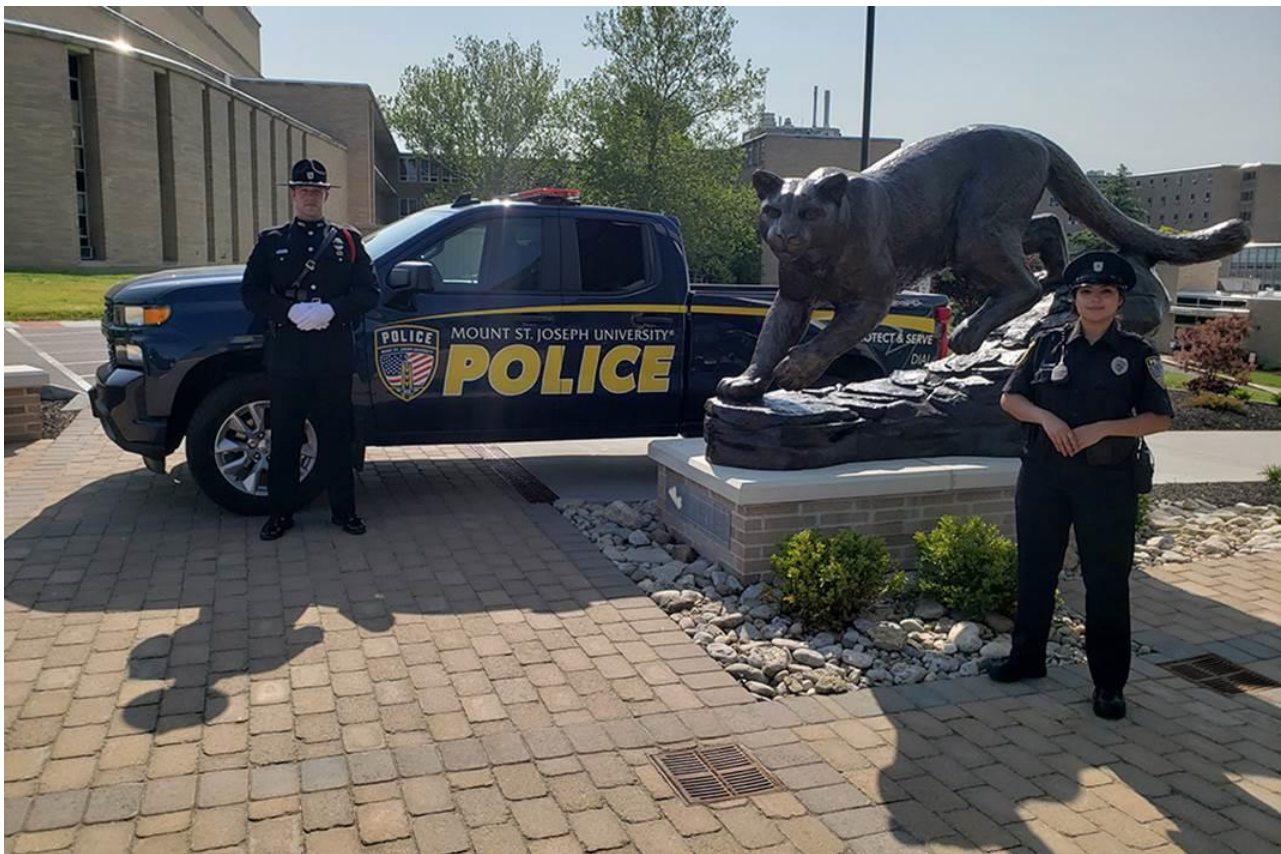


Mount St. Joseph University 2022 Campus Security and Fire Safety Report

**Includes Crime Statistics for 2019, 2020 and 2021 and
Fire Statistics for 2019, 2020 and 2021**



September 2022

TABLE OF CONTENTS

OVERVIEW.....	3
MOUNT ST. JOSEPH UNIVERSITY POLICE DEPARTMENT.....	3
CRIME REPORTING.....	4
CAMPUS SECURITY AUTHORITIES	4
DISCLOSURE OF DISCIPLINARY OUTCOMES	5
CRIME PREVENTION.....	5
BUILDING SECURITY.....	6
EMERGENCY PHONES	7
CAMPUS SAFETY ESCORT SERVICE.....	7
WEAPONS ON CAMPUS.....	7
CRIME LOG.....	8
SEX OFFENDER INFORMATION.....	8
TIMELY WARNINGS	8
MISSING PERSONS	9
ANTI-HAZING POLICY AND REPORTING PROCEDURES.....	10-13
SEXUAL ASSAULT.....	14
SEX DISCRIMINATION, SEXUAL MISCONDUCT AND INTERPERSONAL VIOLENCE POLICY.....	16-34
DISASTER, EMERGENCY RESPONSE, AND NOTIFICATION PLAN	35-52
EMERGENCY RESPONSE AND EVACUATION TESTING	53
DRUGS AND ALCOHOL	55
CRIME STATISTICS AND SITE CODE DESCRIPTIONS	56
FIRE SAFETY DISCLOSURES-SETON RESIDENCE HALL	58
UNIVERSITY FIRE EXTINGUISHER POLICY.....	59
FIRE REPORTING	60
FIRE LOG	60
FIRE DRILLS IN SETON CENTER RESIDENCE HALL	60
FIRE SAFETY TRAINING AND RELATED RESIDENCE HALL POLICIES	60
RESIDENCE HALL FIRE STATISTICS.....	63
RESIDENCE HALL FIRE ALARM SYSTEMS AND FUTURE IMPROVEMENTS.....	64
AUTOMATED DEFIBRILLATOR (AED).....	64

OVERVIEW

This report is published in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act) and the Higher Education Opportunity Act of 2008, as amended by the Violence Against Women Reauthorization Act of 2013. This report includes information regarding campus crime and fire statistics, campus policies, and resources for campus community members. Mount St. Joseph University is committed by policy and practice to full compliance with the Clery Act, including the publication of an accurate and complete Annual Security and Fire Safety Report, actively distributed in accordance with federal regulations. The primary responsibility for compliance has been assigned to the Mount St. Joseph University Chief of Police. Consistent with the Disaster, Emergency Response, and Notification Plan, the Mount St. Joseph University Emergency Response Team (ERT) will periodically convene and will include representatives from across the University. The ERT participates in an annual review of campus security and safety policies and procedures to ensure continued accuracy and Clery Act compliance.

The Mount St. Joseph University Police Department is charged with the maintenance of statistics relative to the annual Campus Security and Fire Safety Report, annual report development and distribution of the report to the community, and the submission of crime and fire statistics to the US Department of Education. The Campus Security and Fire Safety Report is prepared in cooperation with local law enforcement agencies.

The report is available on the Mount St. Joseph University Police website:

<https://www.msj.edu/student-life/public-safety-campus-police/index.html>

This report will be updated and made available to all students, faculty, staff, prospective students, and employees no later than October 1 of each year.

Printed copies are available in the MSJ Police Department and the Office of Admission. The report can also be accessed through the MSJ Consumer Information website.

MOUNT ST. JOSEPH UNIVERSITY POLICE DEPARTMENT

The MSJ Police Department is located on the ground floor of Seton Center. Police Officers are on duty 24 hours a day, 365 days a year. The MSJ Police Department can be reached by dialing 513-244-4200 or 0 from any campus phone.

The MSJ Police Department operates under the authority granted by the University Board of Trustees and in accordance with Ohio Revised Code section 1713.50. All sworn personnel are commissioned as Police Officers in the State of Ohio and have met or exceeded the basic training requirements and continuing professional training standards that have been established by the Ohio Peace Officer Training Commission. All police officers have jurisdictional authority on Mount St. Joseph University owned and controlled properties. They have full authority to make arrests and carry firearms. In addition to patrol, investigation, and crime prevention, the MSJ Police Department answers calls for assistance, such as motorist assists.

The MSJ Police Department is also charged with enforcement of certain University policies. The department works closely with and forwards citations for policy violations to the Office of Student Affairs and Residence Life, Title IX Coordinator and Office of Human Resources, as applicable.

The MSJ Police Department also maintains a close working relationship with Delhi Township Police and Fire Departments and other local, county, state, and federal agencies. In addition to developing working relationships, the MSJ Police Department has also entered into a Mutual Aid Agreement with all police agencies in Hamilton County. The Mutual Aid Agreement provides reciprocal police services across jurisdictional lines and is entered pursuant to Ohio Revised Code sections 505.43, 505.431, 737.04, and 707.041. As a participant in the National Crime Information Center (NCIC) and Regional Crime Information Center (RCIC), the MSJ Police Department is able to transmit and receive crime information with other police agencies throughout the United States.

CRIME REPORTING

The MSJ Police Department encourages all members of the campus community to report all criminal violations of federal, state, and local laws of which they become aware. Crimes can be reported by dialing (513) 244-4200 or 0 from any campus, or by dialing 911 in case of an emergency. Anonymous reporting can also be made 24/7, 365 days a year through the Mount St. Joseph University TIPS line by dialing or texting 513-244-TIPS (8477) or emailing 244TIPS@msj.edu. All incidents, including crimes, can also be reported through the University's Misconduct Reporting and Inquiry Hotline (a third-party on-line reporting portal) at <https://secure.ethicspoint.com/domain/media/en/gui/36122/index.html>. Please note that this anonymous third-party on-line reporting portal is not intended for any safety or emergency situations which should be reported immediately to the MSJ Police Department or off-campus emergencies by calling 911.

All incidents, including crimes, should be reported to the MSJ Police Department in a safe manner consistent with the seriousness of the incident or crime. Crimes can be reported 24 hours a day, 365 days a year. Police reports are public records under Ohio state law. The department does, however, realize the importance to protect victims of crime. The department will not release any specific victim information such as name, address, or phone number for crimes of violence, hate, or sexual offenses. All crimes reported to the MSJ Police Department will be investigated thoroughly, aid in providing timely warning notices to the community when applicable, and will be included in the University's annual crime statistics.

Crime reports can also be brought to the attention of any Campus Security Authority as articulated below.

CAMPUS SECURITY AUTHORITIES

The Clery Act requires all institutions to collect crime reports from a variety of individuals and organizations that the Clery Act classifies as Campus Security Authorities (CSA). Under the Clery Act, a crime is "reported" when it is brought to the attention of a CSA or law enforcement personnel by a victim, witness, other third-party, or even the offender. The CSA will document the information as a crime report and forward to the MSJ Police Department. Mount St. Joseph University has designated all employees as CSAs with a mandatory duty to document receiving a report of any crime and must forward it to the MSJ Police Department.

However, in some circumstances, Wellness Center professionals may serve as confidential reporting sources rather than CSAs. Only those CSAs who are professional medical providers and mental health counselors are exempt from the requirement to report and only if they learn of the Clery Act incident while acting as a professional medical provider or mental health counselor. Medical providers and counselors may encourage a student to make a voluntary anonymous report to the MSJ Police Department, on a confidential basis, for inclusion in the annual disclosure of crime statistics.

All crimes reported to CSAs must be reported to the MSJ Police Department for statistical collection purposes. Reports may, however, be filed without providing the name of the victim.

DISCLOSURE OF DISCIPLINARY OUTCOMES

Mount St. Joseph University will, upon written request, disclose to the alleged victim of a crime of violence the results of any disciplinary process conducted by the University against the person who is the alleged perpetrator of the crime or offense. If the alleged victim is deceased as a result of the crime or offense, Mount St. Joseph University will provide the results of the disciplinary process to the victim's next of kin, if so requested.

CRIME PREVENTION

Ensuring that Mount St. Joseph University is a safe environment for students, employees, and visitors is the responsibility of all members of the campus community. The MSJ Police Department regularly assesses and evaluates building security and access and provides groups or individuals with crime prevention techniques and advice. In addition to the MSJ Police Department, multiple groups on campus participate in crime prevention programming including, but not limited to:

- Crime prevention presentations to faculty, staff, students, and residence hall staff including crime prevention tips for residents and commuters.
- Programming during Sexual Assault Awareness Month Enhancing the University culture of zero tolerance through the "It's On Us Campaign".
- Step Up! Bystander Intervention Trainings for student organization leaders, orientation leaders, resident assistants, athlete team captains, and Greek life.
- Annual communications to the community as part of law enforcement October Crime Prevention Month. Recent topics have included information related to domestic and dating violence and stalking including *Take the Mask Off of Domestic Violence* presentation on Dating Violence, alcohol abuse through simulation "beer goggles"; Tips for safe and responsible behaviors related to parties, bars, and alcohol; Halloween safety ideas and distribution of safety reflective bags and Identikits for fingerprinting children.
- ALICE training for active shooter response required for all employees annually and provided to all incoming undergraduate freshman students.
- Training, testing and monitoring of campus phone and panic button systems.

Crime prevention requires a cooperative effort between all members of the campus community. Everyone's personal safety is a top priority on campus. All members of the community should be aware and mindful of their surroundings at all times. Students, faculty and staff involvement and cooperation in any required campus safety program is an absolute necessity. Remember these simple, common-sense precautions:

- Although the campus is well lit, you'll find “safety in numbers” and should walk with a companion or in groups at night.
- Always lock resident room and office doors.
- Mark valuables with a personal identification number in case of loss or theft. Personal property cards can be accessed in the MSJ Police Department. The card can be used to record serial numbers and other identification information for residents’ property. Completed cards are kept on file in the MSJ Police Department.
- Use the Campus Safety Escort service when necessary.
- When walking to any parking lot, have your keys ready and watch for suspicious people or activities.
- Avoid leaving keys in the car ignition and valuables in plain view.
- Lock all valuables, laptops, cameras, briefcases, and book bags in automobile trunks.
- Lock your automobile.
- Never leave books or personal items unattended in campus buildings.

BUILDING SECURITY

Seton Center is open from 6am -11pm. After hours entrance must be made through the Seton Center lobby. Admittance into Seton Residence Hall is limited to residents only. Any non-resident must sign into Seton Residence Hall at the Seton Center Front Desk by presenting a valid identification card and be accompanied by a current resident of Seton Residence Hall as stated in the student handbook. The Seton Center Front Desk is staffed 24 hours a day, 7 days a week.

Administration, academic, and athletic buildings are locked in accordance with class schedules and other activities on campus, generally at the close of business each day, on Sundays (where applicable) and holidays. Admittance to these buildings during these times is by key, if issued, or by admittance via the MSJ Police Department office by calling 513-244-4200. To ensure the safety and well-being of all members of the campus community, admission into buildings after hours or during periods of extended closing should be with prior notification by employees to the MSJ Police Department when possible.

MSJ police officers routinely patrol campus buildings during closed hours to ensure that the buildings remain secured. Closed circuit video cameras also monitor activity at the entrances to all buildings and in various places within campus buildings.

The MSJ Chief of Police, in close coordination with the Director of Buildings and Grounds, is responsible for the physical security systems including security and fire alarms, cameras, access controls and policies, emergency phone system and other security features, policies and procedures. The Department of Buildings and Grounds helps keep University buildings and grounds safe and secure. The Director and the grounds and custodial coordinators routinely cover campus facilities and grounds in the course of normal duties, promptly make repairs affecting safety and security, and respond to reports of potential safety and security hazards. The MSJ Police Department assists the Department of Buildings and Grounds personnel by reporting potential safety and security hazards.

Students, faculty, staff, and visitors are encouraged to report any safety or security hazards by calling (513) 244-4200 or (513) 244-4727.

EMERGENCY PHONES

Emergency phones that connect the caller directly with the MSJ Police Department are located strategically throughout the campus and in the west and east lobbies of the Seton Residence Hall. To use an emergency phone, push the emergency button or pick up the receiver. A dispatcher will immediately send an MSJ police officer to the caller's location. Emergency phones are also located in the West Parking Lot and the East Parking Garage. The campus phone system includes an intercom feature for instant communication to all offices and all classrooms and is tested twice per year.

CAMPUS SAFETY ESCORT SERVICE

The Mount St. Joseph University Police Department campus safety escort service is designed to enhance the safety, peace of mind, and offer a greater sense of security for anyone who feels unsafe while walking alone on campus.

The goal of the campus safety escort service is to deter assaults, sexual harassment, verbal abuse, or other harassment while walking from one location on campus to another. The campus safety escort service is a walking escort service.

The Mount St. Joseph University Police Department does provide a mobile (vehicle) escort; however, the availability of this is only when it is determined to be necessary and when resources are available. When a police officer from the Mount St. Joseph University Police Department is dispatched as an escort while on campus, the escort will be a walking escort unless a mobile escort is otherwise determined necessary. All mobile escorts will be by a police officer in a marked Mount St. Joseph University Police Department vehicle.

The campus safety escort service is free of charge and available to all Mount St. Joseph University students, staff, and faculty. The campus safety escort service is available 24 hours a day. To request an escort, call (513) 244-4200 or 0 from any campus phone.

WEAPONS ON CAMPUS (POSSESSION, CARRY OR USE)

Possession or use of firearms, explosives, or other dangerous weapons (e.g., knives, paintball guns, soft air guns, pellet guns, etc.) are prohibited. This prohibition is subject to the right of a person who holds a valid license to carry a concealed handgun, to store the licensed handgun in a locked trunk, glove box or other enclosed compartment or container within or on the person's privately-owned motor vehicle; and, further, that the vehicle is in a location where it is otherwise permitted to be. All possession or use of firearms, explosives or other dangerous weapons is otherwise prohibited.

CRIME LOG

The MSJ Police Department maintains a log of all crimes reported. The crime log is available for public view at the MSJ Police Department. The crime log for the most recent sixty days is available at any time. Requests for crime logs older than sixty days will require a maximum of two business days to fulfill. Crime log entries include all crimes reported to campus police for required geographic locations. Mount St. Joseph University does not have any officially recognized student organizations with off-campus locations, or student organizations with off campus housing.

