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Indiana University School of Medicine Special Statement

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

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

Annual Security Report

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

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

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

Policy Statements

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

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

- By a campus telephone at IUPD – Indianapolis at phone number 911.
- By a non-campus telephone to IUPD – Indianapolis at phone number (317) 274-7911.
- In person to IUPD – Indianapolis at 1232 W. Michigan Street, Indianapolis, IN 46202 (Ball Annex building).
- Via the blue light emergency telephones located on campus property.
- To a police officer, security officer, or cadet officer when encountered.

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

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

Response to Report

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

As required by law or policy, an incident report may be forwarded to other University offices for review for potential action. These offices include but are not limited to:

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

Voluntary, Confidential Reporting

If you are a victim of or witness to a crime, but you do not want to pursue action within the University system or the criminal justice system, you may still choose to make a report and request that it remain confidential. The purpose of such a report is to comply with your wish to keep your identity confidential, while also providing information to help ensure the future safety of yourself and others. An IUPD officer can file a confidential report detailing the incident without revealing your identity, to the extent allowed by state and federal laws. Certain information and details may be requested for public inspection, as stated in Indiana Code 5-14-3 and as described in the Daily Crime Log section below.

Using the information provided in the confidential police report, the University can: keep an accurate
record of the number of incidents involving students, employees, and visitors; determine whether there is a pattern of crime with regard to a particular location, method, or assailant; and alert the University community to potential dangers. Reports filed in this manner may be counted and disclosed in the annual statistical disclosure for the University, included in the Daily Crime Log, and used for the assessment of timely warning notifications without using any personally identifiable information.

Campus Security Authorities

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

Pastoral and Professional Counselors

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

II. Timely Warnings (Crime Notices) about Crimes

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

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

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

Crime Notices are generally written and issued by the campus IUPD Chief or their designee. Certain details may be withheld from a notice if the information would compromise law enforcement efforts. Any details that could disclose the identity of the victim are withheld from Crime Notices. IU-Notify is generally used to send Crime Notices to members of the University community. If additional information or updates are released, they will be posted to http://emergency.iu.edu. Email is the primary method of Crime Notice communication, however, other means of distribution may be used, including:

- Text messages
- Posting to Protect IU webpage updates (http://protect.iu.edu/)
- Posted on http://emergency.iu.edu

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

III. Emergency Notifications (Emergency Alerts)

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

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

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

- Posted to the IU Protect website at https://protect.iu.edu.
- Distributed to local news agencies.
- Posted to Facebook at https://www.facebook.com/iuemergencyupdates/.
- Posted to http://emergency.iu.edu.
- Posted to WebEOC (which provides selected information to surrounding public safety jurisdictions and the Indiana Department of Homeland Security).
- Posted as a web banner at http://www.iupui.edu.
- Posters and flyers in campus buildings.

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

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

Emergency Procedures

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


Tests, Drills, and Exercises

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

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

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

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

<table>
<thead>
<tr>
<th>Description of Event (i.e. name of exercise)</th>
<th>Date</th>
<th>Start Time</th>
<th>End Time</th>
<th>Announced or Unannounced</th>
</tr>
</thead>
<tbody>
<tr>
<td>Indy Eleven Tabletop Exercise</td>
<td>3/14/2016</td>
<td>13:00</td>
<td>15:00</td>
<td>Announced</td>
</tr>
<tr>
<td>Operation Stormy Weather</td>
<td>3/22/2016</td>
<td>10:15</td>
<td>10:45</td>
<td>Announced</td>
</tr>
<tr>
<td>Operation Stormy Weather</td>
<td>3/22/2016</td>
<td>19:30</td>
<td>20:00</td>
<td>Announced</td>
</tr>
<tr>
<td>Fire/Evacuation Drills - Lohse &amp; Thornburgh</td>
<td>4/18/2016</td>
<td>18:20</td>
<td>18:23</td>
<td>Unannounced</td>
</tr>
<tr>
<td>Fire/Evacuation Drills - Sewall, Stewart, Stout</td>
<td>4/18/2016</td>
<td>18:28</td>
<td>18:31</td>
<td>Unannounced</td>
</tr>
<tr>
<td>Fire/Evacuation Drills - Boaz, Blackford, Blackburn</td>
<td>4/18/2016</td>
<td>18:35</td>
<td>18:38</td>
<td>Unannounced</td>
</tr>
<tr>
<td>Fire/Evacuation Drills - McCormick, Orvis, Montgomery</td>
<td>4/18/2016</td>
<td>17:52</td>
<td>17:55</td>
<td>Unannounced</td>
</tr>
<tr>
<td>Fire/Evacuation Drills - Rubins, Garrett, Ransom</td>
<td>4/18/2016</td>
<td>18:00</td>
<td>18:03</td>
<td>Unannounced</td>
</tr>
<tr>
<td>Fire/Evacuation Drills - Warthin, Honors, Walker</td>
<td>4/18/2016</td>
<td>17:42</td>
<td>17:45</td>
<td>Unannounced</td>
</tr>
<tr>
<td>Fire/Evacuation Drills - International and Hardrick</td>
<td>4/18/2016</td>
<td>17:31</td>
<td>17:35</td>
<td>Unannounced</td>
</tr>
<tr>
<td>Fire/Evacuation Drills - Fox &amp; Morton-Finney</td>
<td>4/18/2016</td>
<td>18:10</td>
<td>18:12</td>
<td>Unannounced</td>
</tr>
<tr>
<td>Fire/Evacuation Drills - Clark and Cable</td>
<td>4/18/2016</td>
<td>17:23</td>
<td>17:25</td>
<td>Unannounced</td>
</tr>
<tr>
<td>Fire/Evacuation Drills - University Tower</td>
<td>4/18/2016</td>
<td>18:55</td>
<td>19:05</td>
<td>Unannounced</td>
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<tr>
<td>Fire/Evacuation Drills - Ball Residence</td>
<td>4/25/2016</td>
<td>09:38</td>
<td>09:47</td>
<td>Unannounced</td>
</tr>
<tr>
<td>Fire/Evacuation Drills - Ball Annex</td>
<td>4/25/2016</td>
<td>09:38</td>
<td>09:47</td>
<td>Unannounced</td>
</tr>
<tr>
<td>Fire/Evacuation Drills - Lohse &amp; Thornburgh</td>
<td>8/23/2016</td>
<td>10:39</td>
<td>10:42</td>
<td>Unannounced</td>
</tr>
<tr>
<td>Fire/Evacuation Drills - Sewall, Stewart, Stout</td>
<td>8/23/2016</td>
<td>09:07</td>
<td>09:10</td>
<td>Unannounced</td>
</tr>
<tr>
<td>Fire/Evacuation Drills - Boaz, Blackford, Blackburn</td>
<td>8/23/2016</td>
<td>09:16</td>
<td>09:19</td>
<td>Unannounced</td>
</tr>
<tr>
<td>Fire/Evacuation Drills - Ball Residence</td>
<td>8/23/2016</td>
<td>11:20</td>
<td>11:26</td>
<td>Unannounced</td>
</tr>
<tr>
<td>Fire/Evacuation Drills - Ball Annex</td>
<td>8/23/2016</td>
<td>11:20</td>
<td>11:26</td>
<td>Unannounced</td>
</tr>
<tr>
<td>Fire/Evacuation Drills - Rubins, Garrett, Ransom</td>
<td>8/23/2016</td>
<td>09:28</td>
<td>09:32</td>
<td>Unannounced</td>
</tr>
<tr>
<td>Fire/Evacuation Drills - Warthin, Honors, Walker</td>
<td>8/23/2016</td>
<td>09:52</td>
<td>09:55</td>
<td>Unannounced</td>
</tr>
<tr>
<td>Fire/Evacuation Drills - International and Hardrick</td>
<td>8/23/2016</td>
<td>09:43</td>
<td>09:46</td>
<td>Unannounced</td>
</tr>
<tr>
<td>Fire/Evacuation Drills - Fox &amp; Morton-Finney</td>
<td>8/23/2016</td>
<td>10:12</td>
<td>10:14</td>
<td>Unannounced</td>
</tr>
<tr>
<td>Fire/Evacuation Drills - Clark and Cable</td>
<td>8/23/2016</td>
<td>10:06</td>
<td>10:08</td>
<td>Unannounced</td>
</tr>
<tr>
<td>Fire/Evacuation Drills - University Tower</td>
<td>8/24/2016</td>
<td>10:04</td>
<td>10:13</td>
<td>Unannounced</td>
</tr>
<tr>
<td>Fire/Evacuation Drills – North Hall</td>
<td>8/24/2016</td>
<td>09:20</td>
<td>09:30</td>
<td>Unannounced</td>
</tr>
<tr>
<td>Fire/Evacuation Drills – Park Place</td>
<td>8/30/2016</td>
<td>13:07</td>
<td>13:15</td>
<td>Unannounced</td>
</tr>
<tr>
<td>Fire/Evacuation Drills - Engineering and Technology</td>
<td>9/12/2016</td>
<td>08:48</td>
<td>08:53</td>
<td>Unannounced</td>
</tr>
<tr>
<td>Fire/Evacuation Drills - Engineering Science and Technology &amp; Science Building</td>
<td>9/12/2016</td>
<td>09:07</td>
<td>09:13</td>
<td>Unannounced</td>
</tr>
<tr>
<td>Fire/Evacuation Drills - ICTC</td>
<td>9/12/2016</td>
<td>09:48</td>
<td>09:54</td>
<td>Unannounced</td>
</tr>
<tr>
<td>Fire/Evacuation Drills - Science and Engineering Laboratories</td>
<td>9/12/2016</td>
<td>09:32</td>
<td>09:34</td>
<td>Unannounced</td>
</tr>
<tr>
<td>Fire/Evacuation Drills - Business / SPEA</td>
<td>9/13/2016</td>
<td>09:17</td>
<td>09:23</td>
<td>Unannounced</td>
</tr>
<tr>
<td>Fire/Evacuation Drills - Education and Social Work</td>
<td>9/13/2016</td>
<td>09:56</td>
<td>10:01</td>
<td>Unannounced</td>
</tr>
<tr>
<td>Fire/Evacuation Drills - Inlow Hall</td>
<td>9/13/2016</td>
<td>08:41</td>
<td>08:46</td>
<td>Unannounced</td>
</tr>
<tr>
<td>Fire/Evacuation Drills - Natatorium</td>
<td>9/13/2016</td>
<td>10:52</td>
<td>10:54</td>
<td>Unannounced</td>
</tr>
<tr>
<td>Fire/Evacuation Drills - University Hall</td>
<td>9/13/2016</td>
<td>09:38</td>
<td>09:44</td>
<td>Unannounced</td>
</tr>
<tr>
<td>Fire/Evacuation Drills - Fesler Hall</td>
<td>9/14/2016</td>
<td>09:30</td>
<td>09:32</td>
<td>Unannounced</td>
</tr>
<tr>
<td>Fire/Evacuation Drills - Gatch Hall</td>
<td>9/14/2016</td>
<td>09:48</td>
<td>09:53</td>
<td>Unannounced</td>
</tr>
<tr>
<td>Fire/Evacuation Drills - Glick Eye Clinic</td>
<td>9/14/2016</td>
<td>08:44</td>
<td>08:49</td>
<td>Unannounced</td>
</tr>
<tr>
<td>Fire/Evacuation Drills - Long Hall</td>
<td>9/14/2016</td>
<td>10:00</td>
<td>10:05</td>
<td>Unannounced</td>
</tr>
<tr>
<td>Fire/Evacuation Drills - Riley Research</td>
<td>9/14/2016</td>
<td>09:15</td>
<td>09:19</td>
<td>Unannounced</td>
</tr>
<tr>
<td>Fire/Evacuation Drills - 1000 Waterway</td>
<td>9/19/2016</td>
<td>09:23</td>
<td>09:27</td>
<td>Unannounced</td>
</tr>
<tr>
<td>Fire/Evacuation Drills - 1200 Waterway</td>
<td>9/19/2016</td>
<td>09:48</td>
<td>09:49</td>
<td>Unannounced</td>
</tr>
<tr>
<td>Fire/Evacuation Drills - 1430 Indiana Ave</td>
<td>9/19/2016</td>
<td>10:11</td>
<td>10:12</td>
<td>Unannounced</td>
</tr>
<tr>
<td>Fire/Evacuation Drills - Eskenazi Hall</td>
<td>9/20/2016</td>
<td>15:15</td>
<td>15:17</td>
<td>Unannounced</td>
</tr>
<tr>
<td>Fire/Evacuation Drills - Lecture Hall</td>
<td>9/20/2016</td>
<td>14:00</td>
<td>14:03</td>
<td>Unannounced</td>
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<tr>
<td>Fire/Evacuation Drills - Taylor Hall</td>
<td>9/20/2016</td>
<td>14:11</td>
<td>14:14</td>
<td>Unannounced</td>
</tr>
<tr>
<td>Fire/Evacuation Drills - University Library</td>
<td>9/20/2016</td>
<td>13:20</td>
<td>13:26</td>
<td>Unannounced</td>
</tr>
<tr>
<td>Fire/Evacuation Drills - Eskenazi Fine Arts Center / Campus Services 3</td>
<td>9/21/2016</td>
<td>08:50</td>
<td>08:51</td>
<td>Unannounced</td>
</tr>
<tr>
<td>Fire/Evacuation Drills - Oral Health</td>
<td>9/21/2016</td>
<td>09:24</td>
<td>09:26</td>
<td>Unannounced</td>
</tr>
</tbody>
</table>
### V. Daily Crime Log

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

- Visiting IUPD – Indianapolis at 1232 W. Michigan Street, Indianapolis, IN 46202 (Ball Annex building) during normal business hours.

### VI. Security of and Access to Campus Facilities

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

Campus security and access controls include:
- Building hours are determined by the schools and departments that occupy the building along with the building’s building coordinator. When a building is closed, only faculty, staff, and students with specific needs are allowed inside.

