary Procedure (Non-Criminal Process)**

Dating violence, domestic violence, sexual assault, and stalking are violations of the university's *Anti-Harassment Policy* and will be addressed accordingly. This policy seeks to encourage faculty, staff, and students to report and address incidents of harassment.

**Interim Measures <sup>2</sup>**

The University offers a wide range of resources for students and employees, whether as Complainants or Respondents, to provide support and guidance throughout the initiation, investigation and resolution of a report of discrimination or harassment. Upon receipt of a complaint, the University may take interim measures to address concerns regarding safety and well-being and facilitate the Complainant's continued access to University employment or education programs and activities. These measures may be both remedial (designed to address a Complainant's safety and well-being and continued access to educational opportunities) or protective (involving action against a Respondent). Remedial and protective measures, which may be temporary or permanent, may include no-contact directives, changes in class or work schedules, academic modifications and support, changes in University-owned living arrangements, interim suspension, University-imposed leave, suspension from employment, pre-disciplinary leave (with or without pay), or any other reasonably available measures that the University deems appropriate. Interim measures are available under both Informal and Formal Resolution Processes. Remedial measures are available regardless of whether a Complainant pursues a complaint or investigation under these Procedures. The ability to impose certain protective measures against a Respondent may require that the report be resolved through the Formal Resolution

---

<sup>2</sup> On October 10, 2016, this Annual Security Report was revised in order to reflect the updated versions of the following University policies and procedures: Procedures for Resolving Complaints of Discrimination and

Harassment (Appendix C), Anti-Harassment Policy (Appendix D), and the Violent Behavior Policy (Appendix E).



Process. The University will maintain the privacy of any remedial and protective measures provided to the extent practicable and will promptly address any violation of the protective measures.

### Processes

Complaints may be resolved by either the University's informal or formal process. Either process will be a prompt, fair, and impartial process from the initial investigation to the final result.

**The Informal Resolution Process** is designed to empower the parties to an Informal Complaint to reach a mutually satisfactory agreement. The Informal Resolution Process will be concluded by one of the following: (1) a decision to stop further action on the Informal Complaint, (2) a resolution of the Informal Complaint by agreement of the parties or (3) initiation of the Formal Resolution Process.

The Campus Equity Office will attempt to conclude the Informal Resolution Process within 30 days. Within 10 days following conclusion of the Informal Resolution Process, the Campus Equity Office must complete and submit a Status Report Form. A copy of the Status Report Form is to be submitted to the Vice President for Ethics and Compliance or Chancellor.

**A Formal Complaint** may be filed as the first course of action or following an Informal Complaint if there is no mutually acceptable resolution during the Informal Resolution Process. The University also may initiate an investigation in the absence of a Formal Complaint by a Complainant.

To file a Formal Complaint, a Complainant must complete the Complaint Information Form online, in person or via electronic mail. The complaint must be dated by the Complainant and describe the alleged incident(s) with the relevant date(s), name(s) of the Respondent(s) and name(s) of witness(es). The Campus Equity Office can provide assistance in completing the Complaint Information Form.

Formal Complaints or University-Initiated Investigations in which a student or recognized student organization is named as a Respondent will be adjudicated by the Dean of Students for each campus in accordance with Sections I and J of these Procedures.

Formal Complaints or University-Initiated Investigations against employees, including faculty and staff, will be

adjudicated by the appropriate Chancellor (or designee) or the Director pursuant to Sections I and J of these Procedures.

### Disciplinary Process Steps

Within 10 days of receipt of a Formal Complaint, the Chancellor, Dean of Students or Director will assign a University Investigator to investigate the Formal Complaint. Persons eligible to serve as University Investigators shall be designated by the Vice President for Ethics and Compliance. The University Investigator must have sufficient training and/or experience to conduct a thorough and impartial investigation.

The Chancellor, Dean of Students or Director will provide prompt notification, including a copy of the Formal Complaint or notice of allegations, to the Complainant, the Respondent(s), to the department head or supervisor and to the appropriate Vice President, Dean or head of other major unit. The Formal Complaint or notice of allegations will be delivered through certified or express mail, electronic mail or hand delivery. In the event the Respondent is a student or recognized student organization, the Dean of Students is the appropriate Dean. The notification to the Respondent(s) will include a copy of the Formal Complaint, or, in University-Initiated Investigations, a statement of allegations, and a copy of or link to the relevant University Policy and these Procedures.

The Respondent(s) will be requested to respond in writing to the Formal Complaint within a reasonable time, not to exceed 10 days from the date of certified or express mailing, electronic mailing or hand delivery of the notification of the Formal Complaint. Any extension of time must be approved by the Chancellor, Dean of Students or Director. In the event that an investigation is undertaken in accordance with Section I4 of these Procedures, a copy of the Respondent(s)' response will be provided to the Complainant.

In a University-Initiated Investigation, a Respondent will be provided with written notice of the allegations forming the basis of the University-Initiated Investigation, and Section I of these Procedures will govern such investigation to the greatest extent practicable.

A Complainant who may have been subject to discrimination or harassment that forms the basis of a University-Initiated Investigation shall (1) be provided with written notice that the University has commenced a

University-Initiated Investigation; (2) receive a copy of any written response submitted by the Respondent(s); (3) upon request, be afforded an opportunity to meet with the Chancellor, Dean of Students or Director and the panel in connection with the University-Initiated Investigation; (4) be provided with written notice of the determination of whether a violation of one or both of the Policies occurred and any sanction or remedial measures imposed in connection with the violation; and (5) be afforded the right to appeal such determination, sanctions or remedial measures in accordance with Section L.

As soon as practicable following appointment, the University Investigator will interview the Complainant. Within three days following the completion of his or her interview with the Complainant, the University Investigator will conduct an initial assessment and notify the Chancellor, Dean of Students or Director in writing as to (1) whether or not the allegations set forth in the Formal Complaint, if substantiated, would constitute a violation of one or both of the Policies and (2) whether or not there is reasonable cause to believe that the Respondent(s) has violated one or both of the Policies. If the University Investigator's notification indicates that such allegations, if substantiated, would not constitute a violation of one or both of the Policies or that there is not reasonable cause to believe that the Respondent(s) has violated one or both of the Policies, the Chancellor, Dean of Students or Director may dismiss the Complaint, and that decision shall be final. The Chancellor, Dean of Students or Director shall provide the Complainant and Respondent(s) with written notice of such dismissal.

In the event that the University Investigator's initial assessment and notification indicates that the allegations set forth in the Complaint, if substantiated, would constitute a violation of University policy and that there is reasonable cause to believe that the Respondent(s) has violated one or both of the Policies, or if the Chancellor, Dean of Students or Director determines that the matter should be investigated, the University Investigator will conduct a thorough fact-finding investigation and will meet separately with both the Complainant and the Respondent(s), interview pertinent witnesses and review relevant documents regarding the Formal Complaint. The University Investigator may consider all relevant information, including evidence of pattern or prior misconduct by the Respondent, credibility of the parties and witnesses, and in very limited circumstances, any prior sexual history of the Complainant with the Respondent. Both parties will be provided the

opportunity to provide information and names of witnesses to the University Investigator.

The investigation shall be completed within 30 days following the assignment of the Formal Complaint to the University Investigator, unless an extension of time for good cause is approved by the Chancellor, Dean of Students or Director.

Within seven days following the conclusion of the investigation, the University Investigator will prepare a preliminary report summarizing the information gathered and outlining the contested and uncontested information. The preliminary investigation report will not include any findings. The Complainant and the Respondent will be provided access to review the preliminary investigation report and may submit comments and additional information to the University Investigator in writing. The University Investigator will designate a reasonable time for this review and response by the parties, not to exceed five days. In the absence of good cause, information discoverable through the exercise of due diligence that is not provided to the University Investigator during the designated review and response period will not be considered in the determination of responsibility for a violation of one or both of the Policies.

As soon as practicable following consideration by the University Investigator of any information provided by the Complainant (or impacted party in the case of a University-Initiated Investigation) and/or Respondent, the University Investigator will submit a final investigation report to the Chancellor, Dean of Students or Director. The report will include findings based upon a preponderance of the evidence that (1) the allegations cannot be substantiated or some or all of the allegations are substantiated, (2) a statement as to whether the Formal Complaint was knowingly false or malicious, and (3) if material to the determination as to whether or not a violation of one or both of the Policies has occurred, an assessment of the credibility of the Complainant and the Respondent(s). No violation of University policy will be presumed unless a preponderance of the evidence standard supports the finding of a violation. This preponderance of the evidence standard requires that the facts and information supporting each finding are more convincing than the facts and information offered in opposition to such finding. The report will include the basis upon which the University Investigator reached their conclusions. The report also will include the University Investigator's determination of whether a violation of one or both of the Policies has occurred.

Within 15 days of receipt of the University Investigator's report, the Chancellor, Dean of Students or Director will convene a meeting with and seek advice from a three-member panel selected by the Chancellor, Dean of Students or Director from the Advisory Committee on Equity consisting of at least one participant who is a member of the faculty and one participant who is not a member of the faculty. At least two members of the panel shall be representatives of the campus from which the Formal Complaint originated. Prior to the meeting, members of the panel shall be furnished with a copy of the University Investigator's report and copies of any complaint or response of the parties. At the meeting, the panel will be afforded the opportunity to ask questions of the University Investigator. Upon request, the Complainant and the Respondent will be afforded an opportunity to meet with the Chancellor, Dean of Students or Director and the panel to make a brief statement and to answer any questions that they may have.

Within 10 days following the meeting with the panel from the Advisory Committee on Equity, the Chancellor, Dean of Students or Director shall make a written determination whether a violation of one or both of the Policies has occurred.

In the event the charge of discrimination and/or harassment is not substantiated following the written determination of the Chancellor, Dean of Students or Director, reasonable efforts may be taken to restore the Respondent(s) to their prior status.

At the West Lafayette campus, sanctions will be determined by the appropriate Vice President or Dean and the Director. In the event of a disagreement between the Director and the designated Vice President or Dean, the Director will refer the disagreement to the Provost for resolution. In the case of a student or recognized student organization, sanctions will be determined and imposed by the Dean of Students.

At the Fort Wayne and Northwest campuses, sanctions will be determined and imposed by the Chancellor (or designee), except that sanctions for students and recognized student organizations will be determined and imposed by the Dean of Students.

The Chancellor, Dean of Students or Director will send the Complainant and the Respondent the written determination and final outcome of the matter, including sanctions, if any, by certified or express mail, electronic

mail or hand delivery. The determination will include the rationale, a description of the parties' appeal rights and any changes in the outcome before it becomes final. The appropriate Vice President, Vice Chancellor, Vice Provost or Dean is responsible for imposing the sanction.

Sanctions will be decided on a case-by-case basis and will be in accordance with University policy. Possible sanctions for employees include, but are not limited to, the following: a letter of reprimand, suspension or leave of absence without pay, reassignment of teaching or other responsibilities, removal of graduate faculty certification, denial of a merit pay increase, demotion, probation or termination. Sanctions for students are listed in Regulations Governing Student Conduct and may include without limitation verbal or written warnings, restrictions, probation, probated suspension, suspension or expulsion.

Except as provided herein, sanctions imposed pursuant to these Procedures may not be appealed or made the subject of a grievance under any other University policy.

If the accused is a faculty member and the sanction has been to recommend termination of employment, the procedures for termination of a faculty member (as outlined in Executive Memorandum No. B-48 or its successor) will be followed; provided, however, that the report of the University Investigator and the written determination of the Chancellor or Director shall be accepted into evidence at the faculty member's termination hearing without the necessity of the Complainant testifying as a witness.

Remedial measures for students, faculty and staff will be decided on a case-by-case basis. Such measures may include providing an escort to ensure safe movement on campus; ensuring that the Complainant and Respondent do not share classes or extracurricular activities; reassignment of residence halls; tutoring or other academic support; arranging for extra time to complete or re-take a class or withdraw from a class without academic or financial penalty; job reassignment; targeted training for a group of students, faculty or staff; and other remedies that can be tailored to the needs of the parties.

The Complainant (or impacted party in the case of a University-Initiated Investigation) and the Respondent each have the right to appeal the decision of the Chancellor, Dean of Students or Director and imposition of any sanction to the Vice President for Ethics and Compliance. The appeal must be in writing and filed in person, via courier, or via postal or electronic mail within 10 days of the issuance of notification of the decision with



all supporting materials attached. Decisions not appealed within such time are deemed final.

The appeal shall consist of a concise and complete written statement outlining the grounds for appeal and all relevant information to substantiate the basis for the appeal. Appeals are not intended to open a new investigation of the complaint. In most cases, appeals are confined to a review of the written documentation and pertinent documentation regarding the grounds for appeal. The appeal will be conducted in an impartial manner.

The Vice President for Ethics and Compliance will issue a decision on the appeal to all parties involved. Normally this decision will be made within 10 days from the date the appeal was received. The Vice President for Ethics and Compliance may (1) uphold or reverse the finding, (2) decrease or increase the sanction(s), and/or (3) take other action as deemed appropriate by the Vice President for Ethics and Compliance. The written decision of the Vice President for Ethics and Compliance on the appeal shall constitute the University's final action.

**Possible Student Sanctions.** Sanctions for violations of the *Anti-Harassment Policy* are listed in Regulations Governing Student Conduct and may include without limitation the following:

- Verbal or written warnings
- Expulsion
- Suspension
- Exclusion from certain locations on campus
- Exclusion from certain campus activities
- Probated Suspension
- Probation
- No Contact Directives
- Educational Sanctions
- Community Service

**Possible Staff Sanctions.** Sanctions for violations of the *Anti-Harassment Policy* include but are not limited to the following:

- Letter of Reprimand
- Suspension or leave of absence without pay
- Reassignment of responsibilities
- Removal of graduate faculty certification
- Denial of merit pay increase
- Demotion
- Probated suspension

- Termination

### Advisor

Both a Complainant and a Respondent are entitled to an advisor or support person of their choice, and the advisor or support person may accompany the party to any meeting or proceeding under these Procedures. A Complainant may have an advisor or support person present when reporting discrimination and/or harassment or at any point in these Procedures. A Respondent also may have an advisor or support person present if and when the Respondent becomes a party to an Informal Resolution Process or a Formal Resolution Process. An advisor or support person may be an attorney, but an advisor or support person may not speak for or stand in place of either the Complainant or the Respondent, act as legal counsel for a party in the Informal Resolution Process or the Formal Resolution Process, or otherwise participate in the Informal Resolution Process or the Formal Resolution Process.

The University has the discretion to impose reasonable conditions upon the participation of an advisor or support person. The advisor or support person may not be a party or witness involved in the investigation.

### Written Notification

Throughout the process, both the accused and the accuser will be notified in writing the result of the disciplinary proceeding, the procedures for appeal, and any changes to result and when the results are final.

### Retaliation Prohibited

As outlined in the University's Anti-Harassment Policy, retaliation against any person for reporting or complaining of discrimination and/or harassment, assisting or participating in the investigation of a complaint of discrimination and/or harassment, or enforcing University Policies with respect to discrimination and/or harassment is strictly prohibited. Overt or covert acts of reprisal, interference, restraint, penalty, discrimination, intimidation or harassment against an individual or group for exercising rights or performing duties under these Procedures will be subject to appropriate and prompt disciplinary or remedial action.

### Written Notifications

Purdue University provides written notification to all students and employees of existing services available for

victims, both within the institution and within the Greater Lafayette community.

Purdue University Police or other University entities including but not limited to the Vice President for Ethics and Compliance, Office of the Dean of Students, Human Resources, and the Center for Advocacy, Response and Education (CARE) also provide written notification to all student and employee dating violence, domestic violence, sexual assault, and stalking victims about existing counseling services, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available for victims, both within the institution and in the community.

Such accommodations will be provided upon request, provided that they are reasonably available, regardless of whether the victim chooses to report the crime to campus local law enforcement. Written information about the rights, options, and services available to victims of dating violence, domestic violence, sexual assault, or stalking (described above), is provided to all students and employees who report such an instance. To request changes in, or assistance with how to request changes to academic, living, transportation, and working situations or protective measures, contact one of the services listed below.

The University is committed to providing a number of support services to University community members who experience Sexual Harassment, Sexual Violence, Sexual Exploitation, Stalking or Relationship Violence incidents. Resources available to University community members include a variety of campus and community-based service providers and professionals.

Additionally, Purdue provides its students with professional staff who can assist students who have been subjected to Sexual Harassment, Sexual Violence, Sexual Exploitation, Stalking or Relationship Violence with academic and advocacy/support services. Professional staff within the Office of the Dean of Students is available to assist students with the imposition of interim remedial and protective measures set forth in Section E3, including the following:

- Coordination of services.
- Academic adjustments, including processing absence notifications.
- Housing reassignments and assistance with emergency housing needs.
- Support during the campus disciplinary process, including in-person attendance at all meetings and ongoing in-person support.
- Support during the law enforcement process, including in-person attendance at meetings with law enforcement and/or the prosecutor's office.
- Assistance in obtaining no-contact directives within the University.
- Assistance in obtaining a protective order through the local court system.

A list of counseling, advocacy and other support services for each campus is listed in [Appendix A](#) of the Procedures for Resolving Complaints of Discrimination and Harassment.

## Quick Contact Guide

### IPFW Police Department

911 or 260-481-6827

Support Services Building 102

(2101 E. Coliseum Blvd, Fort Wayne)

### Rape Crisis Hotline (24/7)

260-426-7273

888-311-7273 (toll-free)

### Victim's Assistance

260-427-1205

1 E. Main Street, Fort Wayne

### Sexual Assault Treatment Center (24/7)

260-423-2222

2270 Lake Avenue Suite 201, Fort Wayne

### YWCA

260-447-7233

800-441-4073 (toll-free)

1610 Spy Run Avenue, Fort Wayne

### IPFW Campus Clinic

260-481-5748

Walb Union, Room 234

### Office of the Dean of Students

260-481-6601

Walb Union, Room 111

### Title IX Coordinator

260-481-6106

Kettler Hall, Room 110P

# ALCOHOL AND OTHER DRUG INFORMATION

---

## Alcoholic Beverages

Use, possession, or distribution of alcoholic beverages is strictly regulated.

State law prohibits consumption or possession of alcoholic beverages by persons younger than 21 years old. The law also prohibits persons 21 or older from providing alcoholic beverages to minors. A person misrepresenting his or her age to obtain alcoholic beverages is in violation of the law.

With a few exceptions, such as pre-approved events in the John and Ruth Rhinehart Music Center, Walb Student Union, Williams Theatre, the Alumni Center, or the SCAN Garden, possession of alcoholic beverages on the IPFW campus is prohibited. Violators of alcohol policies are subject to the provisions of applicable state and federal laws as well as university disciplinary actions.

IPFW's alcohol policy is published and distributed annually to students and employees. Purdue's Alcohol and Drug-Free Campus and Workplace Policy (Executive Memorandum No. C-44) is available at Appendix F.

Assistance for both students and employees is available through university counseling programs. Personal counseling and referral are provided for students and their spouses through IPFW/Parkview Student Assistance Program (SAP) and for staff through the Employee Assistance Program (EAP).

## Illegal Drugs

Indiana state law and university regulations prohibit the use, possession, or distribution of controlled substances without a valid prescription. Violators of drug policies are subject to the provisions of applicable state and federal laws as well as university disciplinary actions.

Purdue's drug policy is published and distributed annually to students and employees. Purdue's Alcohol and Drug-Free Campus and Workplace Policy (Executive Memorandum No. C-44) is available at Appendix F.

Assistance for both students and employees is available through university counseling programs. Drug abuse counseling is provided by the Employee Assistance Program (EAP). Personal counseling and referral are provided for students and their spouses through

IPFW/Parkview Student Assistance Program (SAP).

## Educational Programming

The University currently offers the following Alcohol and Drug educational programming:

**AlcoholEdu:** A program that is assigned to alcohol violation offenders.

**Athlete Orientation Program** – All athletes at IPFW attend a yearly educational program and orientation that reviews the Code of Students Rights and Responsibilities, with specific discussion on alcohol and drug use, as well as sexual assault and harassment.

**Student organization officers and advisors** attend a mandatory orientation each where alcohol issues and policies are addressed.

**Athletic Training:** IPFW Athletics annually presents videos on banned substances and where they might appear. A list of banned substances and IPFW Athletics policies are also discussed.

**Alcohol Awareness Program:** This educational program is presented to resident assistants at the beginning of the fall semester by University Police. The program includes a presentation regarding the dangers of alcohol consumption.

**Drug Recognition and Identification:** This program is presented to resident assistants at the beginning of the fall semester by University Police. It provides education on a wide variety of drug related topics. Information on how to identify an individual under the intoxicating effects of drugs as well as how to identify specific drugs themselves is provided.

**Mastodons HERDS: Helping to Educate and Respond to Drinking Situations:** This is a program which allows active bystanders to report emergency situations that arise from unsafe alcohol or drug misuse. To induce this behavior, as a practice IPFW will waive charging a student with a violation of the Student Rights, Responsibilities, and Conduct if the reporting student calls for emergency assistance (911), stays with the student who is having a potential emergency situation, and complies with emergency officials by being forthright in providing

information. This practice will parallel and support the Indiana Lifeline law ([indianalifeline.org](http://indianalifeline.org)).

