



Davis College
2022
Annual Security Report

Program to End Dating Violence, Domestic Violence,
Sexual Assault and Stalking
&
Drug Prevention Program
Information

Includes crime statistics for
calendar years 2019, 2020, and 2021

TABLE OF CONTENTS

| | |
|---|----|
| Overview | 3 |
| Crime Statistics | 3 |
| How to Report Crimes & Emergencies..... | 4 |
| Campus Security Authorities | 4 |
| Crime Prevention Program..... | 4 |
| Emergency Response and Evacuation Procedures..... | 5 |
| Timely Warnings..... | 5 |
| Emergency Text Messaging System..... | 5 |
| Evacuation Procedures | 5 |
| Tornado Procedures | 6 |
| Active Shooter Procedures..... | 6 |
| Sexual Harassment..... | 7 |
| VAWA – Violence Against Women Reauthorization Act 2013..... | 8 |
| What to do if you have been Sexually Assaulted..... | 8 |
| Definitions..... | 9 |
| Protection Orders | 13 |
| Disclosure of Hearing Outcomes | 14 |
| Confidentiality | 14 |
| Confidential Off-Campus Services | 14 |
| Lucas County Sex Offender Registration..... | 15 |
| Awareness and Prevention | 15 |
| Active Bystander..... | 16 |
| Risk Reduction..... | 16 |
| Title IX overview | 18 |
| Non-Discrimination Policy | 18 |
| Title IX Sexual Misconduct Policy | 18 |
| Responsibilities of the Title IX Coordinator | 18 |
| Davis College Title IX Coordinator & How to Report Possible IX Violations | 18 |
| Davis College Title IX Deputy Coordinators..... | 19 |
| Responsible Employees | 19 |
| Adjudication of Violations..... | 20 |
| Investigation Procedures | 20 |
| Complainant and Respondent Rights | 21 |
| Sanctions | 23 |
| Protective Measures | 24 |
| Drugs-Free Campus: Student and Employee Drug Prevention Program | 25 |
| Introduction | 25 |
| Health Risks | 25 |
| Community Drug/Alcohol Counseling, Support and Treatment..... | 28 |
| Campus Information – Referral Help..... | 28 |
| College Sanctions..... | 29 |
| Legal Sanctions | 29 |

DAVIS COLLEGE
ANNUAL SECURITY REPORT

Overview

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, requires that colleges and universities make available to the student body, employees, and prospective students and employees certain crime statistics. Davis College recognizes the importance of the dissemination of this information to the Davis College Community and hereby complies with this federal mandate by distribution of this report.

This report and its policies are reviewed and prepared annually by the Title IX/Campus Security Authority Coordinator and the Vice President of Academic and Student Services with information provided by local law enforcement and Davis College incident reports. Each year, an email notification is sent to every Davis College community member disclosing this information by October 1st. Anyone, including prospective students and employees may obtain a paper copy of this report by contacting Diane Brunner, Title IX/Campus Security Authority Coordinator. This report is also published to the Davis College website at: <https://www.daviscollege.edu/ConsumerInformation/AnnualSecurityReport.pdf>

| On-campus | Total occurrences | | | Public Property | Total occurrences | | |
|---|--------------------------|-------------|-------------|------------------------|--------------------------|-------------|-------------|
| | 2019 | 2020 | 2021 | | 2019 | 2020 | 2021 |
| <u>Criminal Offense</u> | | | | - | | | |
| Murder/Non-negligent manslaughter | 0 | 0 | 0 | | 0 | 0 | 0 |
| Negligent manslaughter | 0 | 0 | 0 | | 0 | 0 | 0 |
| Forcible sex offenses (including forcible rape, fondling) | 0 | 0 | 0 | | 0 | 0 | 0 |
| Nonforcible sex offenses (incest, statutory rape) | 0 | 0 | 0 | | 0 | 0 | 0 |
| Robbery | 0 | 0 | 0 | | 0 | 0 | 0 |
| Aggravated assault | 0 | 0 | 0 | | 0 | 0 | 0 |
| Burglary | 0 | 0 | 0 | | 0 | 0 | 0 |
| Motor vehicle theft | 0 | 0 | 0 | | 0 | 0 | 0 |
| Arson | 0 | 0 | 0 | | 0 | 0 | 0 |
| Domestic Violence | 0 | 0 | 0 | | 0 | 0 | 0 |
| Dating Violence | 0 | 0 | 0 | | 0 | 0 | 0 |
| Stalking | 0 | 0 | 0 | | 0 | 0 | 0 |
| <u>Hate Crimes (none in any category)</u> | 0 | 0 | 0 | - | 0 | 0 | 0 |
| <u>Arrests and Referrals for Disciplinary Action</u> | | | | - | | | |
| Liquor law violations | 0 | 0 | 0 | | 0 | 0 | 0 |
| Drug law violations | 0 | 0 | 0 | | 0 | 0 | 0 |
| Illegal Weapons possessions | 0 | 0 | 0 | | 0 | 0 | 0 |

Campus section - crimes that occurred on the Davis College campus at
433 N. Summit Street Ste. 202 Toledo, OH
43604

Public Property - crimes that occurred off-campus, but on property adjacent to the Campus (sidewalk next to campus, street next to campus, and sidewalk directly across the street from campus).

Annual Disclosure of Crime Statistics

Campus Security Authorities are required to report any crime report to the President's Office for inclusion in the crime statistics for the annual Campus Security Report. This policy is necessary so the College can comply with federal regulations regarding disclosure of campus crimes. Incident reports that provide sufficient detailed information for classification of the offense, whether or not they include personally identifying information, will be included in the crime statistics and in timely warning notifications to the campus community.

At any time, victims or witnesses may report crimes on a voluntary, confidential basis for inclusion in the annual disclosure of crime statistics to any of the campus security authorities.

How to Report a Crime or Emergency

If you are involved in a crime or one is committed against you, or you need to report an emergency, you should report the incident to one of our **Campus Security Authorities (see below)**. You should also complete and sign an Incident Report. The Incident Report will be kept on file at the College. It is also encouraged that the Toledo Police Department be notified immediately.

If you have been involved in a crime or one is committed against you, the College will make changes in your academic situation, if necessary and reasonably possible, regardless of whether you choose to report the crime to the Toledo Police Department.

Campus Security Authorities

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

The Davis College **Campus Security Authorities** are: Diane Brunner, President (ext. 1016); Mary Ryan-Bulone, Vice President of Academic and Student Services (ext. 1015); and Tim Brunner, Vice President of Enrollment Management (ext. 1004).

Campus Security Authorities are identified and provided instruction each academic year regarding their responsibilities.

Crime Prevention-Campus Security Program

Davis College has been very fortunate in that our crime rate is so low. Our students and faculty respect our campus and each other. There has been no need for on-campus law enforcement; however there is a security guard in the Four Seagate Building 24-7. As a preventative measure, security cameras are monitored and located throughout the building. Our on-going Security and Crime Prevention Program consists of crime prevention tips posted quarterly in the college-wide email, *The Davis Details*.

Emergency Response and Evacuation Procedures

Determination of Emergency Notification:

Any member of the Leadership Team on campus will be responsible for confirming that there is a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on campus, determine who to notify, determine the content of the notification, and initiate the notification system. Davis College will, and without delay, and taking into account the safety of the community, determine the content of the notification and initiate the notification system, unless the notification will, in the professional judgment of responsible authorities, compromise efforts to assist victims or to contain, respond to, or otherwise mitigate the emergency. Toledo Police Department will be notified if deemed necessary by the administration of the College.

Timely Warning

In the event that a situation arises, either on or off campus, that, in the judgment of the President or the Vice President of Academic and Student Services constitutes an ongoing or continuing threat including Cleary Act crimes, a campus-wide “timely warning” will be issued. The warning will be issued through the College e-mail system to students, faculty, and staff via the campus’ weekly publication, *The Davis Details*, or Emergency Text Messaging System. In addition, “timely warning” notices will be posted in the employee copy rooms and student lounge.