SEX OFFENDER INFORMATION

Information regarding registered sex offenders is available from the Ohio Attorney General's Sex Offender Web Page through the link below.

http://www.communitynotification.com/cap_main.php?office=55149

The Hamilton County Sheriff's Office maintains an active database of sex offenders residing in Hamilton County. To access the Sheriff's database please follow the link below.

<https://www.hcso.org/community-services/>

TIMELY WARNINGS

In the event of an incident, on or off campus, that in the judgment of the Chief of Police, Emergency Response Team Leader, or a designee constitutes an ongoing threat to the campus community, a timely warning will be issued as soon as reasonably practical.

Timely Warnings will be sent via the MountSafe notification system and other available resources as appropriate to the incident. Timely Warning notices may also be posted on the Mount St. Joseph University main webpage, www.msj.edu. When issuing a timely warning, the name of any victim(s) will be withheld as confidential.

All members of the campus community are encouraged to sign up for MountSafe. Instructions for signing up are available through the link below:

<http://www.msj.edu/student-life/public-safety-campus-police/mountsafe/>

MISSING PERSONS

All reports of missing persons are taken seriously and investigated fully until the person is located. Any on-campus resident student who is believed to be missing should be reported immediately to the MSJ Police Department in person or by calling 513-244-4200 or 0 from any campus phone. Anyone receiving a missing student report should immediately bring it to the attention of the MSJ Police Department.

Resident students may name a confidential contact person or persons whom University officials, MSJ Police Department, or other law enforcement can notify if they are missing. Residents wishing to utilize this resource should do so by obtaining a missing person contact card at the MSJ Police office. Completed cards may be accessed only by authorized campus officials. Those officials may disclose the contact information only to law enforcement officials and only for the purpose of a missing student investigation.

In the event the student is under the age of 18 and the MSJ Police Department is investigating the student and whereabouts, a custodial parent or guardian will be notified. Notifications to confidential contacts, custodial parents or guardians will occur within 24 hours. Within this same time frame, the MSJ Police Department will contact the Delhi Township Police Department to notify them of any student determined to be missing. When appropriate, a missing person notice will be reported through Regional Crime Information Center (RCIC). Notification may also be made to law enforcement in the missing student's legal place of residence.

All procedures as outlined in sections 2901.30, 2901.40 and 2901.41 of the Ohio Revised Code will be followed.

Anti-Hazing Policy and Reporting Procedures

MOUNT ST. JOSEPH UNIVERSITY ANTI-HAZING POLICY

1. OVERVIEW AND SCOPE

The mission of Mount St. Joseph University (the “University”) emphasizes values, integrity and social responsibility. As part of this commitment to a culture of ethical conduct, members of the Mount community embrace respect and concern for all persons. Mount community members bear mutual responsibility for bringing to light any incidents that violate this commitment or community trust. Hazing is a crime, causes physical and emotional harm, and creates an environment where community members feel unsafe. Hazing has no place in the Mount community.

This policy adopts the definition of “hazing” provided in section 2903.31 of the Ohio Revised Code:

Doing any act or coercing another, including the victim, to do any act of initiation into any student or other organization or any act to continue or reinstate membership in or affiliation with any student or other organization that causes or creates a substantial risk of causing mental or physical harm to any person, including coercing another to consume alcohol or a drug of abuse, as defined in section 3719.011 of the Revised Code.

The full text of Ohio Revised Code §2903.31 is found at <https://codes.ohio.gov/ohio-revised-code/section-2903.31>.

Incidents of hazing may involve conduct prohibited by other University policies. For incidents of hazing involving forms of sexual misconduct, please see the University’s [Sex Discrimination, Sexual Misconduct and Interpersonal Violence Policy](#). For incidents of hazing involving forms of harassment based on a legally protected classifications, such as race, color, origin, religion, age, disability, sex, pregnancy, sexual orientation, gender identity, or any other status protected by law, please see the University’s [Equal Opportunity and Nondiscrimination Policy](#).

This policy applies to hazing that takes place between two or more Mount community members, including hazing that occurs off campus. For purposes of this policy, Mount community members include students, faculty, staff, volunteers, alumni, consultants, and organizations (e.g., recognized student organizations, associations, and boards, and the national or international organizations with which they are affiliated; University athletic programs and other university-administered programs; University camps and clinics, and other University-administered services).

2. ANTI-HAZING NOTICE

The University does not tolerate any form of hazing between Mount community members, and will respond promptly and effectively to allegations of hazing. The University will promptly conduct investigations and take appropriate action, including disciplinary action, against individuals found to have violated this policy. The University will take immediate action to end any event, process or environment involving hazing, as appropriate in the University’s sole discretion, prevent recurrence of such hazing activities, and remedy the effects on affected community members.

3. REPORTING

Any Mount community member who has witnessed or become aware of an incident of hazing must report such conduct immediately and in accordance with the procedures detailed below.

Separate from and in addition to the University's reporting requirements, Ohio Revised Code §2903.311, known as Collin's Law, requires any employee, volunteer, alumni, or consultant, who is acting in an official and professional capacity, to immediately report alleged hazing to a law enforcement agency in which the victim of hazing resides or in which the hazing is occurring or has occurred. Collin's Law is named for Collin Wiatt, an 18-year-old college freshman at Ohio University who died in 2018 after ingesting nitrous oxide at a fraternity party.

Additionally, Ohio Revised Code §2921.22 requires any person with knowledge that a felony has been or is being committed to report such knowledge to law enforcement authorities.

Therefore, failure of any Mount community member to report incidents of hazing to law enforcement may result in criminal penalties, in addition to, and separate from, any discipline imposed by the University for violation of this or another University policy.

The full text of Ohio Revised Code §2903.311 is found at <https://codes.ohio.gov/ohio-revised-code/section-2903.311>.

The full text of Ohio Revised Code §2921.22 is found at <https://codes.ohio.gov/ohio-revised-code/section-2921.22>.

Reporting Hazing

Any Mount community member who has been the victim of, witnessed, or become aware of any form of hazing **must** promptly report such conduct to the following offices:

- **University Police**
 - Located: Ground Floor of the Seton Center
 - Phone: Campus Telephone: Dial 0
 - Cell Phone: 513-244-4200 for direct access to the MSJ Police Department
 - Dial 911 for emergencies

- **Dean of Students**
 - Name: Janet Cox
 - Phone (513) 244-4239
 - Email: janet.cox@msj.edu

Reports can also be made anonymously 24/7 by calling or texting (513) 244-TIPS or by emailing 244TIPS@msj.edu. Please note that these anonymous reporting options are not intended for any immediate safety or emergency situations.

All immediate safety or emergency situations, including hazing believed to be in progress, should be reported immediately to the MSJ Police Department at 513-244-4226 or dial 0 from any campus phone.

Good Samaritan/Amnesty Policy

The University encourages reporting of conduct prohibited by this policy and seeks to remove any barriers to making a report. The University recognizes that an individual who has been drinking alcohol or using drugs at the time of an incident may be hesitant to make a report and/or file a formal complaint because of potential consequences for the individual's own conduct. An individual that reports conduct prohibited by this policy, either on the individual's own behalf or as a witness, will not be subject to disciplinary action by the University for the individual's own personal consumption of alcohol or drugs at or near the time of the incident, provided that any such violation did not and does not place the health or safety of any other

person at risk. Further, if an individual that reports conduct is found to have violated this policy, then the act of reporting will be taken as a mitigating factor during the selection of sanction.

4. DISCIPLINARY PROCEDURES

Criminal Reports

Criminal complaints follow criminal processes which may include a police investigation, a referral to the Hamilton County Prosecutor's Office, and/or the criminal court system for resolution. *In 2021, under Ohio Revised Code §2903.311, which is known as Collin's Law, hazing violations were elevated to second-degree misdemeanors and hazing involving forced consumption of drugs or alcohol that seriously harms someone has been elevated to a felony punishable by prison time.*

Institutional Reports

The University's investigation of allegations of policy violations is different and separate from a criminal complaint investigation by any law enforcement agency. An ongoing law enforcement investigation does not relieve the University of its obligation to investigate allegations of hazing. In cases involving potential criminal conduct, University personnel must determine, consistent with federal, state, and local law, whether appropriate law enforcement agencies or other authorities should be notified. Conduct may constitute a violation of this policy and result in disciplinary action by the University even if a law enforcement agency and/or court of law determines that the conduct did not constitute a crime.

The University will review all reported allegations of hazing and investigate when appropriate to determine whether this policy has been violated and to impose sanctions for any such violations as effectively and fairly as reasonably possible under the circumstances. An allegation of hazing will be investigated and resolved in accordance with the University's established disciplinary procedures governing the conduct of the individual(s) alleged to have violated this policy (e.g., student handbook, employee handbook, faculty contract).

5. POSSIBLE DISCIPLINE/SANCTION(S)

Hazing constitutes an act of serious misconduct under the student handbook and a serious offense under the employee handbook. If it is determined that any member of the University community has engaged in conduct in violation of this policy, the individual will be promptly disciplined, with penalties up to and potentially including dismissal from the University, termination of employment, or loss of privileges.

If it is determined that a student has violated this policy, other sanctions that may be imposed include, but are not limited to, suspension, disciplinary warning, disciplinary probation, disciplinary probation with restrictions, fines, restitution, notification to others, educational/work assignment/community service, counseling, and loss of privileges. If it is determined that an employee has violated this policy, other sanctions that may be imposed include, but are not limited to, suspension with or without pay, demotion, and reassignment.

When a Mount community member who is not a student or employee (e.g. a visitor, contractor, business partner) has engaged in hazing, the University will take appropriate steps to prevent recurrence and to correct harmful effects on the complainant, the campus, and others, as necessary.

A penalty imposed under this policy is in addition to any other penalties imposed for violations of other University policy and/or local, state, or federal laws to which the individual or organization who committed the violation may be subject.

6. COMMUNITY EDUCATION

The University offers a variety of education, training, and support resources related to hazing to Mount community members. The University is committed to educating all Mount community members about hazing, including how to recognize it and steps to address it. All students, employees, and volunteer advisors and coaches are required to complete hazing education as part of being a member of the Mount community. All recognized organizations must conduct mandatory training on hazing for any volunteer who has contact with students. For information about training resources, please contact the Office of Student Affairs (students) at 513-244-4239 or the Office of Human Resources (employees) at 513-244-4979.

Any student who does not complete hazing education as required by the University may not participate in any University organization, including student organizations, athletics teams, intermural sports, and/or musical ensembles until the training is complete. Continued failure to complete the training may result in disciplinary action.

Any employee who does not complete hazing education as required by the University will be subject to disciplinary action consistent with the processes outlined in the Employee Handbook, up to and including termination.

SEXUAL ASSAULT

If you are a victim of sexual assault, your first priority should be to get to a place of safety. You should then obtain necessary medical treatment. The MSJ Police Department strongly advocates that a victim of a sexual assault reports the incident in a timely manner. Time is a critical factor for evidence collection and preservation. An assault should be reported directly to an MSJ University police officer (513-244-4200), the Women Helping Women crisis line (513-381-5610), and/or a Campus Security Authority. Filing a report with a University police officer, CSA, or contacting Women Helping Women will not obligate the victim to prosecute.

https://mymount.msj.edu/ICS/icsfs/Title_IX_Pamphlet_August_2020.pdf?target=9e960843-17ef-45b6-93ee-b8510bae8d6e

Filing a police report or reaching out to Women Helping Women will:

- Ensure that a victim of sexual assault receives the necessary medical treatment and tests;
- Provide the opportunity for collection of evidence helpful in prosecution, which cannot be obtained later;
- Assure the victim has access to free confidential counseling from counselors specifically trained in the area of sexual assault crisis intervention.

More specifically, if you have been physically assaulted or raped, there are important steps you can take right away:

- Save everything that might have the attacker's DNA on it. As hard as it may be to not wash up, you might wash away important evidence if you do. Don't brush, comb, or clean any part of your body. Don't change clothes, if possible. Don't touch or change anything at the scene of the assault. These steps may help preserve physical evidence from the perpetrator.
- Go to your nearest hospital emergency room as soon as possible. You need to be examined and treated for any injuries. You also can be given medicine to prevent HIV and other sexually transmitted infections (STIs) and receive other treatment as determined necessary. MSJ Police Department, Women Helping Women, MSJ Wellness Center and UC Medical Center (513-584-1000) can all help you find a hospital able to collect evidence of sexual assault. Ask for a sexual assault forensic (or nurse) examiner (SAFE/SANE). A doctor or nurse will use a rape kit to collect evidence. You do not have to decide whether to press charges while at the hospital.
- If you think you were drugged, talk to the hospital staff about being tested for "date rape" or other drugs.
- Write down the details about the person who sexually assaulted you and what happened.

Mount St. Joseph University is committed to comply with a victim's need and request for assistance. A University representative from the MSJ Police Department, another trained staff member, or Women Helping Women advocate will guide the victim through the available options and support the victim in his or her decision. [Additional information on rights, reporting, and resources relevant to sexual violence](#) can be accessed on the webpage of [MSJ Police Department](#).

Victims of sexual assault have options regarding the involvement of law enforcement and campus authorities including options to:

- Notify proper law enforcement authorities, including on-campus and local police;
- Be assisted by campus authorities in notifying law enforcement authorities if the victim chooses; and,
- Decline to notify such authorities.

Victims of sexual assault have additional rights including:

- The right to speak with campus authorities in a private and confidential setting;
- The right to be informed of your reporting options whether criminal or institutional or both without fear of reprisal;
- The right to academic, housing, employment and/or extra-curricular activity accommodations;
- No contact orders, escorts or other interim measures as deemed appropriate to prevent further unwanted contact with assailant;
- The right to be informed of and provided with contact information about available counseling or health services, both on and off campus;
- The right to have an advisor or support person of your choice to be presented during any internal disciplinary hearing as described in the following the University's Policy on Sex Discrimination, Sexual Misconduct and Interpersonal Violence and the Equal Opportunity and Non-Discrimination Policy; and,
- The right to be informed of the outcome of any disciplinary proceeding.

The University strives to protect those who report discriminatory, harassing or sexually violent conduct and prohibits intimidation or retaliation against any individual who reports discrimination, harassment, or sexually violent conduct or who participates in any investigation into allegations of such misconduct.

The University recognizes that an individual may not be ready to report the incident as encouraged above. Alternatives to such reporting, including confidential contacts with Wellness Center counseling at 513-244-4949 or other health professionals are also available as articulated in the following policy.

SEX DISCRIMINATION, SEXUAL MISCONDUCT AND INTERPERSONAL VIOLENCE POLICY

1. SCOPE OF THE POLICY

Mount St. Joseph University (the “University”) is committed to providing an educational environment free from discrimination and harassment on the basis of race, color, national origin, religion, age, disability, sex, pregnancy, sexual orientation, gender identity, veteran status, or any other legally protected status. This policy focuses on incidents of sex discrimination (including sexual harassment and sexual misconduct), domestic violence, dating violence, and stalking. For incidents of discrimination, harassment, or retaliation related to race, color, national origin, religion, age, disability, veteran status or other legally protected statuses (including sex discrimination outside the scope of Title IX), please see the University’s Equal Opportunity and Non-Discrimination Policy.

This policy applies to all University community members, including students, prospective students, employees, professors, administrators, visitors, or other third-parties. This policy applies to all of the University’s education programs and activities, which includes but is not limited to, admissions and employment. This policy applies not only to conduct occurring within the typical classroom or campus settings, but also to any location owned or operated by the University, owned or controlled by a student organization that is officially recognized by the University, as well as locations, events or circumstances over which the University exerts substantial control even if taking place outside of those typical settings.

Off-campus conduct that has an actual or potential adverse impact on another’s working or learning environment may also violate this policy. The University will consider the effects of off-campus conduct—including conduct that did not occur in the context of an education program or activity—when evaluating whether there is a violation of Title IX of the Education Amendments of 1972 and/or this University policy. The University expects that all members of its community will help promote a learning environment free from the conduct prohibited under this policy.

2. SEX DISCRIMINATION, INCLUDING SEXUAL HARASSMENT, SEXUAL ASSAULT, AND OTHER SEXUAL MISCONDUCT

Title IX of the Education Amendments of 1972 prohibits sex discrimination—which includes sexual harassment and other forms of sexual misconduct—in education programs and activities. Educational institutions receiving federal funds must comply with Title IX. If you have experienced sex discrimination, please review this policy for information about your Title IX rights.

Sexual harassment is a form of sex discrimination. Conduct that may constitute sexual harassment under University policy includes, but is not limited to, unwelcome sexual advances, requests for sexual favors and other unwanted and offensive verbal, electronic, or physical conduct based on sex or of a sexual nature. It also includes acts of sexual misconduct, such as sexual assault (both nonconsensual intercourse and non-consensual sexual contact), sexual exploitation, and indecent exposure.

Under the 2020 amendment to the Title IX regulations, sexual harassment is defined as:

- (1) A University employee conditioning the provision of an aid, benefit, or service on an individual's participation in unwelcome sexual conduct;
- (2) Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the University's education program or activity; or
- (3) Sexual assault, dating violence, domestic violence, or stalking, as defined below.

This definition of sexual harassment and the procedure set forth in this policy applies to situations arising within the scope of Title IX. Situations that involve sexual discrimination, harassment or retaliation that falls outside of the scope of Title IX may be addressed under the processes set forth in the University's Equal Opportunity and Nondiscrimination Policy, the Student Disciplinary Proceedings Policy, or other applicable policy, as deemed appropriate by the University.