Campus Residence Access

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

<table>
<thead>
<tr>
<th>Residential Community</th>
<th>Security and Access Controls</th>
</tr>
</thead>
</table>
| Riverwalk Apartments  | - All exterior doors to each house are equipped with 24/7 electronic card access control.  
                        | - Access to these houses is controlled by Housing and Residence Life.  
                        | - There is a deadbolt lock on every main apartment door in the building.  
                        | - Each bedroom can be locked. |
| Townhomes             | - Exterior doors have deadbolt locks.  
                        | - Interior sliding glass doors have rods in the base to prevent them from being opened as well as a lock. |
| Ball Residence        | - Front doors to the building are locked 24/7 and require card access for entry.  
                        | - This residential community is equipped with 24/7 electronic card access control to each of the residential wings.  
                        | - Each room has a locking mechanism on it.  
                        | - There are cameras located at entry points and in the lobby area on the first level. |
| University Tower      | - The first two floors of this building are open to the public during the times the building is open.  
                        | - The residential floors of this building are controlled 24/7 by electronic card access, including elevators and stairwells.  
                        | - Access to the residential floors are controlled by Housing and Residential Life.  
                        | - Each individual room door is on card access and set to lock as default when the door is closed.  
                        | - Cameras are located in the main lobby area and in each elevator lobby. |
| North Hall            | - The front door is locked 24/7 and requires card access for entry.  
                        | - Elevators in the main lobby are on card access and can only be used by people with access on their cards.  
                        | - Student room doors are on card access and locked automatically when shut.  
                        | - Cameras are located in the main lobby and in elevator lobbies. |

IU utilizes space with Park Place, a privately owned and operated company, only on an as needed basis. IU does not operate this as a housing community and it is not staffed with IU personnel. The special considerations for campus residence access for this facility include only the following:

<table>
<thead>
<tr>
<th>Residential Community</th>
<th>Security and Access Controls</th>
</tr>
</thead>
</table>
| Park Place            | - Cameras in the main lobby and elevator lobbies on each floor.  
                        | - Door to elevator lobby locks at 9pm and is only accessible by students and guests with card access. |
VII. Security Considerations for the Maintenance of Campus Facilities

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

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

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

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

- IUPD and Campus Facilities Services employees constantly look for and report problems with lighting, locks, security equipment, and for other public safety hazards as they perform their daily duties.
- Members of the campus community are encouraged to report any exterior lighting deficiencies to Campus Facilities Services. A comprehensive survey of all exterior lighting is conducted on a monthly basis.
- Campus Facilities Services personnel check interior lighting regularly. Members of the campus community are encouraged to report any interior lighting deficiencies to Campus Facilities Services.
- IUPD checks exterior doors and locking hardware regularly. Members of the campus community are encouraged to report any door or locking hardware deficiencies to the Campus Facilities Services.
- Some exterior doors on campus are locked and secured each evening by IUPD personnel or by Campus Facilities Services personnel. Some exterior doors on campus are automatically locked electronically.
- Facilities and landscaping are maintained in a manner that minimizes hazardous conditions. IUPD regularly patrols campus and checks that pathways are well lit, and that other hazards are addressed. Report shrubs or trees that might create an unsafe area as well as poor lighting Campus Facilities Services.
- IUPD reports malfunctioning lights and other unsafe physical conditions to Campus Facilities Services for correction. Other members of the campus community are helpful when they report equipment problems to IUPD or Campus Facilities Services.
- Environmental Health & Safety conducts safety inspections on all facilities including, but not limited to; laboratories, clinical areas, high hazard maintenance areas, construction sites, food service areas, swimming areas, AEDs, fall protection areas, etc.
- Campus buildings and grounds are patrolled regularly.
- Emergency telephones are surveyed on a regular basis for deficiencies.

VIII. Missing Student Notification

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

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

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

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

- Visit [http://housing.iupui.edu/HSC](http://housing.iupui.edu/HSC), log into Housing Service Center, and click “Manage My Contacts.”

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

### IX. Crime Prevention and Security Awareness

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

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

Campus security awareness and crime prevention programs include:

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<thead>
<tr>
<th>Description of Program</th>
<th>Frequency</th>
<th>Contact/Additional Information</th>
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<tbody>
<tr>
<td>During floor and building meetings in every residential</td>
<td>Beginning of each semester</td>
<td>Housing and Residence Life 317-274-7200</td>
</tr>
<tr>
<td>community, Housing and Residence Life staff address safety</td>
<td></td>
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<tr>
<td>and security topics.</td>
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</tr>
<tr>
<td>Housing and Residence Life staff present information about</td>
<td>Each new student</td>
<td>Housing and Residence Life 317-274-7200</td>
</tr>
<tr>
<td>safety and security in the on campus residential facilities.</td>
<td>orientation</td>
<td></td>
</tr>
<tr>
<td>**Emergency Training for Housing Live-in Professional and</td>
<td>Beginning of each semester</td>
<td>Housing and Residence Life 317-274-7200</td>
</tr>
<tr>
<td>Undergraduate Staff** is designed for all housing live-in</td>
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<tr>
<td>professional and undergraduate staff to be trained in</td>
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<tr>
<td>emergency response, mental health crisis response, and to</td>
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<tr>
<td>respond to acts of sexual and/or physical violence. Staff</td>
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<td>are trained so that they can assist the residents living on</td>
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<tr>
<td>Training/Program</td>
<td>Availability</td>
<td>Contact Information</td>
</tr>
<tr>
<td>-------------------------------------------------------------------------------</td>
<td>-------------------------------------------</td>
<td>----------------------------------------------------------</td>
</tr>
<tr>
<td><strong>Campus Security Authority (CSA)</strong> training informs CSAs about their reporting responsibilities under the Clery Act and provides information on how to report crimes.</td>
<td>Available online through Expand anytime</td>
<td>IU Public Safety <a href="mailto:iups@iu.edu">iups@iu.edu</a></td>
</tr>
<tr>
<td><strong>Rape Aggression Defense (RAD)</strong> is offered to female students and employees only and teaches awareness, prevention, risk reduction, avoidance, and defense training.</td>
<td>Each Fall and Spring Semester</td>
<td>IUPD-Indianapolis 317-274-2058</td>
</tr>
<tr>
<td><strong>Handling Difficult Situations</strong> covers de-escalation techniques for dealing with irate individuals.</td>
<td>As Requested</td>
<td>IUPD-Indianapolis 317-274-2058</td>
</tr>
<tr>
<td><strong>General Safety Presentations</strong> cover crime prevention tips for personal safety, safety of others, and safety of the campus community.</td>
<td>As Requested</td>
<td>IUPD-Indianapolis 317-274-2058</td>
</tr>
<tr>
<td><strong>Workplace Violence</strong> educates employees on recognizing the warning signs of a violent person or situation, documentation, and reporting.</td>
<td>As Requested</td>
<td>IUPD-Indianapolis 317-274-2058</td>
</tr>
<tr>
<td>Housing staff are provided a general overview of illegal narcotics and paraphernalia that they may encounter while performing their duties.</td>
<td>Beginning of each fall semester</td>
<td>IUPD-Indianapolis 317-274-2058</td>
</tr>
<tr>
<td><strong>Crime Prevention Through Environmental Design (CPTED)</strong> is a process that involves a survey of the physical, mechanical and organizational structure of a location for the purpose of identifying those features which may contribute to unwanted behaviors such as criminal acts. CPTED and Crime Prevention are very closely linked in that a CPTED survey often results in additional crime prevention recommendations. Eligibility for a CPTED survey is generally predicated upon the existence of a current behavioral problem related to a crime and is usually conducted upon request.</td>
<td>As Requested</td>
<td>Physical Security and Access <a href="mailto:physec@iu.edu">physec@iu.edu</a></td>
</tr>
<tr>
<td>During new employee orientation, procedures for calling 911 while on campus are explained.</td>
<td>Each new employee orientation</td>
<td>Environmental Health and Safety 317-274-2005</td>
</tr>
<tr>
<td><strong>Response to Armed Assailant</strong> is a class for students and employees to learn about their options and the police response to an armed assailant.</td>
<td>As Requested</td>
<td>Emergency Management and Continuity <a href="mailto:iuemc@iu.edu">iuemc@iu.edu</a></td>
</tr>
<tr>
<td>Building Emergency Coordinator Campus Safety Information Meeting provides information about safety and security on campus, fire safety, safe working environments, and emergency preparedness.</td>
<td>Each Fall and Spring Semester</td>
<td>Emergency Management and Continuity <a href="mailto:iuemc@iu.edu">iuemc@iu.edu</a></td>
</tr>
<tr>
<td>Public Safety Presentation provides an overview of public safety at IUPUI for new employees. Several topics are covered including information about the campus police department, Office of Insurance, Loss Control &amp; Claims, fire safety, IU-Notify, and the Emergency Procedures Flipchart. Participants are also encouraged to report suspicious activities.</td>
<td>Each new employee orientation</td>
<td>Emergency Management and Continuity <a href="mailto:iuemc@iu.edu">iuemc@iu.edu</a></td>
</tr>
<tr>
<td>The Division of Student Affairs presents information at summer orientation on the role student’s play in keeping their community safe, including an overview of resources available to them to make a report or seek help. Sexual</td>
<td>Every summer during each orientation rotation</td>
<td>Educational Partnerships and Student Success 317-274-3699</td>
</tr>
</tbody>
</table>
misconduct and consent receive particular attention in this session.

| Campus Recreation conducts a two-day student staff training addressing safety and security topics. | Required prior to fall semester | Campus Recreation 317-274-0613 |
| Campus Recreation provides training and proper procedure on two-way radio operations, rules and regulations for usage that include direct contact with IUPD dispatch and providing accurate information. | As Requested | Campus Recreation 317-274-0613 |
| **Knowing the Code: Understanding Indiana University’s Code of Student Rights, Responsibilities, and Conduct** presentation focuses on the types of academic and personal misconduct and the consequences of violating the Code. Indiana Lifeline Law and bystander intervention techniques are also discussed. | As Requested | Office of Student Conduct 317-274-4431 |

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

#### Enforcement Authority and Jurisdiction

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

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

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

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

#### Working Relationship with State and Local Enforcement Agencies

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

These cooperative working relationships include but are not limited to:

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

IUPD officers normally investigate all criminal offenses that occur in the IUPD's primary jurisdiction and work with the staff of cooperating agencies when incidents arise that require joint investigative efforts, resources, crime-related reports, and exchanges of information. The officers of IUPD and cooperating agencies communicate regularly at the scene of incidents that occur in and around the campus. Meetings may be held between the IUPD and cooperating law enforcement agencies for purposes of sharing information on both a formal and informal basis. Local and state police agencies provide back-up assistance for any emergency that might require extensive police services. Any law enforcement officer may come onto campus at any time; just as IUPD officers have powers to arrest, law enforcement officers from other agencies can arrest students and visitors on campus for violations of law within their agencies’ jurisdictions. In addition, the University has the responsibility of advising the appropriate authorities of violations of civil or criminal law committed by anyone on campus. The University will report violations either when a request for specific information is made or when there is a danger to life or property.

XI. Crimes at Non-Campus Locations

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

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

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

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

XII. Alcohol and Drugs

The possession, use, sale, manufacturing or distribution of any controlled substance, including alcohol, on the IU campus is governed by the University’s Substance Free Workplace Policy, Substance-free Workplace for Academic Appointees Policy, IU Code of Student Rights, Responsibilities, and Conduct, Code of Academic Ethics, Service of Alcohol, and the laws of the State of Indiana. The Indiana Alcoholic Beverage Commission (ABC) oversees state laws regarding the possession, use, sale, consumption, or furnishing of alcohol. However, the enforcement of alcohol laws on campus is primarily the responsibility of the IUPD. IU has been designated “drug free,” and the consumption of alcohol on campus is only permitted under certain circumstances as set forth by University policy. The service of alcoholic beverages at university events must be in accordance with applicable state and federal laws, including the legal age for drinking. Approval processes and university procurement and insurance requirements must also be followed. There are bartending and service requirements for university facilities in accordance with licensing requirements of the Indiana Alcohol & Tobacco Commission.

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

**Underage Drinking**

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

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

**Alcohol and Drug Programs**

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

<table>
<thead>
<tr>
<th>Name of Program</th>
<th>Description</th>
<th>Contact/Additional Information</th>
</tr>
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<tbody>
<tr>
<td><strong>MyStudentBody Essentials</strong></td>
<td>MyStudentBody Essentials is a third party online alcohol and other drug education and prevention course administered each Fall with incoming IUPUI students. The course includes information about laws and policies, effects of alcohol, social perceptions of college drinking, harm reduction strategies, and healthy choices. Corresponds to NIAAA CollegeAIM IND-18.</td>
<td><strong>Office of Health &amp; Wellness Promotion (HWP)</strong></td>
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<td><strong>Eric Teske, Assistant Director of Substance Abuse Prevention</strong></td>
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<td></td>
<td><strong>(317) 274-4745 <a href="mailto:erictesk@iupui.edu">erictesk@iupui.edu</a></strong></td>
</tr>
<tr>
<td>eCHECKUP TO GO</td>
<td>eCHECKUP TO GO modules are continuously available web-based screening and educational programs. These programs provide personalized, evidence-based, prevention interventions for alcohol &amp; marijuana. The programs provide customized feedback and individual comparisons between student responses and national and IUPUI norms. The online courses cover quantity and frequency of use, amount consumed, normative comparisons, physical health information, amount and percent of income spent, negative consequence feedback, explanation, advice and local referral information. Corresponds to NIAAA CollegeAIM IND-21.</td>
<td><strong>Counseling and Psychological Services (CAPS)</strong></td>
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<td><strong>Dr. Julie Lash, Director</strong></td>
</tr>
<tr>
<td></td>
<td></td>
<td><strong>(317) 274-2548 <a href="mailto:capsindy@iupui.edu">capsindy@iupui.edu</a></strong></td>
</tr>
<tr>
<td>Bystander Intervention Campaign and Training</td>
<td>IUPUI’s bystander intervention campaign and training workshop provide background information on the effect of alcohol and other drugs, alcohol poisoning, the definition of sober consent, the Indiana Lifeline Law (medical amnesty law), alcohol social norms, and skills training for effective interventions. The training workshop is 90-minutes and includes scenario practice and practice interacting in pairs. The larger campus campaign, JagNation: A Culture of Care, includes social marketing and advocacy for peer interventions. Corresponds to NIAAA CollegeAIM ENV-6.</td>
<td><strong>JagNation: A Culture of Care</strong></td>
</tr>
<tr>
<td></td>
<td></td>
<td><strong>Ta-Kisha Darden, Health Promotion Coordinator</strong></td>
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<td><strong><a href="mailto:takldard@iupui.edu">takldard@iupui.edu</a></strong></td>
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<td><strong>Eric Teske, Assistant Director of Substance Abuse Prevention</strong></td>
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<td><strong>(317) 274-4745 <a href="mailto:erictesk@iupui.edu">erictesk@iupui.edu</a></strong></td>
</tr>
<tr>
<td><strong>BASICS</strong></td>
<td>BASICS-style motivational interviewing screening interventions are utilized in partial fulfilment of student sanctions for mid-level to elevated alcohol policy violations, and a similar format is utilized for brief motivational interviewing screenings for marijuana. Following a BASICS-style format, these interventions are</td>
<td><strong>Counseling and Psychological Services (CAPS)</strong></td>
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<td></td>
<td><strong>Dr. Julie Lash, Director</strong></td>
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<tr>
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<td><strong>(317) 274-2548 <a href="mailto:capsindy@iupui.edu">capsindy@iupui.edu</a></strong></td>
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</table>
confidential and conducted in a counseling setting. They include intake paperwork, an initial 90 minute session that establishes rapport and gathers information about intensity and frequency of use, negative consequences, family history, and the client's support network. This session is followed by a paper-pencil assessment that includes a bundle of screening instruments that are scored and the results are interpreted with the student during the second 90 minute session that focuses on goals and risk reduction in the future. **Corresponds to NIAAA CollegeAIM IND-16.**