Emergency Text Messaging System:

Students and employees may register for our Emergency Text Messaging System by visiting <http://clk2.it/mjwmdk> and entering their name and mobile phone number. This will give the College permission to send a text message in case of an emergency on campus or a weather-related school closing. Standard text messaging rates will apply. Registration may also be done on the Moodle site through the Davis Website. Once in Moodle, choose the “Sign-Up for Emergency Text Message System” link on the “Main Menu” block.

Emergency information or school closing information will also be sent via Davis College e-mail.

Evacuation Procedures:

In the event of a fire or any reason the building needs to be evacuated, please, quickly, but calmly, leave by the nearest exit and proceed to the grassy median on Jackson Street. Once there, please assemble by classroom. It is extremely important that students do not leave, and report to their instructor for a headcount. Receptionists are asked to take the sign-in sheet as they exit. Employees are asked to report to the receptionist in the parking lot for a headcount. A headcount must be taken to make sure all students and employees made it out safely, and to avoid unnecessarily risking the lives of emergency responders searching for people.

As you are leaving the building, please attempt to alert others to the need to evacuate. There are fire alarm pulls next to each exit and at the top of each stairwell. Do not re-enter the building.

Test of Evacuation Alarm and Procedures

The evacuation alarm and procedures will be tested at least once annually. This evacuation drill may be announced or unannounced. Within the two weeks previous to the Evacuation Drill, evacuation procedures are emailed to all faculty, staff, and students with the request that faculty review the procedures with all of their classes.

Davis College held an Evacuation Drill on August 24, 2022 at 10:45 a.m. Classes were in session. The drill was unannounced. There were no emergency responders from the City of Toledo on site. The

evacuation of Suite 202 was conducted by Four Seagate Security. All students and employees were evacuated in 2 minutes: 14 seconds.

Tornado Procedures:

Davis College relies on notification of a tornado warning from alerts from the Weather Channel. At the announcement of a tornado warning, the receptionist will notify the employees via the telephone intercom system. Available personnel of the college will notify classrooms of the tornado warning on foot in any area that the telephone intercom might not reach. In the event of a tornado, students and employees should assemble in the inner hallways. Davis College personnel will monitor the weather announcements and issue an “all clear” when it is safe to return to the classroom.

Active Shooter Procedures:

The intent of most active shooters is to kill as many people as quickly as possible. Upon discovery of an active shooter situation:

- **Run** – If there is an accessible escape path, attempt to evacuate the premises. Be sure to:
 - * Have an escape route and plan in mind
 - * Open or break windows if necessary and safe to do so
 - * Evacuate regardless of whether others agree to follow (don’t waste time arguing)
 - * Leave your belongings behind
 - * Help others escape, if possible
 - * Prevent individuals from entering an area where the active shooter may be
 - * Call 9-1-1 when you are safe
- **Hide** – If evacuation is not possible, find a place to hide where the active shooter is less likely to find you.

Your hiding place should:

- * Be out of the active shooter’s view
- * Provide protection if shots are fired in your direction
- * Avoid area which do not provide barriers or restrict your options for movement

To prevent an active shooter from entering your hiding place:

- * Lock the door
- * Blockade the door with heavy furniture

If the active shooter is nearby:

- * Lock the door
- * Silence your cell phone
- * Turn off any source of noise (i.e., radios, tv)
- * Hide behind large items (i.e., cabinets, desks, bookshelves)
- * Remain quiet

Remain in hiding until law enforcement arrive and tell you it is time to leave

- * ***Keep your hand visible to police (they don’t know who the shooter is)***
- * Follow the instructions of any police officers

If evacuation and hiding out are not possible:

- * Remain calm
- * Dial 9-1-1, if possible, alert police to the shooter’s location
- * If you cannot speak, leave the line open and allow the dispatcher to listen

Fight – *As a last resort*, and only when your life is in imminent danger, attempt to disrupt and/or incapacitate the active shooter by:

- * Acting as aggressively as possible against him/her
- * Throwing items (textbooks) and improvising weapons
- * Yelling

- * Committing to your action

Community Disaster:

Additionally, Davis College contact information is registered with the Toledo-Lucas County Health Department, so they may provide the College with up-to-date communication in the event of a community disaster.

Sexual Harassment

Davis College does not discriminate on the basis of sex in its educational programs; sexual harassment and sexual violence are types of sex discrimination. Other acts can also be forms of sex-based discrimination and are also prohibited, including dating violence, domestic violence, sexual assault, and stalking. As a result, Davis College issues this statement of policy to inform the community of its comprehensive plan addressing sexual misconduct, educational programs, and procedures to handle reporting and complaints of sexual assault, domestic violence, dating violence, and stalking, whether the incident occurs on or off campus. In this context, Davis College prohibits the offenses of domestic violence, dating violence, sexual assault and stalking and reaffirms its commitment to maintain a campus environment emphasizing the dignity and worth of all members of the Davis community.

“Sexual Harassment” is understood to designate any behavior that (1) emphasizes the sexuality or the sexual identity of another person in a manner that prevents or significantly impairs that person’s full enjoyment of the benefits, climate, or opportunities of learning or working at Davis, (2) is unsolicited, and (3) is met with resistance, with non-cooperation, or with coerced or self-defensive cooperation. Thus defined, sexual harassment may range in severity from sexist remarks to violent sexual assault. The following list illustrates five forms of sexual harassment, arranged from the least severe to the most severe:

1. Sexist remarks and sexist behavior;
2. Verbal insults including lewd, obscene, or sexually suggestive remarks directed at a person individually;
3. Advances without sanctions including offensive advances (e.g., sexual propositions) or inappropriate behavior (e.g., touching, patting, caressing, kissing) without threat of punishment for non-compliance;
4. Advances with sanctions including the types of advances and behavior mentioned in (3) whenever they are accompanied by promised rewards to threatened punishment;
5. Assault including physical violence or sexual intimacy that falls under the definition sexual harassment;

Members of the Davis community who believe they have been sexually harassed should report the situation to the Title IX Coordinator, President, or the Vice President of Academic and Student Services. Whether or not a person consults with a College official, he or she has the option of making an informal or formal complaint. All reports of sexual harassment will be forwarded to the Title IX Coordinator.

No retaliatory actions may be taken against any person because he or she makes such a complaint against any member of the Davis community who serves as an advisor or advocate for any party in any such complaint. No retaliatory actions may be taken against any member of the Davis community merely because he or she is or has been the object of such a complaint.

VAWA - Violence Against Women Reauthorization Act of 2013

Davis College prohibits Domestic Violence, Dating Violence, Sexual Assault and Stalking. The Violence Against Women Reauthorization Act of 2013 (VAWA) requires that institutions of higher learning also include reported incidents of Domestic Violence, Dating Violence, Sexual Assault and Stalking in our

Campus Security annual reporting. Incidents of Domestic Violence, Dating Violence, Sexual Assault and Stalking occurring on campus and immediately adjacent to the campus should be reported to any Campus Security Authority. If you choose, a Campus Security Authority will assist you in reporting the incident to the City of Toledo Police Department also. You may decline to notify law enforcement. (See below as well as previous section *How to Report a Crime or Emergency*).

What to do if you have been Sexually Assaulted

If you have been involved in a sexual assault or rape, please follow the procedure below:

1. Go to a safe place to call for help.
2. Preserve all evidence.
 - * Do not shower, bathe, wash your hands, brush your teeth, change or destroy your clothing, or straighten up the area where the assault occurred.
 - * If packaging evidence, blood and semen should be allowed to dry at room temperature and then **package in paper, not plastic**. Plastic will destroy evidence. Different stains should be separated into different paper bags/envelopes
 - * Write down everything that you remember about the assailant/assault as soon as possible. Writing down all the details while it is still fresh in your mind will assist with any investigation.
 - * Photograph evidence, if possible with date stamp.
 - * Keep pertinent social media and texts.
 - * Preserved evidence may be helpful in obtaining a protection order.
 - * Even if you do not plan to prosecute at first, it's best to preserve the evidence in case you decide to prosecute later or help someone else prosecute. Once evidence is gone, we can't get it back!
3. Go to the hospital.
 - * Get medical attention as soon as possible. You should be evaluated for injury and sexually transmitted diseases. Toledo Hospital (2142 N Cove Blvd, Toledo) and St Vincent Hospital (2213 Cherry St, Toledo) have staff on-call 24 hours each day for the examination of sexual assault victims and can collect physical evidence. In Ohio, evidence may be collected even if the victim chooses not to make a report to law enforcement.
4. Notify Campus Security Authorities/personnel and/or Toledo Police (see above).
 - * From an on-campus telephone, call (9) 9-1-1. It is important to notify the College and Toledo Police of the assault.
 - * On campus services are available to assist victims and to help notify law enforcement authorities if you choose.
 - * You do not have to press charges, but the information you give can be used to learn and possibly protect another victim.