1. INTERPERSONAL VIOLENCE, INCLUDING DOMESTIC VIOLENCE, DATING VIOLENCE AND STALKING

Incidents of sexual harassment, sexual assault and/or other sexual misconduct sometimes also involve acts of interpersonal violence including but not limited to sexual assault, domestic violence, dating violence, and stalking as defined in this policy. The University prohibits interpersonal violence such as domestic violence, dating violence, and stalking, regardless of whether it is related to conduct of a sexual nature. If you have experienced interpersonal violence including, but not necessarily limited to, domestic violence, dating violence, and stalking, please review this policy for more information.

3. ANTI-RETALIATION

The University will not tolerate any form of retaliation taken against anyone who reports or makes a formal complaint of conduct prohibited by this policy or anyone who cooperates in the investigation of a complaint of conduct prohibited by this policy. Any such prohibited retaliation will be considered a separate violation of this policy and will be subject to the complaint resolution and disciplinary procedures set forth below.

4. OTHER MISCONDUCT

Inappropriate or unprofessional remarks or other conduct may be reason for intervention and/or discipline even if such misconduct does not ultimately constitute or rise to the level of unlawful sexual harassment, sexual assault, domestic violence, dating violence, or stalking, as those terms are defined in this policy and/or by applicable law. In addition, if any student or employee is found through proceedings brought pursuant to this policy to have engaged in misconduct in violation of another University policy or standard of conduct, the student or employee will be subject to disciplinary action pursuant to policy or standard that was violated even if no violation of this policy is found.

5. TITLE IX COORDINATOR

The University has designated Dr. Rayshawn Eastman, Chief Diversity and Inclusion Officer, as its Title IX Coordinator. Dr. Eastman can be contacted at 513-244-4467, rayshawn.eastman@msj.edu, 5701 Delhi Road, Cincinnati, OH 45233-1672, Seton 150. The Title IX Coordinator is the individual responsible for responding to inquiries, addressing complaints,

coordinating informal resolutions, formal investigations and adjudications, and coordinating compliance with the University's responsibilities under Title IX of the Education Amendments of 1972.

Inquiries, issues, reports, or formal complaints relating to sex discrimination, sexual misconduct, interpersonal violence or retaliation should be directed to the Title IX Coordinator. Inquiries regarding application of Title IX to the University may also be directed to the Assistant Secretary for Civil Rights at the United States Department of Education. Information regarding key staff at the U.S. Department of Education's Office for Civil Rights may be found here:

<https://www2.ed.gov/about/offices/list/ocr/contactus2.html>.

6. DEFINITIONS

Sexual Harassment

The definition of sexual harassment that will be applied in the context of allegations arising within the scope of this Title IX policy is set forth above.

Outside the context of Title IX, prohibited sexual harassment includes, but is not limited to, unwelcome sexual advances, requests for sexual favors and other unwanted and offensive verbal, electronic, or physical conduct based on sex or of a sexual nature when:

- such conduct has the purpose or effect of unreasonably interfering with an individual's work or academic performance or creating an intimidating, hostile, or offensive working or academic environment; or
- submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or academic achievement or advancement; or
- submission to or rejection of such conduct by an individual is used as the basis for employment or academic decisions affecting such individuals.

In addition, the University reserves the right to address conduct that could lead to sexual harassment before it rises to the level of unlawful conduct in accordance with this and other University policies and procedures.

Sexual Assault

Sexual assault includes an offense classified as a forcible or non-forcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation. This form of sexual misconduct generally includes any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent. For further clarity, sexual assault includes, but is not necessarily limited to:

- penetration (including attempts), no matter how slight, of the vagina or anus with any body part or object, or oral penetration (including attempts) by a sex organ of another person, without the consent of the victim;
- oral or anal sexual intercourse with another person, forcibly and/or against that person's will or not forcibly against that person's will where the victim is incapable of giving consent;
- the use of an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, forcibly and/or against that person's will or not forcibly against the person's will where the victim is incapable of giving consent;
- the touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim;

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

Domestic Violence

Domestic violence includes conduct that would meet the definition of felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction where the conduct takes place, 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 where the conduct takes place.

Under Ohio Revised Code § 2919.25, domestic violence is defined and prohibited as follows:

- a. No person shall knowingly cause or attempt to cause physical harm to a family or household member.
- b. No person shall recklessly cause serious physical harm to a family or household member.
- c. No person, by threat of force, shall knowingly cause a family or household member to believe that the offender will cause imminent physical harm to the family or household member.

The complete text of Ohio Revised Code §2919.25 is found at <http://codes.ohio.gov/orc/2919.25>.

An individual need not be charged with or convicted of a criminal offense to be found responsible for domestic violence pursuant to this policy.

Dating Violence

Dating violence means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim and; where the existence of the 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.

Stalking

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

Under Ohio Revised Code §2903.211, menacing by stalking is defined and prohibited as follows:

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

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

(A)(3) No person, with a sexual motivation, shall violate division (A) (1) or (2) of this section. The full text of Ohio Revised Code §2903.211 is found at <http://codes.ohio.gov/orc/2903.211>. An individual need not be charged with or convicted of a criminal offense to be found responsible for stalking pursuant to this policy.

Consent

Consent is permission that is clear, knowing, voluntary, and expressed prior to engaging in and during an act. Consent is active, not passive. Consent requires words and/or actions that demonstrate a voluntary agreement to engage in mutually agreed-upon sexual activity.

- **Both partners must clearly communicate their willingness and permission through mutually understandable words and/or actions.** Consent is a “yes” through words and/or actions, not the absence of the word “no.” Failure to resist sexual advances, silence, and/or prior dating or sexual relationship does not constitute consent. Both partners have the right to revoke their consent at any time during the sexual activity by communicating (verbally or non- verbally) their desire to stop the activity. Consent to one form of sexual contact does not constitute consent to any other form of sexual contact, nor does consent to sexual contact with one person constitute consent to sexual contact with any other person. Additionally, consent to sexual contact on one occasion is not consent to engage in sexual contact on another occasion. There is no requirement that an individual verbally or physically resists unwelcome sexual contact for there to be a violation of this policy.
- **Both partners need to be fully conscious and aware of their actions.** A person is unable to give consent if they are asleep, drugged, intoxicated, unconscious, a minor, mentally or physically impaired, or mentally or physically incapacitated. Signs that a person is intoxicated, incapacitated, or otherwise unable to give consent include, but are not limited to, slurred speech, loss of coordination, passing out, vomiting, and a visual or verbalized feeling of nausea.
- **Both partners must be equally free to act.** The decision to be sexually intimate must be made without coercion or force. Coercion or force includes conduct, intimidation, or express or implied threats of physical or emotional harm that would reasonably place an individual in fear of actual, immediate, or future harm and that is used to persuade or compel someone to engage in sexual conduct.

Complainant

A complainant is an individual who is alleged to be the victim of conduct that could constitute a violation of this policy.

Respondent

A respondent is an individual who has been reported to be the perpetrator of conduct that could constitute a violation of this policy.

7. REPORTING

Reporting vs. Filing a Formal Complaint

The University encourages any student or employee who has experienced any conduct prohibited by this policy to report such conduct immediately and in accordance with the procedures detailed below. Any student who has witnessed or become aware of any conduct prohibited by this policy should report such conduct immediately and in accordance with the procedures detailed below. Employees who become aware of an alleged violation of this policy are required to report such conduct immediately to the Title IX Coordinator, unless there is a legal privilege of confidentiality.

While the University strongly encourages everyone to report incidents of conduct prohibited by this policy, it recognizes an alleged victim's right to decline such reporting or the filing of a formal complaint. Nonetheless, if the University is made aware of an allegation of conduct that is prohibited by this policy, the University may have an obligation to investigate and/or take action in response to that conduct, with or without the cooperation of the alleged victim.

Upon receipt of a report to the University, the Title IX Coordinator will discuss availability of supportive measures with the alleged victim as well as explain the process for filing a formal complaint. The complainant will be provided with a copy of this policy and/or other written statement of their rights, reporting options and resources. (A copy of the University's "[Title IX: Rights, Reporting and Resources](#)" informational pamphlet is available on the University's website and can be located by searching "Title IX".)

Making a report to the University is different from filing a formal complaint. Making a report to the University will not, by itself, trigger the University's investigation and/or formal complaint resolution processes. Only the filing of a formal complaint will trigger the University's investigation and formal complaint resolution processes. The University will take disciplinary action against a respondent only if there is an adjudication of responsibility as a result of the formal complaint resolution process (or after an agreed resolution has been reached).

Please note that a report which does not identify the alleged victim may hinder or prevent the University's ability to take further steps in response to the report, including, but not limited to, providing the alleged victim (or respondent) with supportive measures.

Crimes (or any conduct prohibited by this policy which a student may believe is a crime) in progress should be reported immediately to the MSJ Police Department at 513-244-4226 or dial 0 from any campus phone.

Reporting Sex Discrimination (Including Sexual Misconduct), Interpersonal Violence, or Retaliationⁱ

Any student or employee who has been the victim of, witnessed, or become aware of sex discrimination, sexual harassment, sexual assault, interpersonal violence, or retaliation should report such conduct to the following offices:

- Criminal Report
 - MSJ Police Department, 513-244-4226 or dial 0 from any campus phone; additional information regarding reporting emergencies can be found on the MSJ Police Department Webpage
- Institutional Report
 - Dr. Rayshawn Eastman, Title IX Coordinator, 513-244-4467, rayshawn.eastman@msj.edu, or submit a report using the [Title IX Reporting form](#) available on the University's website or by searching the site for "report an incident" or "Title IX".

A student or employee may pursue either or both the University's resolution process and the criminal/law enforcement process.

Anonymous Reporting

Reports of violations of this policy can be made anonymously by calling or texting 513-244-TIPS or emailing 244TIPS@msj.edu. These anonymous reporting options are available 24 hours a day/365 days a year.

Please note that these anonymous reporting options are not intended for any immediate safety or emergency situations. All immediate safety or emergency situations should be reported immediately to the MSJ Police Department at 513-244-4226 or dialing 0 from any campus phone.

Campus Security Authorities

Reports of any type of sex discrimination, sexual harassment, sexual assault, interpersonal violence or retaliation can also be made to any of the University's designated Campus Security Authorities (CSAs). The University's designated CSAs includes:

- MSJ Police Department, 513-244-4226 or dial 0 from any campus phone; additional information regarding reporting emergencies can be found on the [MSJ Police Website](#).
- Title IX Coordinator and Chief Diversity and Inclusion Officer, Dr. Rayshawn Eastman, Seton Center, 513-244-4467
- Wellness Center-Counseling and Health Services, Wellness Suite, Harrington Center, 513-244-4949
- Vice President Compliance, Risk, Legal Affairs/General Counsel, Paige Ellerman, Administration Building, 513-244-4393
- Dean of Students, Janet Cox, Office of Student Affairs, 513-244-4466
- Chief Human Resources Officer, Teri Compton, Office of Human Resources, 513-244-4979
- Director of Residence Life, Rhayshaun Isreal, 1st Floor Seton Center, 513-244-4465
- Resident Assistants – Reports from RAs will be forwarded to the MSJ Police Department through the Office of Residence Life
- Chief Mission Officer, Sister Karen Elliott, C.PP.S., D.Min., Office of Mission & Ministry, 513-244-4844
- Assistant Director of Mission Integration, Michelle Arnold, Office of Mission & Ministry, 513-244-4866
- Associate Director of Human Resources, Kayla Erhart, Office of Human Resources, 513-244-4854
- Assistant Dean for Student Engagement and Leadership, Summer Spille, Harrington Center, 513-244-4627
- Athletic Director, Melanee Wagener, Sports Complex, 513-244-8585
- Associate Athletic Director, Joe Sparhawk, Sports Complex, 513-244-4876
- Athletic Coaches for all University collegiate sports, Sports Complex, 513-244-8585

More information about the responsibilities of CSAs is contained in the next section of this policy.

Confidentiality and Support

The University may, to the extent permitted by law, honor a request by a complainant that no investigation be pursued. Confidentiality requests should be made directly to the Title IX Coordinator, Dr. Rayshawn Eastman, 513-244-4467, rayshawn.eastman@msj.edu.

If a complainant requests that the University not reveal the complainant's name to the respondent and/or declines to file a formal complaint, this may limit the University's ability to respond fully to the incident, including pursuing disciplinary action against the respondent. However, in order to ensure a safe and nondiscriminatory environment for all students or if required to report the incident by law, the University may not be able to honor a request for confidentiality. Regarding its obligation to ensure a safe and nondiscriminatory environment, a complainant's request for confidentiality will be determined after considering factors such as the seriousness of the alleged incident, the ages of the individuals involved, other complaints that may have been filed against a respondent, and a respondent's legal right to receive information maintained by the University as an education record.

Additionally, the University has a duty to complete certain publicly available recordkeeping, including reporting and disclosing information about certain crimes pursuant to a federal law known as the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (the "Clery Act"). The University is also obligated to issue timely warnings of crimes enumerated in the Clery Act occurring within relevant geography that represent a serious or continuing threat to students and employees, except in those circumstances where issuing such a warning may compromise current law enforcement efforts or when the warning itself could potentially identify the reporting individual. Duties under the Clery Act will not require the University to report or disclose a complainant's personally identifying information.

Further, there may be situations where disclosing information about a complainant (or respondent) is necessary to provide a safe and non-discriminatory environment and/or to provide any supportive measures. The Title IX Coordinator will determine what information about an individual needs to be disclosed and to whom this information will be disclosed. Unless extenuating circumstances exist, the individual will be informed before sharing personally identifying information that the University believes is necessary to provide a safe and non-discriminatory environment and/or to provide any supportive measures.

If a student or employee tells a CSA about a criminal incident that was not reported to the MSJ Police Department, the CSA is required to report the information to MSJ Police Department. CSAs are also required to report the incident to the Title IX coordinator, who will contact the alleged victim to discuss the availability of supportive measures, the process for filing a formal complaint, and confidentiality considerations and who will provide a copy of this policy and/or other written statement of the individual's rights, reporting options and resources, as set forth above. The only exception is Wellness Center professional personnel who may serve as confidential reporting resources under limited circumstances, as discussed below.

Students may seek support from the University's Wellness, Counseling and Health Services Center. For more information please use the following link to the [MSJ Wellness, Counseling and Health Services Center](#) on the University's website (or search the site for "Wellness Center"). Counselors and/or licensed health care professionals such as nurses and physicians are available to students through the Center. These trained professionals can provide students with counseling, information, and support in a confidential setting. Information shared by a student with a confidential resource at the Center will not be disclosed to anyone else, including the University, except under limited circumstances. Incidents reported to a confidential resource will not be included in the University's annual crime statistics. These confidential resources available at the Center will not share information about a student (including whether that individual has received services) without the student's express permission, unless there is a continuing threat of serious harm to the individual patient/client or to others or there is a legal obligation to reveal such

information. The support service providers are also available to help a student make a report to the University.

For employees, support from healthcare professionals may be available through the TriHealth Employee Assistance Program (EAP). The EAP is a benefit provided to all full-time and pro rata faculty and full-time, pro rata, and benefit-eligible part-time staff and members of their immediate households. The EAP may provide employees with assessment, short-term counseling, referral and follow up services. All EAP services are offered to eligible faculty, staff and household members free of charge. The TriHealth EAP can be contacted at 513-891-1627, at 1-800-642-9794, or at www.TriHealthEAP.com. Information shared by an employee with a confidential resource through the EAP will not be disclosed to anyone else, including the University, except under limited circumstances. Incidents reported to a confidential resource through the EAP will not be included in the University's annual crime statistics. These confidential resources available through the EAP will not share information about an employee (including whether that individual has received services) without the employee's express permission, unless there is a continuing threat of serious harm to the individual patient/client or to others or there is a legal obligation to reveal such information.

An alleged victim is encouraged to make a report even if the alleged victim is not seeking disciplinary action against the respondent. The University will make every effort to respect a complainant's autonomy in determining how to proceed. Supportive measures and resources are always available to an alleged victim regardless of the chosen course of action. Receiving a report of an incident permits the University to keep records of reported incidents and determine the appropriate response and the potential need to alert the University community to potential danger. Reported incidents will also be included in the University's annual crime statistics as required.

Supportive Measures

As appropriate, the Title IX Coordinator will provide supportive measures to the complainant and the respondent. Supportive measures include non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures are designed to restore or preserve equal access to the University's education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the University's educational environment, or deter conduct in violation of this policy.

Supportive measures may include but are not limited to counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between the parties, changes in work or housing locations, leaves of absence, increased security and monitoring of certain areas of the campus, and other similar measures.

The Title IX Coordinator will be responsible for coordinating effective implementation of supportive measures. Individuals requesting additional supportive measures or experiencing difficulty with supportive measures that have been approved should immediately contact the Title IX Coordinator. Supportive measures will be available to a complainant regardless of whether the complainant chooses to file a formal complaint or proceed with an investigation and/or hearing. Supportive measures will also be available to respondents. The University will maintain as confidential any supportive measures provided to a complainant or respondent, to the extent that maintaining confidentiality would not impair the ability of the University to provide the supportive measures.

An individual may also consider seeking a protection or restraining order through a court of law. A protection or restraining order is a temporary order intended to help provide safety and protection from other individuals. If you have a protection or restraining order against someone and that person violates the order in any way, law enforcement may be able to arrest that person and charge that person with a violation of the order. If needed and to the extent possible, the University will provide assistance in obtaining a protection order. To the extent possible, any such protective measures will be confidential. **Please contact the Title IX Coordinator for more information about these protective measures, including obtaining contact information for law enforcement agencies and/or the prosecutor's office.**

Other Available Resources

Any complainant and respondent will be notified upon request regarding medical, counseling, victim advocacy support, respondent advisor support, legal assistance, visa and immigration assistance, student financial aid assistance, and pastoral resources available through the University or through external referral sources.