**Student Assistance Program:** This program offers alcohol education programming and counseling upon request. This program offers alcohol education programming and counseling done in conjunction with the Center for Healthy Living and the Office of the Dean of Students upon request. Screenings and assessments are offered for students and highlighted during Suicide Prevention Week, Mental Health Awareness Week, the Health Fair, and Drug and Alcohol Awareness Week.

**International Student Education:** The Office of the Dean of Students speaks with international students about the alcohol and drug policies at the start of both fall and

spring semesters. The Office of the Dean of Students, The Office of Institutional Equity, and the Student Assistance Program speaks with international students about the alcohol and drug policies at the start of both fall and spring semesters.

**TIPS:** When requested, this training program is offered to all groups that host events where alcohol will be served.

**Resident Assistant Training:** Resident assistants are trained on policies and warning signs in August. The resident assistants conduct training programs for their residents.

# EMERGENCY PREPAREDNESS

---

[www.ipfw.edu/dotAsset/240512.pdf](http://www.ipfw.edu/dotAsset/240512.pdf)

The Campus Crisis Management Committee is responsible for the emergency preparedness and planning activities on the IPFW campus. The Campus Crisis Management Committee partners with the University Police, local fire departments, and other offices, agencies, and departments (as applicable) in developing the Crisis Response Plan. Our goal is to provide a means to utilize all available resources to **PREPARE** for potential emergencies or disasters whenever possible and deal efficiently with the effects of inevitable events, **RESPOND** to save lives and protect property, and promote a means to **RECOVER** mission-critical business and academic operations.

IPFW has adopted the National Incident Management System (NIMS), which is a comprehensive, national approach to incident management that is applicable to all jurisdictional levels and across functional disciplines. A key part of NIMS is the Incident Command System (ICS). ICS is a field emergency management system designed for all hazards and levels of emergency response. It provides the framework for IPFW first responders to react to any incident or major event. IPFW University Police personnel meet all ICS training requirements.

## Emergency Procedures Handbook

The handbook provides basic “how to” information to help the campus community respond to emergencies. While it is impossible to produce a document that is all-inclusive, this publication addresses the most common emergencies and those that are most likely to occur in the future. The Handbook is available at [www.ipfw.edu/dotAsset/240512.pdf](http://www.ipfw.edu/dotAsset/240512.pdf).

## Tornadoes

A tornado watch is issued when conditions are favorable for tornado formation. A tornado warning is issued when a tornado has been detected and may

be approaching. In this locality, a continuous siren signal lasting approximately three minutes signifies a tornado warning. Tornado warnings are broadcast by the All-Hazards Outdoor Emergency Warning sirens, NOAA weather radios, and by local commercial radio and television stations. When you hear a tornado warning, you should take shelter immediately in the nearest facility (preferably in a reinforced concrete building — like most buildings on campus) and proceed to the lowest level of the building away from windows and doors. If possible, avoid auditoriums, gymnasiums, and other areas with wide-span roofs. Be prepared to kneel and cover your head. If you are in a building with no basement, get under heavy furniture near the center of the facility. Do not remain in a trailer or mobile home. If you are outdoors, lie flat in the nearest depression, ditch, or ravine. Remain in the sheltered area until the all-clear signal is given via radio or television or the expiration of the original tornado warning.

## Annual Emergency Response and Evacuation Procedures Tests

IPFW conducted active shooter and evacuation exercises. Building coordinators were appointed for each building on campus to forward to University Police reports made by students, faculty, staff, or visitors of suspicious activity or something “not looking right.”

After Action Reviews (AARs) were conducted after the exercises with all affected departments to discuss lessons learned.

- **Tornado procedures:** May 11, 2015
- **Fire drills:** September 1, 2015
- **Student Housing fire drills:** March 16 and August 31, 2015
- **Panic alarms tested:** July 16, 2015
- **IPFW safety alert test for students:** October 6, 2015
- **Winter weather procedures alert:** November 20, 2015



### **Emergency Building Evacuation for Persons with Disabilities**

In the event of an emergency that may require the evacuation of a campus building, the following procedures are recommended:

- ☑ If you are able to be evacuated, please do so at that time. Remember to use the stairs if able. Never use the elevator during a fire alarm.
- ☑ If not, “shelter in place” in an area with no immediate hazards and telephone 911. Advise the police dispatcher of your location. The use of 911 routinely identifies your location if you are calling from a Purdue University land-line phone. Even if you are unable to speak, the dispatcher will automatically surmise that you may be in trouble and will respond accordingly.
- ☑ If you are unable to call 911, advise others around you of your location and have them inform emergency personnel.
- ☑ If you are in no immediate danger, remain where you are and wait for emergency personnel to arrive.
- ☑ If you are in immediate danger, move to an area where you can “shelter in place” (recommended areas such as a room with an outside window or a room with a sprinkler system, if available).
- ☑ You are also encouraged to carry a sounding device (like a small whistle), flashlight, and cell phone to alert emergency personnel of your location.
- ☑ Having a plan for evacuation assistance and practicing it may save your life. It is best to pre-plan for such an eventuality. Arrangements can be made to reasonably assure that assistance is provided to anyone who requires it.

# FIRE SAFETY REPORT

---

The Higher Education Opportunity Act (Public Law 110-315) became law in August 2008. It requires all United States academic institutions that maintain on-campus housing facilities to produce an annual fire safety report outlining fire safety practices, standards, and all fire-related on-campus statistics. Beginning October 1, 2010, it became a Clery obligation as well.

The following public disclosure report details all information required by this law as it relates to the IPFW Campus.

## General Statement

At IPFW, all residence halls are protected with integrated fire sprinkler systems and redundant fire alarm monitoring systems which are monitored 24 hours/day, seven days/week.

## Fire Safety Improvements and Upgrades

The Campus Safety Office reviews the fire systems in all residence halls and will make upgrades, repairs or revisions when problems are identified. There are currently no further fire safety improvement projects.

## Residence Hall Fire Drills

Fire drills are held once a semester, fall and spring, for each residence hall. Fire drills are mandatory supervised evacuations of a building for a fire. The fire drill is scheduled with the Student Housing Director, the university police department, and the individual residence hall staff. Supervised fire drills are scheduled at a time that is conducive to demonstrate the effectiveness of the drill. A total of two fire drills were held during 2015.

Evacuation route maps are posted in each resident room showing the closest egress route and the assembly area outside. Students who fail to leave the building during a fire drill are counseled and the incident is turned over to the Student Housing Director for adjudication.

False reporting of an emergency is unlawful. We prohibit unauthorized use of or tampering with emergency or safety equipment. Interference with and/or non-adherence to emergency evacuation procedures is unlawful. Blocking open any fire door, locked door, or passing through any door where security alarms are set is prohibited. Tampering with emergency equipment and/or safety equipment can result in university disciplinary sanctions and or arrest. Always keep hallways and

stairwell smoke doors closed. Do not reenter the building until you hear an all-clear signal.

When a fire alarm sounds, you must:

- Close room windows
- Leave room lights on
- Close room doors
- Walk calmly to the nearest exit and continue outside and away from the building

Do not use the elevators during a fire or a fire drill. YOU MUST EVACUATE THE BUILDING WHENEVER THE FIRE ALARM IS SOUNDED. General rules for campus and student housing evacuations are:

- Wear shoes and a coat
- Walk calmly when exiting the building
- Remember to exit the building using the closest exit or exit stairway. Never use an elevator when evacuating a burning building.
- Remember others will be using the same exit, so remain calm and orderly and move away from the doorway
- Remain at your assigned place outside the building until you are given the signal to return
- If you see a fire or smoke, pull the nearest alarm and notify someone on staff, then evacuate. Students reporting a fire should call 911 after exiting the building.

## Fire Life Safety Education

The university residence policy on evacuation from residence halls is discussed with all residents when they move into the residence hall and are located in the Student Housing Handbook. Resident assistants view a fire training video and are educated on the use of fire extinguishers and locations of fire exit doors. Resident assistants conduct a training session with all residents on fire safety education at the beginning of the fall semester and spring semesters.

## Student Housing Policies

The university residence policy on fire safety is to prohibit usage of certain portable electrical appliances, open flames, and smoking in individual rooms. Candles or open flame are prohibited in residence halls. There are limits on the number electrical appliances allowed in a specific

room. The prohibited appliances include, but are not limited to space heaters, halogen lamps, and other heating devices.

IPFW prohibits smoking in any of the residence halls. Smoking is permitted only in designated outdoor smoking areas.

### Fire/Life Safety Inspections

During the academic semester university residence staff personnel conduct fire/life inspections. Students are notified of all upcoming inspections and are urged to participate.

During the inspection if a violation is found, the student(s) will receive a letter indicating what the violation was and will be expected to meet immediate compliance. If the violations have not been corrected after an unannounced re-inspection, the occupant(s) will be subject to disciplinary action.

Some common violations are as follows:

- Extension cords and multi-tap electric units without a breaker
- Items stored closer than 18 inches from a sprinkler head
- Blocking of electrical panels
- Blocking of egress (exit) pathways
- Evidence of burning of candles, incense, or tobacco products
- Evidence of cooking; or cooking appliances, even if unused
- Evidence of a heavy load of combustibles in a room, on the walls, or ceiling
- Covering a door with paper or other combustible material
- Use of electrical wiring, devices, appliances which are modified or damaged
- Use of portable heater
- Tampering with smoke detector, including removing the battery
- Use of halogen lamp/lighting
- Unsafe lofting or raising of beds — including beds with no guardrails
- Strings of lights, twinkle lights, holiday lights
- Any other situation deemed unsafe by the staff inspector

### Reporting a Fire

Students reporting a fire should call 911. If the fire event is no longer a danger they should contact the Student Housing director, or assistant director to report the

incident to the police department for purposes of investigation and inclusion of a fire in the Annual Fire Safety Report.

### Fire Statistics Definitions

**Fire** – Any instance of open flame or other burning in a place not intended to contain the burning or in an uncontrolled manner.

**Fire drill** – A supervised practice of a mandatory evacuation of a building for a fire.

**Fire-related injury** – Any instance in which a person is injured as a result of a fire, including an injury sustained from a natural or accidental cause while involved in fire control, attempting rescue, or escaping from the dangers of the fire. The term person may include students, faculty, staff, visitors, firefighters, or any other individuals.

**Fire-related death** – Any instance in which a person is killed as a result of a fire, including death resulting from a natural or accidental cause while involved in fire control, attempting rescue, or escaping from the dangers of a fire, or deaths that occur within one year of injuries sustained as a result of the fire.

**Fire safety system** – Any mechanism or system related to the detection of a fire, the warning resulting from a fire, or the control of a fire including: Sprinkler or other fire extinguishing systems, Fire detection devices, standalone smoke alarms, devices that alert one to the presence of a fire, such as horns, bells, or strobe lights, smoke-control and reduction mechanisms, and Fire doors and walls that reduce the spread of a fire.

**Value of Property Damage** – The estimated value of the loss of the structure and contents, in terms of the cost of replacement in like kind and quantity, including: contents damaged by fire, related damages caused by smoke, water, and overhaul, however it does not include indirect loss, such as business interruption.

### Fire Log

A Fire Log kept at the IPFW University Police Department is open to the public during normal business hours. The Log reflects any fire that occurred in an on-campus student housing facility, and includes information such as the nature, date, time and general location of each fire for the most recent 60-day period. The Fire Log entry, or an addition to an entry, shall be made within two business

days of the receipt of information. Any portion of the log older than 60 days will be available within two business days

of a request for public inspection.

## STATISTICS AND INFORMATION REGARDING FIRES IN IPFW RESIDENTIAL HALLS

2013							
RESIDENTIAL FACILITIES	TOTAL FIRES IN EACH BUILDING	FIRE NUMBER	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*	FIRE DRILLS
Cole Commons	0		N/A	0	0	N/A	0
A	0		N/A	0	0	N/A	1
B	0		N/A	0	0	N/A	1
C	0		N/A	0	0	N/A	1
D	0		N/A	0	0	N/A	1
E	0		N/A	0	0	N/A	1
F	0		N/A	0	0	N/A	1
G	1	13I002044	Burnt cooking	0	0	\$0	1
H	0		N/A	0	0	N/A	1
I	0		N/A	0	0	N/A	1
J	0		N/A	0	0	N/A	1
K	1	13I003985	Grease fire	0	0	\$0	1
L	0		N/A	0	0	N/A	1
M	0		N/A	0	0	N/A	1
Clubhouse	0		N/A	0	0	N/A	1

## 2014

RESIDENTIAL FACILITIES	TOTAL FIRES IN EACH BUILDING	FIRE NUMBER	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*	FIRE DRILLS
Cole Commons	0	0	N/A	0	0	0	0
A	0	0	N/A	0	0	0	2
B	0	0	N/A	0	0	0	2
C	0	0	N/A	0	0	0	2
D	0	0	N/A	0	0	0	2
E	0	0	N/A	0	0	0	2
F	2	14l002477 14l000967	Burned food pizza box oven	0	0	\$0	2
G	0	0	0	0	0	0	2
H	0	0	N/A	0	0	0	2
I	0	0	N/A	0	0	0	2
J	0	0	N/A	0	0	0	2
K	0	0	0	0	0	0	2
L	0	0	N/A	0	0	0	2
M	0	0	N/A	0	0	0	2
Clubhouse	0	0	N/A	0	0	0	2

2015							
RESIDENTIAL FACILITIES	TOTAL FIRES IN EACH BUILDING	FIRE NUMBER	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*	FIRE DRILLS
Cole Commons	0	0	N/A	0	0	0	0
A	0	0	N/A	0	0	0	2
B	0	0	N/A	0	0	0	2
C	0	0	N/A	0	0	0	2
D	0	0	N/A	0	0	0	2
E	0	0	N/A	0	0	0	2
F	2	141002477 141000967	Burned food Pizza box in oven	0	0	\$0	2
G	0	0	N/A	0	0	0	2
H	0	0	N/A	0	0	0	
I	0	0	N/A	0	0	0	2
J	1	0	Cell phone caught fire	0	0	\$100-\$999	2
K	1	0	Smoking caused damage to counter top	0	0	\$350	2
L	0	0	N/A	0	0	0	2
M	0	0	N/A	0	0	0	2
Clubhouse	0	0	N/A	0	0	0	2

\*Values are in dollars.



## FIRE PREVENTION SYSTEMS

BUILDING	ALARM PANEL	SMOKE DETECTORS	SMOKE ALARMS	AUDIBLE HORNS	VISUAL STROBES	SPRINKLER SYSTEM	FIRE PUMP	PULL STATIONS	FIRE EXTINGUISHERS
Cole Commons	X	X	X	X	X	X	-	X	X
A	X	X	X	X	X	X	-	X	X
B	X	X	X	X	X	X	-	X	X
C	X	X	X	X	X	X	-	X	X
D	X	X	X	X	X	X	-	X	X
E	X	X	X	X	X	X	-	X	X
F	X	X	X	X	X	X	-	X	X
G	X	X	X	X	X	X	-	X	X
H	X	X	X	X	X	X	-	X	X
I	X	X	X	X	X	X	-	X	X
J	X	X	X	X	X	X	-	X	X
K	X	X	X	X	X	X	-	X	X
L	X	X	X	X	X	X	-	X	X
M	X	X	X	X	X	X	-	X	X
Clubhouse	X	X	X	X	X	X	-	X	X

# Campus Security and Crime Statistics (IV.A.2)

Volume IV: Facilities and Safety  
Chapter A: Safety  
Responsible Executive: Treasurer and Chief Financial Officer  
Responsible Office: Environmental Health and Public Safety  
Date Issued: January 31, 2000  
Date Last Revised: January 29, 2015

**Table of Contents**

- [Contacts](#)
- [Statement of Policy](#)
- [Reason for This Policy](#)
- [Individuals and Entities Affected by This Policy](#)
- [Exclusions](#)
- [Responsibilities](#)
- [Definitions](#) (defined terms are capitalized throughout the document)
- [Related Documents, Forms and Tools](#)
- [Website Address for This Policy](#)
- [History and Updates](#)
- [Appendix](#)

**Contacts**

Subject	Contact	Telephone	E-mail/Web Address
Policy Clarification	Senior Director, Environmental Health and Public Safety	765-494-7504	<a href="mailto:ehps@purdue.edu">ehps@purdue.edu</a>
Request a Copy of the Calumet Campus Annual Report	Police Department	219-989-2220	<a href="http://webs.purduecal.edu/police/">webs.purduecal.edu/police/</a>
Request a Copy of the Fort Wayne Campus Annual Report	Police Department	260-481-6827	<a href="http://www.ipfw.edu/police/">www.ipfw.edu/police/</a>
Request a Copy of the Calumet Campus Annual Report	North Central Campus Police Department	219-785-5220	<a href="http://www.pnc.edu/pd/">www.pnc.edu/pd/</a>
Request a Copy of the West Lafayette Campus Annual Report	Police Department	765-494-8221	<a href="http://www.purdue.edu/police/">www.purdue.edu/police/</a>

**Statement of Policy**

Purdue University strives to provide a safe and secure campus environment to students, faculty, staff, and visitors. To promote the safety and security of our university community, the university has developed and supports numerous programs and activities relating to crime awareness, crime education and crime prevention. Additionally, the university’s policies and procedures prohibit violence in the workplace ([policy IV.A.3, Violent Behavior](#)), drugs and alcohol in the workplace and on Campus ([Executive Memorandum No. C-44, Alcohol- and Drug-Free Campus and Workplace Policy](#)), and possessing or storing firearms or other weapons in University facilities ([policy IV.B.1, Regulations Governing the Use and Assignment of University Facilities](#)). The university also maintains a professionally trained police force at each of its campuses. In addition to its academic programs offered at Purdue's campuses, the university offers organized programs of study at several other locations. Each of these separate campuses has a memorandum of understanding with the local police department. Based upon the university’s commitment to providing students, faculty, staff, and visitors with a safe and secure campus

environment and its obligations under the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act) and the Higher Education Opportunity Act, the senior director of environmental health and public safety at the West Lafayette campus, the vice chancellors responsible for campus security at the regional campuses and the directors of the university's separate campuses are charged with the responsibilities of developing, disseminating, administering, and updating procedures to comply with the Clery Act and the Higher Education Opportunity Act. These procedures are set forth in the university's Operating Procedures for Gathering and Reporting Crime Statistics.

### Reason for this Policy

To make campuses safer by ensuring that students, prospective students, employees, prospective employees, and visitors are informed about campus safety and security. To comply with federal laws regarding Campus safety, including the Clery Act and the Higher Education Opportunity Act.

### Individuals and Entities Affected by this Policy

- All university community members
- Prospective students
- Prospective employees

### Exclusions

There are no exclusions to this policy.

### Responsibilities

#### Office of the Vice President for Ethics and Compliance (VPEC)

- Provide guidance for the development, dissemination, administration, and update of procedures to comply with the Clery Act and the Higher Education Opportunity Act
- Identify and train campus security authorities annually
- Maintain a database of current campus security authorities

#### Senior Director, Environmental Health and Public Safety (West Lafayette), Vice Chancellors Responsible for Campus

#### Security (Regional Campuses) and Directors of Separate Campuses

- Develop, disseminate, administer, and update procedures to comply with the Clery Act and the Higher Education Opportunity Act in consultation with the Office of the VPEC
- Distribute the Annual Security and Fire Safety Report as outlined in section I of the Operating Procedures
- Make an annual report to the U.S. Secretary of Education as outlined in section III of the Operating Procedures
- In consultation with University Police, make emergency notifications and timely warnings as necessary
- In consultation with University Police and, on the West Lafayette campus, the Purdue Fire Department, conduct regular tests to assess and evaluate emergency plans and capabilities.

#### University Police

- Record and gather crime statistics that must be reported in the Annual Security and Fire Safety Report.

- Prepare, publish and disseminate the Annual Security and Fire Safety Report as outlined in section I of the Operating Procedures
- In consultation with the senior director, environmental health and public safety (West Lafayette), vice chancellors responsible for campus security (regional campuses), and directors of separate campuses, make emergency notifications and timely warnings as necessary
- Prepare and maintain a daily crime log and make the crime log available to the public

#### Purdue Fire Department (West Lafayette) and University Police Chiefs (Regional Campuses) and Directors of Separate Campuses

- Gather fire safety statistics that must be reported in the Annual Security and Fire Safety Report
- Prepare and maintain a daily fire log and make the fire log available to the public

### Definitions

All defined terms are capitalized throughout the document.

Additional defined terms may be found in the central [Policy Glossary](#).

Some terms may only be used in the associated Operating Procedures for Gathering and Reporting Crime Statistics.

### Campus

Any building or property owned or controlled by the university within the same reasonably contiguous geographic area of the university and used by the university in direct support of, or in a manner related to, the University's educational purposes, including residence halls; and property within the same reasonably contiguous geographic area of the university that is owned by the university but controlled by another person, is used by students and supports institutional purposes (such as a food or other retail vendor).