<table>
<thead>
<tr>
<th>Late Night Alcohol Alternative Events</th>
<th>The first 3 weeks of the semester are highlighted with a series of events called Weeks of Welcome. In addition to getting students involved with campus life, the series includes late-night options that serve as alternatives to partying with alcohol. In addition to late night events occurring during the first few weeks of school, the Office of Health and Wellness Promotion has been running a cost-effective Friday night program called “Unplugged Coffeehouse” for the past 2 years. These events are offered from 9-11pm in an on-campus bistro space, include live music, catered coffee, and regularly attract between 90-150 students. <strong>Corresponds to NIAAA CollegeAIM ENV-2.</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>Office of Health and Wellness Promotion</td>
<td>The Office of Health &amp; Wellness Promotion provides services to students covering a wide range of topics, including mental health, sexual health, alcohol and drug education, sexual assault prevention, addiction recovery, fitness, nutrition, etc. The Alcohol and Other Drug Education section of the Health and Wellness Promotion website contains sections on alcohol education content, a drug glossary, campus statistics, state alcohol and drug laws, university alcohol and drug policies, community resources and referral network links, and information about the students in recovery program. Educational presentations on those topics and more can be requested through an online form. Corresponds to NIAAA CollegeAIM IND-1.</td>
</tr>
<tr>
<td>Alcohol and Other Drug Education</td>
<td><strong>Corresponds to NIAAA CollegeAIM IND-1.</strong></td>
</tr>
<tr>
<td>Eric Teske, Assistant Director of Substance Abuse Prevention</td>
<td>(317) 274-4745 <a href="mailto:erictesk@iupui.edu">erictesk@iupui.edu</a></td>
</tr>
<tr>
<td>Addiction Recovery Support</td>
<td>IUPUI’s addiction recovery support initiatives include a registered student organization, free access to sessions with a professional Recovery Coach, weekly on-campus support meetings, opportunities to develop social support, and engagement with social norms, stigma reduction, and advocacy campaigns. <strong>Corresponds to NIAAA CollegeAIM IND-15.</strong></td>
</tr>
<tr>
<td>Addiction Recovery Support</td>
<td>Eric Teske, Assistant Director of Substance Abuse Prevention (317) 274-4745 <a href="mailto:erictesk@iupui.edu">erictesk@iupui.edu</a></td>
</tr>
<tr>
<td>Office of Educational Partnerships and Student Success</td>
<td>Gwen Chastain, Director (317) 274-3699 <a href="mailto:ghobley@iupui.edu">ghobley@iupui.edu</a></td>
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</tbody>
</table>

| Office of Educational Partnerships and Student Success | Gwen Chastain, Director (317) 274-3699 ghobley@iupui.edu |

<table>
<thead>
<tr>
<th>Office of Health and Wellness Promotion</th>
<th>The Office of Health &amp; Wellness Promotion provides services to students covering a wide range of topics, including mental health, sexual health, alcohol and drug education, sexual assault prevention, addiction recovery, fitness, nutrition, etc.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alcohol and Other Drug Education</td>
<td><strong>Corresponds to NIAAA CollegeAIM IND-1.</strong></td>
</tr>
<tr>
<td>Eric Teske, Assistant Director of Substance Abuse Prevention</td>
<td>(317) 274-4745 <a href="mailto:erictesk@iupui.edu">erictesk@iupui.edu</a></td>
</tr>
<tr>
<td>Addiction Recovery Support</td>
<td>IUPUI’s addiction recovery support initiatives include a registered student organization, free access to sessions with a professional Recovery Coach, weekly on-campus support meetings, opportunities to develop social support, and engagement with social norms, stigma reduction, and advocacy campaigns. <strong>Corresponds to NIAAA CollegeAIM IND-15.</strong></td>
</tr>
<tr>
<td>Addiction Recovery Support</td>
<td>Eric Teske, Assistant Director of Substance Abuse Prevention (317) 274-4745 <a href="mailto:erictesk@iupui.edu">erictesk@iupui.edu</a></td>
</tr>
</tbody>
</table>
Legal Sanctions

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

- Laws governing the production, possession, storage, sale, delivery, transportation, or financing of alcohol and drugs are set forth in the Indiana Code.
  - Offenses Related to Controlled Substances (Indiana Code 35-48-4)
  - Alcohol and Tobacco-Crime and Infractions (Indiana Code 7.1-5)

Health Risks


Resources

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

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

Employee Assistance Program (EAP)
The IU Employee Assistance Program (EAP) is a voluntary program that provides professional, confidential counseling to help individuals bring their life into better balance, is offered at no cost to eligible IU employees. Indiana University encourages individuals with alcohol or other drug related problems to seek assistance through their health care provider or the EAP. Full-time Academic and Staff employees, Medical Residents, and eligible Graduate Appointees and Fellowship Recipients are eligible to use the services of the EAP. Covered individuals also include household members.

HR also provides information to employees related to FMLA as it covers time off associated with employee rehabilitation.

Employee Assistance Program
888-234-8327
Human Resources Administration

Employee Assistance Program
888-234-8327
Human Resources Administration
### Office of the Dean of Students Office
IUPUI Campus Center  
420 University Blvd., Suite 270  
Indianapolis, IN 46202  
http://studentaffairs.iupui.edu/student-rights/dean.shtml  
(317) 274-4431  
**On-Campus/Students only**

### Employee Assistance Program (EAP)
http://www.indiana.edu/~uhrs/benefits/eap.html  
(888) 234-8327  
**University/Full time employees, medical residents, and graduate appointees and their household members.**

### Fairbanks: Alcohol & Drug Addiction Treatment
8102 Clearvista Pkwy, Indianapolis, IN 46256  
http://www.fairbankscd.org/  
(317) 849-8222  
**Community/Everyone**

### EmberWood Center
1431 North Delaware St  
Indianapolis, IN 46202  
https://www.emberwoodcenter.org/  
(317) 536-7100  
**Community/Everyone**

### Families First
615 North Alabama St., Suite 320  
Indianapolis, IN 46204  
http://familiesfirstindiana.org/  
(317) 634-6341  
**Community/Everyone**

### Roudebush VA Medical Center – Mental Health Services
1481 W. 10th Street, D-wing, Room D5029  
Indianapolis, IN 46202  
http://www.indianapolis.va.gov/services/Mental_Health_Services.asp  
(317) 988-2721  
**Community/Veterans**

### Life Recovery Center
South  
8150 Madison Ave  
Indianapolis, IN 46227

West  
3607 W. 16th Street, Suite B-3  
Indianapolis, IN 46222

East  
4455 McCoy Street, Suite 301  
Indianapolis, IN 46226

North  
8727 Commerce Park Place, Suite L  
Indianapolis, IN 46268  
http://www.liferecoverycenterindiana.com/  
(855) HELP-LRC  
(317) 887-3290  
**Community/Everyone**

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**University/Campus Disciplinary Sanctions**

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

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

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

- The IU policy on a Substance-free Workplace (for all staff and hourly employees) located at https://policies.iu.edu/policies/hr-07-60-substance-free-workplace/index.html.
- The IU policy on Substance-free Workplace for Academic Appointees located at https://policies.iu.edu/policies/aca-40-substance-free-workplace-academic-appointees/index.html.
- The IU policy on Service of Alcohol located at https://policies.iu.edu/policies/fin-ins-10-service-alcohol/index.html.

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

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

Definitions

Domestic Violence, Dating Violence, Sexual Assault, and Stalking not only violate Indiana University policy, but may also be crimes. The following section provides relevant definitions under the Indiana Criminal Code, as well as relevant definitions under Indiana University Policy. A full copy of the Indiana University Sexual Misconduct Policy can be found in Appendix B. The definitions used for counting the crime statistics found in this report are set by the Clery Act, and are located in Appendix A.

Indiana Criminal Code

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

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

1. touches a family or household member in a rude, insolent, or angry manner; or
2. in a rude, insolent, or angry manner places any bodily fluid or waste on a family or household member; commits domestic battery, a Class A misdemeanor.

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

1. The person who committed the offense has a previous, unrelated conviction:
   A. for a battery offense included in this chapter; or
   B. in any other jurisdiction, including a military court, in which the elements of the crime for which the conviction was entered are substantially similar to the elements of a battery offense included in this chapter.
(2) The person who committed the offense is at least eighteen (18) years of age and committed the offense against a family or household member in the physical presence of a child less than sixteen (16) years of age, knowing that the child was present and might be able to see or hear the offense.
(3) The offense results in moderate bodily injury to a family or household member.
(4) The offense is committed against a family or household member who is less than fourteen (14) years of age and is committed by a person at least eighteen (18) years of age.
(5) The offense is committed against a family or household member of any age who has a mental or physical disability and is committed by a person having the care of the family or household member with the mental or physical disability, whether the care is assumed voluntarily or because of a legal obligation.
(6) The offense is committed against a family or household member who is an endangered adult (as defined in IC 12-10-3-2).

c) The offense described in subsection (a)(1) or (a)(2) is a Level 5 felony if one (1) or more of the following apply:
(1) The offense results in serious bodily injury to a family or household member.
(2) The offense is committed with a deadly weapon against a family or household member.
(3) The offense results in bodily injury to a pregnant family or household member if the person knew of the pregnancy.
(4) The person has a previous conviction for a battery offense:
   (A) included in this chapter against the same family or household member; or
   (B) against the same family or household member in any other jurisdiction, including a military court, in which the elements of the crime for which the conviction was entered are substantially similar to the elements of a battery offense included in this chapter.
(5) The offense results in bodily injury to one (1) or more of the following:
   (A) A family or household member who is less than fourteen (14) years of age if the offense is committed by a person at least eighteen (18) years of age.
   (B) A family or household member who has a mental or physical disability if the offense is committed by an individual having care of the family or household member with the disability, regardless of whether the care is assumed voluntarily or because of a legal obligation.
   (C) A family or household member who is an endangered adult (as defined in IC 12-10-3-2).

(d) The offense described in subsection (a)(1) or (a)(2) is a Level 4 felony if it results in serious bodily injury to a family or household member who is an endangered adult (as defined in IC 12-10-3-2).
(e) The offense described in subsection (a)(1) or (a)(2) is a Level 3 felony if it results in serious bodily injury to a family or household member who is less than fourteen (14) years of age if the offense is committed by a person at least eighteen (18) years of age.
(f) The offense described in subsection (a)(1) or (a)(2) is a Level 2 felony if it results in the death of one (1) or more of the following:
   (1) A family or household member who is less than fourteen (14) years of age if the offense is committed by a person at least eighteen (18) years of age.
   (2) A family or household member who is an endangered adult (as defined in IC 12-10-3-2).

Family or household member (IC 35-31.5-2-128)

(a) An individual is a "family or household member" of another person if the individual:
   (1) is a current or former spouse of the other person;
   (2) is dating or has dated the other person;
   (3) is or was engaged in a sexual relationship with the other person;
   (4) is related by blood or adoption to the other person;
   (5) is or was related by marriage to the other person;
   (6) has or previously had an established legal relationship:
      (A) as a guardian of the other person;
      (B) as a ward of the other person;
(C) as a custodian of the other person;
(D) as a foster parent of the other person; or
(E) in a capacity with respect to the other person similar to those listed in clauses (A) through (D); or
(7) has a child in common with the other person.
(b) An individual is a "family or household member" of both persons to whom subsection (a)(1), (a)(2), (a)(3), (a)(4), (a)(5), (a)(6), or (a)(7) applies if the individual is a minor child of one (1) of the persons.

**Crimes involving domestic or family violence (IC 35-31.5-2-76)**

"Crime involving domestic or family violence" means a crime that occurs when a family or household member commits, attempts to commit, or conspires to commit any of the following against another family or household member:

1. A homicide offense under IC 35-42-1.
5. A sex offense under IC 35-42-4.
7. Arson or mischief under IC 35-43-1.
8. Burglary or trespass under IC 35-43-2.
9. Disorderly conduct under IC 35-45-1.
10. Intimidation or harassment under IC 35-45-2.
12. Stalking under IC 35-45-10.
14. A crime involving animal cruelty and a family or household member under IC 35-46-3-12(b)(2) or IC 35-46-3-12.5.

**Rape (IC 35-42-4-1)**

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

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

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

1. it is committed by using or threatening the use of deadly force;
2. it is committed while armed with a deadly weapon;
3. it results in serious bodily injury to a person other than a defendant; or
4. the commission of the offense is facilitated by furnishing the victim, without the victim's knowledge, with a drug (as defined in IC 16-42-19-2(1)) or a controlled substance (as defined in IC 35-48-1-9) or knowing that the victim was furnished with the drug or controlled substance without the victim's knowledge.

**Stalking (IC 35-45-10-1)**

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

Consent

The Indiana Criminal Code does not define consent in reference to sexual activity. A definition for consent under the Indiana University Sexual Misconduct Policy is provided below. The age of consent in Indiana is 16.

Indiana University Sexual Misconduct Policy (UA-03)

Sexual Misconduct

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

Sexual Misconduct: includes sexual harassment, sexual assault, other forms of sexual violence, dating violence, domestic violence, sexual exploitation and stalking. For purposes of UA-03, sex or gender based discrimination is considered sexual misconduct.

Dating Violence

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

Domestic Violence

Domestic Violence is violence or the threat of violence by a person against another person who:

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

Sexual Assault

Sexual assault includes:

1. Non-consensual Sexual Penetration is committed when an individual subjects another person to sexual penetration without the consent of the person, and/or by force.
2. Non-consensual Sexual Contact is intentional sexual touching by an individual of the intimate area of another person (i.e., genitals, breasts, buttocks) or intentional touching of another person with any of these body parts, without the consent of the person, and/or by force.

Stalking

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

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

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

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

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

**Prevention and Awareness Programs**

Indiana University prohibits dating violence, domestic violence, sexual assault, and stalking as those terms are defined for the purposes of the Clery Act, as well as in the state of Indiana and under Indiana University Policy. IU offers educational programs to promote awareness and prevention of such misconduct. These education programs may include: definitions of dating violence, domestic violence, sexual assault, and stalking, as well as the definition of consent in reference to sexual activity; information about safe and positive options for bystander intervention; information on risk reduction; and information on University policies and procedures concerning sexual misconduct. Education and awareness programs may also include programming, initiatives, strategies, and campaigns intended to end dating violence, domestic violence, sexual assault, and stalking. Educational programs will also include information on how and where to report incidents of sexual misconduct and available resources. Efforts are made to ensure that educational programs are culturally relevant and inclusive of the diverse communities and identities found on each IU campus.

Primary prevention and awareness programs offered to incoming students include:

<table>
<thead>
<tr>
<th>Program</th>
<th>Additional Information</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>MyStudentBody online educational program</strong></td>
<td>Health and Wellness Promotion, Division of Student Affairs</td>
</tr>
<tr>
<td>MyStudentBody is an online risk reduction course covering content on alcohol, drugs, and sexual violence. All new incoming and transfer students are required to complete both the pre- and post- sections of MyStudentBody. The sexual violence portion of the course is included as a required assignment for freshman during their first year seminar course, while other sections are optional. MyStudentBody takes an evidence-based (BASICS), comprehensive approach to prevention. MyStudentBody is designed to reduce risky student behavior using strategies that research has shown are most effective: motivational, attitudinal, and skill-building interventions. As part of MSB’s “Essentials” Course, Sexual Violence Prevention includes articles designed to both help prevent sexual violence from occurring and help students who have experienced sexual violence. MyStudentBody does pre and post testing to evaluate what students learned through the program. MyStudentBody is available 24/7, all semester long for information on drugs, alcohol, sexual violence, and other health and wellness issues that can affect academic success.</td>
<td><a href="mailto:hwpindy@iupui.edu">hwpindy@iupui.edu</a></td>
</tr>
</tbody>
</table>
Information related to sexual misconduct and associated campus resources was included in general Student Affairs session at all orientation sessions for incoming undergraduate students. Similar information was provided in a separate session to parents and family members.

Primary prevention and awareness programs offered to new employees include:

<table>
<thead>
<tr>
<th>Program</th>
<th>Additional Information</th>
</tr>
</thead>
</table>
| **University Employee Sexual Misconduct Training:**  
Beginning in July 2015, the University made available to all employees an online training module titled “Sexual Misconduct Training: Understanding Title IX and the University’s Policies & Procedures.” All employees are instructed on how to access and take the training module. In addition, all employees that the University has designated as “Responsible Employees” (based on Title IX guidance) are required to take the online module on an annual basis, and new employees are notified to take the training upon joining the university. 