Definitions:

Rape is the penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by sex organ of another person, without the consent of the victim. This definition includes any gender of victim or perpetrator. (Physical resistance is not required on the part of the victim to demonstrate lack of consent.) The victim is less than 13 year of age.

Non-forcible Rape is unlawful, non-forcible sexual intercourse of incest or statutory rape. **Incest** is non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law. **Statutory Rape** is non-forcible sexual intercourse with a person who is under the statutory age of consent (Age 16 in the State of Ohio). **Unlawful sexual conduct with minor** is defined as: No person who is eighteen years of age or older shall engage in sexual conduct with another, who is not the spouse of the offender, when the offender knows the other person is thirteen years of age or older but less than sixteen years of age, or the offender is reckless in that regard.

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

Consent, in reference to sexual activity, means a voluntary agreement to engage in sexual activity proposed by another. “**Consent**” requires mutually understandable and communicated words and/or actions demonstrating agreement to participate in proposed sexual activity.

Without Consent may be communicated by words and/or actions demonstrating unwillingness to engage in proposed sexual activity. Sexual activity can be considered “**Without Consent**” if the victim/survivor was unable to give consent because of a condition of which the accused was or should have been aware, such as alcohol and/or other drug intoxication, coercion, and /or verbal or physical threats, including being threatened with future harm. The Ohio Revised Code (O.R.C.) does not specifically define consent; instead sexual offense codes list force or threat of force, impairment of judgment through the introduction of drugs, intoxicants, and controlled substances, impairment of the victim as the result of mental or physical condition, and age as conditions under which a sexual assault is perpetrated.

Sexual Assault means an offense that meets the definition of rape, fondling, incest, or statutory rape. The Ohio Revised Code (O.R.C.) provides definitions of sexual offenses that differ somewhat from those of the FBI. When a sex offense occurs and the perpetrator is referred to criminal court, they are normally charged under the provisions of the O.R.C. Those codes are listed below:

Rape.

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

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

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

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

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

Sexual battery.

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

The offender knowingly coerces the other person to submit by any means that would prevent resistance by a person of ordinary resolution.

The offender knows that the other person's ability to appraise the nature of or control the other person's own conduct is substantially impaired.

The offender knows that the other person submits because the other person is unaware that the act is being committed.

The offender knows that the other person submits because the other person mistakenly identifies the offender as the other person's spouse.

The offender is the other person's natural or adoptive parent, or a stepparent, or guardian, custodian, or person in loco parentis of the other person.

The other person is in custody of law or a patient in a hospital or other institution, and the offender has supervisory or disciplinary authority over the other person.

The offender is a teacher, administrator, coach, or other person in authority employed by or serving in a school for which the state board of education prescribes minimum standards pursuant to division (D) of section 3301.07 of the Revised Code, the other person is enrolled in or attends that school, and the offender is not enrolled in and does not attend that school.

The other person is a minor, the offender is a teacher, administrator, coach, or other person in authority employed by or serving in an institution of higher education, and the other person is enrolled in or attends that institution.

The other person is a minor, and the offender is the other person's athletic or other type of coach, is the other person's instructor, is the leader of a scouting troop of which the other person is a member, or is a person with temporary or occasional disciplinary control over the other person.

The offender is a mental health professional, the other person is a mental health client or patient of the offender, and the offender induces the other person to submit by falsely representing to the other person that the sexual conduct is necessary for mental health treatment purposes.

The other person is confined in a detention facility, and the offender is an employee of that detention facility.

The other person is a minor, the offender is a cleric, and the other person is a member of, or attends, the church or congregation served by the cleric.

The other person is a minor, the offender is a peace officer, and the offender is more than two years older than the other person.

Unlawful sexual conduct with minor.

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

Gross sexual imposition.

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

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

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

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

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

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

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

Sexual imposition.

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

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

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

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

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

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

Domestic Violence means a “felony or misdemeanor crime of violence committed by -----

- a current or former spouse or intimate partner of the victim,
- a person with whom the victim shares a child in common,
- a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner,
- 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
- 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 addition, the State of Ohio O.R.C. defines domestic violence as follows:
2919.25 Domestic violence.
 - *No person shall knowingly cause or attempt to cause physical harm to a family or household member.*
 - *No person shall recklessly cause serious physical harm to a family or household member.*
 - *No person, by threat of force, shall knowingly cause a family or household member to believe that the offender will cause imminent physical harm to the family or household member.*

Dating Violence means “violence committed by a person, actual or threat of violence either sexual or physical -----

- who is or has been in a social relationship of a romantic or intimate nature with the victim; and
- where the existence of such a relationship shall be determined based on a consideration of the following factors;
 - the length of the relationship;
 - the type of relationship; and
 - the frequency of interaction between the persons involved in the relationship.”
- In the State of Ohio, there is no specific dating violence criminal code. Offenders will be charged using the appropriate criminal code based on the offense.

Stalking means “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.”

Course of conduct means two or more acts, including, but not limited to, acts which the stalker directly, indirectly, or through third parties, by any action, method, device, or means follows, monitors, observes, surveils, threatens, or communicates to or about, a person, or interferes with a person's property.

Substantial emotional distress means significant mental suffering or anguish that man, but does not necessarily, require medical or other professional treatment or counseling.

Reasonable persons means a reasonable person under similar circumstances and with similar identities to the victim.

- The State of Ohio O.R.C. defines stalking as follows:

Menacing by stalking.

- *No person by engaging in a pattern of conduct shall knowingly cause another person to believe that the offender will cause physical harm to the other person or cause mental distress to the other person. In addition to any other basis for the other person's belief that the offender will cause physical harm to the other person or the other person's mental distress, the other person's belief or mental distress may be based on words or conduct of the offender that are directed at or identify a corporation, association, or other organization that employs the other person or to which the other person belongs.*
- *No person, through the use of any electronic method of remotely transferring information, including, but not limited to, any computer, computer network, computer program, or computer system, shall post a message with purpose to urge or incite another to commit a violation of this section.*
- *No person, with a sexual motivation, shall violate this section.*

Protection Orders

Davis College complies with Ohio law in recognizing protection orders. Any person who obtains an order of protection from a court in Ohio should provide a copy to the Vice President of Academic and Student Services and the Title IX Coordinator. The victim may then meet with the Vice President of Academic and Student Services to form a safety action plan, which is a plan developed for the victim to reduce risk of harm while on campus or coming and going from campus. This plan may include, but is not limited to: escorts, special parking arrangements, changing classroom location, or allowing a student to complete assignments from home, etc. The College cannot apply for a legal order of protection, no contact order, or restraining order for a victim from the local jurisdiction(s). The victim is required to apply directly for these services through the courts.

Davis College may issue an institutional no contact order if deemed appropriate and/or at the request of the victim or accused. To the extent of the victim's cooperation and consent, Davis College administration will work cooperatively to ensure that the complainant's health, physical safety, work and academic status are protected, pending the outcome of a formal Davis College investigation of the complaint. For example, if reasonably available, a complainant may be offered changes to academic situations in addition to referrals for counseling, health services, and visa and immigration assistance; and assistance in notifying appropriate local law enforcement. Additionally, personal identifiable information about the victim will be treated as confidential and only shared with persons with a specific need to know who are investigating/adjudicating the complaint or delivering resources or support services to the complainant (for example, publicly available record-keeping for purposes of Clery Act reporting and disclosures will be made without inclusion of identifying information about the victim, as defined in 42 USC 1395 (a)(20)).