Good Samaritan/Amnesty Policy

The University values a safe environment conducive to learning and is committed to ensuring the safety and well-being of each student and employee. The University is also committed to providing guidance so that all members of the University community develop a responsible approach to social challenges, including whether to use alcohol, how to do so in moderation, and how to comply with local, state, and federal laws governing alcohol consumption.

Additionally, the University encourages reporting of conduct prohibited by this policy and seeks to remove any barriers to making a report. The University recognizes that an individual who has been drinking alcohol or using drugs at the time of an incident may be hesitant to make a report and/or file a formal complaint because of potential consequences for the individual's own conduct. An individual that reports conduct prohibited by this policy, either on the individual's own behalf or as a witness, will not be subject to disciplinary action by the University for the individual's own personal consumption of alcohol or drugs at or near the time of the incident, provided that any such violation did not and does not place the health or safety of any other person at risk.

Emergency Removal and Administrative Leave

The University may remove a respondent from the University's education programs and activities on an emergency basis where, after undertaking an individualized safety and risk analysis, the University determines that an immediate threat to the physical health or safety of any student or other individual arising from the alleged violation(s) of this policy justifies removal. If the University makes such a determination, it will notify the respondent in writing and provide the respondent an opportunity to immediately challenge that decision.

The University retains full discretion to place a non-student employee respondent on administrative leave during the pendency of the formal complaint resolution process.

8. FILING A FORMAL COMPLAINT

Criminal Complaints

Criminal complaints follow criminal processes carried out by local law enforcement entities, which may include a police investigation, a referral to the Hamilton County Prosecutor's Office, and/or the criminal court system for resolution.

Institutional Complaints (Formal Process)

To proceed with seeking an investigation and adjudication of an alleged violation(s) of this policy, the complainant or (in certain limited circumstances, the Title IX Coordinator) must file a “formal” complaint.

A formal complaint is a document that is written and signed (physically, digitally, or by some other means that sufficiently identifies the author) by the complainant which alleges a violation of this policy and seeks a formal University investigation of the incident(s). The complaint should include as much detail as the complainant can recall about the incident(s) as well as any evidence the complainant believes will support the allegations in the formal complaint. A complainant may file a formal complaint with the Title IX Coordinator in person, by mail, or by email.

If an alleged victim declines to file a formal complaint, the Title IX Coordinator may file a formal complaint when the Title IX Coordinator determines that an investigation is necessary to ensure a safe, equitable, and non-hostile work and/or educational environment. A Title IX Coordinator’s formal complaint must also be written and signed, but the Title IX Coordinator does not become the complainant or a party to the resolution process by virtue of filing the formal complaint. This means the alleged victim will still receive all of the same notices and be entitled to the same rights and responsibilities of a complainant/party who filed a formal complaint, discussed in this policy.

The University’s investigation of a formal complaint is different and separate from a criminal complaint investigation by any law enforcement agency. An ongoing law enforcement investigation does not relieve the University of its obligation to investigate a formal complaint. In cases involving potential criminal conduct, University personnel must determine, consistent with federal, state, and local law, whether appropriate law enforcement agencies or other authorities should be notified. Conduct may constitute a violation of this policy and result in disciplinary action by the University even if a law enforcement agency and/or court of law determines that the conduct did not constitute a crime.

If the MSJ Police Department receives a report of conduct potentially in violation of this policy involving students and employees, the MSJ Police Department will notify the Title IX Coordinator.

Notice of Allegations and a Written Statement of Rights

Upon receipt of any formal complaint, the Title IX Coordinator will provide both parties with a notice of allegations and a copy of this policy and/or other written statement of their rights, reporting options and resources. (A copy of the University’s [“Title IX: Rights, Reporting and Resources”](#) informational pamphlet is available on the University’s website and can be located by searching “Title IX”.) The University is required to provide the respondent with the name of the complainant and information regarding the nature of the allegations to respond to the complaint. The notice of allegations will contain a copy of the formal complaint; a copy of this policy with a specific directive to review this entire section relating to formal complaints and the resolution of such complaints; and a reminder that deliberately or knowingly providing false information to those administering this policy may result in disciplinary action, but that such a finding will not be made solely on the determination regarding responsibility. If in the course of an investigation, the University decides to investigate allegations that are not included in the original notice of allegations, the University will provide an additional or updated notice identifying the additional allegations.

Before any investigation begins, the respondent will be provided fourteen (14) days to prepare and submit a written response to the formal complaint. Any such written response will be

submitted to the Title IX Coordinator and will be shared with the complainant in accordance with the procedures set forth herein

The parties have a right to have an advisor present with them throughout all stages of the University's resolution process. The party's advisor may be an attorney, but is not required to be. If a party cannot afford to retain an advisor, the University will provide an advisor for that party.

Complainants and respondents, as well as their advisors, are entitled to and will be provided an opportunity to inspect and review the same information and evidence. This includes any information, evidence, or allegation learned as a result of the Title IX Coordinator's investigation into the formal complaint.

Respondents are entitled to a presumption of non-responsibility throughout the process unless they are adjudicated through this formal complaint resolution process as responsible for a violation of this policy.

All parties will be provided written notice of the date, time, location, participants, and purpose of all hearings, investigative interviews, or other meetings in which they are invited or expected to participate, with sufficient time for the party to prepare to participate. Each party is expected to contact the Title IX Coordinator as soon as possible in the event of a scheduling conflict or other concern related to the details of these arrangements.

Informal Resolution of Complaints

In appropriate circumstances, and with the written and voluntary consent of the complainant and respondent, the Title IX Coordinator may attempt informal methods to resolve a formal complaint of an alleged policy violation without the need for additional proceedings. When informal resolution is pursued, the Title IX Coordinator will provide written notice to the complainant and respondent regarding (1) the allegations; (2) the voluntary nature of the informal resolution process and the availability of a formal investigation at all times; and (3) any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared. The objective of the informal process will be to resolve the complaint to the mutual satisfaction of the parties involved, if possible. If the informal resolution process is attempted, efforts will be made to conclude it within twenty-one (21) days of when the Title IX Coordinator issues the notice of allegations.

The informal resolution process is not available where the formal complaint alleges that an employee has engaged in conduct in violation of this policy toward a student.

Investigation of Complaints

In instances where informal methods of resolution are inappropriate or declined, an investigation of the formal complaint will be conducted. At all times during this internal resolution process, the University will have the burden of proof and the burden of gathering evidence. However, the University's ability to obtain relevant information and evidence will turn on the willingness of the parties and/or witnesses to engage in the investigatory process. For example, access to medical records or other sensitive or confidential documents can often only be obtained with the person's voluntary, written consent.

Throughout the investigation, each party will have an equal opportunity to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence.

No party will be restricted in the ability to discuss the allegations under investigation or to gather and present relevant evidence. Complainants and respondents, as well as their advisors, are entitled to and will be provided an opportunity to inspect and review the same information and evidence. This includes evidence directly related to the allegations that the University may not intend to rely on in determining responsibility as well as any inculpatory or exculpatory evidence whether obtained from a party or other source.

While all investigations will vary due to the individual circumstances surrounding the particular formal complaint, investigations under this policy will typically involve the following:

1. Title IX Team Assignment: Investigations are coordinated by the Title IX Coordinator. The Title IX Coordinator will assign University employees who are trained to conduct each stage of the formal complaint resolution process.

Prior to the start of a formal investigation, the Title IX Coordinator will send a written “Initial Title IX Team Assignment” to the complainant(s) and respondent(s), which will include the names of the Title IX Team Members assigned to the particular complaint and each Title IX Team Member’s assigned role, as follows:

- Title IX Investigator(s) (more than one member may be assigned)
- Adjudication Hearing Panel (three members)
- Title IX Appellate Official
- Alternate (one member, in the event that any assigned Title IX Team Member becomes unavailable)

Before assigning someone to the Title IX Team, the Title IX Coordinator will assess the individual for a potential conflict of interest, bias, or prejudice. If any complainant and/or a respondent believes that any Title IX Team Member assigned to the formal complaint has a conflict of interest, bias, or prejudice, the party must contact the Title IX Coordinator in writing no more than seven (7) days (excluding University holidays) of receiving the Initial Title IX Team Assignment with an explanation of the Title IX Team Member’s alleged conflict of interest, bias, or prejudice (a “Conflict of Interest Notice”). In the event that the Title IX Coordinator timely receives a Conflict of Interest Notice, the Title IX Coordinator will make any substitutions the Title IX Coordinator deems appropriate.

Similarly, if an assigned Title IX Team Member believes that the particular complaint poses a conflict of interest for the individual, the Title IX Team Member will contact the Title IX Coordinator immediately and the Title IX Coordinator will make any substitutions the Title IX Coordinator deems appropriate.

After the Conflict of Interest Notice period has passed, the Title IX Coordinator will send a written “Final Title IX Team Assignment” to the complainant(s) and respondent(s).

2. Title IX Investigator(s) Notification: The Title IX Investigator(s) will send written notification to any complainant and the respondent that the formal investigation has commenced.
3. Interviews: The Title IX Investigator(s) will seek to conduct interviews of the complainant(s), the respondent(s), and any witnesses identified by those parties.

4. Consideration of Evidence by Title IX Investigator(s): The Title IX Investigator(s) will gather and examine relevant documents or evidence (e.g., law enforcement investigatory records, student and/or personnel files, etc.). Both the complainant and respondent will be asked to provide a list of possible witnesses as well as any written or physical evidence (e.g., text messages, social media postings, emails, photos, medical records, etc.) that they wish to be considered by the Title IX Investigator(s).
5. Opportunity to Respond: The parties will be given a meaningful opportunity to respond to any interviews conducted or evidence directly related to the allegations gathered prior to conclusion of the investigation. Upon execution by the party and party's advisor of a nondisclosure agreement not to disseminate any of the evidence or use it for any other purpose, the Title IX Investigator(s) will send all evidence directly related to the allegations to the parties and their advisors in either electronic or hard-copy format. The parties will have ten (10) days to inspect, review, and submit any written response to the evidence, which the Title IX Investigator(s) will consider prior to completion of the investigation.
6. Pre-Hearing Dismissal: If, after the investigation is concluded, the Title IX Investigator(s) determines that the conduct alleged in the formal complaint, even if proved, would not constitute a violation of this policy, did not occur within the University's education programs or activities, or did not occur within the United States, the formal complaint will be dismissed. The Title IX Coordinator will promptly send written notice of the dismissal and reason(s) therefor simultaneously to the parties. Such a dismissal may be appealed in accordance with the appeal procedures set forth in a later section of this policy. (Please note that pre-hearing dismissal under this policy does not bar appropriate disciplinary action or procedures in accordance with another University policy.)
7. Prepare Investigation Report: If pre-hearing dismissal is not warranted, the Title IX Investigator(s) shall prepare a written Investigation Report complete with a summary of interviews, relevant documents, and next steps.
8. Distribute Investigation Report: The Title IX Investigator(s) shall provide any complainant and respondent with access to the Investigation Report as well as any documents or evidence gathered by the Title IX Investigator(s) that were used to prepare the Investigation Report to the parties.

Efforts will be made to complete a formal investigation within sixty (60) days of receiving the formal complaint.

Adjudication Hearing

Upon receipt of the written investigation report, the Title IX Coordinator will contact all parties in writing to notify them that the three (3) previously assigned Adjudication Hearing Panel members will preside over the Adjudication Hearing, and to offer all parties the opportunity to request one (1) pre-hearing meeting with the Title IX Coordinator.

Pre-hearing meetings are not mandatory and are designed to allow the parties to ask questions regarding the Adjudication Hearing as well as to again review the Investigation Report or any documents or evidence gathered and used to prepare the Investigation Report.

After all of the requested pre-hearing meetings conclude (or after they are declined), the Title IX Coordinator will notify the parties of the date, time, and location of the Adjudication Hearing. The parties will receive at least ten (10) days' notice (excluding University holidays) of the Adjudication Hearing.

At least five (5) days (excluding University holidays) prior to the scheduled Adjudication Hearing, each party must identify in writing to the Title IX Coordinator any and all witnesses and evidence the party intends to present at the Adjudication Hearing. Unless extenuating circumstances exist as determined by the Title IX Coordinator, witnesses and evidence that were not disclosed or identified to the Title IX Investigator may not be presented at the Adjudication Hearing. The Title IX Coordinator will promptly notify each party of the other party's list of witnesses and evidence for the Adjudication Hearing.

Adjudication Hearings are live and closed to the public. The University will entertain requests for separate rooms for the Adjudication Hearing. The University will strive to accommodate concerns for personal safety, well-being, and/or confrontation among the complainant, the respondent(s) and other witnesses by using physical or technological means that still enables the Adjudication Hearing Panel and the parties simultaneously to see and hear the party or the witness answering questions.

Each party is permitted to have that individual's advisor present. The Title IX Investigator(s) shall be present at the hearing.

At the Adjudication Hearing, each party will be permitted to give an opening statement. Each party will then be permitted to present relevant evidence and/or witnesses (fact and expert). If a party or witness voluntarily agrees to submit to cross-examination at the live Adjudication Hearing, a party's advisor will be permitted to pose relevant questions and follow-up questions of the other party and/or the other party's witnesses. Such cross-examination will be conducted directly, orally, and in real time by the party's advisor (or a member of the panel may pose the party's questions if that party chose not to bring an advisor), and not the party personally.

All evidence gathered during the investigation will be made available to the parties for potential use during the hearing. The Adjudication Hearing Panel will objectively evaluate all relevant evidence – including both inculpatory and exculpatory evidence. Any credibility determinations made by the Hearing Panel will not be based on a person's status as a complainant, respondent, or witness. Before a party or witness answers a cross-examination question, the Adjudication Hearing Panel will determine whether the question is relevant and explain any decision to exclude a question as not relevant. Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the complainant's prior sexual behavior are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent.

In the event a party or witness refused or is unable to attend or submit to cross-examination at the live Adjudication Hearing, the Adjudication Hearing Panel may nonetheless allow the live Adjudication Hearing to proceed. The attendance and full participation of parties and witnesses at a live Adjudication Hearing helps ensure that the Adjudication Hearing Panel fairly and accurately adjudicates the complaint. But, in making findings and determinations, the Adjudication Hearing Panel may, in its discretion, consider and give weight to statements of parties and witnesses who refuse or are unable to attend or submit to cross-examination at the

live Adjudication Hearing, including, but not limited to, statements contained in investigative records, police reports, medical records (to the extent permitted by law), court filings and judgments, and any pertinent communications sent or made at a time relevant to the allegations in a complaint, which may include during the investigation of those allegations. In such cases, the Adjudication Hearing Panel has the authority to determine what weight, if any, to assign to the statements of parties or witnesses who refuse or are unable to attend or submit to cross-examination at the live Adjudication Hearing. In determining what weight to assign to these statements, beyond the statements' reliability and credibility, the Adjudication Hearing Panel may consider the reason(s) why the party or witness refused or was unable to attend or submit to cross-examination at the live Adjudication Hearing. If the Adjudication Hearing Panel decides to assign any weight to the statements of parties and witnesses who refuse or are unable to attend or submit to cross-examination at the live Adjudication Hearing, the Adjudication Hearing Panel should explain in its written determination its basis for considering such statements. However, under no circumstances may the Adjudication Hearing Panel draw an inference about the determination of responsibility based solely on a party's or witness's absence from a live hearing or refusal to answer cross-examination or other questions.

The Adjudication Hearing Panel will not require, allow, rely on, or otherwise use questions or evidence that constitute, or seek disclosure of, information protected under a legally recognized privilege, unless the person holding such privilege has waived the privilege.

To conclude the Hearing, each party will be permitted to make a closing statement.

Within seven (7) days (excluding University holidays) of the conclusion of the Adjudication Hearing, the Adjudication Hearing Panel will issue a written "Hearing Panel Decision." The Adjudication Hearing Panel will use a preponderance of the evidence (i.e., "more likely than not") standard to determine whether or not an alleged policy violation occurred. The decision need not be unanimous. Where applicable, the written Hearing Panel Decision will include identification of the allegations potentially constituting a policy violation; a description of the procedural steps taken from receipt of the formal complaint through the hearing; findings of fact and conclusions applying the policy to those facts; the rationale for the finding related to each allegation; any disciplinary sanctions on the respondent; any remedies designed to restore or preserve equal access to the University's education programs and activities to the complainant; and the permissible bases for appeal.

The Adjudication Hearing Panel may consider prior policy violations, among other things, when considering the level of discipline.

The Title IX Coordinator will promptly and simultaneously provide written notice to the parties of the Hearing Panel Decision.

A Hearing Panel Decision, including sanctions or disciplinary action, is final unless the Hearing Panel Decision is timely appealed under this policy. If an appeal is timely submitted, any sanctions or discipline will be stayed until resolution of the appeal process.

The University will record the live hearing through audio recording, audiovisual recording, or transcript, and make it available to the parties for inspection and review.

Appeals

Both the Complainant and Respondent have the right to appeal a pre-Hearing dismissal and/or the Hearing Panel's Decision within seven (7) days of the written decision. Appeals must be submitted in writing to the previously assigned Title IX Appellate Official.