The module contains important information to inform employees about the University’s prohibition and response to all forms of sexual misconduct. This includes key definitions (including sexual assault, dating violence, domestic violence, stalking, and consent), information on bystander intervention and risk reduction, signs of abusive relationships, an overview of the University process, and what happens when information regarding an incident of sexual misconduct is brought to the University’s attention. The module also explains reporting options and the specific reporting obligation of those employees designated as Responsible Employees. | The Office of Student Welfare 
& Title IX  
titleix@iu.edu |

Ongoing prevention and awareness programs for students and employees include, but are not limited to:

<table>
<thead>
<tr>
<th>Program</th>
<th>Additional</th>
</tr>
</thead>
</table>
| **Classroom/Group Presentations**  
Presentations are given to groups and classes upon request and as identified. Presentations usually include an overview of the IU Sexual Misconduct Policy, relevant definitions, information about reporting options and resources, both on campus and in the community. Bystander intervention strategies are also frequently covered. | Health and Wellness Promotion,  
Division of Student Affairs  
hwpindy@iupui.edu |
| **Employee Group Presentations**  
Presentations are given to employee groups upon request and as identified. Presentations usually include an overview of the IU Sexual Misconduct Policy, relevant definitions, information about reporting options and resources, both on campus and in the community, as well as the obligations of Responsible Employees. | The Office of Student Welfare 
& Title IX  
titleix@iu.edu |
| **Tabling Events**  
Resources and information are provided at various tabling events throughout the year, including information about IU’s Sexual Misconduct Policy and definitions, resources, and reporting options, as well as prevention programming at the University. | Health and Wellness Promotion,  
Division of Student Affairs  
hwpindy@iupui.edu |
| **BASICS**  
Intervention for indicated population of students who are known to have an AOD concern. This program covered harm reduction, motivational interviewing to learn to evaluate substance abuse, behaviors in relation to personal values and goals, and develop specific strategies to reduce risk of negative consequences of substance abuse. | Health and Wellness Promotion, Division of Student Affairs  
hwpindy@iupui.edu |
<table>
<thead>
<tr>
<th><strong>Escalation Workshop</strong></th>
<th>Health and Wellness Promotion, Division of Student Affairs <a href="mailto:hwpindy@iupui.edu">hwpindy@iupui.edu</a></th>
</tr>
</thead>
<tbody>
<tr>
<td>Workshop created by the One Love Foundation to educate students about dating violence and healthy relationships. This program intended to increase participant knowledge of dating violence, healthy relationships, and bystander intervention.</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>JagNation: A Culture of Care</strong></th>
<th>Health and Wellness Promotion, Division of Student Affairs <a href="mailto:hwpindy@iupui.edu">hwpindy@iupui.edu</a></th>
</tr>
</thead>
<tbody>
<tr>
<td>JagNation: A Culture of Care is focused on creating a safe and positive campus climate at IUPUI through acts of kindness, bystander intervention, and school spirit.</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>JagNation Ambassador Training</strong></th>
<th>Health and Wellness Promotion, Division of Student Affairs <a href="mailto:hwpindy@iupui.edu">hwpindy@iupui.edu</a></th>
</tr>
</thead>
<tbody>
<tr>
<td>Participants learn to embody the Culture of Care philosophy with this intimate small group training session, and formally acquire the skills and recognition that bring JagNation to life. Ambassador Training is a 90-minute interactive seminar built around bystander intervention and harm reduction. Content includes icebreakers, alcohol and sexual assault prevention, scenario practice, and discussion on social barriers to intervention. Think outside yourself and connect with others on a new level. Participants who complete the training receive an exclusive Ambassador pin, an individually numbered certificate, and sign their name in the JagNation archives. This 90-minute training can be requested for organizations and works best in groups of 20 or less (e.g. officer training, or series of training times rather than large organizations at once).</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Behind Closed Doors</strong></th>
<th>Health and Wellness Promotion, Division of Student Affairs <a href="mailto:hwpindy@iupui.edu">hwpindy@iupui.edu</a></th>
</tr>
</thead>
<tbody>
<tr>
<td>Interactive educational program for RAs to introduce challenging scenarios that come up in their important role on campus, including alcohol, sexual assault and dating violence. Increased confidence and skills at successfully intervening and providing assistance to students.</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Building a Safer Community: Bystander Intervention and Sexual Assault Prevention</strong></th>
<th>Health and Wellness Promotion, Division of Student Affairs <a href="mailto:hwpindy@iupui.edu">hwpindy@iupui.edu</a></th>
</tr>
</thead>
<tbody>
<tr>
<td>Presentation to incoming first-year students designed to educate on aspects of sexual assault prevention and enhance sense of community through development of bystander intervention skills.</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Trauma-Informed Responding</strong></th>
<th>Counseling and Psychological Services (317) 274-2548</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lecture-style presentation regarding the psycho-biological response to trauma and impact on victim. Lecture specifically addresses the role of law enforcement responding officers in securing victim safety and meeting immediate health needs. University policies and procedures are also addressed, as related to students serving as officers on campus.</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Sexual Assault Prevention Workshop</strong></th>
<th>Health and Wellness Promotion, Division of Student Affairs <a href="mailto:hwpindy@iupui.edu">hwpindy@iupui.edu</a></th>
</tr>
</thead>
<tbody>
<tr>
<td>A workshop for graduate/professional students in health-related field designed to increase awareness of sexual assault and relationship violence issues and enhance skills in responding to victims. Another workshop was given to provide an overview of sexual assault prevention, alcohol awareness, university policies, and campus resources designed to address the needs of incoming international students.</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Healthy Relationships/Sexual Misconduct Prevention and Response</strong></th>
<th>Health and Wellness Promotion, Division of Student Affairs <a href="mailto:hwpindy@iupui.edu">hwpindy@iupui.edu</a></th>
</tr>
</thead>
<tbody>
<tr>
<td>Small group program introducing policies and procedures related to sexual misconduct, intervention and responding skills, and recognizing healthy relationship patterns.</td>
<td></td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Peer Support Training / Peer Mentor</strong></th>
<th>Health and Wellness Promotion, Division of Student Affairs <a href="mailto:hwpindy@iupui.edu">hwpindy@iupui.edu</a></th>
</tr>
</thead>
<tbody>
<tr>
<td>Training in peer support, early intervention, and referral skills for informal health and wellness peer mentors including AOD, bystander intervention, sexual violence prevention, and mental health.</td>
<td></td>
</tr>
</tbody>
</table>
Additional information and resources about the University’s efforts to prevent sexual violence can be found at http://stopsexualviolence.iu.edu.

Safe and Positive Options for Bystander Intervention

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

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

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

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

Remember to always call 911 in emergency situations. Most importantly, “If you see something, say something!”

Risk Reduction

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

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

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

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

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

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

Here are some rules for healthy sexual relationships:

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

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

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

As time passes, evidence may dissipate or become lost or unavailable, thereby making investigation, possible prosecution, disciplinary proceedings, and/or obtaining protection orders related to the incident more difficult. If a victim chooses not to make a complaint regarding an incident, they nevertheless should consider speaking with the IUPD or other law enforcement to preserve evidence in the event that the victim decides to report the incident to law enforcement or the University at a later date. This may assist in proving that the alleged criminal offense occurred or may be helpful in obtaining a protection order. This information is also provided in the Sexual Misconduct: Rights, Options, and Resource Guide, which can be found in Appendix C of this report.

Reporting the Incident

If you are the victim of any violence, including dating violence, domestic violence, sexual assault, or stalking, you are encouraged to seek help immediately. Available reporting options are listed below.

<table>
<thead>
<tr>
<th>Contact type</th>
<th>Contact Information</th>
</tr>
</thead>
</table>
| Law Enforcement      | **Indiana University Police Department**  
                        1232 West Michigan Street  
                        Indianapolis, IN 46202  
                        (317) 274-7911 or dial 911 |
| Campus Authorities   | **IUPUI Office of Student Conduct**  
                        420 University Boulevard, CE 270  
                        Indianapolis, IN 46202  
                        (317) 274-4431 |
| Title IX Coordination| **University Title IX Coordinator**  
                        Emily Springston, Chief Student Welfare & Title IX Officer  
                        (812) 855-4889  
                        **Deputy Title IX Coordinator**  
                        Anne L. Mitchell, Interim Director of the Office of Equal Opportunity  
                        (317) 278-9230  
                        **Deputy Title IX Coordinator**  
                        Brian Tomlinson, Associate Dean and Director of Student Conduct  
                        (317) 274-4431 |
| StopSexualViolence.iu.edu | A report can be made online under the “Report an Incident” tab at StopSexualViolence.iu.edu. |

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

Involvement of Law Enforcement

Although the University strongly encourages all members of its community to report crimes to law enforcement (including on campus law enforcement and/or local police), it is the victim’s choice whether or not to make such a report. Furthermore, victims have the right to decline to notify law enforcement. However, the following University offices will assist any victim with notifying law enforcement if the victim so desires.
If you choose to report the incident to the IUPD, an officer will take a statement from you regarding what happened. The officer will ask you to describe the assailant(s) and may ask questions about the scene of the crime, any witnesses, and what happened before and after the incident. If you wish, you may have a support person with you during the interview. IMPORTANT: Reporting an incident to the police is a separate step from choosing to prosecute. By filing a report, you are NOT obligated to continue with legal proceedings or University disciplinary action. (See “Requests for No-University Action” under Confidentiality and Privacy). However, prosecutors could still decide to bring charges and/or the University may still choose to subject the respondent to disciplinary proceedings.

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

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

**Protection Orders**

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

Marion County Superior Court  
200 East Washington Street  
Indianapolis, IN 46204
Student victims may also request changes in University classroom, academic, and/or living arrangements; these requests will be granted when such changes are reasonably available.

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

Written Notification to Student and Employee Victims

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

<table>
<thead>
<tr>
<th>Resource</th>
<th>Contact Information</th>
<th>Availability</th>
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<tbody>
<tr>
<td>Campus Center Student Health</td>
<td>Campus Center, Suite 213 420 University Blvd. Indianapolis, IN 46202 (317) 274-2274</td>
<td>On-Campus/IUPUI students</td>
</tr>
<tr>
<td>Campus Health</td>
<td>Coleman Hall, Room 100 1140 West Michigan Street Indianapolis, IN 46202 (317) 274-8214</td>
<td>On-Campus/IUPUI students</td>
</tr>
<tr>
<td>IU Health Methodist Hospital</td>
<td>1701 N Senate Blvd. Indianapolis, IN 46202 (317) 963-3394 (available 24/7)</td>
<td>Community/Everyone</td>
</tr>
<tr>
<td>Center of Hope</td>
<td>720 Eskenazi Avenue (near Ball Residence) (317) 880-8006</td>
<td>Community/Everyone</td>
</tr>
<tr>
<td>Eskenazi Health Center of Hope</td>
<td>8111 S. Emerson Ave. Indianapolis, IN 46237 (317) 528-5261</td>
<td>Community/Everyone</td>
</tr>
<tr>
<td>Other Center of Hope in</td>
<td>St. Vincent Hospital: (317) 338-2121 (317) 338-6629</td>
<td>Community/Everyone</td>
</tr>
<tr>
<td>Indianapolis</td>
<td>Riley Hospital for Children: (317) 274-2617</td>
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<tr>
<td></td>
<td>Community Hospital East: (317) 355-HOPE (4673)</td>
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</tr>
<tr>
<td>IUPUI Counseling &amp; Psychological Services (CAPS) (CAPS provides professional psychological services for IUPUI students at minimal charge.)</td>
<td>719 Indiana Avenue, Walker Plaza, Suite 220 <a href="http://caps.iupui.edu">http://caps.iupui.edu</a> (317) 274-2548</td>
<td>On-Campus/IUPUI students</td>
</tr>
<tr>
<td>Employee Assistance Program (EAP. Provides professional and confidential counseling to full time employees, medical residents, and</td>
<td><a href="http://www.indiana.edu/~uhrs/benefits/eap.html">http://www.indiana.edu/~uhrs/benefits/eap.html</a> (888) 234-8327</td>
<td>University Full time employees, medical residents, and graduate appointees</td>
</tr>
</tbody>
</table>
Written notification will also be provided to victims about the University disciplinary procedures, as well as their rights and options. This written notification is located in Appendix C of this report.

### Protective Measures

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

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

- Assistant Director for Interpersonal Violence Prevention and Response (317) 274-2503
- Office of Equal Opportunity (317) 274-2306

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

<table>
<thead>
<tr>
<th><strong>IUPUI Student Advocate Service</strong></th>
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<tbody>
<tr>
<td>Assistant Director for Interpersonal Violence Prevention and Response</td>
<td>CAPS, Walker Plaza, #220 719 Indiana Ave. (317) 274-2503</td>
</tr>
<tr>
<td>Sexual Assault Prevention, Intervention, and Response Team (SAPIR)</td>
<td><a href="http://sapir.iupui.edu">http://sapir.iupui.edu</a></td>
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<tr>
<th><strong>Legal Resources</strong></th>
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<tbody>
<tr>
<td>The Protective Order Pro Bono Project Assists in filing protective orders, developing safety plans, obtaining legal assistance, and accessing community resources.</td>
</tr>
<tr>
<td>City-County Building 200 East Washington Street, Room G-90 (317) 327-6999</td>
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<tr>
<th><strong>Financial Aid Resources</strong></th>
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<tbody>
<tr>
<td>Office of Student Financial Services 420 University Blvd., CE 250 Indianapolis, IN 46202 <a href="mailto:finaid@iupui.edu">finaid@iupui.edu</a> (Email) (317) 274-4162 (Phone) (317) 274-3664 (Fax)</td>
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<thead>
<tr>
<th><strong>VISA and Immigration Resources</strong></th>
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<tbody>
<tr>
<td>The Office of International Affairs can assist students with visa and immigration advising and other support services for international students.</td>
</tr>
<tr>
<td>(317) 274-7000 <a href="mailto:oia@iupui.edu">oia@iupui.edu</a></td>
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<tr>
<th><strong>Graduate appointees and their household members.</strong></th>
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<tr>
<td>24 Hour Crisis &amp; Suicide Hotline (317) 251-7575 Community/Everyone</td>
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</tr>
<tr>
<td>Community Health Network Behavioral Care Services <a href="http://www.ecommunity.com/behavioralcare">http://www.ecommunity.com/behavioralcare</a> Community/Everyone</td>
<td></td>
</tr>
</tbody>
</table>

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

- Assistant Director for Interpersonal Violence Prevention and Response (317) 274-2503
- Office of Equal Opportunity (317) 274-2306

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

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

**Procedures the University Will Follow with Reports of Sexual Misconduct**

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

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

- To be fully informed of University policies and procedures as well as the nature and extent of all alleged violations contained within the allegation.
- To be treated with respect by University officials.
- To have an advisor present during a University sexual misconduct proceeding, investigation meeting, or related meeting. The role of the advisor will be limited to being present only; they will not be allowed to speak during any University sexual misconduct proceeding, investigation meeting, or related meeting.
- Adequate, reliable, and impartial investigation and appropriate resolution of all reports of sexual misconduct.
- To be informed by the University of options to notify proper law enforcement authorities including on-campus and local police, and the option to be assisted by campus authorities in notifying proper law enforcement, if the individual chooses.
- To be notified of available counseling, mental health, academic, legal and other support services, both at the University and in the community.
- To have allegations investigated by individuals who are properly trained to investigate and resolve allegations of sexual misconduct.
- Equitable participation in the investigation and disciplinary process, including the opportunity to identify witnesses and other appropriate evidence.
- To the use of the preponderance of the evidence standard (more likely than not) in determining responsibility.
- The right to appeal as set forth in these procedures.