Disclosure of Hearing Outcomes

Davis College will disclose to the alleged victim of a crime of violence, or a non-forcible sex offense, the results of any disciplinary hearing conducted by the College against the student who is the alleged perpetrator of the crime or offense. If the alleged victim is deceased as a result of the crime or offense, Davis College will provide the results of such a disciplinary hearing to the victim's next of kin, if requested.

Confidentiality

Davis College will protect the confidentiality of victims and other necessary parties. Personally identifying information such as: name, address, email, telephone or fax number, social security number, driver's license number, student id number, date of birth, ethnic background, religious affiliation, etc., will not be included in the Campus Security Report, Timely Warnings, or Emergency Notifications. In some cases, it may be necessary to disclose some information about a victim to a third party to provide necessary accommodations or protective measures. Davis College will 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 institution to provide the accommodations or protective measures.

Davis College does not publish the names of crime victims nor identifiable information.

Confidential Off-Campus Services

There are many confidential off-campus services available to you if you are a victim/survivor of a crime:

- * Rape Crisis 24/7 Hotline 419-241-7273
- * YWCA Hope Center
Victim Advocacy
1018 Jefferson Ave.
Toledo, OH 43604
419-241-3235
hope@ywcanwo.org
- * Services for female and male children, teens, and adults:
Toledo/Lucas County Victim Witness Assistance Program 419-213-4591
- * Safe, long-term transitional shelter for victims of domestic violence
Bethany House 419-727-4948
- * Toledo Hospital
24/7 on-site Sexual Assault Nurse Examiner (SANE)
2142 N Cove Blvd.
Toledo, OH 43606
419-291-4101 – Emergency Room
- * St Vincent Hospital
24/7 on-call Sexual Assault Nurse Examiner (SANE)
2213 Cherry St.
Toledo, OH 43628
419-251-4254 – Emergency Room

For additional crisis referrals, please call United Way's First Call For Help at 2-1-1.

Lucas County Sex Offender Registration

Since July 1997, Ohio statute has required that an adult convicted of [or one having plead guilty to] certain sexually oriented offenses [rape, sexual battery, gross sexual imposition, unlawful sexual conduct with a minor, and other related statutes enumerated in Ohio statute] register with the Sheriff of the County in which the adult intends to live after being released from jail or prison. The Sex Offender Registration List for Lucas County can be found at <http://www.lucascountysheriff.org/>.

Awareness and Prevention

Davis College educational programming consists of primary prevention and awareness programs for all incoming students and new employees and ongoing awareness and prevention campaigns for students and employees that:

- Identify domestic violence, dating violence, sexual assault, and stalking as prohibited conduct.
- Defines using definitions provided both by the Department of Education, as well as state law what behavior constitutes domestic violence, dating violence, sexual assault, and stalking.
- Defines what behavior and actions constitute consent to sexual activity in the State of Ohio.
- Provides a description of safe and positive options for bystander intervention. **Bystander intervention** means safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is risk of dating violence, domestic violence, sexual assault, or stalking. Bystander intervention includes recognizing situations of potential harm, understanding institutional structures and cultural conditions that facilitate violence, overcoming barriers to intervening, identifying safe and effective intervention options, and taking action to intervene.
- Information on risk reduction. **Risk reduction** means options designed to decrease perpetration and bystander inaction and to increase empowerment for victims in order to promote safety and to help individuals and communities address conditions that facilitate violence.
- Provides an overview of information contained in the Annual Security Report in compliance with the Cleary Act.

Through its partnership with the HOPE Rape Crisis Center, Davis College provides Awareness and Prevention training for faculty, staff, and students through on-campus presentations when available. The HOPE Rape Crisis Center is available for support services and referrals, as well as consultation on policies and procedures. In addition, the College has materials from Bethany House on hand describing their services to pass along to students and employees in need. Bethany House provides safe, long-term transitional housing for victims of domestic violence.

Flyers notifying the community of public meetings and events that focus on sexual violence and victim assistance, and that October is Domestic Violence Awareness Month are located in various locations (bulletin boards, Student Lounge, employee sign in sheet).

Be an Active Bystander

Bystanders play a critical role in the prevention of sexual and relationship violence. They are “individuals who observe violence or witness the conditions that perpetuate violence. They are not directly involved, but have the choice to intervene, speak up, or do something about it”. We want to promote a culture of community accountability where bystanders are actively engaged in the prevention of violence without causing further harm. We may not always know what to do even if we want to help. Below is a list of some ways to be an active bystander.

If you or someone else is in immediate danger, dial 9-1-1. This could be when a person is yelling at or being physically abusive towards another, and it is not safe for you to interrupt.

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

- Confront people who seclude, hit on, and try to make out with, or have sex with people who are incapacitated.
- Speak up when someone discusses plans to take sexual advantage of another person.
- Believe someone who discloses sexual assault, abusive behavior, or experience with stalking.
- Approach everyone as a friend.
- Be honest and direct.
- Don’t be aggressive or use violence.
- Keep yourself safe.
- Get help from other bystanders, if necessary.

Risk Reduction

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

- Be aware of your surroundings. Knowing where you are and who is around you may help you to find a way to get out of a bad situation.
- Try to avoid isolated areas. It is more difficult to get help if no one is around.
- Walk with purpose. Even if you don’t know where you are going, act like you do.
- Trust your instincts. If a situation or location feels unsafe or uncomfortable, it probably isn’t the best place to be.
- Try not to load yourself down with packages or bags as this can make you appear more vulnerable.
- Make sure your cell phone is with you and charged and that you have transportation money.
- Don’t allow yourself to be isolated with someone you don’t trust or someone you don’t know.
- Avoid putting music headphones in both ears so that you can be more aware of your surroundings, especially if you are walking alone.
- When you go to a social gathering, go with a group of friends. Arrive together, check in with each other throughout the evening, and leave together. Knowing where you are and who is around you may help you to find a way out of a bad situation.
- Trust your instincts. If you feel unsafe in any situation, go with your gut. If you see something suspicious, contact law enforcement immediately (local authorities can be reached by calling 911 in most areas of the U.S.).
- Don’t leave your drink unattended while talking, dancing, using the restroom, or making a phone call. If you’ve left your drink alone, just get a new one.
- Don’t accept drinks from people you don’t know or trust. If you choose to accept a drink, go with the person to the bar to order it, watch it being poured, and carry it yourself. At parties, don’t drink from the punch bowls or other large, common open containers.
- Watch out for your friends, and vice versa. If a friend seems out of it, is way too intoxicated for the amount of alcohol they’ve had, or is acting out of character, get him or her to a safe place immediately.
- If you suspect you or a friend has been drugged, contact law enforcement immediately (local authorities can be reached by calling 911 in most areas of the U.S.). Be explicit with doctors so they can give you the correct tests (you will need a urine test and possibly others).
- If you need to get out of an uncomfortable or scary situation here are some things that you can try:
 - Remember that being in this situation is not your fault. You did not do anything wrong, it is the person who is making you uncomfortable that is to blame.
 - Be true to yourself. Don’t feel obligated to do anything you don’t want to do. “I don’t want to” is always a good enough reason. Do what feels right to you and what you are comfortable with.

- Have a code word with your friends or family so that if you don't feel comfortable you can call them and communicate your discomfort without the person you are with knowing. Your friends or family can then come to get you or make up an excuse for you to leave.
- Lie. If you don't want to hurt the person's feelings it is better to make up a reason to leave than to stay and be uncomfortable, scared, or worse. Some excuses you could use are: needing to take care of a friend or family member, not feeling well, having somewhere else that you need to be, etc.
- Try to think of an escape route. How would you try to get out of the room? Where are the doors? Windows? Are there people around who might be able to help you? Is there an emergency phone nearby?
- If you and/or the other person have been drinking, you can say that you would rather wait until you both have your full judgment before doing anything you may regret later.

TITLE IX

Pursuant to Title IX of the Educational Amendments of 1972 to the 1964 Civil Rights Act:

“No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance.”

Title IX is intended to create equity between the genders in educational programs and activities. Its protections are available to both men and women.