The only four grounds of appeal from the Hearing Panel's Decision are: (1) new evidence that was not reasonably available at the time the determination was made and that could affect the outcome of the matter; (2) procedural irregularity that affected the outcome of the matter; (3) the Title IX Coordinator, the Investigator, and/or the Hearing Panel had a conflict of interest or bias for or against Complainants or Respondents generally or the individual Complainant or Respondent that affected the outcome of the matter; and (4) the discipline/sanction is substantially disproportionate to the Hearing Panel's findings.

The only four grounds of appeal from an Investigator's Pre-Hearing Dismissal Decision are: (1) new evidence that was not reasonably available at the time the decision was made and that could affect decision; (2) procedural irregularity that affected the decision; (3) the Title IX Coordinator or the Investigator had a conflict of interest or bias for or against Complainants or Respondents generally or the individual Complainant or Respondent that affected the decision; and (4) the decision is not supported by the evidence gathered in the investigation. .

If either party timely appeals a pre-Hearing dismissal or a Hearing Panel Decision, the other party will have seven (7) days (excluding University holidays) from receipt of a copy of the appeal to submit a "Written Opposition to Appeal" to the Title IX Appellate Official. Upon receipt of the Written Opposition to Appeal or the passing of the timeframe allowed to submit a Written Opposition to Appeal, the Title IX Appellate Official will consider the appeal and will issue a "Decision on Appeal" within fourteen (14) days.

The Title IX Appellate Official has the authority to determine that appeal criteria have not been met, to affirm the decision, reverse the decision, remand the matter to an Investigator or Adjudication Hearing Panel to consider additional evidence or remedy a procedural error, or alter the discipline/sanctions that were recommended in the Hearing Panel Decision. Any Decision on Appeal will be issued in writing to both parties and is final.

Timeframes

All of the timeframes set forth in this policy related to the University's investigation or resolution processes for a formal complaint may be extended by the Title IX Coordinator (or designee) upon a showing of good cause. Any party's request for an extension of time must be submitted to the Title IX Coordinator and may be granted or denied in the Title IX Coordinator's sole discretion. Good cause may include, but is not limited to, the absence of a party, a party's advisor, or a witness; concurrent law enforcement activity; or the need for language assistance or accommodation of disabilities. All parties involved will be promptly notified of any extension and provided the reason(s) for the extension.

9. POSSIBLE DISCIPLINE/SANCTIONS

If it is determined that an employee of the University has engaged in conduct in violation of this policy, the employee will be promptly disciplined, up to and potentially including termination of employment, depending on the seriousness of the offense and individual circumstances. Possible sanctions and corrective actions include, but are not limited to, discrimination or harassment

education, counseling, reassignment, no contact orders, demotion, suspension, non-reappointment, and termination from employment.

If it is determined that a student has engaged in conduct in violation of this policy, the student will be promptly disciplined with penalties up to and including suspension or dismissal from the University. Other sanctions include, but are not limited to, disciplinary warning, disciplinary probation, disciplinary probation with restrictions, no contact orders, fines, restitution, notification to others, educational/work assignment/community service, counseling, loss of privileges, restricted access, room transfer, termination of housing contract, or mandatory withdrawal from University housing.

Where a student or employee has been found to have engaged in conduct in violation of this policy, the University will take appropriate steps to prevent recurrence and to correct discriminatory effects on the complainant, the campus, and others, as necessary.

10. KNOWINGLY PROVIDED FALSE INFORMATION

If it is determined by the University in its sole discretion that any individual involved in an investigation of a potential violation of this policy has deliberately or knowingly provided false information to those administering this policy, the individual will be subject to discipline, up to and including termination of employment or dismissal from the University.

11. RIGHT TO FILE CRIMINAL COMPLAINT AND/OR WITH A GOVERNMENT AGENCY

Nothing in this policy should be construed as impeding or prohibiting an employee or student from pursuing a criminal complaint with the appropriate internal or external law enforcement agency or in filing a complaint with the appropriate external governmental agency. Although an employee or student with a concern or complaint is encouraged to attempt to resolve the grievance within this procedure when appropriate, each individual has the right to file a grievance/charge directly with the Department of Education's Office for Civil Rights, the Ohio Civil Rights Commission, or any other applicable state or federal agency.

Laws and regulations prohibiting sex discrimination, sexual misconduct, interpersonal violence, and retaliation in institutions of higher education include Title VI and Title VII of the Civil Rights Act of 1964, and Title IX. The Campus Sexual Violence Elimination Act (SaVE Act) amends the Clery Act.

12. EDUCATION, TRAINING AND RESOURCES

The University offers a variety of education, training and support resources to students and employees related to sex discrimination, interpersonal violence and retaliation. Information about education and training provided by the University can be found in the Sex Discrimination, Sexual Misconduct and Interpersonal Violence Policy. Information about additional resources for students and employees related to sex discrimination, sexual misconduct, interpersonal violence and retaliation can be found in the Sexual Misconduct Brochure.

The Title IX Coordinator, Investigators, Hearing Panel Members, Appellate Officials, and any individuals who facilitate informal resolution processes will receive training on the definitions in this policy; the scope this policy; how to conduct an investigation and grievance process

including hearings, appeals, and informal resolution processes; how to serve impartially, including by avoiding prejudgment of the facts at issue; conflicts of interest and bias; technology used at a live hearing; issues of relevance of questions and evidence, including when questions and evidence about when sexual predisposition or prior sexual behavior are not relevant; and on issues of relevance to create an investigative report that fairly summarizes relevant evidence. Any materials used to train such individuals will not rely on sex stereotypes and will promote impartial investigations and adjudications of formal complaints. All training materials are available on the University's website.

If your report/complaint involves discriminatory, harassing, or retaliatory conduct based on race, color, national origin, religion, age, disability, or another legally protected status, please refer to the University's Equal Opportunity and Non-Discrimination Policy. If your report/complaint relates to student disability accommodations, please refer to the University's Student Accommodation Grievance Procedure.

¹ If your report or complaint involves discriminatory, harassing, or retaliatory conduct based on race, color, national origin, religion, age, disability, or another legally protected status, (including conduct outside the scope of Title IX), please refer to the University's [Equal Opportunity and Non-Discrimination Policy](#). If your report or complaint relates to student disability accommodations, please refer to the University's [Student Accommodation Grievance Procedure](#).

DISASTER, EMERGENCY RESPONSE AND NOTIFICATION PLAN

The objective of the Mount St. Joseph University Disaster, Emergency Response and Notification Plan (the “**Plan**”) is to provide a guide explaining how students, faculty, staff, and visitors should respond in the event of various types and levels of disasters and emergencies that might occur on or around campus. A copy of this Plan is located on MSJ’s website at: www.msj.edu.

This Plan applies to a broad range of situations, including natural disasters, such as floods, severe storms and tornadoes, or man-made disasters, such as chemical accidents, fires, explosions, armed intruders, and bomb threats, as well as any other situation that may disrupt the normal operations of MSJ or when the MSJ community is at risk of harm. This Plan is designed to address any and all risks of harm to the MSJ community on MSJ property, but does not encompass all instances of business risks that may occur given the dynamic nature of the MSJ environment. In addition to the Plan, MSJ has implemented numerous other policies and procedures that focus on more narrow business risks, including, but not limited to, the MSJ Inclement Weather Policy that addresses weather situations that may create hazardous conditions for travel to and from campus, [Inclement Weather Policy](#), the MSJ Crisis Communications Plan that is maintained by the MSJ Communications Department, and the MSJ Lab Safety and Chemical Hygiene Plan that is maintained by the MSJ Chemistry and Biology Departments.

PART I- RESPONSE, NOTIFICATION AND RECOVERY

Part I of the Plan outlines MSJ’s Emergency Process (“**EP**”) for managing different levels of disasters and emergencies that may threaten the health and safety of the campus community or disrupt its programs and activities. It identifies individuals that are responsible for emergency response and critical support services and it provides a management structure for coordinating and deploying essential resources.

SCOPE

The EP contained in this Plan may be activated in the event of:

- Earthquakes
- Hazardous material releases/chemical spills
- Floods
- Tornadoes/Severe weather
- Fire or explosions
- Falling aircraft
- Armed intruder
- Extended power outages
- Bomb threats
- Medical epidemics
- Uncontrolled crowds
- Disaster or emergency on campus or in the community that has the potential to affect MSJ students, faculty or staff
- Other situations disrupting the normal operations of MSJ or when the MSJ community is at risk of harm

The EP may also be activated during major emergencies that occur adjacent to campus, but do not necessarily impact our physical facilities, in order to coordinate emergency information and support services. Examples of this may include, but are not limited to, a major chemical spill on an adjacent roadway or a tornado in the surrounding area.

EMERGENCY RESPONSE TEAM

Members of the Emergency Response Team (“**ERT**”) are MSJ’s primary responders and decision-makers in certain levels of disasters and emergencies as set forth in this Plan, in consultation with the President, Provost, and/or Vice President Compliance, Risk and Legal Affairs/General Counsel. They ascertain the scope of an incident, advise the President, establish response strategies and tactics, deploy resources, and initiate the emergency recovery process. The ERT also convenes to review and revise this Plan, as needed. The ERT is comprised of the following individuals:

- MSJ Chief of Police (or the senior MSJ Police Officer on duty if the Chief of Police is unavailable)
- Chief Financial Officer
- Captain, MSJ Police Department
- Dean of Students
- Director of Building & Grounds
- Associate Provost for Campus Technology
- Vice President of University Communications or Designee
- Associate Provost for Academic Affairs
- Full-time Faculty Employee appointed by the Provost for three academic years
- Full-time Staff Employee recommended by the Coordinating Representatives of the Staff Assembly (CRSA) and approved by the President for three academic years
- Full-Time Athletic Department Employee appointed by the Athletic Director for three academic years

EMERGENCY RESPONSE TEAM LEADER

The Emergency Response Team Leader (“**ERTL**”) is the University’s Chief Financial Officer, who serves as the incident commander for certain levels of disasters and emergencies as set forth in this Plan. If the Chief Financial Officer is unavailable to serve as the ERTL, the Dean of Students shall serve as the ERTL. In the event that both the Chief Financial Officer and Dean of Students are unavailable, the Chief of Police shall have authority to designate an ERTL from members of the ERT.

EMERGENCY OPERATIONS CENTER

The Emergency Operations Center (“**EOC**”) is the central location for ERT mobilization and operation. MSJ’s EOC are as follows:

- Primary EOC – Welcome Area outside of the Office of the President
- Alternate EOC- to be used as determined by the ERTL

EMERGENCY MARSHALLS

Emergency Marshalls are full-time employees at MSJ who are selected to serve as volunteers under the EP. Emergency Marshalls are trained in certain emergency protocols by the MSJ Police Department and may serve as the point of contact for a department or building during the EP.

EMERGENCY PROCESS

The EP is MSJ’s framework for responding to emergencies or disruptions that may threaten the health and safety of the MSJ and surrounding community or disrupt MSJ’s programs and operations. The EP consists of the following four (4) phases:

1. Identify the emergency.
2. Immediate action.
3. Assess, prioritize, coordinate response, and communication.
4. Review and recovery.

1. Identify the emergency.

Emergencies may only be declared by the ERTL or civil authorities, such as the MSJ Police Department, Delhi Police Department, Delhi Fire Department, or other local, state or federal

government agencies. To aid in efficient and effective emergency response operations, MSJ classifies disaster and emergency situations as Level 1, Level 2, or Level 3. The MSJ Chief of Police initially assesses the magnitude of any emergency, and if a possible Level 2 or Level 3 situation exists, the MSJ Chief of Police contacts the ERTL to assess the situation. The EP is activated **only** in Level 2 and Level 3 emergencies. The ERTL shall consult with the MSJ Chief of Police, the ERT, the President, the Provost, and/or the Vice-President Risk, Compliance and Legal Affairs/General Counsel, as appropriate. Unless an obvious and immediate emergency exists, consultations should be utilized in the decision-making process. The designated level for an emergency may change as conditions intensify or subside.

LEVEL 1- Reference Appendix A for Level 1 Emergency Process Flowchart

A Level 1 emergency is a minor incident that is quickly resolved with internal resources or limited help. It is usually localized within a department or a building and has little or no impact on personnel or normal operations outside the locally affected area. Level 1 emergencies do not require activation of the EP. Impacted personnel or departments coordinate directly with the MSJ Police Department to resolve Level 1 conditions. Examples of Level 1 emergencies may include, but are not limited to, an unusual odor, a small chemical spill, a water leak, and a single personal injury.

LEVEL 2- Reference Appendix B for Level 2 Emergency Process Flowchart

A Level 2 emergency is a disaster or emergency that impacts sizeable portions of the campus. It may disrupt or threaten mission-critical functions or the personal safety of students, employees, guests or the surrounding community. Assistance from external organizations may be needed. Level 2 situations could escalate quickly and have serious consequences. Examples of Level 2 emergencies may include, but are not limited to, a building fire, major chemical spill, extensive power or utility outage, severe flooding, or an external emergency situation that has the potential to impact operations.

The EP is activated in a Level 2 emergency. The ERTL determines plan activation and may convene the ERT. The ERTL and/or ERT evaluates the scope of the incident, facilitates the coordination of essential services, and provides emergency information. If the ERT is mobilized, the EOC is opened. Emergency Marshalls may be mobilized.

LEVEL 3- Reference Appendix C for Level 3 Emergency Process Flowchart

A Level 3 emergency is a major disaster or emergency that generally involves the entire campus and may involve the surrounding community. Normal MSJ operations are suspended or impeded. The effects of the disaster or emergency are wide-ranging and complex. Resolution of the disaster or emergency conditions requires timely University-wide cooperation and extensive coordination with external jurisdictions and/or resources. Examples of a Level 3 emergency may include, but are not limited to, a tornado in the campus vicinity, an armed intruder, or a major earthquake.

The EP is automatically activated in a Level 3 emergency. The ERTL coordinates plan activation and the ERTL or MSJ Police Department may make immediate notification of the situation through internal channels of communication, including MountSafe, email, MSJ phone system, and other available sources. All members of the ERT are to immediately report to the EOC or alternate EOC as soon as possible. ERT members are fully mobilized to evaluate the scope of the incident, facilitate the coordination of essential services, and provide emergency information as necessary to implement the EP. Emergency Marshalls are mobilized as needed.

SUMMARY OF EMERGENCY EVENT LEVELS

- LEVEL 1
 - A minor incident that is quickly resolved with internal resources or limited help.
 - The ERTL is not involved and the emergency is handled by the MSJ Police Department.

- The EP is not activated.
- The ERT is not involved.
- The EOC is not opened.
- LEVEL 2
 - A disaster or emergency that impacts sizeable portions of the campus and that may affect mission-critical functions or personal safety.
 - The EP is activated.
 - ERT may be mobilized.
 - The EOC may be opened if ERT is mobilized.
 - Emergency Marshalls may be mobilized.
- LEVEL 3
 - A major emergency or disaster that involves the entire campus and may involve the surrounding community.
 - The EP is activated.
 - The ERTL or MSJ Police Department may make an immediate internal communication.
 - The ERT is mobilized.
 - The EOC is opened.
 - Emergency Marshalls are mobilized as needed.

2. Immediate action and notification.

Any person should call 911 and report any emergency or dangerous situation to the MSJ Police Department immediately. Orders to evacuate buildings, close or lock-down the campus, or shelter-in-place are authorized by the ERTL or MSJ Police Department in accordance with the EP. Most, but not all, emergency response operations will involve the coordination of internal departments and resources, such as the MSJ Police Department, Office of the Provost, Office of Residence Life, Buildings & Grounds, Wellness and Health Services Center Office, Information Services and Support, etc. and/or external agencies and resources, such as Delhi Township Police and Fire Departments, Hamilton County SWAT, and other agencies as required through the mutual aid agreement with all police agencies in Hamilton County.

Please refer to the Emergency Process Flow Charts contained in the Appendices of this Plan for more information about the coordination of MSJ's response under any level of emergency.

In the event the MSJ Police Department or ERTL receives information and confirms that a significant emergency or dangerous situation poses an immediate threat to the health or safety of students, employees or guests on the campus, notification decisions will be made. An "immediate" threat encompasses an imminent or impending threat. The ERTL and MSJ Police Department or ERT (if mobilized) will, taking into account the safety of the community, collaborate to determine the content of the notification and direct that notification be made, unless issuing a notification will, in the judgment of the ERTL and/or first responders (including, but not limited to the MSJ Police Department, Delhi Township Police and/or Fire Departments, and Emergency Medical Services) compromise the efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency.

In a Level 3 emergency or disaster, the ERTL or the MSJ Police Department may independently determine the information to be disseminated to the campus community or outside of the campus community, including the content and method of dissemination appropriate to the emergency, and send notifications using MountSafe or other available sources to communicate an immediate threat to the MSJ community.

In most Level 2 and Level 3 emergencies or disasters, the ERTL or ERT (if mobilized), in consultation with the President, Provost, and/or Vice President Compliance, Risk, and Legal Affairs/General Counsel, will determine the information to be disseminated to the campus community, including the content and method of dissemination appropriate to the emergency. Internal channels of communication, including MountSafe, email, MSJ phone system, and other available sources may be used to communicate the threat to the MSJ community (or to the appropriate segment of the community if the threat is limited to a particular building or segment of the population). Once the content of any internal notification is determined, the timely dissemination is the responsibility of the ERTL, ERT, or MSJ Communications Department as deemed appropriate under the circumstances.

In most Level 2 and Level 3 emergencies or disasters, the ERTL or ERT (if mobilized), in consultation with the President, Provost, and/or Vice President Compliance, Risk, and Legal Affairs/General Counsel, will determine the information to be disseminated outside of the campus community, including the content and method of dissemination appropriate to the emergency. Once the content of any external message is determined, the timely dissemination is the responsibility of the ERTL, ERT, or MSJ Communications Department as deemed appropriate under the circumstances.