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

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

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

Appendix B of this report provides the full IU Sexual Misconduct Policy and procedures.
Institutional Disciplinary Procedures

Incidents of Student Sexual Misconduct

The Indiana University Sexual Misconduct Policy is provided in Appendix B. The Sexual Misconduct Policy contains the procedures that apply when handling cases that involve dating violence, domestic violence, sexual assault, stalking, and all forms of sexual misconduct when the accused is a university student. Please see Appendix B under the section “Procedures for Responding to Incidents Involving Allegations of Student Sexual Misconduct” for the full procedures.

Incidents Involving Allegations of Faculty or Staff Sexual Misconduct

The Indiana University Sexual Misconduct Policy is provided in Appendix B. The Sexual Misconduct Policy contains the procedures that apply when handling cases that involve dating violence, domestic violence, sexual assault, stalking, and all forms of sexual misconduct when the accused is a university faculty or staff member. Please see Appendix B under the section “Procedures for Responding to Incidents Involving Allegations of Faculty or Staff Sexual Misconduct” for the full procedures.

Sanctions

The University may impose sanctions on the respondent following a final determination of responsibility following University disciplinary procedures. Possible sanctions for cases in which students are found in violation of the Student Code for acts of sexual misconduct include:

- formal warnings,
- behavioral assessment and/or counseling,
- required educational training,
- housing expulsion,
- no contact order,
- no trespass order,
- disciplinary probation,
- deferred suspension,
- suspension,
- required re-entry meeting, and/or
- permanent expulsion

(See Appendix B)

For employees, the University may impose any of the following sanctions (See Appendix B):

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

2. Level Two Sanctions include sanctions that directly modify job duties, salary or job status, including withholding compensation, consideration in tenure or promotion decisions, suspension and termination.

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

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

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

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

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

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

<table>
<thead>
<tr>
<th>Contact type</th>
<th>Contact Information</th>
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<tbody>
<tr>
<td>Counseling and Psychological Services (CAPS)</td>
<td>Walker Plaza, Suite 220&lt;br&gt;719 Indiana Ave.&lt;br&gt;Indianapolis, IN 46202&lt;br&gt;(317) 274-2548</td>
</tr>
<tr>
<td>Assistant Director for Interpersonal Violence Prevention and Response</td>
<td>Walker Plaza, Suite 220&lt;br&gt;719 Indiana Ave.&lt;br&gt;Indianapolis, IN 46202&lt;br&gt;(317) 274-2503</td>
</tr>
<tr>
<td>IUPUI Student Health Center</td>
<td>Campus Center, Suite 213&lt;br&gt;420 University Blvd.&lt;br&gt;Indianapolis, IN 46202&lt;br&gt;(317) 274-2274&lt;br&gt;Coleman Hall, Room 100&lt;br&gt;1140 W. Michigan St.&lt;br&gt;Indianapolis, IN 46202&lt;br&gt;(317) 274-8214</td>
</tr>
</tbody>
</table>

Privacy

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

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

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

**Requests for No-University Action**

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

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

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

**XIV. Obtaining Registered Sex Offender Information**

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

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

**XIV. Preparation of Disclosure of Crime Statistics**

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

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

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

**Disclosure of Annual Crime Statistics IUSM South Bend**

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

### XV. 2016 Crime Statistics

#### Criminal Offenses

<table>
<thead>
<tr>
<th>Offense</th>
<th>On Campus</th>
<th>Non-Campus</th>
<th>Public Property</th>
</tr>
</thead>
<tbody>
<tr>
<td>Murder/Non Negligent Manslaughter</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Manslaughter by Negligence</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Rape</td>
<td>11</td>
<td>0</td>
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</tr>
<tr>
<td>Fondling</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Incest</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Statutory Rape</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Robbery</td>
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<tr>
<td>Aggravated Assault</td>
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<td>Burglary</td>
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<tr>
<td>Motor Vehicle Theft</td>
<td>8</td>
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</tr>
<tr>
<td>Arson</td>
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</table>

#### VAWA Offenses

<table>
<thead>
<tr>
<th>Offense</th>
<th>On Campus</th>
<th>Non-Campus</th>
<th>Public Property</th>
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</thead>
<tbody>
<tr>
<td>Domestic Violence</td>
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<td>Dating Violence</td>
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<tr>
<td>Stalking</td>
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#### Arrests and Referrals for Disciplinary Action

<table>
<thead>
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<th>Offense</th>
<th>On Campus</th>
<th>Non-Campus</th>
<th>Public Property</th>
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</thead>
<tbody>
<tr>
<td>Liquor Law Arrests</td>
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<td>0</td>
<td>0</td>
<td>0</td>
</tr>
</tbody>
</table>

#### Hate Crimes

There were zero (0) hate crimes reported for 2016.
Unfounded Crimes

There were zero (0) unfounded crimes in 2016.

XVI. 2015 Crime Statistics

Criminal Offenses

<table>
<thead>
<tr>
<th>Offense</th>
<th>On Campus</th>
<th>Non-Campus</th>
<th>Public Property</th>
</tr>
</thead>
<tbody>
<tr>
<td>Murder/Non Negligent Manslaughter</td>
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<td>Manslaughter by Negligence</td>
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<tr>
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<tr>
<td>Fondling</td>
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<td>Incest</td>
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<td>0</td>
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<tr>
<td>Statutory Rape</td>
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<td>Robbery</td>
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<tr>
<td>Aggravated Assault</td>
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VAWA Offenses

<table>
<thead>
<tr>
<th>Offense</th>
<th>On Campus</th>
<th>Non-Campus</th>
<th>Public Property</th>
</tr>
</thead>
<tbody>
<tr>
<td>Domestic Violence</td>
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<tr>
<td>Stalking</td>
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Arrests and Referrals for Disciplinary Action

<table>
<thead>
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<th>Offense</th>
<th>On Campus</th>
<th>Non-Campus</th>
<th>Public Property</th>
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<tr>
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<td>Weapons Law Arrests</td>
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<td>Weapons Law Violations Referred for Disciplinary Action</td>
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</tr>
</tbody>
</table>

^ indicates statistics have been updated by the host campus and are different than what was reported in last year's ASR.

Hate Crimes

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

Unfounded Crimes

There were two (2) unfounded crimes in 2015.
XVII. 2014 Crime Statistics

Primary Crimes

<table>
<thead>
<tr>
<th>Offense</th>
<th>On Campus</th>
<th>Non-Campus</th>
<th>Public Property</th>
</tr>
</thead>
<tbody>
<tr>
<td>Murder/Non Negligent Manslaughter</td>
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<tr>
<td>Incest</td>
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<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Statutory Rape</td>
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<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Robbery</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Aggravated Assault</td>
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<td>0</td>
</tr>
<tr>
<td>Burglary</td>
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<td>Arson</td>
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<tr>
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<td>Weapons Law Arrests</td>
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<td>Weapons Law Violations Referred for Disciplinary Action</td>
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</tbody>
</table>

Domestic Violence, Dating Violence, and Stalking

<table>
<thead>
<tr>
<th>Offense</th>
<th>On Campus</th>
<th>Non-Campus</th>
<th>Public Property</th>
</tr>
</thead>
<tbody>
<tr>
<td>Domestic Violence</td>
<td>1</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Dating Violence</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Stalking</td>
<td>5</td>
<td>0</td>
<td>1</td>
</tr>
</tbody>
</table>

Hate Crime Reporting

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

Unfounded Crimes

There were four (4) unfounded crimes in 2014.

Annual Fire Safety Report

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

https://inlocc.iu.edu/CAS/Clery/PublicOpen/Index.cfm?thecampus=IUPUI&theyear=2017

Appendix A - Crime Definitions

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

- Murder/Non-negligent Manslaughter: the willful (non-negligent) killing of one human being by another.
- Manslaughter by Negligence: the killing of another person through gross negligence.
- Rape: the penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.
- Fondling: the touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.
- Incest: sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- Statutory Rape: sexual intercourse with a person who is under the statutory age of consent.
- Robbery: taking or attempting to take anything of value from the care, custody, or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear.
- Aggravated Assault: an unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm.
- Burglary: the unlawful entry of a structure to commit a felony or a theft.
- Motor Vehicle Theft: the theft or attempted theft of a motor vehicle.
- Arson: any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, personal property of another, etc.

Hate Crimes: a criminal offense that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim. For the purposes of this section, the categories of bias include the victim’s actual or perceived race, religion, gender, gender identity, sexual orientation, ethnicity, national origin, and disability. Hate Crimes reported include all of the crimes listed above, plus larceny/theft, simple assault, intimidation and destruction/damage/vandalism of property that are motivated by bias.

- Larceny-Theft: the unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another. Constructive possession is the condition in which a person does not have physical custody or possession, but is in a position to exercise dominion or control over a thing.
- Simple Assault: an unlawful physical attack by one person upon another where neither the offender displays a weapon, nor the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration, or loss of consciousness.
- Intimidation: to unlawfully place another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct, but without displaying a weapon or subjecting the victim to actual physical attack.
- Destruction/Damage/Vandalism of Property: to willfully or maliciously destroy, damage, deface, or otherwise injure real or personal property without the consent of the owner or the person having custody or control of it.

Domestic Violence: a felony or misdemeanor crime of violence committed—

(A) By a current or former spouse or intimate partner of the victim;  
(B) By a person with whom the victim shares a child in common;  
(C) By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;  
(D) By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred; or
By any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

- **Dating Violence**: violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.
  
  (i) For the purposes of this definition—
  (A) Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
  (B) Dating violence does not include acts covered under the definition of domestic violence.

- **Stalking**: engaging in a course of conduct directed at a specific person that would cause a reasonable person to—
  
  (A) Fear for the person's safety or the safety of others; or
  (B) Suffer substantial emotional distress.

  (i) For the purposes of this definition—
  (A) The term *course of conduct* means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property.
  (B) The term *reasonable person* means a reasonable person under similar circumstances and with similar identities to the victim.
  (C) The term *substantial emotional distress* means significant mental suffering or anguish that may, but does not necessarily require medical or other professional treatment or counseling.

- **Arrest**: persons processed by arrest, citation or summons.

- **Referred for Disciplinary Action**: the referral of any person to any official who initiates a disciplinary action of which a record is established and which may result in the imposition of a sanction.
  
  - **Weapons**: Carrying, Possessing, etc.: the violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices, or other deadly weapons. This classification encompasses weapons offenses that are regulatory in nature.
  - **Drug Abuse Violations**: the violation of laws prohibiting the production, distribution, and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use. The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation, or importation of any controlled drug or narcotic substance. Arrests for violations of state and local laws, specifically those relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs.
  - **Liquor Law Violations**: the violation of state or local laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, or use of alcoholic beverages, not including driving under the influence and drunkenness.

### Appendix B – Indiana University Sexual Misconduct Policy (UA-03)

Indiana University prohibits discrimination on the basis of sex or gender in its educational programs and activities. Discrimination on the basis of sex or gender is also prohibited by federal laws, including Title VII and Title IX.

This policy governs the University’s response to discrimination based on sex or gender, and all forms of sexual misconduct (which includes sexual harassment, sexual assault, other forms of sexual
violence, dating violence, domestic violence, sexual exploitation and stalking (see Definitions below). Such behaviors are against the law and are unacceptable behaviors under Indiana University policy. (See the Indiana University Non-Discrimination Policy here.) These unacceptable behaviors are hereafter referred to as “Sexual Misconduct.” The University does not tolerate sexual misconduct and it will take action to prevent and address such misconduct. The University has jurisdiction over all Title IX and related complaints. Questions about Title IX may be directed to Indiana University’s Title IX Coordinator, or the Office of Civil Rights (See Additional Contacts below).

Individuals who have experienced sexual misconduct are strongly urged to promptly report such incidents. Indiana University will respond promptly to all reports of sexual misconduct. According to the procedures below, the University will provide a fair and impartial investigation and resolution for complaints and, where appropriate, issue sanctions and remedial measures. The severity of the corrective action, up to and including termination or expulsion of the offender, will depend on the circumstances of the particular case. Any person who is a responsible employee (as defined below), at the University, such as administrators, supervisors, managers or faculty members, and who has received information or has knowledge of sexual misconduct, must make a report to designated University officials or be subject to disciplinary action (see section on Responsible Employees below). Retaliation against anyone who makes a report of sexual misconduct is prohibited by University policy as well as Title IX and other state and federal laws.

Procedures for reporting incidents of sexual misconduct, and investigating and adjudicating sexual misconduct complaints are part of this policy and are included or linked below. In appropriate cases, and upon consultation with the Vice President and General Counsel, the University reserves the right to take prompt action in accordance with other university procedures.

On or Off Campus Behaviors

This policy applies to sexual misconduct that occurs on campus or in the context of any University program or activity, including off-campus conduct in the context of a University program or activity. This policy also applies to sexual misconduct that has a continuing adverse effect or creates a hostile environment on campus or in any University program or activity whether on or off campus. Prohibited conduct that takes place off campus includes, but is not limited to, sexual misconduct in connection with an academic course assignment, internship, practicum, field trip, study abroad program, student teaching, research, or other University activity; or sexual misconduct in connection with any activity sponsored, conducted, or authorized by the University or by a student organization; or where the sexual misconduct undermines the security of the University community or the integrity of the educational process or poses a serious threat to self or others. Where a student organization has contributed to or created a hostile environment in connection with an incident of sexual misconduct, the student organization will be subject to discipline and appropriate sanctions.

Sexual Harassment

Sexual harassment is unwelcome conduct or behavior of a sexual nature. Sexual harassment includes sexual violence (see definition). Both violent and non-violent sexual harassment is prohibited. Sexual harassment can include unwelcome sexual advances, requests for sexual favors and other verbal, nonverbal, written, electronic (e.g. by e-mail, text, social media, etc.), or physical conduct of a sexual nature. Sexual harassment occurs when:

1. submission to or rejection of such conduct is made either explicitly or implicitly a condition of an individual’s employment or academic standing or is used as the basis for employment decisions or for academic evaluation, grades, or advancement (quid pro quo), or when

2. such conduct is sufficiently severe, pervasive or persistent to limit or deny a person’s ability to participate in or benefit from the University’s educational programs or affects employment, creating a hostile environment.

Sex/Gender-Based Discrimination

Sex/Gender-based discrimination is verbal, nonverbal, graphic, or physical aggression,
intimidation, or hostile conduct based on sex, sex-stereotyping, sexual orientation or gender identity, but not involving conduct of a sexual nature, when such conduct is sufficiently severe, persistent, or pervasive that it interferes with or limits a person’s ability to participate in or benefit from the University’s education or work programs or activities. For example, persistent disparagement of a person based on a perceived lack of stereotypical masculinity or femininity or exclusion from an activity based on sexual orientation or gender identity is prohibited under this policy.

### Sexual Assault

**Sexual assault includes:**

1. **Non-consensual Sexual Penetration** is committed when an individual subjects another person to sexual penetration (see below) without the consent of the person, and/or by force.

2. **Non-consensual Sexual Contact** intentional sexual touching by an individual of the intimate area of another person (i.e., genitals, breasts, buttocks) or intentional sexual touching of another person with any of these body parts, without the consent of the person, and/or by force.