Because a number of high profile Title IX cases have involved athletics and because many initial efforts under Title IX focused on the “equity among genders in sports” element of Title IX, a common misperception exists that this law applies only to athletics. In reality, Title IX prohibits sex discrimination in employment and in virtually all college and university programs and activities, including, but not limited to, admissions, athletics, financial aid, and educational programs.

Non-Discrimination Policy

Davis College does not discriminate, or tolerate harassment, on the basis of race, color, ethnicity, national origin, religion, creed, sex, sexual orientation, gender expression, age, physical or mental ability, veteran status, military obligations, marital status, parental status, pregnancy, family medical history or genetic information, political affiliation or any other protected category in admission to or employment in its education programs or activities.

Title IX Sexual Misconduct Policy

Sexual Harassment is Sexual Discrimination. The Davis College Title IX: Sexual Misconduct Policy prohibits all forms of sex/gender-based discrimination/ harassment including:

- Verbal or physical sexual harassment
- Rape and sexual assault
- Domestic violence
- Dating violence
- Stalking
- Harassment based on someone not conforming to sex/gender stereotypes
- Sexual coercion
- Discrimination against pregnant or parenting students
- Other gender-based and sexual misconduct described in our policy

Responsibilities of the Title IX Coordinator

The Title IX Coordinator is responsible for coordinating the College’s compliance with Title IX and its Sexual Misconduct Policy in general. Her responsibilities include overseeing all Title IX complaints and identifying and addressing any patterns or systemic problems that arise during the review of such complaints. The Title IX Coordinator for Davis College is Diane Brunner (see immediately below for contact information)

Reporting Possible Title IX Violations

To report an incident of sexual discrimination and/or sexual harassment, or to make inquiry regarding the application of Title IX and its implementing regulations, please contact:

Diane Brunner, Title IX Coordinator
Davis College
433 N. Summit Street Ste. 202
Toledo, OH 43604
419-473-2700 ext. 1016
dbrunner@daviscollege.edu
or
Office for Civil Rights, Cleveland Office
US Dept. of Education
600 Superior Ave. East, Suite 750
Cleveland, OH 44114-2611
Phone: 216-522-4970
Fax: 216-522-2573
TDD: 877-521-2172
OCR.Cleveland@ed.gov

Title IX Deputy Coordinators

For complaints against students and faculty:

Mary Ryan-Bulone
Vice President of Academic and Student Services
Davis College
433 N. Summit Street Ste. 202
Toledo, OH 43604
419-473-2700 ext. 1015
mryan@daviscollege.edu

For complaints against staff and visitors:

Diane Brunner
President
Davis College
433 N. Summit Street Ste. 202
Toledo, OH 43604
419-473-2700 ext. 1016
dbrunner@daviscollege.edu

Responsible Employees

The Title IX Coordinator and individuals designated as Deputy Coordinators are considered “Responsible Employees” under Title IX and also “Campus Security Authorities” under the Clery Act. The Title IX Coordinator will provide statistical information (less the victims’ identifying information) for inclusion in the annual crime statistics.

Responsible employees are required to report any incident of sexual misconduct he/she is made aware of to the Title IX Coordinator. A responsible employee includes any employee: who has the authority to take action to redress sexual violence; who has been given the duty of reporting incidents of sexual violence or any other misconduct by students to the Title IX coordinator or other appropriate school designee; or whom a student could reasonably believe has this authority or duty.

If you have a question or concern about Title IX, and/or wish to file a complaint of non-compliance, you may contact the Title IX Coordinator or one of the designated Deputy Coordinators.

Adjudication of Violations

Whether or not criminal charges are filed, the College or a person may file a complaint under the Sexual Misconduct Policy alleging that a student or employee violated the College's prohibition on sexual harassment or other forms of discriminatory harassment. Based on federal guidance, Title IX requires that if an institution knows or reasonably should know of an incident of sexual harassment, including acts of sexual violence, the institution has a duty to investigate. Consequently, whether a complainant chooses to cooperate or not should not be the deciding factor for whether or not disciplinary charges are brought against an accused party. If an investigation determines that it is more likely than not that the institution's Sexual Misconduct Policy was violated, then Davis College may assume the role of the complainant, *i.e.*, Davis College may bring the complaint on the victim's behalf.

Reports of all domestic violence, dating violence, sexual assault and stalking made to Campus Security Authorities or Responsible Employees will automatically be referred to the Title IX Coordinator for investigation regardless of whether or not the victim chooses to pursue criminal charges.

INVESTIGATION PROCEDURES

If a report of domestic violence, dating violence, sexual assault or stalking is reported, below are the procedures that the College will follow, as well as a statement of the standard of evidence that will be used during any judicial hearing on campus arising from such a report:

Sexual Assault

1. Depending on when reported (immediate vs delayed report), provide complainant with access to medical care.
2. Assess immediate safety needs of victim.
3. Assist victim with contacting local police if victim requests and provide victim contact information for local police department.
4. Provide victim with referrals to on and off campus mental health providers.
5. Assess need to implement interim or long-term protective measures, such as housing changes, change in class schedule, and "no contact" directive between both parties.
6. Provide a "no trespass" directive to accused party if deemed appropriate.
7. Provide written instructions on how to apply for protective order.
8. Provide a copy of the sexual misconduct policy to the victim and inform the victim regarding timeframes for inquiry, investigation and resolution.
9. Inform the victim of the outcome of the investigation, whether or not the accused will be administratively charged and what the outcome of the hearing is.
10. Enforce the Sexual Misconduct Policy and take immediate and separate action against parties that retaliate against a person for complaining of sex-based discrimination or for assisting in the investigation.

Stalking, Dating Violence, and Domestic Violence

1. Assess immediate safety needs of the victim.
2. Assist victims with contacting local police if the victim requests and provide the victim with contact information for local police department.
3. Provide written instructions on how to apply for a protective order.
4. Provide written information to the victim on how to preserve evidence.
5. Assess need to implement short or long-term protective measures, if appropriate.
6. Provide a "no trespass" and/or "no contact" directive to the accused party, if appropriate.

Regardless of whether a victim elects to pursue a criminal complaint or whether the offense is alleged to have occurred on or off campus, Davis College will assist victims of sexual assault, domestic violence, dating violence, and stalking and will provide each victim with a written explanation of their rights and options.

The College will undertake a prompt, fair, and impartial investigation and resolution process transparent to the accuser and the accused.

- An Incident Report (available at Reception Desk) should be completed.
- Completed Incident Reports are forwarded to the Title IX Coordinator, who in turn forwards the reports to the Vice President of Academic and Student Services and/or the President.
- While all reports are reviewed, only those with names of involved individuals and adequate details can be adequately investigated.
- The Title IX Coordinator will notify the complainant and respondent and will arrange to meet with both parties separately and the Vice President of Academic and Student Services.
- A notice of investigation will be sent to both parties and Title IX investigators will begin an investigation.
- Only the persons who need to know will be told of the incident and information will be shared only as necessary with investigators, witnesses, and the accused individual(s).
- Investigators will gather information and conduct interviews with the complainant, respondent, and any witnesses. The fact finding investigation the College uses will resolve complaints using a preponderance of evidence standard (i.e., is it more likely than not that the sexual harassment or violence occurred).
- If it is determined based on this standard that the conduct occurred, the Title IX Coordinator in collaboration with necessary and relevant College administration, will determine what actions the school will take to end the sexual violence, eliminate the hostile environment, and prevent its reoccurrence. Likewise, if appropriate, the school will take steps to remedy the discriminatory effects on the complainant and others.
- Usually, the resolution of complaints of sexual misconduct are typically completed within 60 days of the complaint, however the proceedings timeframe may be extended for good cause with notice to the accuser and the accused of the delay and the reason for the delay.
- Investigators and hearing board members are trained 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 victim and promotes accountability.
- Officials who may have a conflict of interest or bias will be excused.