### Campus Security Authority

A campus law enforcement unit; any individual or individuals who have responsibility for campus security but who do not constitute a University Police department or a campus security department; any individual or organization specified in the university's statement of Campus security policy as the individual or organization to whom students and employees should report criminal offenses; and an official of the university, who has significant responsibility for student and campus activities, but does not have significant counseling responsibilities.

### Drug-related Violations

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

### Fire-related Death

Any instance in which a person is killed as a result of a fire, including death resulting from a natural or accidental cause, while involved in

fire control, attempting rescue or escaping from the dangers of a fire; or any instance in which a person dies within one year of injuries sustained as a result of a fire. The term “person” may include students, employees, visitors, firefighters or any other individuals.

### **Fire-related Injury**

Any instance in which a person is injured as a result of a fire, including an injury sustained from a natural or accidental cause, while involved in fire control, attempting rescue or escaping from the dangers of the fire. The term “person” may include students, employees, visitors, firefighters or any other individuals.

### **Liquor Law Violations**

The violation of laws or ordinances prohibiting: the manufacture, sale, transporting, furnishing or possession of intoxicating liquor; maintaining unlawful drinking places; bootlegging; operating a still; furnishing liquor to a minor or intemperate person; using a vehicle for illegal transportation of liquor; drinking on a train or public conveyance; and all attempts to commit any of the aforementioned. (Drunkness and driving under the influence are not considered Liquor Law Violations under this policy.)

### **Non-Campus Building or Property**

Any building or property owned or controlled by the university that is used in direct support of, or in relation to, the university's educational purposes, is frequently used by students and is not within the same reasonably contiguous geographic area of the university; and any building or property owned or controlled by a student organization recognized by the university.

### **Prospective Employee**

An individual who has contacted the university for the purpose of requesting information concerning employment with that institution.

### **Prospective Student**

An individual who has contacted the university requesting information concerning admission to that institution.

### **Public Property**

All public property that is within the same reasonably contiguous geographic area of the university, such as a sidewalk, a street, other thoroughfare or parking facility, or is adjacent to a facility owned or controlled by the university if the facility is used by the university in direct support of, or in a manner related to, the university's educational purposes.

### **Separate Campus**

A facility that is owned or controlled by the university, but is not reasonably contiguous with the main campus, has an organized program of students and has at least one administrator.

### **Test**

Regularly scheduled drills, exercises and appropriate follow-through activities designed for assessment and evaluation of emergency plans and capabilities.

### **Weapons Possession**

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

### **Related Documents, Forms and Tools**

[Operating Procedures for Gathering and Reporting Security and Crime Statistics](http://www.purdue.edu/ehps/police/procedures.html): [www.purdue.edu/ehps/police/procedures.html](http://www.purdue.edu/ehps/police/procedures.html)

- [Alcohol- and Drug-Free Campus and Workplace Policy \(Executive Memorandum C-44\)](http://www.purdue.edu/policies/facilities-safety/c-44.html): [www.purdue.edu/policies/facilities-safety/c-44.html](http://www.purdue.edu/policies/facilities-safety/c-44.html)
- [Regulations Governing the Use and Assignment of University Facilities \(IV.B.1\)](http://www.purdue.edu/policies/facilities-safety/ivb1.html): [www.purdue.edu/policies/facilities-safety/ivb1.html](http://www.purdue.edu/policies/facilities-safety/ivb1.html)
- [Violent Behavior \(IV.A.3\)](http://www.purdue.edu/policies/facilities-safety/iva3.html): [www.purdue.edu/policies/facilities-safety/iva3.html](http://www.purdue.edu/policies/facilities-safety/iva3.html)

[Purdue University West Lafayette Fire Department](http://www.purdue.edu/fire/): [www.purdue.edu/fire/](http://www.purdue.edu/fire/)

### **Website Address for this Policy**

[www.purdue.edu/policies/facilities-safety/iva2.html](http://www.purdue.edu/policies/facilities-safety/iva2.html)

### **History and Updates**

January 29, 2015: Policy revised to comply with changes in federal legislation. Updates to the policy include 1) a definition for separate campus, 2) responsibilities for directors of separate campuses, 3) stated responsibilities for conducting tests and issuing emergency notifications and timely warnings, 4) responsibilities for the Office of the VPEC and 5) the conversion of the policy to the current template, which separates the procedures from the policy.

November 18, 2011: Policy number changed to IV.A.2 (formerly I.2.2) and website address updated. Links to other policies also updated throughout.

July 1, 2010: This policy supersedes Executive Memorandum No. C-49, Campus Crime Statistics and Security Policy and Procedure, dated January 31, 2000.

### **Appendix**

There are no appendices to this policy.

# Operating Procedures for Gathering and Reporting Crime Statistics

---

These procedures supplement the policy on [Campus Security and Crime Statistics \(IV.A.2\)](#). Please refer to the policy for contact information and applicable definitions.

Effective date: January 29, 2015

## I. Annual Security and Fire Safety Report

- A. Current Students and Employees:** The senior director of environmental health and public safety (West Lafayette), the vice chancellors responsible for security (regional campuses) and the directors of the university's separate campuses, or their designees, will distribute, by October 1 of each year, an Annual Security and Fire Safety Report to all current students and employees of their respective campuses. The report will be distributed to each individual by U.S. mail, campus mail, electronic mail, or through publications provided directly to each individual.
- B. Prospective Students and Employees:** Notice of the Annual Security and Fire Safety Report's availability, including a description of the report's contents, and the opportunity to request a copy of the report will be provided to prospective students and employees. The report will be provided upon request to all prospective students and prospective employees.
- C. Contents of the Annual Security and Fire Safety Report:** The Annual Security and Fire Safety Report will contain at least the following information regarding each campus's security and fire policies and statistics:
  1. **Campus Policies Regarding Criminal Actions and Emergencies:** A statement of current campus policies regarding procedures and facilities for students and others to report criminal actions or other emergencies occurring on campus and policies concerning the campus's response to such reports, including:
    - a. Policies for making timely warning reports to members of the campus community regarding the occurrence of crimes described in paragraph I.C.13 below;
    - b. Policies for preparing the annual disclosure of crime statistics;
    - c. A list of the titles of each person or organization to whom students and employees should report the criminal offenses described in paragraph I.C.13 below for the purpose of making timely warning reports and the annual statistical disclosure; and
    - d. A disclosure of whether the university has any policies or procedures that allow victims or witnesses to report crimes on a voluntary, confidential basis for inclusion in the annual disclosure of crime statistics, and, if so, a description of those policies and procedures.
  2. **Campus Security and Access Policies:** A statement of current policies concerning security and access to campus facilities, including campus residences, and security considerations used in the maintenance of campus facilities.
  3. **Campus Policies Concerning Law Enforcement:** A statement of current policies concerning campus law enforcement, including:
    - a. The enforcement authority of University Police, including their working relationship with Indiana and local police agencies and their authority to make lawful arrests;
    - b. Policies that encourage accurate and prompt reporting of all crimes to the University Police and appropriate police agencies; and
    - c. Procedures, if any, that encourage professional and/or pastoral counselors, if and when they deem it appropriate, to inform the individuals they are counseling of any procedures to report crimes on a voluntary, confidential basis for inclusion in the annual disclosure of crime statistics.
  4. **Security Programs Offered to Students and Employees:** A description of the type and frequency of programs 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.
  5. **Crime Prevention Programs:** A description of programs designed to inform students and employees about the prevention of crimes.
  6. **Monitoring Criminal Activity at Off-Campus Student Organizations:** A statement of policy concerning the monitoring and recording through local police agencies of criminal activity at off-campus student organizations that are recognized by the university and that are engaged in by students attending the University, including those student organizations with non-campus buildings or property.
  7. **Alcohol and Drug Policies:** A statement of policy regarding:

- a. The possession, use and sale of alcoholic beverages and enforcement of Indiana underage drinking laws
  - b. The possession, use and sale of illegal drugs and enforcement of Federal and Indiana drug laws;
  - c. A description of any drug or alcohol abuse education programs as required under 20 U.S.C.145g; and
  - d. A description of the university's Alcohol- and Drug-Free Campus and Workplace Policy.
8. Dating Violence, Domestic Violence, Sexual Assault and Stalking Programs and Procedures: A statement of policy regarding campus dating violence, domestic violence, sexual assault, and stalking programs designed to prevent such acts, including:
- a. A description of primary prevention and awareness programs for all incoming students and new employees, which must include:
    - i. A statement that the university prohibits the crimes of dating violence, domestic violence, sexual assault, and stalking;
    - ii. The definition of "dating violence," "domestic violence," "sexual assault," and "stalking" in the state of Indiana;
    - iii. A statement that Indiana law does not define "consent" in reference to sexual activity;
    - iv. A description of safe and positive options for bystander intervention;
    - v. Information on risk reduction;
    - vi. Procedures victims should follow if a crime of dating violence, domestic violence, sexual assault, or stalking has occurred (and information outlined in section I.C.8.b below);
    - vii. Information about how the university will protect the confidentiality of victims and other necessary parties;
    - viii. A statement that the university will provide an individual who reports that s/he has been the victim of dating violence, domestic violence, sexual assault, or stalking, regardless of location, a written explanation of the individual's rights and options; and
    - ix. A description of the procedures for university disciplinary action in cases of alleged dating violence, domestic violence, sexual assault, and stalking.
  - b. Procedures victims should follow if a crime of dating violence, domestic violence, sexual assault or stalking has occurred, including written information about:
    - i. The importance of preserving evidence that may assist in proving that the alleged criminal offense occurred or may be helpful in obtaining a protection order
    - ii. How and to whom the alleged offense should be reported;
    - iii. Options about the involvement of law enforcement and campus authorities, including notification of the victim's option to:
      - I. Notify proper law enforcement authorities, including University Police and local police;
      - II. Be assisted by campus authorities in notifying law enforcement authorities if the victim so chooses; and
      - III. Decline to notify such authorities.
    - iv. The rights of victims for orders of protection issued by a criminal or civil court and the university's responsibilities for orders of no-contact directives issued by the university.
  - c. Information about how the university will protect the confidentiality of victims and other necessary parties, including how the University will:
    - i. Complete publicly available recordkeeping, for purposes of Clery Act reporting and disclosure, without the inclusion of identifying information about the victim; and
    - ii. Maintain as confidential any accommodations or protective measures provided to the victim, to the extent that maintaining such confidentiality would not impair the ability of the university to provide such accommodations or protective measures.
  - d. A statement that the university will provide written notification to students and employees about existing on- and off-campus counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, and other services available for victims of dating violence, domestic violence, sexual assault, or stalking.
  - e. A statement that the university will provide written notification to victims about options for, and available assistance in, changing academic, living, transportation, and working situations. The university must make such accommodations requested by the victim if they are reasonably available, regardless of whether the victim chooses to report the crime to University Police or local law enforcement.
  - f. Procedures for campus disciplinary action in cases of alleged dating violence, domestic violence, sexual assault, and stalking, which must include:
    - i. A description of each type of disciplinary proceeding used by the university; the steps, anticipated timelines and decision-making process for each type of disciplinary proceeding; and how the



- university determines which type of proceeding to use based on the circumstances of an allegation of dating violence, domestic violence, sexual assault or stalking;
- ii. A description of the standard of evidence that is used in disciplinary proceedings involving allegations of dating violence, domestic violence, sexual assault, or stalking;
  - iii. A list of all possible sanctions the university may impose following the results of a disciplinary proceeding for allegations of dating violence, domestic violence, sexual assault, or stalking;
  - iv. A description of the range of protective measures that the university may offer following an allegation of dating violence, domestic violence, sexual assault, or stalking;
  - v. A statement that disciplinary proceedings will:
    - I. Include a prompt, fair, and impartial process from the initial investigation to the final result
    - II. Be conducted by officials who, at a minimum, receive annual training on the issues related to dating violence, domestic violence, sexual assault, and stalking and on how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability;
    - III. Provide the complainant and respondent with the same opportunities to have others present during any disciplinary proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice;
    - IV. Not limit the choice of advisor or presence for either the complainant or respondent in any meeting or disciplinary proceeding; however, the university may establish restrictions regarding the extent to which the advisor may participate in proceedings provided that such restrictions apply equally to both parties; and
    - V. Require simultaneous notification, in writing, to both the complainant and the respondent of:
      - I. The result of any disciplinary proceeding arising from an allegation of dating violence, domestic violence, sexual assault, or stalking;
      - II. The university's procedures for the complainant and respondent to appeal the result of the disciplinary proceeding, if appeals are provided;
      - III. Any change to the result; and
      - IV. When such results become final.
9. Sex and Violent Offender Registry: A statement advising the campus community of the availability and location of the Indiana Sheriff's Sex and Violent Offender Registry.
10. Emergency Response and Evacuation Procedures: A statement of policy regarding emergency response and evacuation procedures. This statement must include:
- a. The procedures the university will use to 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;
  - b. A description of the process the University will use to:
    - i. Confirm that there is a significant emergency or dangerous situation on campus
    - ii. Determine the appropriate segment or segments of the campus community to receive a notification;
    - iii. Determine the content of the notification; and
    - iv. Initiate the notification system.
  - c. A statement that the university 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 professional judgment of responsible authorities, compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency;
  - d. A list of the titles of each person(s) or organization(s) responsible for carrying out the actions described in paragraph 10.b above;
  - e. The university's procedures for disseminating emergency information to the larger community; and
  - f. The university's procedures to test the emergency response and evacuation procedures on at least an annual basis, including:
    - i. Tests that may be announced or unannounced;
    - ii. Publicizing its emergency response and evacuation procedures in conjunction with at least one test per calendar year; and
    - iii. Documenting, for each test, a description of the exercise, the date, time and whether it was announced or unannounced.

11. Timely Warning Procedures: A statement of the university's timely warning procedures, including:
  - a. The circumstances for which a warning will be issued;
  - b. The individual or office responsible for issuing the warning; and
  - c. The manner in which the warning will be disseminated.

See section II below.

12. Missing Student Notification Policies and Procedures: A statement of policy regarding missing student notification procedures for students who reside in campus student housing facilities. This statement must:
  - a. Indicate a list of titles of each person or organization to which students, employees, or other individuals should report that a student has been missing for 24 hours;
  - b. Require that any missing student report must be referred immediately to the University Police;
  - c. Provide that each student living in a campus student housing facility may identify a contact person(s) whom the university will notify if the student is determined missing by the University Police;
  - d. Advise students that their contact information will be registered confidentially, that this information will be accessible only to authorized university officials, and that it may not be disclosed, except to law enforcement personnel in furtherance of a missing person investigation;
  - e. Advise students that if they are under 18 years of age and not emancipated, the university must notify a custodial parent or guardian within 24 hours of the determination that the student is missing, in addition to any additional contact person designated by the student; and
  - f. Advise students that unless a local law enforcement agency was the entity that made the determination that a student is missing, the University will notify the local law enforcement agency within 24 hours of the determination that the student is missing.
13. Crime Statistics: Each Annual Security and Fire Safety Report will include crime statistics for the most recent calendar year and the two immediately preceding calendar years.

The university must report statistics for which data are available concerning the occurrence on campus, in or on non-campus buildings or property, and on public property of the following criminal offenses reported to University Police, campus security authorities, or relevant local police agencies:

- a. Criminal homicide: murder, non-negligent and negligent manslaughter;
- b. Sex offenses;
- c. Robbery;
- d. Aggravated assault;
- e. Burglary;
- f. Motor vehicle theft;
- g. Arson;
- h. Dating violence;
- i. Domestic violence;
- j. Stalking;
- k. Arrests or persons referred for campus disciplinary action for Liquor Law Violations, Drug-related Violations and Weapons Possession;
- l. The crimes (a) through (g) above, in which the evidence suggests the victim was intentionally selected because of the actual or perceived race, gender, religion, sexual orientation, ethnicity, disability, gender identity or national origin of the victim that was reported to University Police or local police agencies;
- m. The crimes of larceny-theft, simple assault, intimidation and destruction/damage/vandalism of property in which the evidence suggests the victim was intentionally selected because of the actual or perceived race, gender, religion, sexual orientation, ethnicity, disability, gender identity or national origin of the victim; and
- n. Crimes involving bodily injury to any person in which the evidence suggests the victim was intentionally selected because of the actual or perceived race, gender, religion, sexual orientation, ethnicity, disability, gender identity or national origin of the victim.

The crimes described in paragraphs (l), (m) and (n) above will be reported by category of prejudice.

14. The statistics in this section will be reported according to the location of the crime as follows:
  - a. On campus,
  - b. In or on a non-campus building or property,
  - c. On public property, and
  - d. In dormitories or other residential facilities for students on campus.
15. The statistics in this section will be reported for the calendar year in which the crime was reported to a campus

Security Authority, except for reports of Stalking.

- a. Reports of stalking will be reported for the calendar year in which they were first reported to a campus security authority.
  - b. If a stalking course of conduct continues in a subsequent year, it must also be recorded in the subsequent year.
  - c. Finally, if stalking behavior occurs after an official intervention or warning from law enforcement or from the university, a stalking report must be counted as a new and distinct incident in the statistics.
16. Fire Safety Policies and Procedures: Each Annual Security and Fire Safety Report must include the following fire safety policy information:
- a. A description of each campus student housing facility fire safety system
  - b. The number of fire drills held during the previous calendar year;
  - c. The university's policies or rules on portable electrical appliances, smoking, and open flames in a student housing facility;
  - d. The university's procedures for student housing evacuation in the case of a fire;
  - e. The policies regarding fire safety education and training programs provided to the students and employees, including a description of the procedures that students and employees should follow in the case of a fire;
  - f. A list of the titles of each person or organization to which students and employees should report that a fire occurred.
  - g. Plans for future improvements in fire safety, if known as of the date of the Annual Security and Fire Safety Report.
17. Fire Statistics: Each Annual Security and Fire Safety Report will include fire safety statistics for each campus student housing facility for the most recent calendar year and the two immediately preceding calendar years. The university must report statistics concerning:
- a. The number of fires and the cause of each fire;
  - b. The number of individuals who received fire-related injuries that resulted in treatment at a medical facility, including at the Purdue University Student Health Center;
  - c. The number of fire-related deaths; and
  - d. The value of property damage caused by a fire.

## II. Timely Warning to the Campus Community

- A. To ensure the safety of the campus community, the senior director, environmental health and public safety (West Lafayette), the vice chancellors responsible for campus security (regional campuses) and the directors of separate campuses, or their designees, will issue timely warnings to the campus community regarding crimes that are:
  1. Listed in section I.C.13. above;
  2. Reported to University Police, a campus security authority, or relevant local police agencies; and
  3. Considered by the senior director, environmental health and public safety, the vice chancellor or the director, or their designees, to be a threat to students and employees.
- B. The decision whether to issue a timely warning to the campus community must be based upon the facts surrounding the crime including, but not limited to, the nature of the crime, the continuing danger to the campus community and the possible risk of compromising law enforcement efforts. Timely warnings are issued through a variety of methods determined on a case-by-case basis, which include
  1. Text messages,
  2. Twitter,
  3. Desktop pop-up alerts,
  4. Alert beacons,
  5. Email,
  6. Purdue campus status page,
  7. Boiler TV Emergency Alert System, and/or
  8. Local media.
- C. If there is an immediate threat to the health or safety of students or employees occurring on campus (as described in section I.C.10 above), the university will follow its emergency notification procedures. If emergency notification procedures are executed, a timely warning is not required based on the same circumstances; however, adequate follow-up information will be provided to the campus community as needed.

## III. Crime Log

- A. University Police will make, keep and maintain a daily log, written in a form that can be easily understood, recording all crimes reported to University Police. The log must include the following information:

1. The nature, date, time and general location of each crime and
  2. The disposition of the complaint, if known.
- B.** University Police will record crimes in the daily log within two business days of the report of the crime to the University Police, and will record any new information about a log entry within two business days after the information becomes available to University Police. Generally, log entries will be open to public inspection within two business days of the initial report being made to University Police. However, the senior director, environmental health and public safety (West Lafayette), the vice chancellors responsible for campus security (regional campuses) and the directors of separate campuses, or their designees, may withhold information from the log under any of the following circumstances:
1. Where the law prohibits the university from releasing the information,
  2. Where releasing the information would jeopardize the confidentiality of the victim, or
  3. Where there is clear and convincing evidence that releasing the information would:
    - a. Jeopardize an ongoing criminal investigation,
    - b. Jeopardize the safety of an individual,
    - c. Cause a suspect to flee or evade detection, or
    - d. Result in the destruction of evidence.
  4. The individual with the responsibility for determining whether information will be withheld from the log will document in writing the basis for withholding information from the log and he or she will maintain a copy of the documentation in a secure file. The withheld information must be disclosed once the adverse effects described above are no longer likely to occur.
- C.** Log entries for the most recent 60-day period must be available for public inspection during normal business hours. Logs older than 60 days must be made available within two business days of a request for public inspection.

#### **I. Gathering Crime Statistics — University Police**

- A.** Campus Security Authorities: University Police will be responsible for gathering the crime statistics that must be reported in the Annual Security and Fire Safety Report (See section I.C.13 above). University Police will develop a written procedure for gathering the statistics. University Police will also implement safeguards to prevent double counting.
- B.** Local Police Agencies: University Police will be responsible for making good faith efforts to gather crime statistics from local police agencies, which must be reported in the Annual Security Report (See section I.C.13). Any such efforts will be documented in writing.