### Consent

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

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

### Incapacitated

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

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

### Intellectual Inquiry and Debate

In determining whether sexual misconduct has occurred and what type of remedy, if any, might be appropriate in a given case, the University will also consider the fact that free intellectual inquiry, debate, and constructive dialogue are vital to the University’s academic mission and must be protected even when the views expressed are unpopular or controversial. Accordingly, any form of speech or conduct that is protected by state or federal law, including the First Amendment, is not subject to this policy.

The definition of sexual harassment in this policy is meant neither to proscribe nor to inhibit discussions, in or out of the classroom, of complex, controversial, or sensitive matters, including matters involving sex, gender, sexuality, sexual orientation, sexual behavior, or gender identity or expression, when in the judgment of a reasonable person they arise for legitimate pedagogical purposes. This includes intellectual inquiry, debate, and dialogue on issues of sexual misconduct. The mere expression of views, words, symbols or thoughts that some people find offensive, does not create a hostile environment.

### Awareness, Education, Prevention and Training Programs

Every IU campus shall publicize and provide ongoing educational programming for students, employees and other members of the University community to promote awareness of the problems caused by sexual misconduct and to help prevent and attempt to reduce the risk of the occurrence of sexual misconduct. Educational programs will include information on how and where to report incidents of sexual misconduct, resources available, as well as safe and positive options for bystander intervention that may be carried out by individuals to prevent harm or intervene when there is a risk of
sexual misconduct being inflicted on another person. Efforts will be made to ensure that educational programs are culturally relevant and inclusive of the diverse communities and identities found at each IU campus.

Employee training shall be provided to those involved in reporting, receiving reports, investigating, adjudicating and otherwise responding to charges of sexual misconduct at the University. Certain training may be mandated by applicable federal or state law. The appropriate training will be tailored to the audience, and include reporting and response obligations, available resources, as well as information about how to prevent and identify sexual misconduct. Individuals specifically involved in implementing the University’s sexual misconduct procedures will be trained on issues and applicable policies and procedures relating to sexual misconduct, as well as how to conduct the investigation and hearing process in a manner that protects the safety of all parties and promotes fairness and accountability.

Resource Information

The University will disseminate campus-specific information regarding available on and off campus resources through various methods including, the University’s Stop Sexual Violence Website, programming, and other relevant materials such as campus specific brochures. Resource information will include, but is not limited to:

- University and community psychological and counseling resources;
- University and community medical resources (including the availability of nurses trained in sexual assault response);
- Resources for non-U.S. citizens (visa, immigration, and translation assistance);
- How to report an incident of sexual misconduct to the University and local law enforcement;
- Available confidential employees and student advocates;
- Information and assistance regarding adjustments to academic housing, financial aid, obtaining no contact orders, and other needs on campus;
- Community resources such as legal assistance and obtaining protective orders.

Duties of Title IX Coordinator

Indiana University's Title IX Coordinator will be informed of all reports of sexual misconduct, and will oversee the University’s review, investigation, and resolution of those reports to ensure the University’s compliance with Title IX, and related laws, and the effective implementation of this policy. The Title IX Coordinator will have adequate training on what constitutes sexual harassment, including sexual violence.

The Title IX Coordinator is:
1. Responsible for oversight of the investigation and resolution of all reports of sexual harassment, sexual violence, stalking, and domestic and dating violence involving students, staff, and faculty;
2. Knowledgeable and trained in University policies and procedures and relevant state and federal laws;
3. Available to advise any individual, including a complainant, a respondent, or a third party, about the courses of action available at the University, both informally and formally, and in the community;
4. Available to provide assistance to any University employee regarding how to respond appropriately to a report of sexual misconduct;
5. Responsible for monitoring full compliance with all procedural requirements, record-keeping, and timeframes outlined in this policy;
6. Responsible for overseeing training, prevention, and education efforts, and any reviews of climate and culture; and
7. Responsible for providing the University aggregate, non-identifying information in regard to reports, investigations, resolutions, and sanctions.

Deputy Title IX Coordinators for each campus will be responsible for tracking and reporting to the University Title IX Coordinator all incidents of sexual misconduct on their respective campus. Deputy Title IX Coordinators will work with the University Title IX Coordinator to ensure that the appropriate designated campus officials are involved in investigating and adjudicating complaints according to this
Sexual Misconduct Policy and other applicable University policies and procedures.

Deputy Title IX Coordinators and senior student affairs professionals on each campus will work with the University Title IX Coordinator to ensure that adequate education, training, sanctions, and appropriate resources are available and provided on their respective campus. Student affairs professionals are expected to assist in educating the campus community and directing those who report an incident of sexual misconduct to the appropriate campus resources.

Reason For Policy

Indiana University is committed to the safety and well-being of all members of the University community including students and employees. Indiana University recognizes that sexual misconduct may result in grave and often long-lasting effects on those involved and is committed to timely investigation of allegations of sexual misconduct, use of interim measures when appropriate, and appropriate actions and consequences following investigations.

Indiana University is committed to compliance with state and federal laws regarding sexual misconduct, required reporting to state and federal agencies, and to working with law enforcement officials and agencies. The University is also committed to using its resources in research and education to improve preventative programs.

Immediate Assistance

In an emergency or if you see a crime in progress, always call 911 immediately.

Each campus of the University shall provide, publicize and keep updated, information for immediate assistance, including contact information for emergency and medical assistance, counseling services, as well as local law enforcement. Information about ways to report anonymously or to speak to a confidential employee will also be provided for each campus (see Confidential Employee section).

The University and each campus will provide written information to anyone who reports to the University that they have experienced sexual misconduct, about:

- University procedures dealing with sexual misconduct, including to whom and how the alleged offense should be reported, as well as their rights and options;
- The importance of preserving evidence that may assist in proving the alleged criminal offense occurred, as well as how to preserve such evidence;
- Options about the involvement of law enforcement;
- Rights and University responsibilities with respect to orders of protection and how to obtain such orders; and
- Available campus and community resources.

This information will also be widely publicized on http://stopsexualviolence.iu.edu/.

Reporting an Incident

In an emergency or where immediate help is needed, call 911.

Anyone wishing to report an incident of sexual misconduct can do so using the following methods:

- Reporting directly to campus or local law enforcement if the incident involves sexual violence;
- Reporting directly to the student judicial conduct office or Dean of Students for the campus;
- Reporting directly to the Deputy Title IX Coordinator for the campus; or
- Reporting directly to the University Title IX Coordinator.

All reports of sexual misconduct made to a Responsible Employee that are not initially reported to the Deputy Title IX Coordinator(s) for the respective campus, will be shared with the Deputy Title IX Coordinator(s) as well as the University Title IX Coordinator in a timely manner. In addition, if a report of sexual misconduct is not made initially to the Indiana University Police Department (IUPD), and the information indicates it may be a crime reportable under the Clery Act, non-identifying information regarding the date, time, location and nature of the crime will be shared with IUPD for purposes of complying with the Clery Act. If the University and/or Deputy Title IX Coordinator(s) receive a report that indicates law enforcement should be informed and involved due to the potential threat to health and safety of an individual or the University community, they may also share the identifying information needed for appropriate response by IUPD (see Confidentiality and Privacy section).
Procedure

Sexual Misconduct Involving a Child/Minor

Sexual misconduct involving a child/minor (anyone under 18 years of age) must be reported. Indiana state law requires that any person who has reason to believe that a child/minor is a victim of child abuse or neglect (including sexual misconduct) has an affirmative duty to make an oral report to Child Protective Services (CPS) 1-800-800-5556 or to their local law enforcement or to the IU Police Department. Failure to report may result in criminal charges. See the IU policy on Programs Involving Children for more information.

Amnesty

The University strongly encourages students to report instances of sexual misconduct. Therefore, students who report an incident of sexual misconduct will not be disciplined by the University for any violations of the Code of Students Rights and Responsibilities related to their drug and/or alcohol consumption in connection with the reported incident of sexual misconduct.

Students are also afforded immunity against certain charges for alcohol related crimes under Indiana’s Lifeline Law in connection with a report of a medical emergency, so long as they cooperate with law enforcement at the scene. (See IC 7.1-5-1-6.5)

Retaliation

Protections against retaliation are critical to reducing the prevalence of sexual misconduct within the University community. Retaliation against anyone who has reported an incident of sexual misconduct, provided information, or participated in procedures or an investigation into a report of sexual misconduct, is prohibited by the University and will not be tolerated. Acts of retaliation include intimidation, threats, and/or harassment, whether physical or communicated verbally or via written communication (including the use of e-mail, texts and social media), as well as adverse changes in work or academic environments or other adverse actions or threats. The University will take steps to prevent retaliation, and will impose sanctions on anyone or any group who is found to have engaged in retaliation in violation of this policy. Concerns about potential retaliation in connection with a report of sexual misconduct should be reported to a Deputy Title IX Coordinator or the University Title IX Coordinator.

The Role of a Responsible Employee to Report and Respond to Sexual Misconduct

The University encourages anyone who has experienced sexual misconduct to talk to someone about what happened, to ensure they are informed of the available support, resources and applicable complaint processes and to allow the University to respond appropriately. The information below explains the obligations of certain employees to report information brought to their attention regarding incidents of sexual misconduct to the appropriate University officials.

Responsible Employees

Pursuant to Title IX, a “responsible employee” includes those University employees who have the authority to redress sexual misconduct, who have the duty to report incidents of sexual misconduct, or who a student could reasonably believe has this authority or duty.

The University’s responsible employees include, but are not limited to:

• All instructors, including full-time professors, adjuncts, lecturers, associate instructors (AIs), teaching assistants (TAs), and any others who offer instruction (whether in-person or online) or office hours to students;
• All advisors;
• All coaches, and other athletic staff who interact directly with students;
• All student affairs administrators;
• All residential hall staff;
• All employees who work in offices that interface with students; and
• All supervisors and University officials.

When an individual tells a responsible employee about an incident of sexual misconduct, that individual has the right to expect the University to take immediate and appropriate steps to investigate what happened and to resolve the matter promptly and equitably. Therefore, Responsible Employees have an obligation to report the information as explained below, as well as assist the individual in seeking medical attention and emergency response where appropriate, in understanding available resources on and off campus (see Resource Information section), and in understanding their options in making a criminal complaint as well as a complaint through the University’s procedures set forth in this policy.

If the incident is an emergency or poses a serious and continuing threat, the responsible employee should first call 911 or campus police immediately. In all situations, a responsible employee must report to the Title IX Coordinator or the Deputy Title IX Coordinator for their campus. The responsible employee must report all relevant details of the alleged sexual misconduct that are known or reasonably known to them, or that have been shared with them, that the University will need to be aware of to determine what happened. This includes the names of the individual(s) affected and alleged perpetrator(s), any witnesses, and any other relevant facts, including the date, time and specific location of the alleged incident. A responsible employee should not discuss or share any information related to the incident, including the individual’s name, with anyone other than the Deputy and University Title IX Coordinators, and those directly involved in handling the University’s response, unless they received the individual’s prior consent or in the event of an emergency or existing threat to anyone’s health and safety.

Supervisors may request a responsible employee to notify them if the responsible employee has made a report about an incident of sexual misconduct, however the supervisor may not require the responsible employee to share any details about the incident. Supervisors may contact the Deputy Title IX Coordinator or the University Title IX Coordinator with any questions.

Responsible employees should make every effort to ensure that all individuals, including students, understand that the employee is legally obligated to make a report to the University Title IX Coordinator or a Deputy Title IX Coordinator in the event they are made aware of an incident of sexual misconduct.

In some instances, an individual who has experienced sexual misconduct may express a desire that the University not investigate the incident and/or not inform the individual accused. In those situations, the responsible employee must still report the information known to them, as required, but should also explain to the individual that the University will strongly consider the request, and will generally honor the request except in limited circumstances where the safety and well-being of the individual or the community outweighs the reasons for the request. (See Requests for No-University Action below.) In reporting the details of the incident to the Title IX Coordinator, the responsible employee should ensure they inform the Coordinator of the individual’s request. Responsible employees who are also Campus Security Authorities (CSA) under the Clery Act, will satisfy their CSA reporting obligation by reporting incidents of sexual misconduct to the Deputy Title IX Coordinator for their campus or the University Title IX Coordinator, who will ensure that the appropriate non-identifiable information is conveyed to IUPD for Clery purposes.

If an individual has not yet shared information with a Responsible Employee regarding an incident of sexual misconduct, and the individual wishes to maintain anonymity, the Responsible Employee may refer them to a Confidential Employee or off-campus resource (see Confidential Employees section). However, once a Responsible Employee has knowledge of an incident of sexual misconduct, they must report according to this policy.

Role of Law Enforcement

Any individual who has experienced sexual violence is encouraged to contact IUPD or local law enforcement.

IUPD responds to emergency situations on the IU campuses, and typically communicates and works with the University Title IX Coordinator and Deputy Title IX Coordinators to assist in investigations and incident response, as well as to track statistics for Clery Act reporting.
Individuals with a possible criminal case who have not made their initial compliant via the police will be provided with information about how to file a complaint with law enforcement. Individuals may also request assistance from campus authorities in notifying law enforcement. Individuals may decide not to notify law enforcement authorities, and proceed with a University investigation.

A University investigation under the procedures outlined in this policy may be initiated and/or proceed simultaneously with a criminal case. The University will cooperate with law enforcement, and if requested by law enforcement, defer its fact gathering for a brief period during the evidence gathering stage of a criminal investigation. However, the University will not consider its investigation on hold pending a criminal prosecution or investigation and will continue to communicate with individuals and address the need for any interim measures regarding safety and well-being, and resume its own fact gathering as soon as permitted.

The determination by law enforcement whether or not to prosecute a respondent or the outcome of a criminal proceeding does not determine whether a violation of University policy has occurred. Records of University proceedings may be subpoenaed for a criminal prosecution.

In some instances, based on a heightened threat, or potential threat to the safety of the individual(s) involved, or the larger University community, university officials may determine it is necessary to make a third party complaint to law enforcement, despite the individual’s decision not to do so. In such instances, the university will attempt to inform the individual prior to making a third party complaint.

Confidentiality and Privacy

Confidential Employees

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

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

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

Note, faculty, staff and other employees who are licensed mental health workers or are licensed medical workers, but who are not working in that capacity, such as faculty members in psychology, social work, nursing, etc., are not confidential employees under this policy. The University shall identify and publicize confidential employees. Any Confidential Employee who is not a licensed mental health counselor or pastoral counselor serving in those roles, must provide non-identifying aggregate information regarding any Clery crime known to them directly to IUPD.


Privacy

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

All individuals with knowledge of an alleged incident of sexual misconduct are expected to safeguard the privacy of those involved and should refrain from discussing the incident with anyone other than appropriate University officials and law enforcement.
Requests for No-University Action

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

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

Investigation

Upon receipt of a report of sexual misconduct, the University will respond promptly to investigate and provide interim measures where appropriate. Procedures after a report of sexual misconduct will follow the steps listed below depending on whether the respondent is a student or employee. Employees who are students may be subject to procedures for students or employees, or both, at the sole option of the University. Investigation of the alleged misconduct shall be conducted by the University Title IX Coordinator, a Deputy Title IX Coordinator, a student affairs official (if alleged student misconduct), or another appropriate designee. Information for the investigation may be provided by the parties, witnesses identified by any party, or the University. Information related to prior sexual history of the parties will be prohibited, except in very limited circumstances regarding prior sexual history between the parties where such information may be relevant to the issue of consent. However, consent will not be assumed based solely on evidence of any prior sexual history.