Complainant and Respondent Rights

Davis College policy provides for certain rights for both the complainant and respondent:

- ***Complainant's Rights***
 - o To be treated with respect by Davis College officials.
 - o To an investigation and appropriate resolution of all complaints of discrimination and/or harassment made in good faith to the appropriate College official(s).
 - o To receive written notification that the respondent has been officially notified of the allegation of violating the College's Sexual Misconduct Policy.
 - o To be notified of the substance of respondent's response, if any, to the allegations.
 - o To experience a safe educational and work environment.
 - o To have a support person of his or her choosing, including, but not limited to, a licensed attorney, during any meeting with investigators. The support person cannot be someone who

may be called as a witness. The role of the support person is to serve as an advisor. He/she may be present at interviews, hearings and other proceedings, but is not permitted to speak.

- o To decline to participate in conflict resolution procedures as the means for resolving an allegation.
- o To receive amnesty for minor student misconduct (such as alcohol or drug violations) that is ancillary to the incident.
- o To be free from retaliation for complaints made, or otherwise participating in an investigation, in good faith.
- o To have complaints heard in substantial accordance with these procedures.
- o To full participation in this process, whether the injured party is the actual party or the College.
- o To be informed in writing of the outcome/resolution of the complaint, sanctions where permissible and the rationale for the outcome where permissible.
- o The ability to refer to law enforcement and have assistance.
- o A “no contact order,” if appropriate. A no contact order is an order from a Davis College Official to have no contact with a particular person or persons. Contact is considered any verbal, written, electronic, non-verbal gesture, third party messages, indirect loud talking in the vicinity of the person and could include indirect actions that appear to the College to be intimidating. The College may add to the terms of no contact within the context of the reported incident that preceded the order or concerns that have arisen during the investigation.

- ***Respondent's Rights***

- o To be treated with respect by Davis College officials.
- o To an investigation and appropriate resolution of all complaints of discrimination and/or harassment made in good faith to the appropriate College official(s).
- o To receive written notification if officially accused of violating the College’s Sexual Misconduct Policy.
- o To experience a safe educational and work environment.
- o To have a support person of his or her choosing, including, but not limited to, a licensed attorney, during any meeting with investigators. The support person cannot be someone who may be called as a witness. The role of the support person is to serve as an advisor. He/she may be present at interviews, hearings and other proceedings, but is not permitted to speak.
- o To decline to participate in conflict resolution procedures as the means for resolving an allegation.
- o To receive amnesty for minor student misconduct (such as alcohol or drug violations) that is ancillary to the incident.
- o To be free from retaliation for complaints made, or otherwise participating in an investigation, in good faith.
- o To have complaints heard in substantial accordance with these procedures.
- o To be informed of the outcome/resolution of the complaint and the rationale for the outcome, in writing
- o The ability to refer to law enforcement and to have assistance.
- o A “no contact order,” if appropriate. A no contact order is an order from a Davis College Official to have no contact with a particular person or persons. Contact is considered any verbal, written, electronic, non-verbal gesture, third party messages, indirect loud talking in the vicinity of the person and could include indirect actions that appear to the College to be intimidating. The College may add to the terms of no contact within the context of the reported incident that preceded the order or concerns that have arisen during the investigation.

These rights apply in any investigatory process stemming from any allegation of sexual assault, domestic violence, dating violence, stalking or hostile environment where probable cause exists that the College's Sexual Misconduct Policy has been violated. The rights apply whether the complainant or respondent is a student, employee, or visitor.

When a complainant does not consent to the disclosure of his or her name or other identifiable information to the alleged perpetrator, the College's ability to respond to the complaint may be limited.

Confidentiality

The College will protect the identity of persons who report having been victims of sexual assault, domestic violence, dating violence, or stalking as previously mentioned in this document.

Sanctions

In all cases, investigations that result in a finding of more likely than not that a violation of the Sexual Misconduct Policy occurred will lead to the initiation of disciplinary procedures against the accused individual. Davis College sanctions listed below may be imposed upon those determined to have violated this policy.

Students

| Sexual Assault | Domestic Violence | Dating Violence | Stalking |
|-----------------------|--------------------------|------------------------|------------------------|
| Expulsion | Expulsion | Expulsion | Expulsion |
| Suspension | Suspension | Suspension | Suspension |
| | Disciplinary Probation | Disciplinary Probation | Disciplinary Probation |

Faculty or Staff

| Sexual Assault | Domestic Violence | Dating Violence | Stalking |
|--|--|--|--|
| Termination of Employment | Termination of Employment | Termination of Employment | Termination of Employment |
| Suspension | Suspension | Suspension | Suspension |
| Administrative Leave (with or without pay) |
| Reassignment | Reassignment | Reassignment | Reassignment |
| Remedial Training/Counseling | Remedial Training/Counseling | Remedial Training/Counseling | Remedial Training/Counseling |
| Written Reprimand | Written Reprimand | Written Reprimand | Written Reprimand |
| No Contact Order | No Contact Order | No Contact Order | No Contact Order |

For students, sexual assault, domestic violence, dating violence, and stalking are violations of the College's Sexual Misconduct Policy; by definition, violations of that College-wide policy are a violation of the Student Code of Conduct. For employees, commission of these acts is a violation of the College's Non-Discrimination Policy, as well as the Sexual Misconduct Policy, making the offending employee subject to discipline, up to and including termination of employment. In addition, sexual assault, domestic violence, dating violence, and stalking are criminal acts which also may subject the perpetrator to criminal and civil penalties under federal and state law.

Davis College will simultaneously disclose in writing to the complainant and the respondent involved in disciplinary proceeding that arises from an allegation of dating violence, domestic violence, sexual assault, or stalking: the result of any institutional disciplinary proceeding; the College's procedures to appeal the result of the institutional disciplinary proceeding; any change to the result; and when such results become final.

Davis College may simultaneously disclose to the complainant and respondent involved in a disciplinary proceeding, the (1) final results of a College disciplinary proceeding against a student who is an alleged perpetrator of an act of violence (as defined in Section 16 of title 18, United States Code); and (2) final results of a Davis College disciplinary proceeding against a student who is an alleged perpetrator of a non-forcible sex offense.

Protective Measures

Davis College will provide interim interventions and protective measures if the victim requests them and they are reasonably available. The Title IX Coordinator and Davis College administration will determine whether interim interventions and protective measure should be implemented, and, if so, take steps to implement those protective measures as soon as possible.

Protective Measures include: escorts, special parking arrangements, changing classes, completion of assignments at home, and issue of No Contact Orders. Please contact the Title IX Coordinator, President, or Vice President of Academic and Student Services for assistance with protective measures.

These remedies may be applied to one, both, or multiple parties involved. Violations of any directives and/or protective measures resulting from a Title IX proceeding will constitute related violations that may lead to additional disciplinary action. Protective measures imposed may be temporary pending the results of an investigation or may become permanent as determined by Davis College.

False Reporting

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

DRUG-FREE CAMPUS: STUDENT/EMPLOYEE DRUG AND ALCOHOL ABUSE PREVENTION PROGRAM

Introduction

Davis College embraces the spirit of the public law that requires schools to provide a drug-free campus and workplace. The College will abide by the law as outlined in the accompanying policy. As part of our institutional philosophy, we are dedicated to the advancement and well being of the population we serve. As such, all students and employees are encouraged to abstain from the use of illegal drugs and irresponsible use of alcohol.

The College conducts a biennial review to assess the effectiveness of its program each July of Odd Years. The Leadership Team of the College is responsible for this review. The Leadership Team includes the President, Vice President of Academic and Student Services, and the Vice President of Institutional Advancement. The Leadership Team reviews any drug or liquor violations, sanctions imposed, and describes research methods used to evaluate its findings. The Leadership Team will prepare a biennial report to be approved by the President.

The College recognizes that drug and alcohol abuse and dependence can cause harmful effects to virtually every aspect of a person's life; i.e., relationships, family, job, school, and physical and emotional health. Any student or employee, who suspects either they or someone else may be at risk, is invited to seek services which can be of help.

In accordance with the Drug Free Workplace Act of 1988, Public Law 100-690 and the Drug-Free Schools and Communities Act Amendments of 1989, Public Law 101-226, this institution is hereby declared a drug and alcohol free school and work place.

Health Risks

To support our care and concern for individual Davis College members, we present the health risks associated with the use of illicit drugs and alcohol.