#### **II. Fire Log**

- A.** The Purdue Fire Department (West Lafayette) and the University Police chiefs (regional campuses) will make, keep and maintain a daily log, written in a form that can be easily understood, recording all fires that occurred in a campus student housing facility. The log must include the nature, date, time and general location of each fire.
- B.** Fires will be recorded in the daily log within two business days of the report of the fire to the Purdue Fire Department (West Lafayette) or University Police department (regional campuses), and any new information about a log entry will be recorded within two business days after the information becomes available to the Purdue Fire Department (West Lafayette) or the University Police Department (regional campuses).
- C.** Log entries for the most recent 60-day period must be available for public inspection during normal business hours. Logs older than 60 days must be made available within two business days of a request for public inspection.

#### **III. Annual Report to the Secretary of Education**

The senior director, environmental health and public safety (West Lafayette), the vice chancellor responsible for security (regional campuses) and the directors of separate campuses, or their designees, will submit annually the crime statistics listed in paragraph I.C.13 and the fire statistics listed in paragraph I.C.17 for their respective campuses to the United States Secretary of Education.

#### **IV. Questions**

Questions regarding these procedures may be directed to the senior director of environmental health and public safety (West Lafayette and separate campuses) or the vice chancellor responsible for security (regional campuses).

#### **V. History and Updates**

January 29, 2015: These Operating Procedures were revised and separated from the related policy on Campus Security and Crime Statistics (IV.A.2). Revisions include the expansion of section I.C.8 to include information about dating violence, domestic violence, stalking, and related programs and procedures, as well as information on timely warning procedures.

# Procedures for Resolving Complaints of Discrimination and Harassment

---

Revised August 15, 2016

## A. INTRODUCTION

Purdue University is committed to maintaining an environment that recognizes the inherent worth and dignity of every person, fosters tolerance, sensitivity, understanding and mutual respect, and encourages its members to strive to reach their potential. Harassment in the workplace or the educational environment is unacceptable and will not be tolerated.

These Procedures outline the resolution processes that will be used to investigate and/or resolve a report of harassment and/or discrimination under the Purdue University Anti-Harassment Policy (III.C.1) and Equal Opportunity, Equal Access and Affirmative Action Policy (III.C.2) (the “Policies”). These Procedures apply to Title IX matters, including Relationship Violence, Sexual Exploitation, Sexual Harassment, Sexual Violence and Stalking, in addition to all other forms of prohibited discrimination and harassment.

These Procedures apply to faculty, staff, students and anyone conducting business with or visiting the University. Any individual or group of individuals found to have violated the Policies will be subject to disciplinary and/or remedial action, up to and including termination of employment or expulsion from the University.

Any employee, student, campus visitor or person participating in a University activity, whether on or off campus, who has experienced or witnessed discrimination and/or harassment is encouraged to report the incident(s) promptly. Prompt reporting of complaints is vital to the University's ability to resolve the matter.

Once the University has received a report of harassment and/or discrimination, the University will take any and all necessary and immediate steps to protect the Complainant. Such actions may include taking interim steps before the determination of the final outcome of an investigation.

There are both informal and formal processes for resolving complaints of discrimination and harassment. A Complainant may elect to invoke either the Informal or Formal Resolution Process. If the Complainant finds that initial informal efforts are unsatisfactory, the Complainant may then seek formal resolution. There is no requirement that a Complainant first proceed with informal resolution before seeking formal resolution.

The University has an obligation to respond to information of which it becomes aware, whether received directly or indirectly. That is, the University's obligation may be triggered by a direct disclosure by those who have experienced potential discrimination or harassment or by gaining indirect knowledge of such information. For this reason, the University may initiate an investigation of circumstances that involve potential discrimination and/or harassment even where no complaint, formal or informal, has been filed. In those circumstances, the University may elect to investigate and, if warranted, impose disciplinary sanctions pursuant to these or other established University procedures.

In matters involving alleged criminal conduct, the Complainant may notify, or decline to notify, local law enforcement at any time. The University may also make an independent determination to notify law enforcement and/or other authorities based on the nature of the complaint.

## B. SCOPE

These Procedures apply to all complaints of discrimination and/or harassment, whether the parties are students, recognized student organizations, employees, volunteers, campus visitors or persons participating in a University activity. Employees who are students involved in activities subject to these Procedures may be treated as students, employees or both at the sole option of the University.

These Procedures govern conduct that occurs on and/or off campus or that impacts the educational or work experience of a member of the Purdue community. In particular, off-campus conduct is subject to these Procedures if 1) the conduct occurred in the context of an education program or activity of the University, 2) the conduct has or had continuing adverse effects on campus or in an off-campus education program or activity or 3) the Respondent is a student.

## C. RESOURCES FOR RESOLVING COMPLAINTS OF DISCRIMINATION AND HARASSMENT

Inquiries and complaints about discrimination and/or harassment may be brought to the Campus Equity Office, Office of the Dean of Students or the Vice President for Ethics and Compliance. The management of all complaints of discrimination and/or harassment, regardless of where they are initially received, and the implementation of these Procedures is the responsibility of the Vice President for Ethics and Compliance. Any question of interpretation regarding these Procedures shall be referred to the Vice President for Ethics and Compliance for final determination.

In addition, inquiries and complaints about Sexual Violence, Relationship Violence and Stalking may be brought to the Title IX Coordinator. Information regarding the Title IX Coordinator for each campus is available in the Anti-Harassment Policy.

## D. DEFINITIONS

### **Advisory Committee on Equity**

The committee composed of faculty and staff appointed by the Vice President for Ethics and Compliance upon the nomination of the Provost, a Chancellor, the University Senate, the Administrative and Professional Staff Advisory Committee, the Clerical/Service Staff Advisory Committee, a Vice President or Vice Chancellor, and a Dean to advise the Chancellors, Director and Dean of Students pursuant to Section I of these Procedures

### **Complainant(s)**

A person or persons making a complaint under the Informal Resolution Process or the Formal Resolution Process.

### **Campus Equity Office**

The following University offices: (a) on the West Lafayette campus, the Office of Institutional Equity or the Office of the Dean of Students; (b) on the Purdue Northwest Calumet campus, the Office of Equity, Diversity and Inclusion or the Office of the Dean of Students; (c) on the Fort Wayne campus, Human Resources and Institutional Equity or the Office of the Dean of Students; and (d) on the Purdue Northwest North Central campus, the Office of Equity, Diversity and Inclusion or the Office of the Dean of Students.

### **Days**

Calendar days.

### **Director**

The Director of the Office of Institutional Equity of the West Lafayette campus.

### **Eligible Designee**

An individual to whom the Chancellor, Director or Dean of Students delegates their authority under these Procedures. All Eligible Designees must receive appropriate annual training and be approved to serve in this role by the Vice President for Ethics and Compliance.

### **Formal Complaint**

A complaint filed pursuant to Section I of these Procedures.

### **Formal Resolution Process**

The process for resolving complaints of discrimination and/or harassment set forth in Section I of these Procedures. The Formal Resolution Process involves the filing of a Formal Complaint, an investigation, a determination as to whether University Policy has been violated and, as appropriate, the imposition of sanctions and remedial measures.

### **Informal Complaint**

A complaint made pursuant to Section H of these Procedures.

### **Informal Resolution Process**

The process for resolving complaints of discrimination and/or harassment set forth in Section H of these Procedures. The Informal Resolution Process is designed to empower the parties to an Informal Complaint to reach a mutually satisfactory agreement.

### **Policies**

The University's policies on Anti-Harassment (III.C.1) and on Equal Opportunity, Equal Access and Affirmative Action (III.C.2).

### **Procedures**



The procedures set forth in this document.

**Regulations Governing Student Conduct**

The rules and procedures that govern student conduct and disciplinary action as set forth by each campus.

**Respondent(s)**

The person or persons whose conduct is the subject of concern under these Procedures.

**University**

Any campus, unit, program, association or entity of Purdue University, including but not limited to Indiana University-Purdue University Fort Wayne, Purdue University Northwest, Purdue University West Lafayette, Purdue Cooperative Extension Service and Purdue Polytechnic Institute Statewide.

**University-Initiated Investigation**

An investigation initiated by the University in the absence of a Formal Complaint submitted by a Complainant. In a University-Initiated Investigation, a Respondent will be provided with written notice of the allegations forming the basis of the University-Initiated Investigation, and Section I of these Procedures will govern such investigations to the greatest extent practicable.

**University Investigator**

A person appointed by the Director, Chancellor or Dean of Students to investigate a Formal Complaint pursuant to Section I of these Procedures. Any individual designated to conduct an investigation must receive appropriate annual training and be approved to serve in this role by the Vice President for Ethics and Compliance. A University Investigator may be a University employee or an external professional.

## E. GENERAL PROVISIONS

### 1. Delegation

The Chancellor, Dean of Students or Director may delegate his or her authority under the Procedures to an Eligible Designee.

### 2. Requests for Anonymity or No Action

To protect both the Complainant and the Respondent, every effort will be made to protect the privacy interests of the persons involved in a manner consistent with the need for a thorough review of a report or Complaint.

If the Complainant requests that their name or other identifiable information not be shared with the Respondent, or requests that the University take no formal action in response to a report, the Vice President for Ethics and Compliance shall evaluate such request and notify the individual of the University's response to their request.

The University will honor the Complainant's request to the extent possible based on a careful balancing of the request with any legal reporting requirements, the risk of harm to any individual and the University's duty to maintain a safe and non-discriminatory environment for all.

If the University honors the request for anonymity, the University's ability to meaningfully investigate the incident and pursue disciplinary action against a Respondent may be limited. The University will take other appropriate steps to eliminate any such discrimination or harassment, prevent its recurrence and remedy its effects on the Complainant and the University community. Those steps may include offering appropriate remedial measures to the Complainant and/or providing targeted training and prevention programs.

If the University is unable to honor the request for anonymity or that the University take no formal action in response to a report, the University may be obligated to move forward with a University-Initiated Investigation and potential disciplinary action if there is an individual or public safety concern and sufficient independent information exists to establish that the Anti-Harassment Policy has been violated.

The Vice President for Ethics and Compliance will assess requests for the University to take no formal action by examining the seriousness of the reported conduct, whether the reported misconduct was perpetrated with a weapon, the respective ages and roles of the Complainant and Respondent, whether there have been other reports of harassment or discrimination by the Respondent, whether the University possesses other means to obtain relevant evidence, whether the report reveals a pattern of perpetration at a given location or by a particular group, and the rights of the Respondent to receive notice and relevant information before disciplinary action is initiated.

### 3. Interim Measures

The University offers a wide range of resources for students and employees, whether as Complainants or Respondents, to provide support and guidance throughout the initiation, investigation and resolution of a report of discrimination or harassment. Upon receipt of a complaint, the University may take interim measures to address concerns regarding safety and well-being and facilitate the Complainant's continued access to University employment or education programs and activities. These measures may be both remedial (designed to address a Complainant's safety and well-being and continued access to educational opportunities) or protective (involving action against a Respondent). Remedial and protective measures, which may be temporary or permanent, may include no-contact directives, changes in class or work schedules, academic modifications and support, changes in University-owned living arrangements, interim suspension, University-imposed leave, suspension from employment, pre-disciplinary leave (with or without pay), or any other reasonably available measures that the University deems appropriate. Interim measures are available under both Informal and Formal Resolution Processes. Remedial measures are available regardless of whether a Complainant pursues a complaint or investigation under these Procedures. The ability to impose certain protective measures against a Respondent may require that the report be resolved through the Formal Resolution Process. The University will maintain the privacy of any remedial and protective measures provided to the extent practicable and will promptly address any violation of the protective measures.

### 4. Advisor or Support Person

Both a Complainant and a Respondent are entitled to an advisor or support person of their choice, and the advisor or support person may accompany the party to any meeting or proceeding under these Procedures. A Complainant may have an advisor or support person present when reporting discrimination and/or harassment or at any point in these Procedures. A Respondent also may have an advisor or support person present if and when the Respondent becomes a party to an Informal Resolution Process or a Formal Resolution Process. An advisor or support person may be an attorney, but an advisor or support person may not speak for or stand in place of either the Complainant or the Respondent, act as legal counsel for a party in the Informal Resolution Process or the Formal Resolution Process, or otherwise participate in the Informal Resolution Process or the Formal Resolution Process.

The University has the discretion to impose reasonable conditions upon the participation of an advisor or support person. The advisor or support person may not be a party or witness involved in the investigation.

### 5. Time Frames

The University encourages prompt reporting. Persons who have experienced or witnessed discrimination or harassment are encouraged to report the incident to a Contact Person as soon as possible.

Informal Complaints must be filed with a Campus Equity Office within 120 days of the incident of discrimination or harassment or, where the discrimination or harassment is of an ongoing nature, within 120 days from the most recent incident.

Formal Complaints must be filed with a Campus Equity Office within the earlier of 10 days following the conclusion of the Informal Resolution Process or 120 days of the incident of discrimination or harassment. Where the discrimination or harassment is of an ongoing nature, a Formal Complaint must be filed within the earlier of 10 days following the conclusion of the Informal Resolution Process or 120 days from the most recent incident.

To file an Informal or Formal Complaint, a Complainant must complete a Complaint Information Form online, in person or via electronic mail.

The 120-day deadline to file a complaint does not apply to University-Initiated Investigations, and the University will accept reports of discrimination or harassment at any time.

When extenuating circumstances warrant, a Chancellor, Dean of Students or the Director, as the case may be, has the authority and discretion to extend any of the time limits contained in these Procedures for good cause except those relating to the filing of complaints or the filing of appeals.

In general, a Complainant and Respondent can expect that the process will proceed according to the time frames provided in these Procedures. In the event that good cause exists for the investigation and resolution to exceed this time frame, the University will notify all parties of the reason(s) for the delay and the expected adjustment in time frames. Good cause may exist if additional time is necessary to ensure the integrity and completeness of the investigation, to comply with a request by external law enforcement for temporary delay to gather evidence for a criminal investigation, to accommodate the availability of witnesses, to account for University breaks or vacations, to account for complexities of a case, including the number of witnesses and volume of information provided by the parties, or for other legitimate reasons. Best efforts will be made to complete the process in a timely manner by balancing principles of thoroughness, due process and fairness with promptness.

Notwithstanding the foregoing, a complaint relating to alleged discrimination or harassment occurring during a Complainant's employment by the University must be properly filed within 10 days following termination of the Complainant's employment with the University.

## 6. Expectations Regarding Participation by the Parties

All employees and students have an obligation to cooperate in the conduct of these Procedures. Failure to do so may result in disciplinary action. In the event that a Complainant chooses not to participate in an interview or declines to provide information requested by the University Investigator, the Chancellor, Dean of Students or Director may dismiss the complaint if there is no independent information upon which to proceed. The Chancellor, Dean of Students or Director shall provide written notice of such dismissal to the Complainant(s) and the Respondent(s). In the event that a Respondent chooses not to participate in an interview or declines to provide information requested by the University Investigator, the University Investigator may conclude that such information or interview, if provided or conducted, would be adverse to the Respondent. Where the complaint or the circumstances involve potential criminal conduct, however, a party may choose to remain silent during the process, and such silence will not be held as an admission or considered to be adverse to the party.

In the event that an impacted party chooses not to participate in an interview or declines to provide information requested by the University Investigator in connection with a University-Initiated Investigation, the Chancellor, Dean of Students or Director may dismiss the University-Initiated Investigation.

All University community members are expected to provide truthful information in any report or proceeding under these Procedures. Any person who knowingly makes a false statement in connection with the resolution of a complaint under these Procedures may be subject to appropriate discipline. Making a good faith report of discrimination or harassment that is not later substantiated is not considered a false statement.

## 7. Special Circumstances in the Event of Conflict of Interests

In the event that a complaint concerns the conduct of the Director or the Dean of Students (or the Director or Dean of Students has a conflict of interest), the Vice President for Ethics and Compliance shall designate an individual to be responsible for implementing the responsibilities of the Director or Dean of Students pursuant to these Procedures. In the event that a complaint concerns the conduct of the Vice President for Ethics and Compliance or a Chancellor (or the Vice President for Ethics and Compliance or a Chancellor has a conflict of interest), the President shall designate an individual to be responsible for implementing the responsibilities of the Vice President for Ethics and Compliance or such Chancellor pursuant to these Procedures. In the event that a complaint concerns the President (or the President has a conflict of interest), the Chairman of the Board of Trustees shall be responsible for implementing the responsibilities of the President pursuant to these Procedures. In the event that the President or other member of senior administration is a Respondent under these Procedures, the University may, in its sole discretion, modify these Procedures to provide for an investigation by an independent University Investigator to be selected by the Board of Trustees and for final decision making by the Board

of Trustees or a subcommittee of the Board of Trustees.

## 8. Coordination with Law Enforcement

A Complainant may seek recourse under these Procedures and/or pursue criminal action. Neither law enforcement's determination whether or not to prosecute a Respondent, nor the outcome of any criminal prosecution, is determinative of whether a violation of University Policy has occurred. Proceedings under these Procedures may be carried out prior to, simultaneously with, or following civil or criminal proceedings off campus.

At the request of law enforcement, the University may agree to defer its fact gathering for a brief period during the evidence gathering stage of a criminal investigation. The University will nevertheless communicate with the Complainant regarding support, options for resolution and the implementation of interim remedial measures to address concerns regarding safety and well-being. The University may also take immediate and prompt steps that it deems necessary to protect the University community. The University will promptly resume its fact gathering as soon as it is informed that law enforcement has completed its initial investigation.

## F. REPORTING OPTIONS AND RESOURCES FOR TITLE IX MATTERS

The University is committed to treating all members of the community with dignity, care and respect. Any individual affected by Sexual Harassment, Sexual Violence, Sexual Exploitation, Stalking or Relationship Violence, whether as a Complainant, a Respondent or a third party, will have equal access to support consistent with their needs and available University resources.

A first step for any Complainant or third-party witness may be choosing how to proceed following an incident of Sexual Harassment, Sexual Violence, Sexual Exploitation, Stalking and/or Relationship Violence. The University recognizes that deciding whether to make a report and choosing how to proceed can be difficult decisions. The University encourages any individual who has questions or concerns to seek the support of campus and community resources. These professionals can provide information about available resources and procedural options and assistance to either party in the event that a report and/or resolution under the Policies or the Procedures are pursued. Individuals are encouraged to use all available resources, regardless of when or where the incident occurred.

### 1. Confidential Resources

Confidentiality means that information shared by an individual with designated campus or community professionals cannot be revealed to any other individual without express permission of the individual. Those campus and community professionals include medical providers, mental health providers, ordained clergy and rape crisis counselors, all of whom have privileged confidentiality that has been recognized by the law. These individuals are prohibited from breaking confidentiality unless there is an imminent threat of harm to self or others, or the conduct involves suspected abuse of a minor under the age of 18. A list of on-campus confidential resources is listed in [Appendix A](#) to these Procedures.

It is important to understand that other University employees involved in the University's Title IX response do not have the same level of privileged confidentiality as the designated campus or community professionals described above. In fact, any other University employee who is not one of these confidential reporting resources may be **required** to share a report of Sexual Harassment, Sexual Violence, Sexual Exploitation, Stalking or Relationship Violence with the Title IX Coordinator.

### 2. Non-Confidential Campus Reporting Resources and Mandatory Reporters

The University is committed to providing a variety of welcoming and accessible means to encourage the reporting of all instances of Sexual Harassment, Sexual Violence, Sexual Exploitation, Stalking and Relationship Violence. All University community members are encouraged to report all incidents of discrimination, harassment or retaliation directly to the Title IX Coordinator or a member of the campus Title IX team.

In contrast to the designated campus or community professionals described above under "Confidential Resources," who are obligated to refrain from revealing confidential information shared within the scope of their privilege, some University employees are **required** to report all incidents of discrimination, harassment or retaliation directly to the Title IX Coordinator or a member of the campus Title IX team ("mandatory reporters"). Mandatory reporters receive annual required training to

ensure that they understand their obligations and the resources available to University community members who report such incidents. University employees who are mandatory reporters include faculty, supervisors, and other staff, administrators and student employees who have significant responsibility for the welfare of students. Student employees who are required to share reports with the Title IX Coordinator include Resident Assistants. Mandatory reporters are required to share with the Title IX Coordinator all information they receive or of which they become aware, including the identities of the parties, if known. A list of campus reporting options, by campus, to whom individuals are encouraged to report any incidents, is available in [Appendix A](#).

### 3. Privacy

The privacy of the parties will be respected and safeguarded at all times. All University employees who are involved in the University's Title IX response receive specific training and guidance about safeguarding private information. Privacy generally means that information related to a report of misconduct will only be shared with a limited circle of individuals. The use of this information is limited to those University employees who "need to know" in order to assist in the active review, investigation or resolution of the report. While not bound by confidentiality, these individuals will be discreet and respect the privacy of all individuals involved in the process.