When a crime covered under the Jeanne Clery Act has been committed on campus property, but the facts do not warrant an emergency notification, the ERTL, MSJ Police Department or ERT will authorize a timely warning if the crime committed is determined by the MSJ Police Department to constitute a serious and continuing threat to students or employees. Such a warning serves to alert the community, help educate students and employees about possible dangers on campus, and in some cases, may even lead to the apprehension of a suspect or reduction of the threat. A timely warning may also be authorized if a crime occurs off-campus, on property covered by the Jeanne Clery Act. Timely warnings may be issued through various channels of communication, including MountSafe, email, MSJ phone system and other available sources.

3. Assess, prioritize and coordinate next steps in response.

The ERTL or ERT (if mobilized) facilitates coordination of the next steps in campus response after immediate action is determined and notifications are made to the MSJ community and externally, if appropriate, consistent with the emergency. The responsibilities of the ERTL or ERT in coordinating the next phase of response include:

- Assessing the scope and impact of the incident
- Making additional emergency notifications as appropriate
- Prioritizing next emergency actions
- Communicating additional information and instructions
- Monitoring and re-evaluating conditions

ERTL and ERT emergency response actions are guided by MSJ's overriding emergency priorities, as follows:

1. Protection of life
2. Prevention of injuries
3. Protection of property
4. Preparation of the campus for extended plan or response
5. Resume educational program

In addition, depending on the context and other characteristics of the particular disaster or emergency situation, ERTL and ERT emergency response may take into account the following categorical order of priorities:

- Buildings used by dependent population
- Residences
- Occupied classrooms, auditoriums, work areas
- Occupied arenas, special events venues
- Buildings critical to health and safety
- Potential shelters, food supplies
- Sites containing potential hazards
- Facilities that sustain the emergency response
- Energy systems
- Computer installations
- Communications services
- Transportation systems
- Classroom and research buildings
- Administrative buildings

When activated, the ERT remains at the EOC to coordinate decisions and resources. EOC equipment and supplies are maintained and stored by the MSJ Police Department. The MSJ Police Department is responsible for planning and maintaining the EOC resources, such as appropriate data, equipment and supplies, and an ERT Directory containing internal and external contact information. Copies of the ERT Directory will be maintained at the primary EOC location with additional copies that may be taken to any alternative EOC site.

Site-based or departmental emergency plans may be developed by the MSJ Police Department to supplement the EP and provide more site-based emergency response information. Such plans may include Emergency Marshalls who may serve as the point of contact for a department or building during the EP, circulate information to individuals within the department or building regarding emergency procedures, and maintain a list of the names, contact information, and location of individuals living or working in the building or department (as applicable) who may be temporarily or permanently mobility impaired and/or require assistance in the event of an emergency. Updated copies of site-based or departmental emergency plans may be referenced by the ERT and Emergency Marshalls during the EP.

4. Review and recovery.

When emergency conditions are resolved and normal operations resume, the EP will be deactivated by the ERTL or ERT. A formal announcement will be disseminated through various channels of communication deemed appropriate by the ERTL and ERT (if activated), including MountSafe, email, MSJ phone system, and other available sources.

If the nature of the incident requires an extension of some emergency services, special ERT work groups may be appointed to coordinate those continuing activities. These groups may need to consider and/or address:

- Academic or administrative space reallocations
- Support services for impacted students, faculty or staff
- Community relief assistance
- Cost recovery

During and after execution of the EP, the MSJ Chief of Police, the ERTL, and the ERT (if activated) will create, acquire and maintain appropriate documentation to facilitate MSJ's response and recovery efforts. Examples of such documentation may include, but are not limited to, the following:

- Lists of damaged and destroyed equipment

- Equipment usage records
- Vendor purchase orders, invoices and payments
- Materials usage records
- Contractor contracts, invoices and payments
- Insurance information/settlements
- Police, fire and medical response logs
- Report of events

Following the cessation of emergency operations, an incident report will be prepared by the MSJ Police Department and reviewed by the ERT to evaluate the effectiveness of the response effort. The EP will be evaluated and appropriately modified as necessary after any emergency experience.

PART II- SAFETY INFORMATION FOR MSJ COMMUNITY

Part II of the Plan provides safety information for all students, faculty, staff and visitors who may be on campus in the event of a disaster or emergency.

The occurrence of a crisis will require prompt response from all members of the campus community and specifically personnel with assignments included in this Plan. Since no two emergencies will be the same in nature, scope or magnitude, it is necessary for the University's response plans to be basic, flexible and subject to modification as the need arises. Modification will be at the discretion of the MSJ Police Department, ERTL, ERT, the President, or civil authorities. However, in any emergency, the following priorities shall apply:

1. Protection of life
2. Prevention of injuries
3. Protection of property
4. Preparation of the campus for extended plan or response
5. Resume educational program

Every student, faculty member, staff member and visitor at Mount St. Joseph University should be as prepared as possible for emergency evacuation of campus buildings. This is particularly important for people with disabilities, for whom the environment becomes even more difficult during and after an emergency than for the non-disabled.

STUDENTS AND EMPLOYEES WITH DISABILITIES

If you are a student with a disability (mobility, vision, hearing, speech, or cognitive), you are encouraged to contact the Director of the Learning Center, Disability Services, and Project EXCEL at (513) 244-4623. The Learning Center, Room 156 Seton Center. If you are an employee with a disability (mobility, vision, hearing, speech, or cognitive), you are encouraged to contact the Chief Human Resource Officer at (513) 244-4979, Office of Human Resources, Science Building. Students and employees with disabilities (mobility, vision, hearing, speech, or cognitive) who provide notice as requested will have a personal safety plan developed, in consultation with the MSJ Police Department, that will help increase the probability of a smooth evacuation in an emergency. Temporary or permanent disabilities impacting mobility or emergency response should be reported to the MSJ Police Department.

RESPONDING TO DIFFERENT TYPES OF DISASTERS AND EMERGENCIES

- **Evacuation**

A campus, building, or room evacuation may be ordered if the campus, building or room is deemed unsafe and uninhabitable by civil authorities, the MSJ Police Department, ERTL or ERT. Every

student, faculty member, staff member, and visitor should be as prepared as possible for emergency evacuation of campus buildings.

If you encounter someone requiring assistance during an evacuation, inform the person of the nature of the emergency and offer to guide the person to the nearest exit. If the person is hearing impaired, use hand gestures or other means, such as turning the light switch on and off to alert him or her of the emergency, verbalize or mouth information, or provide the person with a short note. Since elevators may not be available or should not be used in many emergency situations, individuals with mobility impairments may not be able to evacuate themselves without assistance. For individuals requiring assistance, if there is no immediate danger, go to a safe place to await rescue personnel.

On the sixth-floor east lounge of the Seton Residence Hall, the University has placed an emergency stair chair. This chair makes the evacuation of the mobility impaired safer and faster. The mobility-impaired person is the best authority on how he/she should be moved.

Ask before you move someone apparently in need of assistance. While it is best to let rescue personnel conduct assisted evacuations, a person can be carried by two people who have interlocked their arms to form a chair, or a person can be carried in a sturdy office chair.

- **Lockdown**

A lockdown procedure will occur if a threat occurs on campus or in the local neighborhood that requires students, faculty, staff, and visitors to be taken indoors where it is less likely that they will be injured. Some emergency situations may require a secondary response beyond lockdown, such as initiating shelter in place.

- **Shelter-In-Place**

This is to protect students, faculty, and staff who are already inside the buildings. Everyone should find some place of shelter inside the building and stay there until you are directed to leave.

When appropriate, you should determine if the room you are in can be locked and if so, lock all windows and doors, and turn off all the lights. If the room cannot be locked, determine if there is a nearby location that can be reached safely and secured in the manner above. If it is not possible to lock the doors or attempt to safely reach another area, then it may be necessary to do the following:

- Place furniture and equipment in front of the doors to barricade them. If a door opens out into a corridor, use whatever means possible to try to restrict entry to the room, including placing furniture and equipment in front of the door, or using a belt or other item to tie the door handle to something stable.
- Stay away from windows when the emergency situation is outside the room. If the threat is in the room, lower level windows may be used as an emergency exit.
- Stay alert for instructional messages as described below, and put cell phones on vibrate.
- Remain in place until the police or an MSJ employee known to you gives the “all clear.”
- If the threat compromises your shelter, then leave that place for another place of safety even to the extent of leaving or fleeing from the building.

- **Campus Shelters**

Campus shelters will primarily be used during severe weather emergencies, such as tornados or

winter storms. The shelter location is specific to each building on campus as noted below:

Location	Shelter Area
Administration Building	Ground floor near Fiscal Operations
Archbishop Alter Library/Aquinas	Ground floor near ISS Help Desk
Children's Center	Ground floor between Bookstore & Food Court
Centennial Fieldhouse	Lower level of the Fieldhouse/locker rooms
MSJ Theatre	Ground floor near Fiscal Operations
Classroom Building	Ground floor near Fiscal Operations
Dorothy Meyer Ziv Art Building	Ground floor near multi-purpose room
Jean Dowell Gymnasium (Old Gym)	Ground floor near multi-purpose room
Jean Patrice Harrington Student Center	Ground floor between Bookstore & Food Court
Mater Dei Chapel	Ground floor near ISS Help Desk
Music Wing	Music Classroom 20
Science Building	Ground floor of Science Building
Seton Center/Residence Hall	Ground floor of Seton Center
Sports Complex	Visitor's Locker Room

PREPARING FOR SPECIFIC EMERGENCY SITUATIONS

- **Fire in Building**

In the event of a fire, the University expects that all campus community members will evacuate by the nearest exit, closing doors and activating the fire alarm system as they leave. Do not use elevators. Once safely outside a building, contact 911 and the MSJ Police Department and await further information from the MSJ Police Department, ERTL, or ERT. Students and/or employees are informed where to relocate by the MSJ Police Department, ERTL, ERT and/or Emergency Marshalls if circumstances warrant at the time of the alarm.

Do not take chances with fire – even a small one can get out of control quickly. At no time should attempts to control a fire, the closing of doors or the activation of the alarm delay the exit from the building.

- **Armed Intruder on Campus**

MSJ utilizes the A.L.I.C.E. program when dealing with armed intruders on campus. The A.L.I.C.E. program was created to enhance the traditional lockdown or shelter-in-place policies used in educational institutions. A.L.I.C.E. is designed to increase survivability during active shooter or armed intruder situations. Because it may take several minutes for police to respond, it is important for students, faculty, staff and guests to realize that they may be the real first responders on the scene. The five components of A.L.I.C.E. can be used to gain an advantage and to survive an armed intruder situation: Alert, Lockdown, Inform, Counter, and Evacuate. Since no two situations are exactly alike, there is no specific order to the components of the A.L.I.C.E. response plan.

Alert

If you see an armed person(s) or hear gunfire, then:

- Call 911
- Notify the MSJ Police Department by calling (513) 244-4200 or 4200 or 0 from any campus phone.
- Give as much detail as safely possible, such as describing the intruder's appearance, clothing, type of weapon, location, etc..

If another person alerts you to the above information, find out if they have informed the authorities.

If they have not or if you are unsure, then make the emergency notification yourself.

Lockdown

You will be notified of a University lockdown by various communication channels such as MountSafe, email, campus phones and any other available resource.

Lock the door(s). Turn off the lights. Lower the blinds and cover any windows in the door. Stay away from windows and doors, but consider whether the windows may be used as an emergency exit to safety. Place cell phones on vibrate or silent.

Utilize objects in the room or on your persons (e.g. desks, tables, chairs, belts, etc.) to help secure the door(s). Do not rely solely on locks. You need to provide an initial barrier(s). Once you have barricaded the door(s), do NOT open the door(s) for anyone unless notified by civil authorities, the MSJ Police Department, ERTL or ERT. Look for alternate escape routes, such as through windows or other doors.

Prepare mentally to defend yourself and others – remember your objective is to survive. Gather items that could be used as weapons (e.g. cups, chairs, books, bags, pens, staplers, fire extinguishers, etc.).

Inform

If you have information about the suspect, stay in communication with the MSJ Police Department by phone or whatever means available, advising them of the intruder's location and actions. Accurate, real-time information can be critical in these situations.

Watch for additional directions and information that may be sent through various communication channels deemed appropriate, such as MountSafe, e-mail system, campus phone system and any other available resource.

Counter

Do not be afraid to fight back. If the intruder enters the room, use objects in the room (e.g., computers, furniture, staplers, fire extinguishers, etc.) and on your person (e.g., books, binders, backpacks, purses, drinks, etc.) to defend yourself, to distract the shooter, and to disrupt the shooter's aim and concentration. Remember anything can be a weapon.

Make yourself a difficult or "hard" target. Run around the room. Create chaos. Attack in a group or swarm the intruder.

Grab the intruder's limbs and head. Take him to the ground and hold him there. If you have possession of the weapon, hide and secure it away from the intruder, such as by placing it in a trashcan. Do not carry or hold the weapon, as police may think you are the armed intruder. *Maintain possession of the weapon without being in possession.*

Inform the police that you have control of the intruder and tell them where you are located. Listen to the instructions given by civil authorities, the MSJ Police Department, ERTL or ERT.

Evacuate

Safely evacuate whenever possible. YOU may have to decide if and when it is safe to evacuate to remove yourself from the danger zone as quickly as possible. Run in a zigzag pattern as fast as you can until out of the danger zone. Utilize windows if you are able to do so. Do not attempt to drive from the area until instructed to do so by civil authorities, MSJ Police Department, ERTL or ERT. Go to a secure rally point, as determined by the civil authorities, MSJ Police Department, ERTL or ERT.

- **Serious Injury**

In the event of a serious personal injury, call 911 and/or notify the MSJ Police Department by calling (513) 244-4200 or 4200 or 0 from any campus phone. Assist injured persons if you are capable of doing so without injuring yourself. The MSJ Police Department will be the liaison to any responders from Delhi Fire, EMS or other resources not affiliated with MSJ. When appropriate, the MSJ Police Department will protect the scene, take photos, measurements, etc.

- **Tornado/Severe Weather**

A weather radio is one of the most reliable methods of obtaining urgent weather information. The Hamilton County Emergency Management Agency follows the direction of the National Weather Service (“NWS”). If the NWS issues a warning, Hamilton County will activate ALL the sirens for the county. The Hamilton County siren is the emergency confirmation in the event of a tornado or severe weather. Campus Police monitor an emergency weather radio in multiple locations and in the event of severe weather and/or a tornado, attempts will be made to notify persons on campus through various channels of communications.

A severe weather warning means that a dangerous weather event is imminent. Immediate action should be taken to protect life and property. Dangerous weather can take the form of heavy winds, lightning, thunderstorms, tornados and ice or snow.

Whenever you are aware of severe weather or tornado warnings, you must go immediately to the lowest floor of the building or designated shelter area. Stay away from glass windows and glass doors. Leave auditoriums, gyms and other free span rooms.

After the threat is over, the MSJ Police Department, ERTL or ERT will make notification that all is clear through various communication channels. To learn more about the various ways to receive alerts and warnings in Hamilton County, visit the website of the Hamilton County Emergency Management Agency.

MSJ has a separate **Inclement Weather Policy** for weather situations that may create hazardous travel conditions for travel to and from campus. [Inclement Weather Policy](#)

- **Earthquake**

If you are inside during an earthquake:

Immediately take cover under a table or desk, between rows of seating if in an auditorium, or in a doorway. In areas where cover is not available, kneel at the base of an interior wall, facing the wall and with head down and covered by arms. Turn your body away from windows and mirrors. Be alert for falling objects and stay away from overhead fixtures, filing cabinets, bookcases, and electrical equipment.

If you are outside during an earthquake:

Move to an open area away from buildings, trees, and power lines. If unable to move to an open area, watch for falling objects.

If you are in an automobile during an earthquake:

Stop your vehicle in the nearest open area. Stay in the vehicle until the shaking stops.

After an earthquake:

After the shaking stops:

- Be aware of the possibility of aftershocks.
- If possible and it is safe to do so, evacuate the building as soon as the shaking has ceased. Do not use elevators. Do not re-enter a building until re-entry is authorized by the MSJ Police Department, the MSJ Emergency Response Team, or civil authority.
- Do not move injured persons unless they are in obvious immediate danger (from fire, building collapse, etc.).
- Open doors carefully. Watch for falling objects.
- Do not use elevators.
- Do not use matches or lighters.
- Limit use of telephone to calls for emergency services. Report injuries or unaccounted for individuals.

- **Hazardous Materials Spill/Release**

A hazardous material spill is a spill in which there is a significant amount of a hazardous material released or one in which the release of the substance cannot be controlled. Examples of hazardous materials in quantities that would be considered a spill are: more than one gallon of bleach, more than 100 ml of sulfuric acid, over one gallon of gasoline, and any quantity of mercury. Examples of infectious materials include blood and other body fluids.

Consult the SDS/MSDS (material safety data sheets) developed by the MSJ Chemistry and Biology Departments before accessing chemicals. The MSJ Police Department has a list of chemicals stored in the Science Building and MSJ Buildings and Grounds Department has a copy of the SDS/MSDS.

Hazardous Material Spill Response

Pull nearest fire alarm. Call 911. Notify the MSJ Police Department by calling (513) 244-4200 or 4200 or 0 from any campus phone. Advise the officer as to the nature and location of the problem including the room number if possible.

If the hazardous material comes in contact with your skin, immediately flush the affected area with copious amounts of water for at least 15 minutes, and then seek medical attention.