Alcohol (beer, wine, liquor)

Alcohol is a depressant drug that reduces activity in the central nervous system.

Repeated use of alcohol can lead to dependence. Drinking to the point of intoxication one or two times per week or more frequently over a period of several years can cause serious health consequences including: liver disease and cirrhosis, circulatory problems and cardiomyopathy, nervous system damage and polyneuropathy, and psychosis. Alcohol abuse can increase the risks of certain types of cancers, including cancer of the tongue, mouth, pharynx, esophagus, larynx, and liver. The cancer-producing effects of alcohol abuse are increased by tobacco use. Sudden cessation of alcohol intake is likely to produce withdrawal symptoms, including severe anxiety, tremors, hallucinations, and convulsions.

Mothers who drink alcohol during pregnancy may give birth to infants with Fetal Alcohol Syndrome. These infants have irreversible physical abnormalities and mental retardation. In addition, research indicates that children of alcoholic parents are at greater risk than other youngsters of becoming alcoholics.

Other Depressants – Benzodiazepines (Xanax, Valium, Halcion, BZDs, benzos), Barbituates (Luminal, Seconal, Barbs, downers), Rohypnol (roofies, forget-me-pill), GHB (grievous bodily harm, G, liquid x)

The effects of depressants are in many ways similar to the effects of alcohol. Small amounts can produce calmness and relaxed muscles, but somewhat larger doses can cause slurred speech, staggering gait, and altered perception. Very large doses can cause respiratory depression, coma, and death. The combination of depressants and alcohol can multiply the effects of the drugs, thereby multiplying the risks.

The use of depressants can cause both physical and psychological dependence. Regular use over time may result in a tolerance to the drug, leading the user to increase the quantity consumed. When regular users suddenly stop taking large doses, they may develop withdrawal symptoms ranging from restlessness, insomnia, and anxiety to convulsions and death.

Marijuana, Tetrahydrocannabinol, Hashish, Hash Oil (weed, pot, grass, joint, hash)

All forms of marijuana have negative physical and mental effects.

Use of marijuana may impair or reduce short-term memory and comprehension, alter sense of time, and reduce the ability to perform tasks requiring concentration and coordination, such as driving a car. Research also shows that students do not retain knowledge when they are “high.” Motivation and cognition may be altered, making the acquisition of new information difficult. Marijuana can also produce paranoia and psychosis.

Because users often inhale the unfiltered smoke deeply and then hold it in their lungs as long as possible, marijuana is damaging to the lungs and pulmonary system. Marijuana smoke contains more cancer-causing agents than tobacco smoke. Long-term users of marijuana may develop psychological dependence and require more of the drug to get the same effect.

Cocaine/Crack (coke, blow crack, rock)

Cocaine stimulates the central nervous system. Its immediate effects include dilated pupils and elevated blood pressure, heart rate, respiratory rate, and body temperature.

Occasional use can cause a stuffy or runny nose, while chronic use can ulcerate the mucous membrane of the nose. Injecting cocaine with contaminated equipment can cause AIDS, hepatitis, and other diseases. Preparation of freebase, which involves the use of volatile solvents, can result in death or injury from fire or explosion.

Cocaine can produce psychological and physical dependency, a feeling the user cannot function without the drug. In addition, tolerance develops rapidly. Crack or freebase rock is extremely addictive, and its effects are felt within 10 seconds. The physical effects include dilated pupils, increased pulse rate, elevated blood pressure, insomnia, loss of appetite, tactile hallucinations, paranoia, and seizures. The use of cocaine can cause death by disrupting the brain’s control of the heart and respiration.

Other Stimulants-Amphetamines (speed, uppers, cross-tops), Methamphetamines, (meth, crystal, crank, ice, speed), MDMA (Ecstasy, X, XTC, the club drug, the love drug, rolls, Adam, the hug drug, lovers’ speed)

Stimulants can cause increased heart and respiratory rates, elevated blood pressure, dilated pupils, and decreased appetite. In addition, users may experience sweating, headaches, blurred vision, dizziness, sleeplessness, and anxiety. Extremely high doses can cause a rapid or irregular heartbeat, tremors, loss of coordination, and even physical collapse. An amphetamine injection creates a sudden increase in blood pressure that can result in stroke, very high fever, or heart failure.

In addition to the physical effects, users report feeling restless, anxious, and moody. Higher doses intensify the effects. Persons who use large amounts of amphetamines over a long period of time can develop an amphetamine psychosis that includes hallucinations, delusions, and paranoia. These symptoms usually disappear when drug use ceases.

Narcotics-Heroin (dope, smack, stuff, horse, junk), Morphine (Roxanol, Duramorph, M, Miss Emma), Prescription Pain Relievers (Vicodin, codeine, Percodan, Demerol, OxyContin, oxy, oxycotton, percs, hillbilly heroin)

Narcotics initially produce a feeling of euphoria that often is followed by drowsiness, nausea, and vomiting. Users also may experience constricted pupils, watery eyes, and itching. An overdose may produce slow and shallow breathing, clammy skin, convulsions, coma, and possibly death.

Tolerance to narcotics develops rapidly, and dependence is likely. The use of blood contaminated needles may result in diseases such as AIDS, endocarditis, and hepatitis. Addiction in pregnant women can lead to premature, stillborn, or addicted infants who experience severe withdrawal symptoms.

Hallucinogens-LSD (acid, microdot, blotter, tabs), Ketamine (Special K, vitamin K, cat tranquilizers), Mescaline/Peyote (buttons), Phencyclidine (PCP, angel dust, super weed, killer weed), Psilocybin/Psilocyn Mushrooms (mushrooms, shrooms)

PCP interrupts the functions of the neocortex, the section of the brain that controls the intellect and keeps instincts in check. Because the drug blocks pain receptors, violent PCP episodes may result in self-inflicted injuries. The effects of PCP vary, but users frequently report a sense of distance and estrangement. Time and body movements are slowed down. Muscular coordination worsens and senses are dulled. Speech is blocked and incoherent.

Chronic users of PCP report persistent memory problems and speech difficulties. Some of these effects may last six months to a year following prolonged daily use. Mood disorders—depression, anxiety, and violent behavior—also occur. In later stages of chronic use, users often exhibit paranoid and violent behavior and experience hallucinations. Large doses may produce convulsions and coma, heart and lung failure, or ruptured blood vessels in the brain. LSD, mescaline, and psilocybin cause illusion and hallucinations. The physical effects may include dilated pupils, elevated body temperature, increased heart rate and blood pressure, loss of appetite, sleeplessness, and tremors.

Sensations and feelings may change rapidly. It is common to have a bad psychological reaction to LSD, mescaline, and psilocybin. The user may experience panic, confusion, suspicion, anxiety, and loss of control. Delayed effects or flashbacks can occur even after use has ceased.

Anabolic Steroids-Anadrol, Depo-Testosterone, Equipoise (roids, juice, sauce, slop, gym candy, stacking)

Anabolic steroids are often misused in an attempt to artificially induce increases in muscle strength or bulk. Serious health consequences may result from use of even small amounts of anabolic steroids, including problems such as: liver dysfunction, cysts, and tumors; high blood pressure and changes in blood chemistry; hardening of the arteries; weakness in heart muscle tissue; and cancer of the breast, prostate, and bladder.

Males may suffer from premature baldness, decreased testicle size and function, lower sperm count, decreased sex drive or impotence, and breast enlargement. Females may suffer from masculinization, decreased breast size, decreased sex drive, and unwanted body hair. Steroid use by adolescents may cause premature stoppage of bone growth resulting in smaller, shorter body size. Other side effects include acne, decreased immune system response, aggressiveness, and personality changes.

Inhalants-Adhesives, Solvents, Aerosol Sprays, Medical Gases (poppers, snappers, huffing, glue, laughing gas, rush)

Physical effects of inhaling include headaches, nausea and vomiting, red or blistered nose and mouth, limb spasms, and lost control of bladder and bowels. The long-term effects include damaged senses, muscle weakness, nerve damage, blood disease, and damage to the brain, liver, and kidneys. An overdose can cause death by asphyxiation/suffocation and death by sudden heart failure.