Prior or subsequent conduct of the respondent may be considered in determining pattern, knowledge, intent, or motive. For example, evidence of a pattern of prohibited conduct by the respondent, either before or after the incident on question, regardless of whether there has been a prior finding of a Policy violation, may be deemed relevant to the determination of responsibility for the prohibited conduct under investigation. The determination of the relevance of pattern evidence will be based on an assessment of whether the previous or subsequent conduct was substantially similar to the conduct under investigation or indicated a pattern of similar prohibited conduct.

All investigators shall have the appropriate required and ongoing training on conducting sexual misconduct investigations, issues related to sexual misconduct and applicable University policies and procedures.

If the person identified as having engaged in sexual misconduct is not a student or employee of the University, the University shall take all appropriate measures to determine information regarding the individual, what occurred, whether another entity needs to be contacted to join in or assume an investigation (e.g. another institution of higher education), and to provide assistance in notifying the proper law enforcement authorities. The University will also provide interim and remedial measures, to the extent possible, to protect the reporting individual and eliminate any hostile environment. If upon investigation, it is determined that an individual is responsible for sexual misconduct and has a continuing relationship with the University, the University shall consider appropriate sanctions to prevent further harm and eliminate the hostile environment.

The University reserves the right to investigate circumstances that may involve sexual misconduct in situations where no complaint, formal or informal, has been filed. In limited circumstances, the University reserves the right to reopen a case previously considered closed in the event of new information or other appropriate circumstances.
Interim and Remedial Measures

Upon receiving a report or notice of alleged sexual misconduct, the University will provide appropriate and necessary interim measures to the complainant. These protective and supportive measures may vary depending on the individual’s campus, the individual’s needs and the specific circumstances, and could include no contact orders; assistance in changing academic, living, transportation, and/or work situations; counseling services; victim advocacy services; and assistance in obtaining protective orders. Interim measures may also include suspension of the respondent pending completion of the investigation, depending on the nature of the allegations.

Upon a finding of responsibility for sexual misconduct following the university’s adjudication of the complaint, the university will take any additional and necessary remedial action with respect to the complainant and others members of the community, as well as the appropriate disciplinary action with respect to the person found responsible.

Certain support and protective measures and resources may also be available to an individual who has experienced sexual misconduct, regardless of whether they move forward with their complaint, depending on the individual’s campus, the individual’s needs and the specific circumstances.

Summary of Rights of the Complainant and Respondent in Sexual Misconduct Procedures

The rights of the parties to a sexual misconduct proceeding include:

- To be fully informed of University policies and procedures as well as the nature and extent of all alleged violations contained within the allegation.
- To be treated with respect by University officials.
- To have an advisor present during a University sexual misconduct proceeding, investigation meeting, or related meeting. The role of the advisor will be limited to being present only; they will not be allowed to speak during any University sexual misconduct proceeding, investigation meeting, or related meeting.
- Adequate, reliable, and impartial investigation and appropriate resolution of all reports of sexual misconduct.
- To be informed by the University of options to notify proper law enforcement authorities including on-campus and local police, and the option to be assisted by campus authorities in notifying proper law enforcement, if the individual chooses.
- To be notified of available counseling, mental health, academic, legal and other support services, both at the University and in the community.
- To have allegations investigated by individuals who are properly trained to investigate and resolve allegations of sexual misconduct.
- Equitable participation in the investigation and disciplinary process, including the opportunity to identify witnesses and other appropriate evidence.
- To the use of the preponderance of the evidence standard (more likely than not) in determining responsibility.
- The right to appeal as set forth in these procedures.

Procedures for Responding to Incidents Involving Allegations of Student Sexual Misconduct

The University will promptly respond to all reports of sexual misconduct alleged against a University student following the procedures outlined in this policy. Allegations of sexual misconduct by students will be addressed by the Sexual Misconduct Policy and the Code of Student Rights, Responsibilities and Conduct (“Student Code”). Students may be charged according to specific code violations under the Student Code, which will reference the Sexual Misconduct Policy.

Any individual reporting they have been a victim of sexual violence will be informed of how to, and provided assistance in, making a criminal complaint with the appropriate law enforcement agency. The pursuit of criminal charges may be in addition to (or instead of) pursuing cases through the University process. Individuals who identify as victims/survivors and all members of the Indiana University community are also encouraged to visit the Stop Sexual Violence website at [http://stopsexualviolence.iu.edu](http://stopsexualviolence.iu.edu) for more information on reporting, campus resources and services.
available on their campus.
Throughout the process, the parties will have equal opportunities to present information, have advisors present, and pursue an appeal, if applicable. The University will have as a priority the interests of all parties involved, in regard to fairness, dignity, privacy, and due process.

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

1. Investigation: Upon receipt of a report of sexual misconduct by a victim/survivor (hereinafter referred to as "complainant") or third party, and following an initial assessment to determine whether it falls within the scope of the Sexual Misconduct Policy and rises to the level of an allegation of sexual misconduct, the University will take immediate and appropriate steps to investigate the incident. If the complainant requests confidentiality or asks that the complaint not be pursued, the University will take all reasonable steps to investigate and respond to the incident consistent with those requests, keeping in mind that the University must weigh such requests against its obligation to provide a safe, non-discriminatory environment for all students, including the complainant.

a. If sexual misconduct proceedings are initiated, the Investigator(s) will notify the complainant and the student alleged to have engaged in sexual misconduct (hereinafter referred to as "respondent"). The respondent will be provided a date by which an appointment must be made to discuss the matter. The respondent shall be informed of the allegations made against them and shall be provided the opportunity to respond. The respondent is expected to participate in the investigation and all related procedures, including the Sexual Misconduct Hearing.

b. The investigation may include, but is not limited to, interviews with the complainant, the respondent, and other witnesses identified as having information relevant to the allegations made, as well as the examination of written statements by the parties, relevant documents, and other relevant information. Information for the investigation may be provided by complainants, respondents, witnesses identified by any party, or the University. Any person believed to have information relevant to an investigation may be contacted and requested to make an appointment to discuss the matter. The University shall determine what information and evidence will be included in the Investigation File.

c. Failure to comply with a request to make and/or keep an appointment related to an investigation may result in a disciplinary hold being placed on a student’s account and/or the initiation of student conduct charges for failure to comply.

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

e. Following their investigation, the Investigator will provide their Preliminary Investigation Report to the parties. At that time, the parties will be provided access to the Investigation File. The parties will be provided 10 calendar days to review the Preliminary Investigation Report and the Investigation File and provide any clarifying information to the Investigator. This period of 10 days will be the final opportunity for parties to submit any additional information to the Investigator.

f. At the conclusion of the 10-day period, the Investigator will review the information submitted by either party and determine whether and to what extent to incorporate such information into a Final Investigation Report.

g. At that time, the Investigator will determine the appropriate charge(s), if any, under the Sexual Misconduct Policy and the Student Code to be placed on respondent, and include the charge(s) in their Final Investigation Report. If the Investigator places a charge(s), the Final Investigation Report will be submitted to the hearing panel for the determination of responsibility, and the parties will be provided the Final Investigation Report and notified of next steps of the sexual misconduct process. If the Investigator determines that there is insufficient evidence to support placing a charge, the parties will be provided the Final Investigation Report and notified that no charges will be placed and the case has been closed.

2. Acceptance of Responsibility:

a. In cases where the respondent expresses a willingness to accept responsibility for any or all
charges in a case, the respondent will be offered the opportunity to waive the right to a formal hearing as to the specific charge(s) and all related procedural guarantees, and agree to receive a sanction from the designated student affairs conduct officer. In such situations, the parties will each be provided the opportunity to submit a written statement to the conduct officer for consideration in determining appropriate sanctions.

b. The conduct officer shall consider only the parties’ written statements regarding sanctions, the relevant facts from the investigation, and past conduct history of the respondent (if applicable). In such cases, the right to appeal will be limited to an appeal on the grounds that the sanction is grossly disproportionate to the violation(s) committed, in light of all relevant aggravating and mitigating factors, and in consideration of applicable university guidelines.

3. Alternative Resolution Options:
   a. In appropriate cases, the University may pursue alternative resolution with the consent of all parties at any point in the investigation process. Alternative resolution options may include, but are not limited to, mediation, development action plans, voluntary resolutions, and/or appropriate sanctions.
   b. Under any alternative resolution, the complainant will not be required to resolve the problem directly with the respondent, unless desired by the complainant. All parties must be notified of the right to end the alternative resolution process at any time, and begin the formal process. Mediation may not be used in cases involving any sexual violence. The Investigator shall document the outcome of any alternative resolution and share with the parties.

4. Sexual Misconduct Hearing:
   a. A hearing panel will be assembled for the sexual misconduct hearing to make a determination of respondent’s responsibility as to the specific charge(s) set forth in the Final Investigation Report.
   b. The hearing panel will be composed of three staff or faculty members of the University. Hearing panel members will be drawn from the pool of staff and faculty members who have completed the University’s required annual training on issues related to sexual misconduct and University policies and procedures. At a minimum, at least one panel member shall be a student affairs administrator.
   c. The sexual misconduct hearing is closed. However, the complainant and respondent may each select one advisor of their choice and at their expense to accompany them at any point in the disciplinary process. Advisors are limited to an advisory role and may not participate or speak for the parties.
   d. Upon review of the Final Investigation Report, the hearing panel will determine witnesses who may be called, if any, to participate in the hearing.
   e. Procedures for a Sexual Misconduct Hearing
      i. The Chair of the hearing panel shall review the charge(s) placed against the respondent and the specific facts alleged. The respondent may, but need not, respond to allegations.
      ii. Both the complainant and the respondent will have equal opportunity to provide a statement to the hearing panel.
      iii. No one other than the hearing panel members, the complainant, and the respondent may pose questions during the hearing. The complainant and respondent may not directly question each other, but may submit questions to the Chair, to be asked of the other party. The Chair or other panel members will review questions prior to posing to the other party to prevent questioning that is not permitted under these proceedings.
      iv. The sexual misconduct hearing is recorded. Deliberations by the panel, following the hearing, are not recorded.
      v. If the respondent fails to appear at the sexual misconduct hearing, the hearing may proceed without their participation. The respondent may explain the failure to appear in writing to the University within two business days of the scheduled hearing. Written documentation supporting the cause of absence must be included. Within three business days after receiving the respondent’s letter, the University will notify the respondent and the complainant whether the failure to appear was excused, and if so the hearing may be rescheduled. The failure to appear will only be excused due to extraordinary
circumstances.

vi. If the respondent failed to appear and such failure was not excused, the respondent's right to appeal the finding and any sanction(s) imposed will be automatically forfeited, and the outcome reached in absentia will go into effect. The respondent shall not lose their right to appeal in the event the hearing panel's finding includes a sanction of expulsion from University housing, suspension from the University, or expulsion from the University.

f. Decision & Sanctions

i. At the conclusion of a hearing, the panel shall deliberate without the parties present to determine responsibility for the specific charge(s) based on the evidence, and sanctions if applicable.

ii. If, after deliberations, the hearing panel determines that the information contained in the Final Investigative Report and gathered during the hearing, does not support by a preponderance of the evidence (more likely than not) that the respondent is responsible for a violation of the Sexual Misconduct Policy and the Student Code, the hearing panel will notify both the respondent and the complainant by means of a written notice. The complainant and/or respondent may request an appeal (see section 5a.).

iii. If, after deliberations, the hearing panel determines that the information contained in the Final Investigative Report and gathered during the hearing, does support by a preponderance of the evidence (more likely than not) that the respondent is responsible for a violation of the Sexual Misconduct Policy and the Student Code, the hearing panel will notify both the respondent and the complainant and will assign appropriate sanctions by means of a written notice. The respondent and/or the complainant may request an appeal (see section 5a.).

iv. Possible sanctions for cases in which students are found in violation of Sexual Misconduct Policy and the Student Code for acts of sexual misconduct include, but are not limited to formal warnings, behavioral assessment and/or counseling, required educational training, disciplinary probation, suspension, and/or permanent expulsion.

5. Appeal: The respondent or the complainant may appeal the decision of the sexual misconduct hearing panel to the Senior Student Affairs Administrator on the respective campus, or their designee. To initiate an appeal, respondent/complainant must send written notice of appeal to the designated official. The written notice must include the basis for seeking the appeal and include information to support such basis (See Section 5b.)

a. Timing: The notice of appeal must be filed no later than five calendar days after the date the written decision of the sexual misconduct hearing panel is sent. If an appeal is submitted by either party, the underlying decision and any corresponding sanction will be held in abeyance until final notice of the appeal outcome. During this time, any interim measures in place will remain in effect (e.g., no contact order, no trespass). If no written request for an appeal is received by the University within the time specified, the decision of the hearing panel and any sanction(s) imposed will be final and in effect.

b. Basis for Appeal: The Senior Student Affairs Administrator will have the sole discretion in determining whether the basis for appeal has been met and whether the appeal can move forward. An appeal must be based on one of the following criteria:

i. Significant procedural error that reasonably would have affected the outcome of the student's case.

ii. The sanction imposed is grossly disproportionate to the violation(s) committed, in light of all relevant aggravating and mitigating factors, and in consideration of applicable University guidelines.

c. Decision and Sanction: If the basis for appeal has been met, the Senior Student Affairs Administrator will review the written appeal and the pertinent part of the sexual misconduct hearing panel record only. The Senior Student Affairs Administrator will not consider new evidence or information that is not a part of that record. The Senior Student Affairs Administrator must render a decision within 10 calendar days of receipt of the appeal and may take any of the following actions:
i. Affirm the original decision regarding responsibility.

ii. Affirm the original decision concerning the disciplinary sanction/s to be imposed.

iii. Set aside the original decision regarding responsibility and impose a new decision.

iv. Set aside the original decision regarding responsibility and order that a new sexual misconduct hearing be held before a new hearing panel.

v. Set aside the original decision concerning the disciplinary sanction/s to be imposed and impose a different sanction or set of sanctions.

d. The Senior Student Affairs Administrator will notify the respondent and the complainant, in writing, of their decision and will initiate the necessary procedures to effectuate the decision.

e. The decision of the Senior Student Affairs Administrator or their designee is final and there will be no further appeals.

6. Notice: The complainant and the respondent will be provided written notice of the outcome of the sexual misconduct hearing, the appeals process, and the appeal decision, if applicable. Written notice may be provided electronically through Indiana University email accounts.

7. **NOTE:**
   - Just as students with disabilities may be eligible for accommodations in their classes, accommodations may be available for these procedures as well. Students with disabilities requesting accommodations and services under these procedures will need to present a current accommodation verification letter from their campus disability services office before accommodations can be considered and provided.
   - In appropriate circumstances, the University may utilize language translation services to assist in the investigation and/or hearing proceedings.
   - In the event there is a civil protective order in place that precludes the university from conducting a hearing as outlined in the student procedures, the university may use an alternative process that will be communicated to both parties.

**Procedures for Responding to Incidents Involving Allegations of Faculty or Staff Sexual Misconduct**

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

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

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

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

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

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

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

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

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

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

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

**Complaint**

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

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

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

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

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

**Investigation**

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

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

Report of Investigation

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

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

Finding and Decision

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

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

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

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

Sanctions

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

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

2. Level Two Sanctions include sanctions that directly modify job duties, salary or job status, including withholding compensation, consideration in tenure or promotion decisions, suspension and termination.