If possible and it is safe to do so, stop the source of the hazardous material. **DO NOT** attempt to clean the spill yourself. Evacuate the immediate area, closing doors behind you. Do not re-enter a building until re-entry is authorized by the MSJ Police Department, ERTL, ERT or civil authority.

The MSJ Police Department, ERTL, ERT, or civil authority will begin notification to the campus community as appropriate. Provide as much of the following information to first responders as possible:

- Where has the hazardous material spill occurred? Specify the floor, room number, and location in room.
- Has there been a fire and/or explosion?
- Are there any injuries? If so, how many?
- What material has been spilled?
- What is the state of the material (i.e., solid, liquid, gas, combination)?
- Is any of the hazardous material escaping from the spill location in the form of chemical vapors/fumes or running or dripping liquid?

Infectious Material Spill Response

Notify the MSJ Police Department by calling (513) 244-4200 or 4200 or 0 from any campus phone. Advise the officer as to the nature and location of the problem including the room number if possible.

If the infectious material comes in contact with your skin, immediately wash with soap and water.

If possible and it is safe to do so, stop the source of the hazardous material. **DO NOT** attempt to clean the spill yourself. Evacuate the immediate area, closing doors behind you. Do not re-enter a building until re-entry is authorized by the MSJ Police Department, ERTL, ERT, or civil authority. The MSJ Police Department, ERTL, ERT, or civil authority will begin notification to the campus community as appropriate. Make yourself available to first responders to supply critical information to aid in clean up.

Chemical/Hazardous Spill or Leak Off-Campus That Threatens Campus Community

If on campus, follow shelter-in-place direction. Do not open windows. Do not leave buildings. Keep doors closed. Additional directions and information will be sent to the Mount community by the ERTL or ERT through various communication channels.

- **Bomb Threat/Suspicious Object**

All bomb threats and suspicious objects must be taken seriously because of the possibility that they pose an actual danger to portions of the campus, the entire campus, and/or the surrounding area.

If you receive a telephone bomb threat:

If your phone is equipped or you have access to a recording device, record the phone call. If possible, discreetly ask a colleague or other nearby individual to call 911 or the MSJ Police Department at (513) 244-4200 or 4200 or 0 from any campus phone.

Keep the caller on the phone for as long as possible. Listen carefully. Be polite and show interest. Try to keep the caller talking so that you can gather more information about the device, its location, the validity of the threat, or the identity of the caller. Listen carefully for background noises.

Note the phone number of the caller if your telephone has a display. Gather as much information as possible. If possible, use the following to question the caller in a polite and non-threatening manner:

- Where is the bomb located? (Building, Floor, Room, etc.)
- When will it go off?
- What does it look like?
- What kind of bomb is it?
- What will make it explode?
- Did you place the bomb?
- Why?
- What is your name?

If the threat was received by another individual and he/she is relaying information to you, gather as much information as possible.

Upon completion of the call or upon receiving a report of a bomb threat, immediately dial 911 and the MSJ Police Department at (513) 244-4200 or 4200 or 0 from any campus phone.

Then, document as many details of the call and the caller while the call is still fresh in your memory. Include:

- The exact words of the threat.
- The date and time of the call.
- Information regarding the threat including:
 - Whether it was incoherent or clearly-articulated.
 - Whether the caller was reading the threat.
 - Whether the threat was pre-recorded.
 - Whether the threat involved profanity.
- Information about the caller including:
 - Where the caller is located (if unknown, document background noise or other details that may help identify the caller's location).
 - The caller's estimated age.
 - Whether the caller's voice is familiar.
 - Whether the caller has an accent.
 - The caller's demeanor.
 - The caller's emotion.
 - Details regarding the caller's voice.
 - Whether the caller is male or female.
 - Whether the caller was well-spoken.
 - Whether the caller was irrational.
- Background sounds (or lack thereof) including:
 - Static.
 - Street noises.
 - Conversation.
 - Music.
 - Animal noises.
 - House noises.
 - Kitchen noises.
 - Motor noises.
 - Machinery.

Remain available to answer questions.

If you receive a written bomb threat:

Written bomb threats may be typed, handwritten, or electronic (email, social media, or other). If you receive or are made aware of a written bomb threat, immediately call 911 and the MSJ Police Department at (513) 244-4200 or 4200 or 0 from any campus phone. If the threat is received in hard copy, handle the document as minimally as possible. If the threat is electronic, do not delete it. If possible, preserve a copy of the threat.

Remain available to answer questions.

If you receive or find a suspicious object:

A suspicious object is defined as any package, parcel, container, or other object that is suspected of being an explosive device because it is out of place or unusual for that location and cannot be accounted for, or because a threat has been received.

If you receive or find a suspicious object, do not touch or otherwise tamper with it. Immediately call

911 and the MSJ Police Department at (513) 244-4200 or 4200 or 0 from any campus phone. Follow instructions precisely.

Direct people to move away from the object **at least 600 feet**. Do not attempt to evacuate the building without the authorization of the MSJ Police Department, ERTL, ERT, or civil authority. Do not use portable radio equipment or cell phones **within 600 feet** of the suspicious object.

Be aware that a combination of the following typical characteristics may trigger suspicion in a letter or package:

- Restricted marking such as “Personal” or “Special Delivery”
- No return address or one that cannot be verified as legitimate
- A city or state in the postmark that does not match the return address
- Unusual weight based on size
- Lopsided or oddly shaped, strange odors, oily stains, crystallization, protruding wires, rigid or bulky, excessive tape or string

If you open a parcel containing suspicious material or alleged to contain suspicious material:

Set it down immediately wherever you are located. Do not move the contaminated material. If any material spills out of the letter or package, do not try to clean it up and do not brush off your clothes as this could disperse material into the air. If the material is corrosive or presents an immediate danger, wash or rinse your hands. Close the door to the area where the suspicious parcel was opened and do not allow others to enter the area.

Call 911 and the MSJ Police Department at (513) 244-4200 or 4200 or 0 from any campus phone. If anyone enters the closed area in which the suspicious letter or package, advise that person to also stay at the scene.

- **Power Outage**

If you are in a campus area that experiences a power outage, call the MSJ Police Department at (513) 244-4200 or 4200 or 0 from any campus phone. If you can remain safe while doing so, provide assistance to others in your immediate area that may be unfamiliar with the space. If you are in an unlighted area, proceed cautiously to an area that has emergency lights.

Do not attempt to use elevators. If you are in an elevator when the power goes out, use the emergency button or telephone to alert the MSJ Police Department.

- **Flooding and Water Damage to a Building**

Serious water damage can occur from a number of sources: broken pipes, clogged drains, damaged skylights or windows, or construction errors. If a water leak or flooding occurs on campus, call the MSJ Police Department at (513) 244-4200 or 4200 or 0 from any campus phone. Report the exact location and severity of the leak or flooding. If there are electrical appliances or outlets near the leak, use extreme caution. If there is any possible danger, evacuate the area. If you know the source of the water, and if possible and safe to do so, stop the water at the source (i.e., unclog the drain, turn off the water, etc.). Be prepared to assist as directed in protecting objects that are in jeopardy. Take only essential steps to avoid or reduce immediate water damage, such as covering objects.

- **Explosion on Property**

Call 911 and the MSJ Police Department at (513) 244-4200 or 4200 or 0 from any campus phone.

Assist any injured persons if safe to do so. Treat as a fire and evacuate. Report injuries or unaccounted for individuals to the MSJ Police Department, ERTL, ERT or civil authority.

- **Workplace / Campus Violence**

Workplace/campus violence often begins with inappropriate behavior or signs that, when detected and reported, may help prevent its occurrence. The following information may be helpful in detecting or anticipating workplace/campus violence and help to create a safer, healthier workplace/campus for everyone.

Examples of workplace and campus violence include:

- Physical conduct such as pushing, shoving, or striking that harms or has the potential to harm people or property
- Conduct that harasses, disrupts, or interferes with another individual's performance
- Conduct that creates an intimidating, offensive, or hostile environment

Potential warning signs of workplace and campus violence include:

- Verbal, nonverbal, or written threats
- Fascination with weapons or violence
- New or increased stress at home or work
- Expressions of hopelessness or anxiety
- Insubordinate behavior
- Dramatic change in work performance
- Destruction of property
- Drug or alcohol abuse
- Externalization of blame

Risk factors that may contribute to workplace and campus violence include:

- Termination of employment
- Suspension or dismissal of a student
- Disciplinary actions
- Ongoing conflicts between employees
- Domestic or family violence
- Financial problems

If violence occurs or there is an immediate threat of violence, leave the area immediately if possible. If this is not possible, try to lock yourself in a secure area. If possible, call 911 and the MSJ Police Department at (513) 244-4200 or 4200 or 0 from any campus phone. Provide as many details as possible.

- **Serious Injury**

Call 911 and the MSJ Police Department at (513) 244-4200 or 4200 or 0 from any campus phone. Arrange to meet arriving MSJ Police Officers and/or EMS personnel to direct them to the location of the injured person(s). Assist any injured persons if possible and if safe to do so.

- **Death of Student, Faculty or Staff**

Call 911 and the MSJ Police Department at (513) 244-4200 or 4200 or 0 from any campus phone. The MSJ Police Department will secure the scene.

In the event of a death on campus, it is critical to preserve the scene. Do not disturb anything in the location or the room in which the victim is located. Do not let anyone into the location or room except emergency personnel. Do not attempt to gain entrance into the location or the room. Arrange to meet arriving MSJ Police Officers and/or Delhi EMS and direct them to the location of the victim.

- **Pandemic/Disease Outbreak**

A pandemic/disease outbreak on MSJ's campus or in the Greater Cincinnati may affect these areas:

- Impact on students, faculty and staff – Inability to come to class, to hold class, to come to work, and/or to provide vital functions to the community to ensure effective operations
- Inability of commerce to supply needs of our community
- Potential loss of public transport

In the event of a pandemic/disease outbreak, the MSJ Police Department will coordinate with the MSJ Wellness Center and civil authorities regarding the retrieval and distribution of medications and other supplies. If emergency care is needed for any individuals, call 911 and the MSJ Police Department at (513) 244-4200 or 4200 or 0 from any campus phone.

- **Any Other Emergency Not Listed**

In the event of an emergency not otherwise listed in this Plan, call 911 and the MSJ Police Department at (513) 244-4200 or 4200 or 0 from any campus phone as needed. Precisely follow the instructions of MSJ Police Officers, the ERTL, the ERT, or civil authorities. Ensure your safety prior to assisting others. Assist injured persons if possible and if safe for you to do so.

GLOSSARY OF TERMS

Emergency Marshalls- Volunteer MSJ employees trained in certain emergency protocols who may serve as the point of contact for a department or building during the Emergency Process set forth in the Mount St. Joseph University Disaster, Emergency Response and Notification Plan

EOC- Emergency Operations Center that serves as the central location for Emergency Response Team mobilization and operation

EP- Emergency Process set forth in the Mount St. Joseph University Disaster, Emergency Response and Notification Plan establishes the framework for responding to emergencies or disruptions that may threaten the health and safety of the MSJ and surrounding community or disrupt MSJ's programs and operations

ERT- Emergency Response Team members are the primary responders and decision-makers in certain levels of disasters and emergencies set forth in the Mount St. Joseph University Disaster, Emergency Response and Notification Plan

ERTL- incident commander for Level 2 and Level 3 emergencies under the Mount St. Joseph University Disaster, Emergency Response and Notification Plan

Level 1 Emergency- A minor incident that is quickly resolved with internal resources or limited help.

Level 2 Emergency- A disaster or emergency that impacts sizeable portions of the MSJ campus.

Level 3 Emergency- A major disaster or emergency that generally involves the entire campus and may involve the surrounding community.

MountSafe- MSJ's opt-in alert system that sends registered individuals phone, email and/or text messages about MSJ disasters and emergencies. Registration for MountSafe can be completed by visiting www.msj.edu/safe.

MSJ Police Department- The commissioned law enforcement agency by the State of Ohio charged with the safety and security of all University students, employees and visitors, which can be contacted by calling (513) 244-4200 or 4200 or 0 from any campus phone.

Plan- Mount St. Joseph University Disaster, Emergency Response and Notification Plan

EMERGENCY RESPONSE AND EVACUATION TESTING

MSJ community members receive a copy of the Disaster, Emergency Response, and Notification Plan on an annual basis during the distribution and announcement of the Annual Security and Fire Report. It is also posted online at: <http://www.msj.edu/student-life/public-safety-campus-police/resources-information/disaster-and-emergency-response-plan/>.

In addition, relevant sections or related information are distributed during various training exercises, emergency tests and/or evacuation drills designed to assess and evaluate emergency procedures and train responders. Such exercises are offered at least once per year and may involve faculty and staff, students, MSJ Police Officers, community law and fire agencies, school districts, and others as appropriate to the training. During 2019, 2020, and 2021, the MSJ Police Department coordinated several trainings and/or testing exercises including:

- ALICE Training is offered on an as needed or requested basis in addition to now being part of every new student and new employee orientation program.

- During 2019, MSJ police officers participated in various trainings related to:
 - MSJ/Paycom – Protect the Children
 - MSJ/Paycom – Checkpoint Data Security and Privacy
 - MSJ/Paycom – EDU:FERPA
 - MSJ/Paycom – Bridges/Taking Action
 - MSJ/Paycom – Managing Bias
 - MSJ/Paycom – A.L.I.C.E Video
 - Responding to Sexual Assault (Ohio Police Officer Training Academy) {OPOTA}-required
 - Blue Courage
 - Animal Encounters
 - Awareness of Cultural Diversity
 - Wellness and Managing Stress
 - Terrorism and Terrorism Awareness
 - Crisis Conflict Management
 - Use of Force, Liability Standards
 - Title IX – (OPOTA required)
 - Companion Animal – (OPOTA required)
 - Annual Firearms Requalification/Review of Use of Force Policy
 - Regional Crime Information Center (RCIC) terminal Agency Coordinator Training
 - A.L.I.C.E. certified instructor course

- During 2020, MSJ police officers participated in various trainings related to:
 - MSJ/Paycom – Protect the Children
 - MSJ/Paycom – Checkpoint Data Security and Privacy
 - MSJ/Paycom - EDU:FERPA
 - MSJ/Paycom – Managing Bias
 - MSJ/Paycom – A.L.I.C.E. Video
 - MSJ/Paycom Building Supportive Communities: Clery Act and Title IX
 - MSJ/Paycom Blood Borne Pathogens

- Miranda Rights Overview
 - Darrel Lunsford Murder
 - Title IX
 - Responding to Sexual Assault
 - Consent to Search Updates
 - Legal Update: Search and Seizure Laws
 - Implicit Bias Training
 - Election Day Refresher for Law Enforcement
 - MSJ University Police/Compliance with the Ohio Collaborative Law Enforcement Agency Certification for SAFE POLICING FOR SAFE COMMUNITIES
- During 2021, MSJ police officers participated in various trainings related to:
 - MSJ/Paycom – Protect the Children
 - MSJ/Paycom – Checkpoint Data Security and Privacy
 - MSJ/Paycom - EDU:FERPA
 - MSJ/Paycom – Managing Bias
 - MSJ/Paycom – A.L.I.C.E. Video
 - MSJ/Paycom Building Supportive Communities: Clery Act and Title IX
 - MSJ/Paycom Blood Borne Pathogens
 - Sexual Assault Investigations
 - Preserving Cell Phone Evidence
 - Victim Advocates
 - Direct and Circumstantial Evidence
 - Human Trafficking
 - Use of Deadly Force and Legal Guidelines
 - Annual Firearms Requalification/Review of Use of Force Policy
 - Election Day Refresher for law Enforcement
- MountSafe is a voice- and text-based phone and email system Mount St. Joseph University uses to alert students, faculty and staff of weather-related closings and delays as well as campus emergencies. MSJ conducts regular announced tests of the MountSafe system in conjunction with publishing information about registering for the service. Additional information can be found at: <http://www.msj.edu/student-life/public-safety-campus-police/mountsafe/>
 - Routine, announced tests are also conducted on the campus intercom phone system and the Centurion duress button system which indicate any technical needs to be addressed.
 - Residence Hall fire drills were conducted on 01/05/2020 and 09/15/2020.
 - Fall 2020, due to COVID-19, MSJ's campus was closed and the annual ERT Table-top training exercise was not conducted.
 - On 7/24/2019, The MSJ Emergency Response Team in conjunction with Hamilton County EMA and retired Green Township Fire Chief, Doug Witsken conducted a tabletop exercise to train on real time decision making in emergency situations.
 - Residence Hall fire drills were conducted on 09/01/2021 and 11/17/2021.

- On 9/2/2021, The MSJ Emergency Response Team in conjunction with Hamilton County EMA and retired Green Township Fire Chief, Doug Witsken conducted a tabletop exercise to train on real time decision making in emergency situations.

DRUGS AND ALCOHOL

Mount St. Joseph University seeks to provide an environment in which students may experience intellectual, emotional, physical, social, and personal growth. The development of the capacity to make informed decisions about drugs, including responsible choices about the consumption of alcohol, is a significant component of personal growth. The responsibility for making informed choices regarding drugs and the use of alcohol rests with all members of the University community: students, faculty, and staff.

A comprehensive drug and alcohol education program supports members of the University community in making informed and responsible decisions about drugs and alcohol. This program has three primary components: first, to provide members of the University community with education regarding the academic, social, legal, and health-related effects of drug and alcohol use and misuse; second, to provide access and referral for the assessment of and treatment for individuals with drug and alcohol-related problems in cooperation with community agencies; and third, to provide for individual freedom while promoting the health, safety, and welfare of all members of the University community. It is assumed that the University's commitment to providing education in addition to health, counseling, and ongoing support services will be matched by responsible behavior with respect to alcohol and other drugs.