### 4. Release of Information

If a report of misconduct discloses a serious and immediate threat to the campus community, the University will issue a timely notification to the community to protect the health or safety of the community. The University also may share non-identifying information about reports received in aggregate form, including data about outcomes and sanctions. At no time will the University release the name of the Complainant to the general public without the express consent of the Complainant or as otherwise permitted or required by law.

Pursuant to the Clery Act, anonymous statistical information must be shared with the campus police department where required by the Clery Act. Annual Clery Act reporting to the U.S. Department of Education is required by educational institutions for certain offenses that have been reported at campus locations. The information contained in the Clery report tracks the number of Clery reportable offenses occurring at campus locations and does not include the names or any other identifying information about the persons involved in the incident.

All University proceedings are conducted in compliance with the requirements of Title IX, the Clery Act, VAWA, FERPA, state and local law, and University policy. No information shall be released from proceedings under the Policies or the Procedures except as required or permitted by law and University policy. The University reserves the right to notify the parents/guardians of dependent students regarding any conduct situation, particularly probation, loss of housing, suspension and expulsion.

### 5. Reporting to Law Enforcement

In matters involving alleged criminal conduct, the Complainant may notify, or decline to notify, local law enforcement at any time. The University encourages Complainants to pursue criminal action for incidents of Sexual Harassment, Sexual Violence, Sexual Exploitation, Stalking and Relationship Violence that also may be crimes under state criminal statutes (see [www.purdue.edu/sexual\\_assault/definitions/legal/index.html](http://www.purdue.edu/sexual_assault/definitions/legal/index.html)). The University will assist a Complainant, at the Complainant's request, in contacting local law enforcement and will cooperate with law enforcement agencies if a Complainant decides to pursue the criminal process. A list of law enforcement resources for each campus is available in [Appendix A](#).

### 6. Anonymous Reporting

Any individual may make an anonymous report concerning an act of Sexual Harassment, Sexual Violence, Sexual Exploitation, Stalking or Relationship Violence. A report can be made without disclosing one's own name, identifying the Respondent or requesting any action. Depending on the level of information available about the incident or the individuals involved, anonymous reporting may impact the University's ability to respond or take further action.

Anonymous reports can be made through the Whistleblower Hotline, an online reporting service that allows direct interaction



with the Title IX Coordinator without providing identifying information. The Whistleblower Hotline can be accessed at: [www.purdue.edu/hotline/](http://www.purdue.edu/hotline/) or by calling 1-866-818-2620.

As with all other reports, all anonymous reports will go to the Title IX Coordinator for review and appropriate response and action. Where there is sufficient information, the University will ensure that anonymous reports are reviewed and included for compliance with the Clery Act.

## G. COUNSELING, ADVOCACY AND SUPPORT SERVICES

The University is committed to providing a number of support services to University community members who experience Sexual Harassment, Sexual Violence, Sexual Exploitation, Stalking or Relationship Violence incidents. Resources available to University community members include a variety of campus and community-based service providers and professionals.

Additionally, Purdue provides its students with professional staff who can assist students who have been subjected to Sexual Harassment, Sexual Violence, Sexual Exploitation, Stalking or Relationship Violence with academic and advocacy/support services. Professional staff within the Office of the Dean of Students is available to assist students with the imposition of interim remedial and protective measures set forth in Section E3, including the following:

- Coordination of services.
- Academic adjustments, including processing absence notifications.
- Housing reassignments and assistance with emergency housing needs.
- Support during the campus disciplinary process, including in-person attendance at all meetings and ongoing in-person support.
- Support during the law enforcement process, including in-person attendance at meetings with law enforcement and/or the prosecutor's office.
- Assistance in obtaining no-contact directives within the University.
- Assistance in obtaining a protective order through the local court system.

A list of counseling, advocacy and other support services for each campus is listed in [Appendix A](#).

## H. INFORMAL RESOLUTION PROCESS

### 1. Filing an Informal Complaint

To file an Informal Complaint, a Complainant must submit the Complaint Information Form online, in person or via electronic mail. The Complaint Information Form must be submitted to the Campus Equity Office within 120 days of the incident of discrimination or harassment or, where the discrimination or harassment is of an ongoing nature, within 120 days from the most recent incident. The Campus Equity Office can provide assistance in completing the Complaint Information Form. Participation in the Informal Resolution Process is voluntary, and a Complainant may ask to conclude the process at any time. The Campus Equity Office will take steps to ensure the privacy of the Complainant and Respondent during the Informal Resolution Process to the extent maintenance of privacy does not interfere with the University's obligation to address allegations of discrimination and/or harassment.

### 2. Processing of Informal Complaints

In consultation with the Chancellor, Director or Dean of Students, as the case may be, the Campus Equity Office may take appropriate steps to resolve the Informal Complaint. Possible resolutions by agreement of the parties may include, but are not limited to: an apology to the Complainant, assisting the Respondent to better understand the effects of their conduct and ways in which this behavior could be changed, participation in educational programs about equal opportunity or harassment, verbal or written reprimands, or other interventions or actions aimed at ending the discrimination or harassment, preventing its recurrence and addressing its effects. Mediation may not be used, even with the agreement of the parties, in Complaints involving Sexual Violence or Relationship Violence. Similarly, a Complainant will not be required to resolve the matter directly with the Respondent.

Prior to completing the Informal Resolution Process, and/or upon the Complainant's request, a Chancellor, the Dean of



Students or the Director may determine that no purpose is served by pursuing the Informal Resolution Process and may refer the Complaint to the Formal Resolution Process.

### 3. Conclusion of the Informal Resolution Process

The Informal Resolution Process is designed to empower the parties to an Informal Complaint to reach a mutually satisfactory agreement. The Informal Resolution Process will be concluded by one of the following: (1) a decision to stop further action on the Informal Complaint, (2) a resolution of the Informal Complaint by agreement of the parties or (3) initiation of the Formal Resolution Process.

The Campus Equity Office will attempt to conclude the Informal Resolution Process within 30 days. Within 10 days following conclusion of the Informal Resolution Process, the Campus Equity Office must complete and submit a Status Report Form. A copy of the Status Report Form is to be submitted to the Vice President for Ethics and Compliance or Chancellor.

## I. FORMAL RESOLUTION PROCESS

### 1. Filing a Formal Complaint

A Formal Complaint may be filed as the first course of action or following an Informal Complaint if there is no mutually acceptable resolution during the Informal Resolution Process. The University also may initiate an investigation in the absence of a Formal Complaint by a Complainant.

To file a Formal Complaint, a Complainant must complete the Complaint Information Form online, in person or via electronic mail. The complaint must be dated by the Complainant and describe the alleged incident(s) with the relevant date(s), name(s) of the Respondent(s) and name(s) of witness(es). The Campus Equity Office can provide assistance in completing the Complaint Information Form.

Formal Complaints or University-Initiated Investigations in which a student or recognized student organization is named as a Respondent will be adjudicated by the Dean of Students for each campus in accordance with Sections I and J of these Procedures.

Formal Complaints or University-Initiated Investigations against employees, including faculty and staff, will be adjudicated by the appropriate Chancellor (or designee) or the Director pursuant to Sections I and J of these Procedures.

### 2. Notification of Formal Complaint and Response

Within 10 days of receipt of a Formal Complaint, the Chancellor, Dean of Students or Director will assign a University Investigator to investigate the Formal Complaint. Persons eligible to serve as University Investigators shall be designated by the Vice President for Ethics and Compliance. The University Investigator must have sufficient training and/or experience to conduct a thorough and impartial investigation.

The Chancellor, Dean of Students or Director will provide prompt notification, including a copy of the Formal Complaint or notice of allegations, to the Complainant, the Respondent(s), to the department head or supervisor and to the appropriate Vice President, Dean or head of other major unit. The Formal Complaint or notice of allegations will be delivered through certified or express mail, electronic mail or hand delivery. In the event the Respondent is a student or recognized student organization, the Dean of Students is the appropriate Dean. The notification to the Respondent(s) will include a copy of the Formal Complaint, or, in University-Initiated Investigations, a statement of allegations, and a copy of or link to the relevant University Policy and these Procedures.

The Respondent(s) will be requested to respond in writing to the Formal Complaint within a reasonable time, not to exceed 10 days from the date of certified or express mailing, electronic mailing or hand delivery of the notification of the Formal Complaint. Any extension of time must be approved by the Chancellor, Dean of Students or Director. In the event that an investigation is undertaken in accordance with Section I4 of these Procedures, a copy of the Respondent(s)' response will be provided to the Complainant.

### 3. University-Initiated Investigation

In a University-Initiated Investigation, a Respondent will be provided with written notice of the allegations forming the basis of the University-Initiated Investigation, and Section I of these Procedures will govern such investigation to the greatest extent practicable.

A Complainant who may have been subject to discrimination or harassment that forms the basis of a University-Initiated Investigation shall (1) be provided with written notice that the University has commenced a University-Initiated Investigation; (2) receive a copy of any written response submitted by the Respondent(s); (3) upon request, be afforded an opportunity to meet with the Chancellor, Dean of Students or Director and the panel in connection with the University-Initiated Investigation; (4) be provided with written notice of the determination of whether a violation of one or both of the Policies occurred and any sanction or remedial measures imposed in connection with the violation; and (5) be afforded the right to appeal such determination, sanctions or remedial measures in accordance with Section L.

### 4. Investigation of Formal Complaints

As soon as practicable following appointment, the University Investigator will interview the Complainant. Within three days following the completion of his or her interview with the Complainant, the University Investigator will conduct an initial assessment and notify the Chancellor, Dean of Students or Director in writing as to (1) whether or not the allegations set forth in the Formal Complaint, if substantiated, would constitute a violation of one or both of the Policies and (2) whether or not there is reasonable cause to believe that the Respondent(s) has violated one or both of the Policies. If the University Investigator's notification indicates that such allegations, if substantiated, would not constitute a violation of one or both of the Policies or that there is not reasonable cause to believe that the Respondent(s) has violated one or both of the Policies, the Chancellor, Dean of Students or Director may dismiss the Complaint, and that decision shall be final. The Chancellor, Dean of Students or Director shall provide the Complainant and Respondent(s) with written notice of such dismissal.

In the event that the University Investigator's initial assessment and notification indicates that the allegations set forth in the Complaint, if substantiated, would constitute a violation of University policy and that there is reasonable cause to believe that the Respondent(s) has violated one or both of the Policies, or if the Chancellor, Dean of Students or Director determines that the matter should be investigated, the University Investigator will conduct a thorough fact-finding investigation and will meet separately with both the Complainant and the Respondent(s), interview pertinent witnesses and review relevant documents regarding the Formal Complaint. The University Investigator may consider all relevant information, including evidence of pattern or prior misconduct by the Respondent, credibility of the parties and witnesses, and in very limited circumstances, any prior sexual history of the Complainant with the Respondent. Both parties will be provided the opportunity to provide information and names of witnesses to the University Investigator.

The investigation shall be completed within 30 days following the assignment of the Formal Complaint to the University Investigator, unless an extension of time for good cause is approved by the Chancellor, Dean of Students or Director.

Within seven days following the conclusion of the investigation, the University Investigator will prepare a preliminary report summarizing the information gathered and outlining the contested and uncontested information. The preliminary investigation report will not include any findings. The Complainant and the Respondent will be provided access to review the preliminary investigation report and may submit comments and additional information to the University Investigator in writing. The University Investigator will designate a reasonable time for this review and response by the parties, not to exceed five days. In the absence of good cause, information discoverable through the exercise of due diligence that is not provided to the University Investigator during the designated review and response period will not be considered in the determination of responsibility for a violation of one or both of the Policies.

As soon as practicable following consideration by the University Investigator of any information provided by the Complainant (or impacted party in the case of a University-Initiated Investigation) and/or Respondent, the University Investigator will submit a final investigation report to the Chancellor, Dean of Students or Director. The report will include findings based upon a preponderance of the evidence that (1) the allegations cannot be substantiated or some or all of the allegations are substantiated, (2) a statement as to whether the Formal Complaint was knowingly false or malicious, and (3) if material to the determination as to whether or not a violation of one or both of the Policies has occurred, an assessment of the credibility of the Complainant and the Respondent(s). No violation of University policy will be presumed unless a preponderance of the evidence standard supports the finding of a violation. This preponderance of the evidence standard requires that the facts and information supporting each finding are more convincing than the facts and information offered in

opposition to such finding. The report will include the basis upon which the University Investigator reached their conclusions. The report also will include the University Investigator's determination of whether a violation of one or both of the Policies has occurred.

## 5. Determination

Within 15 days of receipt of the University Investigator's report, the Chancellor, Dean of Students or Director will convene a meeting with and seek advice from a three-member panel selected by the Chancellor, Dean of Students or Director from the Advisory Committee on Equity consisting of at least one participant who is a member of the faculty and one participant who is not a member of the faculty. At least two members of the panel shall be representatives of the campus from which the Formal Complaint originated. Prior to the meeting, members of the panel shall be furnished with a copy of the University Investigator's report and copies of any complaint or response of the parties. At the meeting, the panel will be afforded the opportunity to ask questions of the University Investigator. Upon request, the Complainant and the Respondent will be afforded an opportunity to meet with the Chancellor, Dean of Students or Director and the panel to make a brief statement and to answer any questions that they may have.

Within 10 days following the meeting with the panel from the Advisory Committee on Equity, the Chancellor, Dean of Students or Director shall make a written determination whether a violation of one or both of the Policies has occurred.

In the event the charge of discrimination and/or harassment is not substantiated following the written determination of the Chancellor, Dean of Students or Director, reasonable efforts may be taken to restore the Respondent(s) to their prior status.

## J. SANCTIONS AND REMEDIES

At the West Lafayette campus, sanctions will be determined by the appropriate Vice President or Dean and the Director. In the event of a disagreement between the Director and the designated Vice President or Dean, the Director will refer the disagreement to the Provost for resolution. In the case of a student or recognized student organization, sanctions will be determined and imposed by the Dean of Students.

At the Fort Wayne and Northwest campuses, sanctions will be determined and imposed by the Chancellor (or designee), except that sanctions for students and recognized student organizations will be determined and imposed by the Dean of Students.

The Chancellor, Dean of Students or Director will send the Complainant and the Respondent the written determination and final outcome of the matter, including sanctions, if any, by certified or express mail, electronic mail or hand delivery. The determination will include the rationale, a description of the parties' appeal rights and any changes in the outcome before it becomes final. The appropriate Vice President, Vice Chancellor, Vice Provost or Dean is responsible for imposing the sanction.

Sanctions will be decided on a case-by-case basis and will be in accordance with University policy. Possible sanctions for employees include, but are not limited to, the following: a letter of reprimand, suspension or leave of absence without pay, reassignment of teaching or other responsibilities, removal of graduate faculty certification, denial of a merit pay increase, demotion, probation or termination. Sanctions for students are listed in Regulations Governing Student Conduct and may include without limitation verbal or written warnings, restrictions, probation, probated suspension, suspension or expulsion.

Except as provided herein, sanctions imposed pursuant to these Procedures may not be appealed or made the subject of a grievance under any other University policy.

If the accused is a faculty member and the sanction has been to recommend termination of employment, the procedures for termination of a faculty member (as outlined in Executive Memorandum No. B-48 or its successor) will be followed; provided, however, that the report of the University Investigator and the written determination of the Chancellor or Director shall be accepted into evidence at the faculty member's termination hearing without the necessity of the Complainant testifying as a witness.

Remedial measures for students, faculty and staff will be decided on a case-by-case basis. Such measures may include providing an escort to ensure safe movement on campus; ensuring that the Complainant and Respondent do not share

classes or extracurricular activities; reassignment of residence halls; tutoring or other academic support; arranging for extra time to complete or re-take a class or withdraw from a class without academic or financial penalty; job reassignment; targeted training for a group of students, faculty or staff; and other remedies that can be tailored to the needs of the parties.

## K. RETALIATION PROHIBITED

Retaliation against any person for reporting or complaining of discrimination and/or harassment, assisting or participating in the investigation of a complaint of discrimination and/or harassment, or enforcing University Policies with respect to discrimination and/or harassment is strictly prohibited. Overt or covert acts of reprisal, interference, restraint, penalty, discrimination, intimidation or harassment against an individual or group for exercising rights or performing duties under these Procedures will be subject to appropriate and prompt disciplinary or remedial action.

## L. APPEAL

The Complainant (or impacted party in the case of a University-Initiated Investigation) and the Respondent each have the right to appeal the decision of the Chancellor, Dean of Students or Director and imposition of any sanction to the Vice President for Ethics and Compliance. The appeal must be in writing and filed in person, via courier, or via postal or electronic mail within 10 days of the issuance of notification of the decision with all supporting materials attached. Decisions not appealed within such time are deemed final.

The appeal shall consist of a concise and complete written statement outlining the grounds for appeal and all relevant information to substantiate the basis for the appeal. Appeals are not intended to open a new investigation of the complaint. In most cases, appeals are confined to a review of the written documentation and pertinent documentation regarding the grounds for appeal. The appeal will be conducted in an impartial manner.

The Vice President for Ethics and Compliance will issue a decision on the appeal to all parties involved. Normally this decision will be made within 10 days from the date the appeal was received. The Vice President for Ethics and Compliance may (1) uphold or reverse the finding, (2) decrease or increase the sanction(s), and/or (3) take other action as deemed appropriate by the Vice President for Ethics and Compliance. The written decision of the Vice President for Ethics and Compliance on the appeal shall constitute the University's final action.

## M. FILING WITH EXTERNAL AGENCIES

Any person may file a complaint with the Indiana Civil Rights Commission, the U.S. Equal Employment Opportunity Commission or the U.S. Department of Education's Office for Civil Rights. Information regarding filing charges with any of these agencies may be obtained from the Office of Institutional Equity on the West Lafayette campus.

## N. RELATED DOCUMENTS, FORMS AND TOOLS

[Equal Opportunity, Equal Access and Affirmative Action Policy \(III.C.2\)](http://www.purdue.edu/policies/ethics/iic2.html): [www.purdue.edu/policies/ethics/iic2.html](http://www.purdue.edu/policies/ethics/iic2.html)

[Anti-Harassment Policy \(III.C.1\)](http://www.purdue.edu/policies/ethics/iic1.html): [www.purdue.edu/policies/ethics/iic1.html](http://www.purdue.edu/policies/ethics/iic1.html)

### Appendix A: Quick Reference Guide

#### Calumet Campus

Confidential Reporting Resources			
Health Services Center	Gyte Annex, Room 34	M-F, hours vary daily	219-989-2366 219-989-1235
Counseling Center	Gyte Building, Room 005	M-Th, 8 a.m.-5 p.m. Fri., 8 a.m.-4 p.m.	219-989-2366
Non-Confidential Reporting Resources			

Title IX Coordinator Office of Equity & Diversity	Lawshe Hall, Room 231	M-F, 8 a.m.-5 p.m.	219-989-3169 219-989-2337
Police Department	6930 Wicker Ave. Hammond, IN	24/7	219-989-2220
Office of the Dean of Students	SULB 313	M-F, 8 a.m.-4:30 p.m.	219-989-4141
Housing	2440 173rd Street Hammond, IN	M-F, 8 a.m.-5 p.m.	219-989-4150
<b>Medical Services (Confidential)</b>			
Health Services Center	Gyte Annex, Room 034	M-F, hours vary daily	219-989-2366 219-989-1235
Methodist Hospital	600 Grant St. Gary, IN	24/7	219-886-4000

Advocate South Suburban Hospital	17800 S. Kedzie Ave. Hazel Crest, IL	24/7	708-799-8000
St. Margaret Health — Hammond Emergency Dept.	5454 Hohman Ave. Hammond, IN	24/7	219-933-2077
St. Margaret Health — Dyer Emergency Dept.	24 Joliet St. Dyer, IN	24/7	219-864-2077
St. Anthony Health — Crown Point Emergency Dept.	1201 S. Main St. Crown Point, IN	24/7	219-757-6310
St. Anthony Health — Michigan City Emergency Dept.	301 W. Homer St. Michigan City, IN	24/7	219-877-1616
Chesterton Health & Emergency Center	770 Indian Boundary Rd. Chesterton, IN	24/7	219-921-2012
<b>Counseling Services (Confidential)</b>			
Counseling Center	Gyte Building, Room 005	M-Th, 8 a.m.-5 p.m. Fri., 8 a.m.-4 p.m.	219-989-2366
<b>Advocacy and Support Services</b>			
Office of the Dean of Students	SULB	M-F, 8 a.m.-4:30p.m.	219-989-4141
<b>Community Resources</b>			
The Caring Place	Valparaiso, IN	24/7	219-464-2128
The Crisis Center, Inc.	Gary, IN	24/7	219-938-0900 800-519-0469
<b>Law Enforcement Resources</b>			
Police Department	6930 Wicker Ave. Hammond, IN	24/7	219-989-2220
Hammond Police Department	509 Douglas St. Hammond, IN	24/7	219-853-6487