Nicotine-Cigarettes, Cigars, Pipes, Chewing Tobacco, Snuff

Chronic use of nicotine, through smoking, chewing, or snuff dipping, causes more deaths and disability than all other forms of drug abuse combined. Nearly one-fourth of all deaths in the United States are attributed to abuse of nicotine. The Surgeon General has determined that nicotine is as addictive as heroin or cocaine.

Cigarette smoking causes lung cancer, emphysema, and other chronic respiratory disease; heart attacks and other circulatory problems, high blood pressure; stroke; cancers of the mouth, throat, stomach, bladder, and liver; ulcers and other digestive disorders; and a wide range of other conditions including increased dental cavities. Recent government reports confirm that breathing other people's cigarette smoke causes thousands of additional deaths per year in non smokers. Smokeless tobacco (chewing tobacco and snuff) use causes dental problems, leukoplakia, and oral cancers. The nicotine in smokeless tobacco causes heart attacks and other circulatory problems, high blood pressure, stroke, and digestive disorders. There is no safe level of nicotine use.

Community Drug/Alcohol Counseling, Support, and Treatment

There are a variety of off-campus services available to help manage alcoholism and drug dependency in our community.

Alcoholics Anonymous – 419-380-9862

Zepf Center – Open 24 hours
2465 Collingwood Blvd, Toledo - 419-241-8827
Walk-ins: 205 Ashland Ave, Toledo M, T, Th 10 am -2 pm, F 9 am – Noon

D.A.R.T. (Drug Abuse Response Team)

Help with opiate/heroin addiction through the Lucas County Sheriff's Office
Please contact 9-1-1 and you will immediately be put in touch with the Team

Team Recovery (Toledo) – Heroin addiction support group
www.facebook.com/NoMoreHeroin

The Recovery Center of UMADAOP Lucas County
Prevention, Treatment and Recovery Services
419-255-4444

Or one of the many toll-free Hot Lines listed online
[Drug Abuse & Addiction Information and Treatment](#)

Campus Information – Referral Help

As part of the Davis College Drug-Free Campus: Student/Employee Drug Prevention Program, the College makes available flyers and emails advertising community events focusing on addiction and recovery. The Vice President of Academic and Student Services is available for matters concerning drug and alcohol use, offer referrals, and give advice and information on drug and alcohol education and services in the community.

Policy Regarding Possession, Use, and Sale of Alcoholic Beverages and/or Illegal Drugs and Enforcement of State and Federal Laws

College Sanctions

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

Legal Sanctions

The definitions of prohibited activity are broad, and individuals convicted of a violation of these prohibitions face mandatory fines and in many cases mandatory incarceration.

Underage Consumption, Purchasing or Possession of Alcohol and Providing Alcohol to an Underage Person

The legal drinking age in Ohio for consumption of an alcoholic beverage is 21. Purchasing, possessing, or consuming alcohol prior to the 21st birthday is a first-degree misdemeanor, so is providing alcohol to an underage person. The maximum penalties associated with these offences are six months imprisonment or a \$1000 fine or both.

Fake ID

Possession or display of a fictitious operator's license is a first-degree misdemeanor. The offense includes mere possession of a fictitious license or display of someone else's valid operator's license. The maximum penalties of this offense are six months imprisonment or a \$100 fine or both. Moreover, if the fictitious operator's license is utilized to purchase alcohol or enter an establishment that serves alcohol, the minimum fine must be at least \$250 and the person displaying the fictitious operator's license may have his/her valid operator's license suspended for three years.

Driving Under the Influence (DUI)(OVI)

In Ohio, a person may not operate a motor vehicle if he/she is impaired by alcohol and/or drugs. The maximum penalty for operating a vehicle while under the influence is six months imprisonment (mandatory at least three days in jail) or a \$1000 fine (a mandatory minimum fine of \$250) or both. In addition, the operator must forfeit his/her driving privileges for six months.

Open Container

It is illegal to possess in public an open container of an alcoholic beverage. Conviction of this offense carries a maximum penalty of a \$100 fine. Consumption of alcohol in a motor vehicle is a fourth-degree misdemeanor with maximum penalties of 30 days imprisonment or a \$250 fine or both.

Disorderly Conduct

Disorderly conduct while intoxicated is a minor misdemeanor and carries a maximum penalty of a \$100 fine. Disorderly conduct occurs when one recklessly causes inconvenience, annoyance, or alarm to another due to offensive conduct.

Federal and State Penalties for Sale and Possession of Drugs

The federal government decides if and how a drug should be controlled. Psychoactive (mind-altering) chemicals are categorized according to Schedule I-V. This schedule designates if the drug can be prescribed by a physician and under what conditions. Factors considered in this categorization include a drug's known and potential medical value, its potential for physical or psychological dependence, and

risk, if any to public health. Penalties for the illegal sale or distribution of a drug are established using the designation of Schedule I-V. If a person has knowledge of a drug-related felony, he/she must report it to a law enforcement official.

Schedule I drugs have a high potential for abuse with no medical use. Examples: heroin, methaqualone, all hallucinogens (except phencyclidine-PCP), marijuana, hashish, and some forms of Tetrahydrocannabinol (THC) which can also be classified as Schedule II

Schedule II drugs have a high potential for abuse but have some medical uses. Production of these drugs is controlled. Examples: opium, morphine, codeine, some other narcotics, cocaine, amphetamines, and phencyclidine (PCP)

Federal and State of Ohio penalties for selling Schedule I and II drugs vary with the quantity of the drug. Additionally, if death or serious injury is associated with the sale and/or if it is a second offense, penalties are more severe. When establishing penalties for sale, marijuana and hashish are separated from this designation according to the schedule. The penalties however, are similar to those set for Schedule I and II drugs.

The federal penalty for first-offense sale of small amounts of Schedule I and II drugs is “not less than four years/not more than 40 years; if death or serious injury, not less than 20 years/and not more than life; fine of not more than \$2 million individual/\$5 million other than individual.”

In the State of Ohio, the penalty for “delivery, possession with intent to deliver, and manufacture” of less than 25 grams is “mandatory one to 20 years; up to \$25,000 or life probation.” The penalty for possession of less than 25 grams is “up to four years, or fined up to \$25,000 or both.” Both are a felony. Use is a misdemeanor which has a penalty of “up to two years, \$2000 fine or both.”

Schedule III, IV, and V drugs include those that most citizens would categorize as “prescription drugs.” Schedule III drugs have some potential for abuse, but less than I and II. The potential for abuse of Schedule IV drugs is less than Schedule III, and Schedule V is less than Schedule IV. All Schedule III-V drugs have medical uses and production is not controlled. Examples: some narcotics, chloral hydrate (IV), barbiturates (III &IV), benzodiazepines (IV), glutethimide (III), other depressants (III & IV), amphetamines (III), and other stimulants (III & IV).

The federal penalty for first-offense sale of a Schedule III drug is “not more than five years; fine of not more than \$250,000 individual/\$1 million not individual. The federal penalty for first-offense sale of Schedule IV drugs is “not more than three years.” The fine is the same as for Schedule III drugs. The federal penalty for first-offense of Schedule V drugs is not more than one year; fine of not more than \$100,000 individual/\$250,000 not individual.

Sale of some Schedule II drugs is a felony and has a State of Ohio penalty of “up to seven years; or a fine up to \$5000, or both.” The State of Ohio penalty for sale of Schedule IV drugs is a felony and has a penalty of “up to four years; or a fine up to \$2000, or both.” Sale of Schedule V drugs in the State of Ohio is a felony and has a state penalty of “up to two years; or a fine up to \$2000; or both.”

The Ohio Revised Code prohibits the illegal possession of, manufacture of, trafficking in, or permitting the abuse of all dangerous drugs and harmful intoxicants. The exact legal wording can be found in the Ohio Revised Code

<http://onlinedocs.andersonpublishing.com/revisedcode/>

Title XLIII LIQUOR, Chapter 4301 Liquor Control Law and Title XXIX CRIMES-PROCEDURE,
Chapter 2925 Drug Offenses

Revised 9/2018