The University's drug and alcohol policy applies to students and to student organizations conducting activities and events on and off campus and supplements, rather than replaces, the Student Life Standards and Disciplinary Policy and Procedure, including all policies, offenses, procedures and sanctions set forth therein. This policy also applies to a student's misusing a drug prescribed to him or her by a physician.

In accordance with the Ohio Revised Code Chapters 2925 and 4301 (2008), Mount St. Joseph University prohibits the illegal use, possession, sale, manufacture, or distribution of drugs, including alcohol, and drug paraphernalia. In addition, the misuse of substances that present physical or psychological hazards to individuals is prohibited. This includes synthetic versions of marijuana, THC, and stimulants, or beverages that combine both alcohol and caffeine (4Loko and similar brands).

State of Ohio law prohibits individuals less than 21 years of age from possessing or consuming alcoholic beverages, and prohibits others from distributing or selling alcoholic beverages to individuals less than 21 years of age. In addition, MSJ regulations govern consumption of alcohol in public places and on university property. It is the University's intention that its policies comply with Federal, State and local laws governing the use, possession, sale, manufacture, or distribution, of alcohol and drugs.

Additional information regarding the health effects of alcohol and/or other drugs, alcohol policy guidelines for individuals and the residence hall, alcohol guidelines for University events, and disciplinary procedures of alcohol offenses can be found in [Section IV.I.3. of the Student Handbook](#).

CRIME STATISTICS AND SITE CODE DESCRIPTIONS

The following site code descriptions are used in the crime statistics chart on the following pages.

- **On Campus:** Means any building or property owned or controlled by an institution of higher education within the same reasonably contiguous geographic area of the institution and used by the institution in direct support of, or in a manner related to, the institution’s educational purposes, including residence halls; and property within the same reasonably contiguous geographic area of the institution that is owned by the institution but controlled by another person, is used by students, and supports institutional purposes. Mount St. Joseph University on campus location is considered to be 5701 Delhi Road, Cincinnati, OH 45233, including the Harrington Student Center, Athletic Complex/ Schueler Field, and the parking garage.
- **On-Campus Residential:** Facilities for students are a subset of the “on campus” category, and include crimes reported to have occurred in residence halls, apartments, and houses in the reasonably contiguous geographic area, that are owned or controlled by the institution. On-Campus Residential is defined as the Seton Residence Hall located at 5701 Delhi Road, Cincinnati, OH 45233
- **Non-Campus:** Means any building or property owned or controlled by a student organization recognized by the institution; and any building or property (other than a branch campus) owned or controlled by an institution of higher education that is used in direct support of, or in relation to, the institution’s educational purposes, is used by students, and is not within the same reasonably contiguous geographic area of the institution

The University does not have any officially recognized student organizations with non-campus locations. The following non-campus properties are included in the 2019 crime statistics, specific to dates and times of use for University-related activities:

Location	Address
Good Samaritan Hospital	375 Dixmyth Ave. Cincinnati, OH 45242
Cincinnati State University	3520 Central Pkwy. Cincinnati, OH 45223
Mayerson Academy	2650 Highland Avenue, Cincinnati, OH 45219
River Road Sports Complex	5092 River Road, Cincinnati, OH 45233
School of Health Sciences Building	672 Neeb Road, Cincinnati, OH 45238

- **Public Property:** All public property that is within the same reasonably contiguous geographic area of the institution, such as a sidewalk, street, or other thoroughfare, or parking facility. The institution location is 5701/5673 Delhi Road, Cincinnati, OH 45233.

	On Campus			On Campus Residential			Non-Campus			Public Property		
	2019	2020	2021	2019	2020	2021	2019	2020	2021	2019	2020	2021
Murder/Non-Negligent manslaughter	0	0	0	0	0	0	0	0	0	0	0	0
Negligent manslaughter	0	0	0	0	0	0	0	0	0	0	0	0
Rape	1	1	2	1	1	2	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0	0	0	0
Statutory rape	0	0	0	0	0	0	0	0	0	0	0	0
Domestic Violence	0	0	0	0	0	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0	0	0	0
Stalking	4	0	0	2	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	1	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0
Liquor Law Arrests	0	0	0	0	0	0	0	0	0	0	0	0
Liquor Law Judicial referral	10	9	0	10	8	0	0	0	0	0	0	0
Drug Law Arrests	0	0	0	0	0	0	0	0	0	0	0	0
Drug Law Judicial referral	5	0	6	5	0	6	0	0	0	0	0	0
Illegal Weapons arrests	0	0	0	0	0	0	0	0	0	0	0	0
Illegal Weapons Judicial	0	0	0	0	0	0	0	0	0	0	0	0
Hate Crimes	0	0	0	0	0	0	0	0	0	0	0	0

MSJ Hate Crime Statistics

2019 There were no reported hate crimes nor any considered to be unfounded in any geographic area	Reportable hate crimes are to be reported for murder/homicide, negligent homicide, forcible & non-forcible sex offenses, domestic violence, dating violence, stalking, robbery, aggravated assault, burglary, motor vehicle theft, arson, larceny-theft, simple assault, intimidation, and vandalism in which the victim is intentionally selected because of actual or perceived race, gender, religion, national origin, sexual orientation, gender identity, ethnicity, or disability.
2020 There were no reported hate crimes nor any considered to be unfounded in any geographic area	
2021 There were no reported hate crimes nor any considered to be unfounded in any geographic area	

Unfounded Crimes: An institution may withhold, or subsequently remove, a 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. 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.

2019: There were no crimes determined to unfounded

2020: There were no crimes determined to unfounded

2021: There were no crimes determined to unfounded

FIRE SAFETY DISCLOSURES-SETON RESIDENCE HALL

The Higher Education Opportunity Act requires institutions with on-campus student housing facilities to:

- maintain a log of all reported fires that occur in those on-campus student housing facilities,
- publish an annual fire safety report that contains fire safety policies and fire statistics for each of those facilities, and,
- submit the fire statistics from the fire safety report annually to the Department of Education.

Fire Extinguisher Policy

Overview

State of Ohio Fire Code requires that every campus building contain fire extinguishers. The Department of Public Safety and Campus Police has a Fire Inspector and uses Protegis, LLC to provide fire extinguisher services to ensure the correct installation of fire extinguishers in all University buildings, monthly inspections of campus fire extinguishers, annual inspections of fire extinguishers, refilling of discharged extinguishers as needed, and maintenance tasks as required.

Fire extinguishers are installed in Mount St. Joseph University buildings to meet regulatory requirements and to allow persons on campus to attempt to extinguish small fires, preferably individuals who have been trained. The University's Fire Inspector conducts periodic training sessions and offers online training covering all aspects of fire extinguisher use for any interested persons. For training, please contact the Department of Public Safety and Campus Police at 513-244-4226.

Policy Statement

Fire extinguishers on the University's campus shall only be used for their intended purpose; to extinguish small fires.

Anyone who finds a fire extinguisher on campus that is faulty, has been discharged, or is missing shall immediately make a report to the Department of Public Safety and Campus Police at 513-244-4226.

In the event that a fire occurs anywhere on campus, **immediately** call 911 or Campus Police at x4226 or by dialing "0" from any campus phone. While It is not a requirement that a fire extinguisher is used when a fire occurs on campus, if a fire extinguisher is used, the use of a fire extinguisher **must** be immediately reported to the Department of Public Safety and Campus Police at 513-244-4226 by the individual who used the fire extinguisher or anyone who observed the use of the fire extinguisher.

FIRE REPORTING

MSJ University Police Department monitors the status of all fire detection and fire reporting systems in the Seton Residence Hall. If a fire is occurring, avoid personal injury and excessive risks. Alert persons in your immediate area. Activate the fire alarm and evacuate. Call 911 or the MSJ Police Department by dialing 0 or 244-4200 (4200 from campus phone) and give the communications center operator your name and location of the fire. The university is required to report all fires in the residence hall even if there is no damage. If a fire has occurred and has been handled and needs to be reported, contact the MSJ University Police Department at (513) 244-4200. When reporting, please provide as much information as possible about the location, date, time and cause of the fire. Campus Police will record the information, ensure the location is checked by a fire official to ensure resident safety, and include such reports in the annual statistical disclosure of fires that occur in the Seton Residence Hall.

FIRE LOG

MSJ University Police Department maintains a log of all fires reported in the Seton Residence Hall. The fire log includes the date the fire was reported, the nature of the fire, the date and time of the fire, and the general location of the fire. Entries or additions to entries are made within two business days of receiving the information. The fire log for the most recent 60-day period is open to public inspection in the office of Campus Police upon request. Portions of the fire log older than 60 days will be available within two business days of a request for public inspection.

FIRE DRILLS IN SETON RESIDENCE HALL

Fire drills will be conducted randomly and at the discretion of the MSJ University Police Department. At least two fire drills should occur per academic year. Participating in fire drills is mandatory for all building occupants.

FIRE SAFETY TRAINING AND RELATED RESIDENCE HALL POLICIES

Resident Assistants and students living in Seton Residence Hall are trained annually on building evacuation policies and procedures. These sessions are designed to: familiarize everyone with the fire safety system and evacuation routes in the residence hall, train everyone on the procedures to be followed in case there is a fire, and distribute information on the University's fire safety policies. During these training sessions, residents are informed that participating in fire drills is mandatory. This is particularly important for residents with disabilities, for whom the environment becomes even more difficult during and after an emergency than for the non-disabled. If you are a person with a disability (mobility, vision, hearing, speech, or cognitive), you are encouraged to contact the Director of the Learning Center & Disability Services, & Project EXCEL at (513) 244-4623, The Learning Center, Room 156 (Seton Center). The Director will work with you, the MSJ Police Department and the Office of Residence Life to

develop a personal safety plan that will help increase the probability of a smooth evacuation in an emergency.

Fire safety education and training programs are conducted by members of the MSJ Police Department and the Coordinator of Residence Life.

Fire Alarms

In the event of a fire, the University expects that all campus community members will evacuate by the nearest exit, closing doors and activating the fire alarm system as they leave. Once safely outside a building, it is appropriate to contact 911 and the MSJ Police Department. Students and/or staff are informed where to relocate by staff if circumstances warrant at the time of the alarm. In the event fire alarms sound, University policy is that all occupants must evacuate from the building, closing doors as they leave. Each community member's only duty is to exit safely and quickly, shutting doors along the exit path as this helps to contain the spread of flames and smoke, and to activate the alarm as they exit. At no time should the closing of doors or the activation of the alarm delay the exit from the building.

- Learn the location of all fire exits, fire alarms, and fire extinguishers on your floor.
- If the alarm sounds, put on your shoes, get a coat (if necessary), lock your door, and leave the building by the nearest stairway possible. Do not use the elevators! You may return only upon authorization of a staff member.
- Smoke detectors or sprinklers have been installed in every student room. At the beginning of the fall and spring semesters, the University provides replacement batteries for each unit. It is the responsibility of the resident(s) to keep the battery in the unit. If a battery is found removed, the resident(s) will be subject to disciplinary action.
- The greatest danger in University buildings is not from flames, but from smoke. Fire doors in the residence hall and stairways hinder the spread of smoke and must be closed at all times.
- Do not take chances with fire – even a small one can get out of control quickly. If a fire cannot be extinguished with available equipment, activate the nearest fire alarm. At no time should attempts to control a fire delay the exit from the building.
- Pulling a false fire alarm, tampering with fire equipment, or the false reporting of an emergency to the police or fire department is punishable under Ohio Revised Code 2917.32 as a first-degree misdemeanor. Conviction carries a maximum \$1000 fine and 6 months in jail. University judicial action also results.
- Unauthorized use of, tampering with, or damaging emergency or safety equipment is punishable under Ohio Revised Code 2909.07 as a third-degree misdemeanor. Conviction carries a maximum \$500 fine and/or 60 days in jail. University judicial action also results.
- Interference with and/or non-adherence to emergency evacuation procedures or drills is punishable under Ohio Revised Code 2917.13 and Ohio Fire Code FM106.4. University judicial action also results.
- Setting or intentionally starting a fire on campus is prohibited.

Evacuation of Persons with Disabilities

Visual Impairments: Inform the person of the nature of the emergency and offer to guide the person to the nearest exit.

Hearing Impairments: Alert the person that there is an emergency situation by using hand gestures or by turning the light switch on and off. Verbalize or mouth instructions, or provide the person with a short note containing instructions.

Mobility Impairments: Since elevators should not be used, individuals who can walk may be able to evacuate themselves with some assistance. For individuals unable to walk: if there is no immediate danger, escort the individual to a safe place to await rescue personnel. Whenever possible, someone should remain with the person while another individual exits the building and notifies rescue personnel of the person's exact location. Only in extreme situations should you try to evacuate a person in a wheelchair yourself. On the sixth-floor east lounge of the Seton Residence Hall, the University has placed an emergency stair chair. This chair makes the evacuation of the mobility impaired safer and faster. The mobility-impaired person is the best authority on how he/she should be moved. Ask before you move someone. While it is best to let rescue personnel conduct the evacuation, the person can be carried by two people who have interlocked their arms to form a chair, or the person can be carried in a sturdy office chair.

Appliances

Both safety and the conservation of energy are important considerations in the residence hall. Limit the number of small appliances in your room and the frequency of their use:

- Appliances allowed in residence hall rooms are limited to clocks, radios, stereos, TV's, fans, hair dryers, computers, lamps, coffee makers with an automatic shut-off mechanism and irons for pressing clothes.
- Appliances with a heating element must have the element enclosed and the Underwriter's Laboratory approval (with the exception of clothing irons).
- Space heaters, sunlamps, halogen lamps, octopus plugs, and extension cords are not permitted in residence hall rooms because this constitutes a fire hazard. Extension outlet strips with circuit breakers are recommended electrical extension devices.
- Toaster, toaster ovens, microwave ovens, George Foreman grills (or similar versions) and popcorn poppers are not permitted. A kitchenette, equipped with a microwave, is available on each floor.
- Residents are allowed to keep a refrigerator of 4.1 cubic feet or less. Both the refrigerator and the power cord must be approved by Underwriter's Laboratory. The refrigerator cannot be self-defrosting.

Candles

Candles, incense or other open flame items are prohibited in residence hall facilities.

Extension Cords

Home-style electrical extension cords and plug expanders (e.g., octopus plugs, cube taps, and other multi-plug adapters and splitters) are not allowed for use in Seton Residence Hall.

Extension cords that do not fit the approved ratings will be confiscated as will plug expanders (e.g., octopus plugs, cube taps, splitters, etc.).

Surge Protectors

Where an adequate number of receptacles are not readily available, UL listed plug strips are permitted provided that they are no longer than six feet, are equipped with a fuse or circuit breaker, and are plugged into a permanently installed receptacle. These are the only type of extension cords or plug expanders that are allowed in Seton Residence Hall. This is a very important fire safety rule - overloaded extension cords can cause fires! Extension cords that do

not fit the approved ratings will be confiscated as will plug expanders (e.g., octopus plugs, cube taps, splitters, etc).

Fishnets, parachutes, flags, tapestries, or other types of cloth or roped items may not be suspended from room ceilings because this constitutes a fire hazard.

Smoke Detectors

Smoke detectors or sprinklers have been installed in every student room. At the beginning of the fall and spring semesters, the University provides replacement batteries for each unit. It is the responsibility of the resident(s) to keep the battery in the unit. If a battery is found removed, the resident(s) will be subject to disciplinary action.

Fire Doors

The greatest danger in University buildings is not from flames, but from smoke. Fire doors in the residence hall and stairways hinder the spread of smoke and must be closed at all times.

Tobacco/Smoke Free Policy

In the interest of the health, comfort and safety of students, faculty, staff and campus visitors, use of tobacco and tobacco products in all forms, including but not limited to cigarettes, cigars, chewing tobacco, hookah, e-cigarettes and personal vaporizers, are prohibited on University property. The restriction includes, but is not limited to academic and living facilities, athletic and recreational facilities, parking garage and lots, University vehicles, and personal vehicles being driven or parked on University property.

2019, 2020, 2021 SETON RESIDENCE HALL FIRE STATISTICS
2019 Mount St. Joseph University Residence Hall Fire Statistics
There was one fire reported in the residence hall from January 1 through December 31, 2019
2020 Mount St. Joseph University Residence Hall Fire Statistics
There were no fires reported in the residence hall from January 1 through December 31, 2020
2021 Mount St. Joseph University Residence Hall Fire Statistics
There were no fires reported in the residence hall from January 1 through December 31, 2021

There were two planned fire drills conducted in 2021; 9/1/2021 and 11/17/2021.

Seton Center Fire Alarm Systems Include the Following						
24 Hour Monitoring	Smoke Detectors	Sprinkler Systems	Pull Stations	Audio/Visual Warning	Fire Extinguishers	Evacuation Route Placards
X	X	X	X	X	X	X

FUTURE IMPROVEMENTS TO FIRE SAFETY SYSTEMS

All fire alarm systems are maintained at their present capabilities and tested in accordance with current regulations. Improvements are implemented concurrently with facility renovation which involves a review of all plans by the University's property insurance carrier.

ⁱ If your report or complaint involves discriminatory, harassing, or retaliatory conduct based on race, color, national origin, religion, age, disability, or another legally protected status, (including conduct outside the scope of Title IX), please refer to the University's [Equal Opportunity and Non-Discrimination Policy](#). If your report or complaint relates to student disability accommodations, please refer to the University's [Student Accommodation Grievance Procedure](#).

Automated External Defibrillator (AED) Campus Locations