### Fort Wayne Campus

<b>Confidential Resources</b>			
IPFW Campus Clinic	Walb Student Union, Room 234	M-F, 8:30 a.m.-4:30 p.m.	260-481-5748
IPFW/Parkview Student Assistance Program	Walb Student Union, Room 113	M-F, 8:30 a.m.-4:30 p.m.	260-266-8060 800-721-8809
<b>Non-Confidential Reporting Resources</b>			
Title IX Coordinator	Kettler Hall, Room 110P	M-F, 8 a.m.-5 p.m.	260-481-6107
Police Department	Support Services Building	24/7	260-481-6827
Office of the Dean of Students	Walb Student Union, Room 111	M-F, 8 a.m.-5 p.m.	260-481-6601
Student Housing	410 Crescent Avenue Fort Wayne, IN	M-F, 8 a.m.-5 p.m.	260-481-4180
<b>Medical Services (Confidential)</b>			
IPFW Campus Clinic	Walb Student Union, Room 234	M-F, 8:30 a.m.-4:30 p.m.	260-481-5748
Parkview Hospital Randallia	2200 Randallia Dr. Fort Wayne, IN	24/7	260-373-4000
Parkview Regional Medical Center	11109 Parkview Plaza Dr, Entrance 1, Fort Wayne, IN	24/7	260-266-1000



<b>Counseling Services (Confidential)</b>			
IPFW/Parkview Student Assistance Program	Walb Student Union, Room 113	M-F, 8:30 a.m.-4:30 p.m.	260-266-8060 800-721-8809
<b>Advocacy and Support Services</b>			
Office of the Dean of Students	Walb Student Union, Room 111	M-F, 8 a.m.-5 p.m.	260-481-6601
<b>Community Resources</b>			
Sexual Assault Treatment Center	2270 Lake Ave., Suite 201 Fort Wayne, IN	24/7	260-423-2222
Fort Wayne Women's Bureau Rape Crisis Hotline	2417 Fairfield Fort Wayne, IN	24/7	260-426-7273 888-311-7273
YWCA Domestic Violence Crisis Line	1610 Spy Run Fort Wayne, IN	24/7	260-447-7233 800-441-4073
<b>Law Enforcement Resources</b>			
IPFW Police Department	Support Services Building	24/7	260-481-6827
Fort Wayne Police Department	1 E. Main Street Fort Wayne, IN	24/7	260-427-1222

### North Central Campus

<b>Confidential Resources</b>			
Counseling Center	TBA	M-F, 9 a.m.-3:00 p.m.	219-989-2366
<b>Non-Confidential Reporting Resources</b>			
Title IX Coordinator	Schwarz Hall, Room 25C	M-F, 8 a.m.-4:30 p.m.	219-785-5545
Police Department	Physical Facility/Campus Police Building, Room 101	24/7	219-785-5220
Office of the Dean of Students	Library-Student-Faculty Building, room 103	M-F, 8 a.m.-4:30 p.m.	219-785-5368
<b>Medical Services (Confidential)</b>			
Chesterton Health & Emergency Center	770 Indian Boundary Rd. Chesterton, IN	24/7	219-921-2000
IU Health LaPorte Hospital	1007 Lincolnway LaPorte, IN	24/7	219-326-1234
IU Health Starke Hospital	102 E. Culver Road Knox, IN	24/7	574-772-6231
Porter Hospital	85 E. U.S. 6 Frontage Rd. Valparaiso, IN	24/7	219-263-4600
Methodist Hospital	8701 Broadway Merrillville, IN	24/7	219-738-5510
St. Anthony's	301 W. Homer St. Michigan City, IN	24/7	219-879-8511
<b>Counseling Services (Confidential)</b>			
Counseling Center	TBA	M-F, 9 a.m.-3:00 p.m.	219-989-2366
<b>Advocacy and Support Services</b>			
Office of the Dean of Students	Library-Student-Faculty Building, Room 103	M-F, 8 a.m.-4:30 p.m.	219-785-5368
<b>Community Resources</b>			

National Domestic Violence Hotline	N/A	24/7	800-799-SAFE (7233)
Crisis Hotline	LaPorte/Starke Counties	24/7	219-324-6263
Crisis Hotline	Lake County	24/7	219-938-0900
Victim's Assistance Services	Porter County	M-F, 8:30 a.m.-4:30 p.m.	219-465-3408
Stepping Stones for Women	Michigan City, IN	24/7 (Crisis Hotline)	219-879-4615 800-248-1151
The Caring Place	Valparaiso, IN	24/7 (Crisis Hotline)	219-464-2128 800-933-0466
<b>Law Enforcement Resources</b>			
PNC Police Department	Physical Facility/ Campus Police Building, Room 101	24/7	219-785-5220
LaPorte County Sheriff	LaPorte, IN	24/7	219-326-7700
Westville Police Department	Westville, IN	24/7	219-785-4177

### West Lafayette Campus

<b>Confidential Resources</b>			
Purdue Crisis Line	N/A	24/7	765-495-HELP (4357)
Student Health Center (PUSH)	601 Stadium Mall Dr. West Lafayette, IN	M-F, 8 a.m.-5 p.m.	765-494-1700
Counseling and Psychological Services (CAPS)	PUSH Room 246 PSYC Room 1120	M-F, 8 a.m.-5 p.m.	765-494-6995
Center for Advocacy, Response, and Education (CARE)	Duhme Hall, Room 139	M-F, 8 a.m.-5 p.m.	765-495-CARE (2247) 24/7
<b>Non-Confidential Reporting Resources</b>			
Title IX Coordinator	Young Hall, Room 1053	M-F, 8 a.m.-5 p.m.	765-494-7255
Police Department	Terry House	24/7	765-494-8221
Office of the Dean of Students	Schleman Hall, 2nd Floor	M-F, 8 a.m.-5 p.m.	765-494-1747
University Residences	Smalley Center	M-F, 8 a.m.-5 p.m.	765-494-1000
<b>Medical Services (Confidential)</b>			
PUSH Women's Clinic	PUSH	M-F, 8 a.m.-5 p.m.	765-494-1700
PUSH Urgent Care	PUSH	M-F, 8 a.m.-8 p.m. S/Su, 10 a.m.-6 p.m.	765-494-1724
St. Elizabeth Hospital-East	1701 S. Creasy Ln., Lafayette, IN	24/7	765-502-4000
IU Health Arnett Hospital	5165 McCarty Lane Lafayette, IN	24/7	765-448-8000
<b>Counseling Services (Confidential)</b>			
CAPS	PUSH	M-F, 8 a.m.-5 p.m.	765-494-6995
<b>Advocacy and Support Services</b>			
Office of the Dean of Students	Schleman Hall, 2nd Floor	M-F, 8 a.m.-5 p.m.	765-494-1747

Community Resources			
Mental Health America Crisis Center	1244 N. 15th Street Lafayette, IN	24/7	765-742-0244 877-419-1632
YWCA Domestic Violence Intervention and Prevention Hotline	N/A	24/7	765-423-1118* <i>accepts collect calls</i> 888-345-1118
Law Enforcement Resources			
Police Department	205 S. Martin Jischke Dr. West Lafayette, IN	24/7	765-494-8221
West Lafayette Police Dept.	711 W. Navajo St. West Lafayette, IN	24/7	765-775-5200
Tippecanoe County Sheriff	2640 Duncan Road Lafayette, IN	24/7	765-423-9388
Lafayette Police Dept.	20 N 6th Street Lafayette, IN	24/7	765-807-1200

# Anti-Harassment Policy (III.C.1)

Volume III: Ethics

Chapter C: Equal Opportunity

Responsible Executive: Vice President for Ethics and Compliance

Responsible Office: Office of the Vice President for Ethics and Compliance

Date Issued: December 22, 2010

Date Last Revised: July 1, 2016

## Table of Contents

[Contacts](#)

[Statement of Policy](#)

[Reason for This Policy](#)

[Individuals and Entities Affected by This Policy](#)

[Exclusions](#)

[Responsibilities](#)

[Definitions](#) (defined terms are capitalized throughout the document)

[Related Documents, Forms and Tools](#)

[Website Address for This Policy](#)

[History and Updates](#)

[Appendix](#)

## Contacts

Subject	Contact	Telephone	E-mail/Web Address
Policy Clarification	Vice President for Ethics and Compliance (System-wide Title IX Coordinator)	765-494-5830	<a href="mailto:vpec@purdue.edu">vpec@purdue.edu</a>  <a href="http://www.purdue.edu/ethics">www.purdue.edu/ethics</a>  Office address: Ernest C. Young Hall, 10 <sup>th</sup> floor 155 S. Grant St. West Lafayette, IN 47907
Harassment Complaints	<b>Fort Wayne:</b> Human Resources and Institutional Equity	260-481-6677	<a href="http://www.ipfw.edu/equity">www.ipfw.edu/equity</a>
	<b>PNW Calumet Campus:</b> Office of Equity, Diversity and Inclusion	219-989-3169	<a href="http://www.pnw.edu/diversity/calumet-campus/">www.pnw.edu/diversity/calumet-campus/</a>
	<b>PNW North Central Campus:</b> Office of Equity,	219-785-5545	<a href="http://www.pnw.edu/diversity/north-central-campus/">www.pnw.edu/diversity/north-central-campus/</a>

Reports of Sexual Violence	Diversity and Inclusion		
	<b>West Lafayette:</b> Office of Institutional Equity	765-494-7255	<a href="mailto:equity@purdue.edu">equity@purdue.edu</a> <a href="http://www.purdue.edu/oie">www.purdue.edu/oie</a>
	<b>For all emergencies, dial 911.</b>		
	Non-emergency reports may be made using the contacts below.		
	<b>Fort Wayne:</b> Title IX Coordinator – Christine M. Marcuccilli	260-481-6107	Kettler Hall, Room 110P 2101 E. Coliseum Blvd. Fort Wayne, IN 46805 <a href="mailto:marcuccc@ipfw.edu">marcuccc@ipfw.edu</a>
	<b>PNW Calumet Campus:</b> Title IX Coordinator – Linda B. Knox	219-989-3169	Lawshe Hall, Room 231 2200 169 <sup>th</sup> St. Hammond, IN 46323 <a href="mailto:lbknox@pnw.edu">lbknox@pnw.edu</a>
	<b>PNW North Central Campus:</b> Title IX Coordinator – Laura Odom	219-785-5545	Schwarz Hall, Room 25 1401 S. U.S. Highway 421 Westville, IN 46391 <a href="mailto:odoml@pnw.edu">odoml@pnw.edu</a>
	<b>West Lafayette:</b> Title IX Coordinator – Erin Oliver	765-494-7255	Ernest C. Young Hall, 10 <sup>th</sup> floor 155 S. Grant St. West Lafayette, IN 47907 <a href="mailto:titleix@purdue.edu">titleix@purdue.edu</a>
	<b>Fort Wayne:</b> <ul style="list-style-type: none"><li>• Police Department</li><li>• Office of the Dean of Students</li><li>• Student Housing</li><li>• Health and Wellness Clinic</li></ul>	<ul style="list-style-type: none"><li>• 260-481-6827</li><li>• 260-481-6601</li><li>• 260-481-4180</li><li>• 260-481-5748</li></ul>	<ul style="list-style-type: none"><li>• <a href="http://www.ipfw.edu/police/">www.ipfw.edu/police/</a></li><li>• <a href="http://www.ipfw.edu/offices/dean/">www.ipfw.edu/offices/dean/</a></li><li>• <a href="http://www.ipfw.edu/offices/housing/">www.ipfw.edu/offices/housing/</a></li><li>• <a href="http://www.ipfw.edu/clinic/">www.ipfw.edu/clinic/</a></li></ul>
	<b>PNW Calumet Campus:</b> <ul style="list-style-type: none"><li>• Police Department</li><li>• Office of the Dean of Students</li><li>• Housing</li></ul>	<ul style="list-style-type: none"><li>• 219-989-2220</li><li>• 219-989-4141</li><li>• 219-989-4150</li><li>• 219-989-1235</li></ul>	<ul style="list-style-type: none"><li>• <a href="http://www.pnw.edu/police/calumet-campus/">www.pnw.edu/police/calumet-campus/</a></li><li>• <a href="http://www.pnw.edu/dean-of-students">www.pnw.edu/dean-of-students</a></li><li>• <a href="http://www.pnw.edu/housing/">www.pnw.edu/housing/</a></li><li>• <a href="http://www.pnw.edu/community-care-network-health-clinic/">www.pnw.edu/community-care-network-health-clinic/</a></li></ul>

	<ul style="list-style-type: none"> <li>Community Care Network Health Clinic</li> </ul>		
	<b>PNW North Central Campus:</b> <ul style="list-style-type: none"> <li>Police Department</li> <li>Office of the Dean of Students</li> </ul>	<ul style="list-style-type: none"> <li>219-785-5220</li> <li>219-785-5230</li> </ul>	<ul style="list-style-type: none"> <li><a href="http://www.pnw.edu/police/north-central-campus/pd-home-page/">www.pnw.edu/police/north-central-campus/pd-home-page/</a></li> <li><a href="http://www.pnw.edu/dean-of-students">www.pnw.edu/dean-of-students</a></li> </ul>
	<b>West Lafayette:</b> <ul style="list-style-type: none"> <li>Police Department</li> <li>Office of the Dean of Students</li> <li>University Residences</li> <li>Student Health Center (PUSH)</li> </ul>	<ul style="list-style-type: none"> <li>765-494-8221</li> <li>765-494-1747</li> <li>765-494-1000</li> <li>765-494-1700</li> </ul>	<ul style="list-style-type: none"> <li><a href="http://www.purdue.edu/police/">www.purdue.edu/police/</a></li> <li><a href="http://www.purdue.edu/odos/">www.purdue.edu/odos/</a></li> <li><a href="http://www.housing.purdue.edu/">www.housing.purdue.edu/</a></li> <li><a href="http://www.purdue.edu/push/">www.purdue.edu/push/</a></li> </ul>

## Statement of Policy

Purdue University is committed to maintaining an environment that recognizes the inherent worth and dignity of every person; fosters tolerance, sensitivity, understanding and mutual respect; and encourages its members to strive to reach their potential. The most effective way to work toward preventing Harassment is through education that emphasizes respect for every individual.

It is essential that Purdue University demonstrate its intellectual and ethical leadership by reaffirming its strong position against Harassment in all forms. All members of the University community must be able to pursue their goals, educational needs and working lives without intimidation or injury generated by intolerance and Harassment.

Harassment in the workplace or the educational environment is unacceptable conduct and will not be tolerated. Purdue University is committed to maintaining an educational and work climate for faculty, staff and students that is positive and free from all forms of Harassment. This policy addresses Harassment in all forms, including Harassment toward individuals for reasons of race, religion, color, sex, age, national origin or ancestry, genetic information, disability, status as a veteran, marital status, parental status, sexual orientation, gender identity or gender expression. The University will not tolerate Harassment of its faculty, staff or students by persons conducting business with or visiting the University, even though such persons are not directly affiliated with the University.

## Reporting and Addressing Harassment



This policy seeks to encourage faculty, staff and students to report and address incidents of Harassment. The [Procedures for Resolving Complaints of Discrimination and Harassment](#), as issued and updated from time to time by the Vice President for Ethics and Compliance, describe the necessary steps for filing complaints of Harassment.

Retaliation against faculty members, staff members or students for reporting or complaining of Harassment, for assisting or participating in the investigation of a complaint of Harassment, or for enforcing this policy is strictly prohibited.

The University reserves the right to investigate circumstances that may involve Harassment in situations where no complaint, formal or informal, has been filed. In appropriate circumstances, sanctions in accordance with this policy will be implemented.

To determine whether a particular act or course of conduct constitutes Harassment under this policy, the alleged behavior will be evaluated by considering the totality of the particular circumstances, including the nature, frequency, intensity, location, context and duration of the questioned behavior. Although repeated incidents generally create a stronger claim of Harassment, a serious incident, even if isolated, can be sufficient.

### **Academic Freedom and Freedom of Speech**

Freedom of thought and expression are the lifeblood of our academic community and require an atmosphere of mutual respect among diverse persons, groups and ideas. The maintenance of mutually respectful behavior is a precondition for the vigorous exchange of ideas, and it is the policy of the University to promote such behavior in all forms of expression and conduct. The University reaffirms its commitment to freedom of speech as guaranteed by the First Amendment to the United States Constitution. Accordingly, any form of speech or conduct that is protected by the First Amendment is not subject to this policy. The University reaffirms its commitment to academic freedom, which is essential to its educational mission and is critical to diversity and intellectual life.

### **Violations of Policy and Sanctions**

Any individual or group of individuals found to have violated this policy will be subject to disciplinary and/or remedial action, up to and including termination of employment or expulsion from the University. Faculty and staff who are determined to have violated this policy also may be held personally liable for any damages, settlement costs or expenses, including attorney fees incurred by the University.

The University strongly encourages students to report instances of Sexual Violence or Sexual Exploitation. Therefore, students who provide information regarding Sexual Violence or Sexual Exploitation will not be disciplined by the University for any violation of the Regulations Governing Student Conduct relating to drug or alcohol possession or consumption in which they might have engaged in connection with the reported incident of possible Sexual Violence or Sexual Exploitation.

This policy may not be used to bring knowingly false or malicious charges against any faculty, staff, students or recognized student organizations, including fraternities, sororities and/or cooperatives. Disciplinary action will be taken against any person or group found to have brought a charge of Harassment in bad faith or any person who, in bad faith, is found to have encouraged another person or group to bring such a charge.

### **Education and Prevention**

The University offers education and primary prevention, risk reduction and awareness programs for students, faculty and staff concerning Sexual Harassment, Sexual Violence, Sexual Exploitation, Relationship Violence and Stalking.

## **Coordination with Other University Policies**

This policy augments, but does not supersede, other University policies covering discrimination. Although Harassment as described and prohibited by this policy includes a wide range of behavior, it does not include certain discriminatory conduct, even though that conduct may be otherwise unlawful, offensive or prohibited by other University policies.

### **REASON FOR THIS POLICY**

This policy is designed to prevent and sanction incidents of Harassment within the Purdue University community. The University believes that Harassment, which is a form of discrimination, is repugnant and inimical to our most basic values.

As a land-grant university, Purdue University is committed to the principles of equal opportunity in education and employment. We take seriously our responsibility to provide leadership in ensuring that equal opportunity is the norm rather than an aspiration.

This policy helps to promote this commitment through compliance with both state and federal laws and regulations, including but not limited to:

- Age Discrimination in Employment Act of 1967
- Americans with Disabilities Act of 1990, as amended
- Executive Order 11246, as amended
- Equal Pay Act of 1963
- Genetic Information Nondiscrimination Act of 2008
- Immigration Reform and Control Act of 1986
- Indiana Civil Rights Act of 1971
- Pregnancy Discrimination Act
- Sections 503 and 504 of the Rehabilitation Act of 1973
- Title VI of the Civil Rights Act of 1964, as amended
- Title VII of the Civil Rights Act of 1964, as amended
- Title IX of the Education Amendments of 1972
- Uniformed Services Employment and Reemployment Rights Act of 1994
- VEVRAA, Section 4212
- Violence Against Women Reauthorization Act of 2013

### **INDIVIDUALS AND ENTITIES AFFECTED BY THIS POLICY**

All Purdue University community members.

### **EXCLUSIONS**

There are no exclusions to this policy.

### **RESPONSIBILITIES**

#### **Vice President for Ethics and Compliance**

- In consultation with University officers, Chancellors and legal counsel, oversee and coordinate enforcement of policies and procedures dealing with Harassment for all campuses and operations within the Purdue University system.

- In consultation with University officers, Chancellors and legal counsel, oversee and coordinate the provision of education and primary prevention, risk reduction and awareness programs for students, faculty and staff concerning Sexual Harassment, Sexual Violence, Sexual Exploitation, Relationship Violence and Stalking within the University system.

## **Chancellors**

- Maintain an educational and employment environment free from Harassment.

## **Vice Presidents, Vice Chancellors, Vice Provosts and Deans**

- Maintain an educational and employment environment free from Harassment.
- Communicate to all members of their unit those individuals and offices designated as a resource for people seeking assistance with Harassment.

## **Title IX Coordinators**

- Oversee the investigation and resolution of all reports of Sexual Harassment, Sexual Violence, Sexual Exploitation, Stalking and Relationship Violence on their respective campuses involving students, staff and faculty.
- Be knowledgeable and trained in University policies and procedures and relevant state and federal laws.
- Be available to advise any individual, including a Complainant, a Respondent or a third party, about the courses of action available at the University, both informally and formally, and in the community.
- Be available to provide assistance to any University employee regarding how to respond appropriately to a report of Sexual Harassment, Sexual Violence, Sexual Exploitation, Stalking or Relationship Violence.
- Monitor full compliance with all applicable procedural requirements, record keeping and timeframes.
- Oversee training, prevention and education efforts and periodic reviews of climate and culture for their respective campuses.

## **Mandatory Reporters**

- Report all incidents of discrimination, Harassment or retaliation directly to the campus Title IX Coordinator or Equal Opportunity Officer.

## **Administrators, Supervisors, and Individuals and Offices Designated as a Resource for Assistance with Harassment**

- Take immediate steps in accordance with University policy and procedure to deal with any conduct involving Harassment or complaints of Harassment brought to their attention that involve University faculty, staff or students under their administrative jurisdiction.

## **Individuals Who Believe They Have Experienced or Witnessed Harassment**

- Report the incident as described in the [Procedures for Resolving Complaints of Discrimination and Harassment](#).

## **DEFINITIONS**

All defined terms are capitalized throughout the document. Additional defined terms may be found in the central [Policy Glossary](#).

**Consent/Consensual**

Affirmative, clear communication given by words or actions that shows an active, knowing and voluntary agreement to engage in mutually agreed-upon sexual activity. Consent is given freely and voluntarily. Consent may not be inferred from silence, passivity or when an individual is Incapacitated or otherwise prevented from giving Consent as a result of impairment due to a mental or physical condition or age. No Consent exists when there is a threat of force or physical or psychological violence.

Although Consent may be given initially, it may be withdrawn at any point without regard to activity preceding the withdrawal of Consent.

The voluntary nature of Consent will be subject to heightened scrutiny in circumstances in which a person engages in a sexual relationship with a person over whom he or she has any power or authority within the University.

**Harassment**

Conduct towards another person or identifiable group of persons that has the purpose or effect of:

1. Creating an intimidating or hostile educational environment, work environment or environment for participation in a University activity;
2. Unreasonably interfering with a person's educational environment, work environment or environment for participation in a University activity; or
3. Unreasonably affecting a person's educational or work opportunities or participation in a University activity.

Use of the term Harassment includes all forms of harassment, including Stalking, Racial Harassment and Sexual Harassment.

**Incapacitated/Incapacitation**

A mental state in which an individual cannot make rational decisions because they lack the capacity to give knowing Consent (e.g., to understand the who, what, where, why and how of their sexual interaction). Such Incapacitation may be caused by alcohol or other drug use, sleep or unconsciousness. Intoxication is not equivalent to Incapacitation.

**Mandatory Reporters**

Individuals employed by the University who hold a title of or equivalent to President, Chancellor, vice president, vice chancellor, vice provost, dean, department head and director, as well as all faculty members, coaches, employees in supervisory or management roles, student affairs professionals, academic advisors and residential life staff. Also included are individuals who have authority and responsibility to remedy Harassment, or those whom a student would reasonably believe has such authority (e.g., Student Organization Advisors, including fraternities and sororities).

**Racial Harassment**

Conduct that demonstrates hostility towards another person (or identifiable group of persons) on the basis of race, color, national origin or ancestry and that has the purpose or effect of:

1. Creating an intimidating or hostile educational environment, work environment or environment for participation in a University activity;
2. Unreasonably interfering with a person's educational environment, work environment or environment for participation in a University activity; or
3. Unreasonably affecting a person's educational or work opportunities or participation in a University activity.

The University is strongly committed to providing a safe and Harassment-free environment for members of those groups that have historically been, and are still likely to be, at greatest risk of Harassment for reasons of prejudice.

## Relationship Violence

Any physical, sexual and/or psychological harm against an individual by a current or former intimate or romantic partner. Intimate or romantic partners may be dating, cohabitating, married, separated or divorced, and may be of the same or opposite sex.

## Retaliation

Any overt or covert act of reprisal, interference, restraint, penalty, discrimination, intimidation or Harassment against any person or group for reporting or complaining of discrimination and/or Harassment, assisting or participating in the investigation of a complaint of discrimination and/or Harassment, or enforcing University policies with respect to discrimination and/or Harassment.

## Sexual Exploitation

An act that exploits someone sexually. Examples of Sexual Exploitation include, but are not limited to:

- Exposing one's own or another person's intimate parts without Consent.
- Recording video or audio, photographing, or transmitting intimate or sexual utterances, sounds or images without Consent of all parties involved.
- Allowing others to view sexual acts (whether in person or via a video camera or other recording device) without the Consent of all parties involved.
- Engaging in any form of voyeurism.

## Sexual Harassment

- A. Any act of Sexual Violence.
- B. Any act of Sexual Exploitation.
- C. Any unwelcome sexual advance, request for sexual favors or other written, verbal or physical conduct of a sexual nature when:
  1. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, education or participation in a University activity;
  2. Submission to, or rejection of, such conduct by an individual is used as the basis for, or a factor in, decisions affecting that individual's employment, education or participation in a University activity; or
  3. Such conduct has the purpose or effect of unreasonably interfering with an individual's employment or academic performance or creating an intimidating, offensive or hostile environment for that individual's employment, education or participation in a University activity.

## Sexual Violence

Any non-Consensual sexual act, including but not limited to rape, sexual assault, sexual battery and sexual coercion. Sexual Violence also includes Relationship Violence. Examples of Sexual Violence include, but are not limited to:

- Non-Consensual sexual contact: touching, with any body part or object, another person's intimate parts (e.g., genitalia, groin, breast, buttocks), whether clothed or unclothed.
- Non-Consensual sexual intercourse: oral, anal and/or vaginal penetration, to any degree and with any body part or object.
- Compelling a person to touch his or her own or another person's intimate parts without Consent.

## Stalking

Any knowing or intentional course of conduct involving repeated or continued following, threatening or intimidating another by telephone, mail, electronic communication, social media, in person or any other action, device or method that 1) would cause a reasonable person to suffer substantial emotional distress or fear of bodily injury or death and 2) actually causes such person substantial emotional distress or fear of bodily injury or death.

**RELATED DOCUMENTS, FORMS AND TOOLS**

Board of Trustees resolution dated December 18, 2010

**Policies**

- [Equal Opportunity, Equal Access and Affirmative Action \(III.C.2\)](http://www.purdue.edu/policies/ethics/iic2.html): www.purdue.edu/policies/ethics/iic2.html
- [Amorous Relationships \(III.A.1\)](http://www.purdue.edu/policies/ethics/iiia1.html): www.purdue.edu/policies/ethics/iiia1.html
- [University Nondiscrimination Policy Statement](http://www.purdue.edu/purdue/ea_eou_statement.html): www.purdue.edu/purdue/ea\_eou\_statement.html

[Procedures for Resolving Complaints of Discrimination and Harassment](http://www.purdue.edu/ethics/resources/resolving-complaints.html): www.purdue.edu/ethics/resources/resolving-complaints.html

[Sexual Violence Awareness website](http://www.purdue.edu/sexual_assault/): www.purdue.edu/sexual\_assault/

**Regulations Governing Student Conduct:**

- [Fort Wayne](http://bulletin.ipfw.edu/content.php?catoid=19&navoid=487#Code): http://bulletin.ipfw.edu/content.php?catoid=19&navoid=487#Code
- [Northwest](http://www.pnw.edu/dean-of-students/student-code-of-conduct/): www.pnw.edu/dean-of-students/student-code-of-conduct/
- [West Lafayette](http://www.purdue.edu/studentregulations/student_conduct/index.html): www.purdue.edu/studentregulations/student\_conduct/index.html

**Websites for governing bodies with oversight for applicable laws and regulations:**

- [Indiana Civil Rights Commission](http://www.in.gov/icrc): www.in.gov/icrc
- [U.S. Department of Education Office for Civil Rights](http://www.ed.gov/ocr): www.ed.gov/ocr
- [U.S. Department of Justice, Americans with Disabilities Act](http://www.ada.gov/): www.ada.gov/
- [U.S. Department of Labor Office of Federal Contractor Compliance Programs](http://www.dol.gov/ofccp): www.dol.gov/ofccp
- [U.S. Equal Employment Opportunity Commission](http://www.eeoc.gov): www.eeoc.gov

**WEBSITE ADDRESS FOR THIS POLICY**

[www.purdue.edu/policies/ethics/iic1.html](http://www.purdue.edu/policies/ethics/iic1.html)

**HISTORY AND UPDATES**

July 1, 2016: Minor updates throughout policy. Clarified the language regarding sanctions. Several updates to Contacts section.

June 1, 2015: Policy formatted into new template. Responsibilities for Title IX Coordinators and Mandatory Reporters added. Definitions of Consent and Retaliation updated. Contacts and hyperlinks updated.

May 6, 2014: Contacts section updated.

March 1, 2014: The following additions were made: 1) education, prevention, risk reduction and awareness program language, 2) a definition of stalking and 3) a modification of certain disciplinary actions for students. Several website URLs were updated throughout.



April 1, 2012: Language pertaining to Sexual Violence added in the Statement of Policy and Definitions. Procedures updated to refer all complaints under this policy to the Procedures for Resolving Complaints of Discrimination and Harassment.

November 18, 2011: Policy number changed to III.C.1 (formerly X.2.1) and website address updated. Links to other policies updated as well.

July 1, 2011: Definition of Sexual Harassment amended.

May 1, 2011: A definition for Regulations Governing Student Conduct was added. This policy supersedes Anti-Harassment, Interim (X.2.1) dated December 22, 2010.

December 22, 2010: This policy supersedes the Anti-harassment Policy (Executive Memorandum No. C-33) dated September 16, 1994. It has been formatted in the current policy template and updated to comply with the Board of Trustees' resolution dated December 18, 2010, which expands the University's nondiscrimination commitment to include the bases of genetic information, gender identity and gender expression.

## **APPENDIX**

There are no appendices to this policy.

# Facilities and Safety Violent Behavior (IV.A.3)

Volume IV: Facilities and Safety

Chapter A: Safety

Responsible Executive: Chief Financial Officer and Treasurer

Responsible Office: Office of Environmental Health and Public Safety

Date Issued: February 1, 2011

Date Last Revised: September 21, 2016

## Table of Contents

[Contacts](#)

[Statement of Policy](#)

[Reason for This Policy](#)

[Individuals and Entities Affected by This Policy](#)

[Exclusions](#)

[Responsibilities](#)

[Definitions](#) (defined terms are capitalized throughout the document)

[Related Documents, Forms and Tools](#)

[Website Address for This Policy](#)

[History and Updates](#)

[Appendix](#)

## CONTACTS

**For all emergencies, dial 911.** Non-emergency reports and questions are directed to the contact information below.

### Policy Clarification

Senior Director, Environmental Health and Public Safety

765-494-7504

[ehps@purdue.edu](mailto:ehps@purdue.edu)

### Northwest Campus

Subject	Contact	Telephone	E-mail/Web Address
Questions	Vice Chancellor, Finance and Administration	219-785-5400	
Non-Emergency Reports of Violent Behavior	University Police Chief	219-989-2220 or 219- 989-2911	

### Fort Wayne Campus

Subject	Contact	Telephone	E-mail/Web Address
Questions	Vice Chancellor for Financial Affairs	260-481-6804	
Non-Emergency Reports of Violent Behavior	University Police Chief	260-481-0739	

**West Lafayette Campus**

<b>Subject</b>	<b>Contact</b>	<b>Telephone</b>	<b>E-mail/Web Address</b>
Questions	Senior Director, Environmental Health and Public Safety	765-494-7504	<a href="mailto:ehps@purdue.edu">ehps@purdue.edu</a>
Non-Emergency Reports of Violent Behavior	Purdue Public Safety Dispatch	765-494-8221 or 911	<a href="mailto:police@purdue.edu">police@purdue.edu</a>

**STATEMENT OF POLICY**

Purdue University is committed to providing a safe and secure campus environment for members of the university community. Purdue strives to create an educational environment for students and a work environment for employees that promote educational and career goals. Violent Behavior impedes such goals and is prohibited in or on any University Facility or while participating in any University activity.

Purdue University uses best efforts to protect victims of Violent Behavior by offering reasonable and appropriate security measures. Whenever possible and appropriate, accommodations or adjustments to a victim's work/class schedule, location or conditions will be made to enhance safety. Individuals who are aware that someone is a victim of Violent Behavior may offer support to the victim through steps such as referring him or her to the Employee Assistance Program, Student Counseling Center or other appropriate resources. The University's policies will allow for flexibility to attend medical, court or counseling appointments related to trauma and/or victimization from situations covered by this policy.

Retaliation against any employee, student or other member of the University community who, in good faith, reports a violation of this policy is prohibited.

Purdue University employees who violate this policy will be subject to disciplinary action up to and including termination. An act of off-duty Violent Behavior may also be grounds for disciplinary action up to and including termination if there is a relevant relationship between the type of Violent Behavior and the potential adverse impact on the employee's or another employee's ability to perform his or her assigned duties and responsibilities. Purdue University students who violate this policy on or off University Facilities may be subject to disciplinary action up to and including expulsion, as provided in the Regulations Governing Student Conduct. In addition, any person who violates this policy may be subject to the issuance of a persona non grata notification, which limits access to a part of or all of University Facilities, in accordance with the [Persona Non Grata \(IV.A.5\)](#) policy.

**REASON FOR THIS POLICY**

The University is committed to providing a safe environment for students, faculty, staff and visitors. Criminal and civil laws prohibit Violent Behavior, and the Occupational Safety and Health Act of 1970 governs employers' workplace safety. This policy describes Violent Behavior, its prevention and response, and University sanctions.

**INDIVIDUALS AND ENTITIES AFFECTED BY THIS POLICY**

All units, students, faculty, staff, volunteers and agents/contractors of Purdue University.

**EXCLUSIONS**

There are no exclusions to this policy.

---

**RESPONSIBILITIES****Behavioral Assessment Teams**

- Assess potentially threatening situations and recommend action to mitigate risk of harm.
- Make every effort to protect the confidentiality and safety of those who report potential violations of this policy or raise concerns about Violent Behavior.

**Employees**

- Report immediately any Violent Behavior or other violations of this policy to the University Police or the head of Human Resources on their campus (or the head's designee for such reports).

**Human Resources**

- Promptly investigate allegations that employees have engaged in Violent Behavior or otherwise violated this policy and take action to mitigate risk of harm, including, when necessary, removal of an employee or student from campus or other interim corrective measures of a non-disciplinary nature until the investigation is concluded.
- Upon receipt of a report of Violent Behavior, notify the chair of the appropriate Behavioral Assessment Team, and request a meeting of the team, as needed.
- Refer employees and/or students to appropriate resources for coordination of assessments of Violent Behavior in the workplace and/or academic environment.
- Promptly notify the Title IX Coordinator of reports of Violent Behavior that may also violate the [Anti-Harassment \(III.C.1\)](#) policy's definitions of Relationship Violence, Sexual Violence and/or Stalking.
- Develop and deliver, jointly with University Police, training and educational materials regarding Violent Behavior prevention and response.

**Office of the Dean of Students**

- Promptly investigate allegations that students have engaged in Violent Behavior or otherwise violated this policy and take action to mitigate risk of harm, including, when necessary, removal of a student from campus or other interim corrective measures of a non-disciplinary nature until the investigation is concluded.
- Promptly notify the Title IX Coordinator of reports of Violent Behavior that may also violate the [Anti-Harassment \(III.C.1\)](#) policy's definitions of Relationship Violence, Sexual Violence and/or Stalking.
- Upon receipt of a report of Violent Behavior, notify the chair of the appropriate Behavioral Assessment Team, and request a meeting of the team, as needed.
- Develop and deliver, jointly with University Police, training and educational materials regarding Violent Behavior prevention and response.

**Supervisors**

- Immediately report to the University Police incidents or allegations of Violent Behavior or other violations of this policy that are brought to their attention.

- Contact Human Resources to determine whether an employee should undergo an assessment of Violent Behavior in the workplace with an appropriate resource.

## **Students**

- Immediately report any Violent Behavior or other violations of this policy to the University Police or the Dean of Students.

## **University Police**

- Promptly investigate reports of Violent Behavior or other violations of this policy.
- Upon receipt of a report of Violent Behavior, notify the chair of the appropriate Behavioral Assessment Team, and request a meeting of the team, as needed.
- Develop and deliver, jointly with Human Resources and with the Office of the Dean of Students, training and educational materials regarding Violent Behavior prevention and response.
- Comply with the policy on Campus Security and Crime Statistics (IV.A.2).

## **Vice Chancellor for Finance and Administrative Services (Northwest) and Vice Chancellor for Financial and Administrative Affairs (Fort Wayne)**

- Serve as the chairperson for their campus employee Behavioral Assessment Team or designate responsibility for such.
- Identify the membership of their respective campus employee Behavioral Assessment Teams.

## **Vice Chancellor for Enrollment Management and Student Affairs (Northwest) and Vice Chancellor for Student Affairs (Fort Wayne)**

- Serve as the chairperson for their campus student Behavioral Assessment Team or designate responsibility for such.
- Identify the membership of their respective campus student Behavioral Assessment Teams.

## **Vice President for Human Resources**

- Serve as the chairperson for the West Lafayette campus employee Behavioral Assessment Team or designate responsibility for such.

## **Dean of Students (West Lafayette)**

- Serve as the chairperson for the West Lafayette campus student Behavioral Assessment Team or designate responsibility for such.

## **DEFINITIONS**

All defined terms are capitalized throughout the document. Additional defined terms may be found in the central [Policy Glossary](#).

## **Behavioral Assessment Team**

A standing committee of multi-disciplinary experienced representatives who will analyze potentially threatening

situations, especially imminent threats to self or others, and take action to mitigate risk. Each campus may assign a specific name to their committee(s), but the purpose, function and membership must adhere to this policy.

The chairperson of each campus's employee Behavior Assessment Team is as noted in the Responsibilities section and includes representatives from Human Resources, Environmental Health and Public Safety (West Lafayette only), University Police, legal counsel, mental health professional(s) and others as appropriate. The chairperson of each campus's student Behavior Assessment Team is as noted in the Responsibilities section and includes representatives from the Office of the Dean of Students, University Police, Housing and Food Services (West Lafayette only), legal counsel, mental health professional(s) and others as appropriate.

**Intimidation**

Engaging in actions intended to frighten, coerce or induce duress. These actions include, but are not limited to, unwanted pursuit or stalking, as defined in the policy on Anti-Harassment (III.C.1).

**Physical Attack**

Unwanted physical contact such as hitting, kicking, pushing, shoving, biting, fighting, throwing objects or use of an unauthorized weapon against another person.

**Property Damage**

Reckless or intentional damage to property, including property owned by Purdue University or its employees, students, visitors or vendors.

**Threat**

A serious expression of intent to commit an act of unlawful violence to a particular individual or group of individuals or to cause damage to another person's property, or other conduct which threatens or endangers the health and safety of another person or another person's property.

**University Facility(ies)**

As used in this policy, any building or structure or any improved or unimproved land, or any part of any such building, structure or land, that is owned, used or occupied by Purdue University.

**Violent Behavior**

A broad range of behaviors that generate reasonable concerns for personal safety, result in physical injury or result in damage to University Facilities. Violent behavior includes, but is not limited to, aggressive or frightening acts, Intimidation, Threats, Physical Attacks or Property Damage.

**RELATED DOCUMENTS, FORMS AND TOOLS****Policies:**

- [Anti-Harassment \(III.C.1\)](http://www.purdue.edu/policies/ethics/iic1.html): [www.purdue.edu/policies/ethics/iic1.html](http://www.purdue.edu/policies/ethics/iic1.html)
- [Campus Security and Crime Statistics \(IV.A.2\)](http://www.purdue.edu/policies/facilities-safety/iva2.html): [www.purdue.edu/policies/facilities-safety/iva2.html](http://www.purdue.edu/policies/facilities-safety/iva2.html)
- [Persona Non Grata \(IV.A.5\)](http://www.purdue.edu/policies/facilities-safety/iva5.html): [www.purdue.edu/policies/facilities-safety/iva5.html](http://www.purdue.edu/policies/facilities-safety/iva5.html)

**Regulations Governing Student Conduct:**

- [Fort Wayne](#)
- [Northwest](#)
- [West Lafayette](#)



Occupational Safety and Health Act of 1970

**WEBSITE ADDRESS FOR THIS POLICY**

[www.purdue.edu/policies/facilities-safety/iva3.html](http://www.purdue.edu/policies/facilities-safety/iva3.html)

**HISTORY AND UPDATES**

October 1, 2016: Updated to reflect appropriate contacts, titles and campus names.

May 15, 2015: Definition of Threat revised to reflect the Board of Trustees' resolution regarding principles of free speech passed on May 15, 2015.

September 29, 2014: Policy converted to new template. Language that was previously contained in the Procedures section has been incorporated into the Statement of Policy and Responsibilities sections as appropriate. The definitions of Intimidation and Property Damage were updated, as were personnel titles and hyperlinks throughout.

November 1, 2012: The definition of Behavioral Assessment Team was revised to allow each campus to assign its own names to the committees.

December 8, 2011: Updates to the Contacts and Responsibilities sections were made. This policy supersedes Violent Behavior, Interim (IV.A.3) dated November 18, 2011.

November 18, 2011: Policy number changed to IV.A.3 (formerly I.2.3) and website address updated. Related Documents section updated as well.

February 1, 2011: This policy supersedes the Violence in the Workplace Policy (Executive Memorandum No. C-43).

**APPENDIX**

There are no appendices to this policy.

# Facilities and Safety

## Alcohol- and Drug-Free Campus and Workplace Policy (C-44)

---

PURDUE UNIVERSITY  
OFFICE OF THE PRESIDENT  
EXECUTIVE MEMORANDUM No. C-44  
June 12, 1998

**To:** Vice Presidents, Chancellors, Deans, Directors, and Heads of Schools, Divisions, Departments, and Offices

**RE:** Alcohol- and Drug-Free Campus and Workplace Policy

*Executive Memorandum No. C-44 sets forth Purdue University's policy prohibiting alcohol misuse and the use of controlled substances and is effective 45 calendar days after the above-captioned date. This policy supersedes any prior oral or written policy of the University including, but not limited to, the Interim Drug Abuse Policy issued February 28, 1989, the Alcohol and Drug-Free Campus and Workplace Policies, effective September 1, 1990, and the Interim Policy for Drug and Alcohol Testing of Commercial Motor Vehicle Operators, effective January 1, 1995. The provisions of this policy are intended to comply with applicable local, state, and federal law including, but not limited to, the Drug-Free Workplace Act of 1988, the Drug-Free Schools and Communities Act Amendments of 1989, the United States Constitution, the Indiana Constitution, and the Americans With Disabilities Act of 1990. This policy is subject to change at the sole discretion of the University.*

### I. General Policy Statement

Purdue University is committed to providing students, faculty, staff, and visitors a safe and healthful campus and workplace. The University recognizes the health risks associated with controlled substance use and alcohol misuse and is committed to supporting students and employees who seek treatment for these conditions. The University also recognizes that controlled substance use and alcohol misuse diminish workplace and campus safety and undermine the University's ability to fulfill its missions of education, research, and service. The University has therefore developed this Alcohol- and Drug-Free Campus and Workplace Policy. Compliance with this policy is considered a condition of employment and attendance at the University. All employees and students will be notified of this policy by publication.

### II. Scope

This policy applies to all students, employees, and invitees as defined in Section III below, except those regulated under federal or state drug laws to the extent that this policy conflicts with such laws.

### III. Definitions

**Alcohol** means the intoxicating agent in beverage alcohol, ethyl alcohol, or other low molecular weight alcohols including methyl or isopropyl alcohol.

**Controlled substances** (or "drugs") refers to any drug or substance whose use is legally prohibited including, but not limited to, marijuana (THC), cocaine, opiates, phencyclidine (PCP), amphetamines (including methamphetamines).

**Employee(s)** means faculty, staff, or student employees.

**Invitee(s)** means any person authorized by the University to engage in University-related activities on University premises including, but not limited to, independent contractors, consultants, volunteers, individuals employed by outside employment agencies, conference attendees, and persons taking or auditing educational programs.

**Student(s)** means any person taking one or more classes for academic credit.

*University premises* means any building, structure, vehicle, improved land, or unimproved land, in whole or part, which is owned, used, or occupied by the University.

*Workplace* means any University premise or other location where an employee is engaged in University business.

#### IV. Prohibited Conduct

The following conduct is prohibited:

- A. **Alcohol.** Using, selling, manufacturing, distributing, possessing, storing, or dispensing alcohol on University premises, as part of any University-related activity, or in the workplace, except as authorized under *University Regulations* or otherwise by the University.
- B. **Controlled Substances.** Using, selling, manufacturing, distributing, possessing, storing, or dispensing controlled substances on University premises, as part of any University-related activities, or in the workplace, except as authorized under *University Regulations* or otherwise by the University.
- C. **Employee Treatment Programs.** Failing to meet the requirements of a drug or alcohol treatment program that the University requires an employee to complete as a condition of employment.
- D. **Workplace Inspection.** Interfering with a workplace inspection under this policy.
- E. **Impaired Job Performance or Attendance.** Alcohol misuse or controlled substance use, even though not during working hours or in the workplace, which impairs job performance or attendance.
- F. **Testing Procedures.** Failing any drug or alcohol test or engaging in any other conduct prohibited under the University's drug or alcohol testing procedures.
- G. **Prescription Drug Use.**
  1. Being under the influence of legally prescribed drugs in the workplace that prevent an individual from performing the essential functions of his or her job or where that individual poses a direct threat while using those drugs.
  2. Inquiries regarding prescription drug use by employees are governed by the Americans With Disabilities Act of 1990, and therefore should be made only as authorized by the Department of Personnel Services.
- H. **Other Misconduct.** Any other conduct that the University determines to be inconsistent with providing a drug-free and alcohol-free campus and workplace.

#### V. Consequences of Engaging in Prohibited Conduct

- A. **Factors Relevant to Sanction or Corrective Action.** The University will evaluate violations of this policy on a case-by-case basis. In determining the appropriate sanction or corrective action, the University may consider an individual's work or academic record, the seriousness of the violation, the safety-sensitivity of the individual's position, whether the individual's behavior violated the University's Violence in the Workplace Policy, whether a sanction or corrective action is permissible under law including, without limitation, The Americans With Disabilities Act of 1990, and any other relevant factors.
- B. **Employee.** Any employee who engages in prohibited conduct may be:
  - Immediately removed from duty.
  - Referred to the Employee Assistance Program.
  - Required to complete successfully an alcohol or drug abuse treatment program as a condition of employment.
  - Reported to authorities for criminal prosecution or other appropriate action.
  - Disciplined, up to and including termination of employment.
  - Subject to any other appropriate action by the University.
- C. **Invitee.** Any invitee who engages in prohibited conduct may be barred from further work for the University or from participating in other University-related activities as may be permitted by law. Further, they may be reported to authorities for criminal prosecution or other appropriate action.
- D. **Student.** Any student who engages in prohibited conduct may be:

- Referred to appropriate University personnel for assistance.
- Required to complete successfully a drug or alcohol abuse treatment program as a condition of University attendance.
- Reported to authorities for criminal prosecution or other appropriate action.
- Subject to disciplinary penalties under *University Regulations*.
- Subject to any other appropriate action by the University.

## VI. Workplace Inspections

- A. The University reserves the right to inspect the workplace for alcohol, controlled substances, or paraphernalia relating to alcohol or controlled substances and to question any employee when it reasonably suspects that this policy or any procedure under this policy has been violated.
- B. The University will prominently post the following notice in conspicuous places in the workplace:
 

**Purdue University reserves the right to inspect the workplace for alcohol, controlled substances, or paraphernalia relating to alcohol or controlled substances and to question any employee when the University reasonably suspects that its Alcohol- and Drug-Free Campus and Workplace Policy or any procedure under that policy has been violated.**
- C. The decision to conduct a workplace inspection should be made jointly by the supervisor who believes the inspection would be appropriate under this policy and a representative of his or her campus personnel department. In all cases, the director of personnel services for the campus or his or her designee must authorize a workplace inspection.
- D. This section of the policy does not limit in any way the Purdue University Police Department's right to conduct law enforcement activities including, but not limited to, questioning or searching any person or inspecting any University premises.

## VII. Controlled Substance and Alcohol Testing

- A. **Commercial Motor Vehicle Drivers.** Persons employed as commercial motor vehicle operators who are governed by Department of Transportation regulations are subject to drug and alcohol testing under procedures developed by the Department of Personnel Services.
- B. **Defense Contracts.** Department of Defense regulations require the University to establish programs to test employees and final applicants for illegal drug use if they will work in sensitive positions on Defense Department contracts. The University will determine appropriate tests based on the nature of the work being performed, the employee's duties, the efficient use of University resources, and the risks to public health and safety and national security that could result if the employee fails to perform the duties of the position adequately.
- C. **Intercollegiate Athletics.** Student athletes who participate in intercollegiate sports will be subject to drug and alcohol testing under National Collegiate Athletic Association regulations in testing programs developed by the University's Department of Intercollegiate Athletics.
- D. **Employee Reasonable Suspicion Drug and Alcohol Testing.** All employees of the University may be subject to reasonable suspicion drug and alcohol testing under procedures developed by the Department of Personnel Services and approved by the president of the University or his or her designee. These procedures must, at a minimum, provide that the decision to conduct reasonable suspicion testing will be made jointly by a supervisor who believes reasonable suspicion exists and a representative of his or her human resource service team. Further, in all cases, reasonable suspicion testing must be authorized by an appropriate University employee or other individual designated by the University who has been trained to recognize physical or behavioral symptoms commonly attributed to the use of drugs or alcohol.
- E. **Public Safety Employees.** Employees performing public safety duties may be subject to drug and alcohol testing procedures as authorized by the president of the University or his or her designee. This testing may include, but is not limited to, pre-employment testing, post-accident testing, return-to-duty testing, and follow-up testing.

**VIII. Employee Self-Referral and Employee Assistance Program**

- A. Self-Referral.** Employees with alcohol or drug problems are strongly encouraged to voluntarily contact their family physicians or the University's Employee Assistance Program for assistance. Employees may seek help without their supervisor's knowledge. Although voluntarily seeking assistance will not bar the University from treating the employee like other employees under this policy, the University will consider voluntary requests for help in determining any discipline to be imposed. The University will not assume any financial or other responsibility for drug or alcohol treatment except as may be provided by University benefits.
- B. Employee Assistance Program.** The University's Employee Assistance Program offers free, confidential services to employees with alcohol or drug problems, including:
1. Information about the dangers of alcohol and drug use and the University's Alcohol- and Drug-Free Campus and Workplace Policy;
  2. Assessment and evaluation;
  3. Referral to and information regarding public and private treatment programs;
  4. Services to families of employees with drug or alcohol problems; and
  5. Assistance with questions concerning insurance coverage.

**VI. Federal Contract or Grant Employees**

Under the Drug-Free Workplace Act of 1988 and the Federal Acquisition Regulations System, in addition to the other requirements of this policy, an employee engaged in the performance of (1) a federal agency contract for procurement of property or services valued at \$25,000 or more, or (2) a federal agency grant will notify his or her supervisor or department head if he or she is convicted under a criminal drug statute for conduct in the workplace no later than five calendar days after the conviction. The University will notify the federal contracting or granting agency within 10 calendar days after receiving notice of the conviction from the employee or otherwise receiving actual notice of the conviction.

**VII. Grievance Procedures**

Any student or employee with a complaint relating to the application of this policy may seek redress through applicable University grievance policies and procedures. However, employee complaints challenging drug or alcohol test results must be resolved in accordance with the applicable testing procedure.

**VIII. Confidentiality**

The University will take reasonable measures to ensure individual privacy under this policy including, but not limited to, keeping all drug and alcohol test results confidential to the maximum extent possible.

**IX. Administrative Responsibility**

Campus personnel departments will share responsibility for administering this policy and its associated procedures as they relate to employees and invitees. The Office of the Dean of Students will administer policy and procedures related to students. Intercollegiate Athletics will be responsible for policy and associated procedures described in Section VII, paragraph C.

Steven C. Beering  
President

# Relevant Indiana Law Pertaining to Offenses Associated with Relationship Violence, Stalking and Sexual Assault

## Ind. Code § 35-42-2-1: Battery

(a) As used in this section, “public safety official” means:

- (1) a law enforcement officer, including an alcoholic beverage enforcement officer;
- (2) an employee of a penal facility or a juvenile detention facility (as defined in IC 31-9-2-71);
- (3) an employee of the department of correction;
- (4) a probation officer;
- (5) a parole officer;
- (6) a community corrections worker;
- (7) a home detention officer;
- (8) a department of child services employee;
- (9) a firefighter; or
- (10) an emergency medical services provider.

(b) Except as provided in subsections (c) through (j), a person who knowingly or intentionally:

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

commits battery, a Class B misdemeanor.

(c) The offense described in subsection (b)(1) or (b)(2) is a Class A misdemeanor if it results in bodily injury to any other person.

(d) The offense described in subsection (b)(1) or (b)(2) is a Level 6 felony if one (1) or more of the following apply:

- (1) The offense results in moderate bodily injury to any other person.
- (2) The offense is committed against a public safety official while the official is engaged in the official’s official duty.
- (3) The offense is committed against a person less than fourteen (14) years of age and is committed by a person at least eighteen (18) years of age.
- (4) The offense is committed against a person of any age who has a mental or physical disability and is committed by a person having the care of the person with the mental or physical disability, whether the care is assumed voluntarily or because of a legal obligation.
- (5) The offense is committed against an endangered adult (as defined in IC 12-10-3-2).
- (6) The offense is committed against a family or household member (as defined in IC 35-31.5-2-128) if the person who committed the offense:
  - (A) is at least eighteen (18) years of age; and
  - (B) committed the offense 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.

(e) The offense described in subsection (b)(2) is a Level 6 felony if the person knew or recklessly failed to know that the bodily fluid or waste placed on another person was infected with hepatitis, tuberculosis, or human immunodeficiency virus.

(f) The offense described in subsection (b)(1) or (b)(2) is a Level 5 felony if one (1) or more of the following apply:

- (1) The offense results in serious bodily injury to another person.
- (2) The offense is committed with a deadly weapon.
- (3) The offense results in bodily injury to a pregnant woman if the person knew of the pregnancy.
- (4) The person has a previous conviction for battery against the same victim.
- (5) The offense results in bodily injury to one (1) or more of the following:
  - (A) A public safety official while the official is engaged in the official’s official duties.
  - (B) A person less than fourteen (14) years of age if the offense is committed by a person at least eighteen (18) years of age.



(C) A person who has a mental or physical disability if the offense is committed by an individual having care of the person with the disability, regardless of whether the care is assumed voluntarily or because of a legal obligation.

(D) An endangered adult (as defined in IC 12-10-3-2).

(g) The offense described in subsection (b)(2) is a Level 5 felony if:

- (1) the person knew or recklessly failed to know that the bodily fluid or waste placed on another person was infected with hepatitis, tuberculosis, or human immunodeficiency virus; and
- (2) the person placed the bodily fluid or waste on a public safety official.

(h) The offense described in subsection (b)(1) or (b)(2) is a Level 4 felony if it results in serious bodily injury to an endangered adult (as defined in IC 12-10-3-2).

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

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

- (1) A person less than fourteen (14) years of age if the offense is committed by a person at least eighteen (18) years of age.
- (2) An endangered adult (as defined in IC 12-10-3-2).

#### **Ind. Code § 35-42-4-1: Rape**

(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.

#### **Ind. Code § 35-31.5-2-221.5: "Other sexual conduct"**

"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.

#### **Ind. Code § 35-42-4-8: Sexual battery**

(a) A person who, with intent to arouse or satisfy the person's own sexual desires or the sexual desires of another person:

(1) touches another person when that person is:

- (A) compelled to submit to the touching by force or the imminent threat of force; or
- (B) so mentally disabled or deficient that consent to the touching cannot be given; or

(2) touches another person's genitals, pubic area, buttocks, or female breast when that person is unaware that the touching is occurring; commits sexual battery, a Level 6 felony.

(b) An offense described in subsection (a) is a Level 4 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; or
- (3) 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.

#### **Ind. Code § 35-45-2-1: Intimidation**

- (a) A person who communicates a threat to another person, with the intent:
- (1) that the other person engage in conduct against the other person's will;
  - (2) that the other person be placed in fear of retaliation for a prior lawful act; or
  - (3) of:
    - (A) causing:
      - (i) a dwelling, building, or another other structure; or
      - (ii) a vehicle;
 to be evacuated; or
    - (B) interfering with the occupancy of:
      - (i) a dwelling, building, or other structure; or
      - (ii) a vehicle;
 commits intimidation, a Class A misdemeanor.
- (b) However, the offense is a:
- (1) Level 6 felony if:
    - (A) the threat is to commit a forcible felony;
    - (B) the person to whom the threat is communicated:
      - (i) is a law enforcement officer;
      - (ii) is a witness (or the spouse or child of a witness) in any pending criminal proceeding against the person making the threat;
      - (iii) is an employee of a school or school corporation;
      - (iv) is a community policing volunteer;
      - (v) is an employee of a court;
      - (vi) is an employee of a probation department;
      - (vii) is an employee of a community corrections program;
      - (viii) is an employee of a hospital, church, or religious organization; or
      - (ix) is a person that owns a building or structure that is open to the public or is an employee of the person;
 and, except as provided in item (ii), the threat is communicated to the person because of the occupation, profession, employment status, or ownership status of the person as described in items (i) through (ix) or based on an act taken by the person within the scope of the occupation, profession, employment status, or ownership status of the person;
    - (C) the person has a prior unrelated conviction for an offense under this section concerning the same victim; or
    - (D) the threat is communicated using property, including electronic equipment or systems, of a school corporation or other governmental entity; and
  - (2) Level 5 felony if:
    - (A) while committing it, the person draws or uses a deadly weapon; or
    - (B) the person to whom the threat is communicated:
      - (i) is a judge or bailiff of any court; or
      - (ii) is a prosecuting attorney or a deputy prosecuting attorney.
- (c) "Communicates" includes posting a message electronically, including on a social networking web site (as defined in IC 35-42-4-12(d)).
- (d) "Threat" means an expression, by words or action, of an intention to:
- (1) unlawfully injure the person threatened or another person, or damage property;
  - (2) unlawfully subject a person to physical confinement or restraint;
  - (3) commit a crime;
  - (4) unlawfully withhold official action, or cause such withholding;
  - (5) unlawfully withhold testimony or information with respect to another person's legal claim or defense, except for a reasonable claim for witness fees or expenses;
  - (6) expose the person threatened to hatred, contempt, disgrace, or ridicule;
  - (7) falsely harm the credit or business reputation of the person threatened; or
  - (8) cause the evacuation of a dwelling, a building, another structure, or a vehicle.

**Ind. Code § 35-45-2-2: Harassment; "obscene message" defined**

- (a) A person who, with intent to harass, annoy, or alarm another person but with no intent of legitimate communication:
- (1) makes a telephone call, whether or not a conversation ensues;
  - (2) communicates with a person by telegraph, mail, or other form of written communication;
  - (3) transmits an obscene message, or indecent or profane words, on a Citizens Radio Service channel; or
  - (4) uses a computer network (as defined in IC 35-43-2-3(a)) or other form of electronic communication to:

- (A) communicate with a person; or
  - (B) transmit an obscene message or indecent or profane words to a person;
- commits harassment, a Class B misdemeanor.

(b) A message is obscene if:

- (1) the average person, applying contemporary community standards, finds that the dominant theme of the message, taken as a whole, appeals to the prurient interest in sex;
- (2) the message refers to sexual conduct in a patently offensive way; and
- (3) the message, taken as a whole, lacks serious artistic, literary, political, or scientific value.

#### Ind. Code § 35-45-10-2: “Harassment” defined

As used in this chapter, “harassment” means conduct directed toward a victim that includes but is not limited to repeated or continuing impermissible contact that would cause a reasonable person to suffer emotional distress and that actually causes the victim to suffer emotional distress. Harassment does not include statutorily or constitutionally protected activity, such as lawful picketing pursuant to labor disputes or lawful employer-related activities pursuant to labor disputes.

#### Ind. Code § 35-45-10-5: Criminal stalking

(a) A person who stalks another person commits stalking, a Level 6 felony.

(b) The offense is a Level 5 felony if at least one (1) of the following applies:

(1) A person:

- (A) stalks a victim; and
- (B) makes an explicit or an implicit threat with the intent to place the victim in reasonable fear of:
  - (i) sexual battery (as defined in IC 35-42-4-8);
  - (ii) serious bodily injury; or
  - (iii) death.

(2) A protective order to prevent domestic or family violence, a no contact order, or other judicial order under any of the following statutes has been issued by the court to protect the same victim or victims from the person and the person has been given actual notice of the order:

- (A) IC 31-15 and IC 34-26-5 or IC 31-1-11.5 before its repeal (dissolution of marriage and legal separation).
- (B) IC 31-34, IC 31-37, or IC 31-6-4 before its repeal (delinquent children and children in need of services).
- (C) IC 31-32 or IC 31-6-7 before its repeal (procedure in juvenile court).
- (D) IC 34-26-5 or IC 34-26-2 and IC 34-4-5.1 before their repeal (protective order to prevent abuse).
- (E) IC 34-26-6 (workplace violence restraining orders).

(3) The person’s stalking of another person violates an order issued as a condition of pretrial release, including release on bail or personal recognizance, or pretrial diversion if the person has been given actual notice of the order.

(4) The person’s stalking of another person violates a no contact order issued as a condition of probation if the person has been given actual notice of the order.

(5) The person’s stalking of another person violates a protective order issued under IC 31-14-16-1 and IC 34-26-5 in a paternity action if the person has been given actual notice of the order.

(6) The person’s stalking of another person violates an order issued in another state that is substantially similar to an order described in subdivisions (2) through (5) if the person has been given actual notice of the order.

(7) The person’s stalking of another person violates an order that is substantially similar to an order described in subdivisions (2) through (5) and is issued by an Indian:

- (A) tribe;
- (B) band;
- (C) pueblo;
- (D) nation; or
- (E) organized group or community, including an Alaska Native village or regional or village corporation as defined in or established under the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.);

that is recognized as eligible for the special programs and services provided by the United States to Indians because of their special status as Indians if the person has been given actual notice of the order.

(8) A criminal complaint of stalking that concerns an act by the person against the same victim or victims is pending in a court and the person has been given actual notice of the complaint.

(c) The offense is a Level 4 felony if:

- (1) the act or acts were committed while the person was armed with a deadly weapon; or

(2) the person has an unrelated conviction for an offense under this section against the same victim or victims.

**Ind. Code § 35-45-10-1: “Stalk” defined**

Sec. 1. As used in this chapter, “stalk” means 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.