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

Appeals to Appellate Officer

Following a finding of “No Violation” any party may request an appeal directly to the Appellate Officer on the basis of:
1. Significant procedural error that reasonably would have affected the outcome.
2. Significant bias in the process.

Following a finding of “Violation” and Level One Sanction: any party may request an appeal directly to the Appellate Officer on the basis of:
1. Significant procedural error that reasonably would have affected the outcome.
2. Significant bias in the process.

Following a finding of “Violation” and Level Two Sanction: any party may request an appeal directly to the Appellate Officer on the basis of:
1. Significant procedural error that reasonably would have affected the outcome.
2. Significant bias in the process.
3. The finding of responsibility is in error.
4. The appropriateness of the sanctions.

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

The Appellate Officer shall make a final determination within 10 calendar days of the receipt of any appeal, indicating one of the following:
1. Affirming the DO’s original finding(s).
2. Setting aside the DO’s original finding(s) and imposing a new finding and/or sanctions.
3. Setting aside the DO’s original finding(s) and ordering a new investigation (this option will generally be reserved for cases where significant procedural error has been identified to have affected the outcome).

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

Request for Review to Faculty Board of Review

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

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

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

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

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

Further information and definitions of key terms can be found in the University Sexual
Misconduct Policy.

Definitions

For purposes of addressing complaints of sexual misconduct against or by University students and
employees, the following uniform definitions shall be used by the University:

Advisor - means any person, who may assist, support, guide and advise the respondent or
complainant during the investigation, conduct proceedings, and/or related meetings. Advisors are not
permitted to actively participate or speak during the investigation, proceedings and related meetings. In
certain circumstances where a party may be unable to speak on their own behalf, an advisor may
present a statement prepared by the party.

Bodily injury - shall mean physical pain, illness, or any impairment of physical condition.

Campus security authority (CSA) - a term used in the Clery Act to describe someone who has
significant responsibility for student and campus activities. The Clery Act (34 CFR 668.46) defines a
CSA as:
• A campus police department or a campus security department of an institution.
• Any individual or individuals who have responsibility for campus security but who do not
constitute a campus police department or a campus security department such as an individual
who is responsible for monitoring entrance into institutional property.
• Any individual or organization specified in an institution’s statement of campus security policy
as an individual or organization to which students and employees should report criminal
offenses.
• An official of an institution who has significant responsibility for student and campus activities,
including, but not limited to, student housing, student discipline, and campus judicial
proceedings.
Pastoral and professional counselors are not considered a campus security authority when acting in
their roles as a pastoral or professional counselor.

Clery Act – refers to The Jeanne Clery Disclosure of Campus Security Policy and Campus
Crime Statistics Act, (20 U.S.C. section 1092(f)), a federal law that requires institutions such as IU to
collect and publish statistics for certain crimes reported to have occurred on IU’s “Clergy Geography”
(i.e., occurring on campus, on public property within or immediately adjacent to campus, and on other
noncampus IU property), for the purpose of informing current and prospective students and
employees. Each IU campus publishes an Annual Security Report under the Clery Act, which contains
these crime statistics as well as campus specific information on resources, campus emergency

Report date 10/02/2017
responses, safety and security policies, and disciplinary procedures. These crime statistics include, but
are not limited to, domestic violence, dating violence, sexual assault, and stalking. Clery also requires
“timely warnings” be issued to the campus community for crimes occurring on Clery Geography that are
considered a serious or continuing threat to students or employees. Under Clery, any good-faith report
of a crime occurring on Clery Geography must be included in the statistical data.

Complainant - refers to an individual who reports experiencing sexual misconduct committed by
a member of the University community, and is named in a complaint of sexual misconduct under this
policy and procedures. The University may serve as the Complainant when the alleged victim does not
wish to participate and the University has determined it is necessary to move forward under the
applicable procedures.

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

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

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

Consent - (see above)

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

Domestic violence - violence or the threat of violence by a person against another person who:
(1) is or was a spouse of;
(2) is or was living as if a spouse of;
(3) has a child in common with;
(4) is a minor subject to the control of; or
(5) is an incapacitated individual under the guardianship or otherwise subject to the control of the
other person regardless of whether the act or threat has been reported to a law enforcement agency or
results in a criminal prosecution.

Employee - this term shall be synonymous with and include all employees working for Indiana
University – academic employees, including faculty, and staff, including full-time, part-time, and
temporary (hourly) employees at any University campus or working on behalf of the University.

Finding of Responsibility - means that it is more likely than not that the Respondent has
committed one or more acts of sexual misconduct. A preponderance of the evidence standard must be
used when determining responsibility for sexual misconduct.

Force or threat of force - (a) the use of physical force which overcomes the person’s resistance or
(b) the threat of physical force, express or implied, against the person or a third party that places the
person in fear of death or in fear of serious personal injury to the person or a third party where the
person reasonably believes that the actor has the present or future ability to execute the threat.
**Hostile environment** - when conduct is sufficiently severe, pervasive or persistent to limit or deny a person’s ability to participate in or benefit from the University’s educational programs or affects employment.

**Indiana University Property** – buildings, grounds, and land that are owned by Indiana University or controlled by Indiana University via leases or other formal contractual arrangements to house ongoing IU operations.

**Interim and Remedial Measures** - procedures for incidents involving students and employees will include providing appropriate and necessary interim measures pending the result of an investigation and remedial measures that will be long-term and continuous. Interim and remedial measures may vary depending on the individual’s campus, the individual’s needs and the specific circumstances. These measures could include no contact orders, assistance in changing academic, living, transportation, and/or work situations; counseling services; victim advocacy services; and assistance in obtaining protective orders. Interim measures may also include suspension of the respondent pending completion of the investigation.

**Investigator** - a University official authorized to investigate reports of sexual misconduct under the procedures outlined in this policy.

**Notice** - To the extent possible, the parties shall be provided simultaneous written notice of the outcome of the sexual misconduct proceeding, the appeals process, and the appeal decision, if applicable. Written notice may be provided electronically through Indiana University email accounts.

**Member of the University community** - includes any individual who is a student, staff, faculty member, University official, or any other individual employed by, or acting on behalf of, the University. An individual’s status in a particular situation shall be determined by the Investigator or Title IX Coordinator.

**Rape** - penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim. (FBI definition.)

**Respondent** - is any member of the University community alleged to have engaged in sexual misconduct as defined in this policy.

**Responsible Employee** - Pursuant to Title IX, a “responsible employee” includes those University employees who have the authority to redress sexual misconduct, who have the duty to report incidents of sexual misconduct, or who a student could reasonably believe has this authority or duty. The University’s responsible employees include, but are not limited to:

- All instructors, including full-time professors, adjuncts, lecturers, associate instructors (AIs), teaching assistants (TAs), and any others who offer classroom instruction or office hours to students;
- All advisors;
- All coaches, and other athletic staff that interact directly with students;
- All student affairs administrators;
- All residential hall staff;
- All employees who work in offices that interface with students; and
- All supervisors and University officials.

**Retaliation** - Protections against retaliation are critical to reducing the prevalence of sexual misconduct within the University community. Retaliation against anyone who has reported an incident of sexual misconduct, provided information, or participated in procedures or an investigation into a report of sexual misconduct, is prohibited by the University and will not be tolerated. Acts of retaliation include intimidation, threats, and/or harassment, whether physical or communicated verbally or via
written communication (including the use of e-mail, texts and social media), as well as adverse changes in work or academic environments or other adverse actions or threats. The University will take steps to prevent retaliation, and will impose sanctions on anyone or any group who is found to have engaged in retaliation in violation of this policy. Concerns about potential retaliation in connection with a report of sexual misconduct should be reported to a Deputy Title IX Coordinator or the University Title IX Coordinator.

**Sexual assault** - (see above)

**Sexual exploitation** - manner that extends the bounds of consensual sexual activity with or without the knowledge of the other individual for any purpose, including sexual gratification, financial gain, personal benefit, or any other non-legitimate purpose. Examples of sexual exploitation include but are not limited to:

- Non-consensual streaming, audio- or video-recording, photographing, or transmitting intimate or sexual utterances, sounds, or images without consent of all parties involved;
- Allowing others to view sexual acts (whether in person or via a video camera or other recording device) without the consent of all parties involved;
- Engaging in any form of voyeurism (e.g., “peeping”);
- Prostituting another individual;
- Compelling another individual to touch his or her own or another person’s (third party) intimate parts without consent;
- Knowingly exposing another individual to a sexually transmitted disease or virus without that individual’s knowledge; and
- Inducing incapacitation for the purpose of making another person vulnerable to non-consensual sexual activity.

**Sexual harassment** - (see above)

**Sexual misconduct** - includes sexual harassment, sexual assault, other forms of sexual violence, dating violence, domestic violence, sexual exploitation and stalking. For purposes of this policy, sex or gender based discrimination is considered sexual misconduct.

**Sexual penetration** - means sexual intercourse in its ordinary meaning, cunnilingus, fellatio, anal intercourse or any intrusion, however slight, of any part of the actor’s or person’s body or any object manipulated by the actor into the genital or anal openings of the person’s body.

**Sexual violence** - refers to physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent due to use of drugs or alcohol, or due to an intellectual or other disability. Sexual violence includes rape and sexual assault.

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

**Student** - as defined by the [Code of Student Rights, Responsibilities, and Conduct](http://studentcode.iu.edu/ appendices/definitions.html)

**Student Affairs Officer** - individuals authorized by the University and the campus chancellor or provost to be responsible for the administration of the Student Code of Rights and Responsibilities on a campus, and in certain circumstances includes his or her designee.

**Title VII** - refers to Title VII of the Civil Rights Act of 1964 (42 U.S.C. section 2000e), which prohibits employment discrimination based on race, color, religion, sex and national origin.
**Title IX** - refers to the portion of the federal Education Amendments of 1972 (20 U.S.C. section 1681-1688), which provides in part that “no person in the United States shall, on the basis of gender, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving federal financial assistance”.

**Title IX Coordinator** - the individual designated by the University to coordinate University’s compliance with Title IX and respond to allegations of sexual misconduct by members of the University community. In some circumstances this can include his or her designee.

**University** - means Indiana University.

**Sanctions**

Violations of this policy by an individual will be dealt with in accordance with applicable University policies and procedures, referenced above, which may include disciplinary actions up to and including termination from the university. See the procedures outlined above for possible sanctions that may be imposed to address violations of this policy. When determining appropriate sanctions, the University may consider prior findings of misconduct. Violations of law will be addressed by law enforcement and may result in criminal penalties.

**Appendix C – Sexual Misconduct: Rights, Options, and Resource Guide**
INDIANA UNIVERSITY- PURDUE UNIVERSITY
INDIANAPOLIS

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

Form Date: 09/19/17

WHAT IS SEXUAL MISCONDUCT?

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

UNIVERSITY DISCIPLINARY PROCESS

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

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

The University procedures used are determined by the status of the accused. Procedures for complaints against a student, as well as procedures for complaints against University faculty or staff, can be found in the University’s Sexual Misconduct Policy, and online at StopSexualViolence.iu.edu.

Individuals found responsible by a preponderance of evidence through the University’s disciplinary process for engaging in sexual misconduct will be sanctioned. Sanctions for sexual misconduct violations may include, but are not limited to, separation from the university, including suspension, expulsion, and more serious and more permanent sanctions could include separating the parties, placing limitations on contact between the parties, or making alternative living arrangements.

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

RETRIAL

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

PROTECTIVE MEASURES

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

ABOUT CONSENT

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

UNIVERSITY DEFINITION OF CONSENT:

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

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

INCAPACITATED

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

CONFIDENTIALITY & PRIVACY

Information Confidentiality

The University is committed to protecting your privacy by sharing information only with those who need to know. Your information may need to be shared with those involved in investigating the incident, those responsible for providing necessary services and resources, and those responsible for ensuring the public’s safety. You should discuss your desires regarding confidentiality with any University employee with whom you speak, to ensure you understand their reporting obligations and what information they may be required to share. As a note, the University completes publicly available recordkeeping, including Clery Act reporting, without including personally identifying information.

RESPONSIBLE EMPLOYEES

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

CONFIDENTIAL EMPLOYEES

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

INDIANA STATE RIGHTS FOR VICTIMS OF DOMESTIC AND FAMILY VIOLENCE

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

1. You have the right to:
   (a) treated with fairness, dignity and respect; and
   (b) free from intimidation, harassment and abuse;

2. You have the right to be informed, upon request, when a person who is:
   (a) accused of committing; or
   (b) convicted of committing; a crime perpetrated directly against you is released from custody or has escaped.

3. You have the right to confer with a representative of the prosecuting attorney’s office:
   (a) after a crime allegedly committed has been charged;
   (b) before the trial of a crime allegedly committed; and
   (c) before any disposition of a criminal case.

This right does not include the authority to direct the prosecution of a criminal case.

4. You have the right to have your safety considered when decisions are made concerning pre-trial release from custody of a person accused of committing a crime against you.

5. You have the right to be heard at any proceeding involving sentencing, a post-conviction release decision, or a pre-conviction release decision under a forensic diversion program.

6. If the accused criminal is convicted, you have the right to make a written or oral statement to be used in a pre-sentence report.
   (a) You have a right to read a Victim’s Pre-sentence Report
   (b) You have a right to respond to the material included in the pre-sentence report.

7. You have a right to pursue restitution and other civil remedies against the perpetrator.

8. You have a right to information, upon request, about the disposition of a case, the conviction or sentence on a case, and release of a perpetrator from custody.

9. You have a right to be informed of your constitutional and statutory rights.

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

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

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

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

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

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

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

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

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

The Notre Dame Security Police Department (NDSP) is committed to providing a safe, well-ordered environment where the spirit of Notre Dame can thrive among our students, faculty, staff and guests. Our team of dedicated professionals works around the clock to prevent crime, accidents and other sources of harm from impacting the Notre Dame community and to respond efficiently, effectively and compassionately when issues arise. The department proactively engages partners on and off campus to achieve this mission and asks that every member of the Notre Dame community take responsibility for their own safety and the safety of those around them. NDSP staff strive to exemplify the department values of respect, integrity, service and excellence in everything they do.

This Annual Security and Fire Safety Report provides information about campus safety and security policies, procedures, systems and resources as well as statistical information about reports of crime and other incidents (including fires) that occur on campus and at certain remote locations. It is published in accordance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act and the Higher Education Opportunity Act.

Please familiarize yourself with the resources and other helpful information contained in this Report so you can actively assist us in maintaining a safe and secure environment for the Notre Dame community. Remember that you are an important part of the safety and success of Our Lady’s University, and NDSP is proud to partner with you to ensure that the Notre Dame community can be “one of the most powerful means for doing good in this country.”

Sincerely,

Keri Kei Shibata
Chief
Notre Dame Security Police Department
OFFICE OF CAMPUS SAFETY LEADERSHIP TEAM

Michael D. Seamon
Vice President
Campus Safety & Event Management

Phil Johnson
Sr. Director
Campus Safety & Emergency Management

Keri Kei Shibata
Chief
Notre Dame Security Police

Eric Kloss
Director
Risk Management & Safety

Bruce Harrison
Chief
Notre Dame Fire Department
OFFICE OF CAMPUS SAFETY

Mission

Promote a safe and secure environment for our students, faculty, staff & guests that allows all to experience a robust campus life.

Risk Management & Safety Services

- Managing & coordinating the University’s efforts to address risks through:
  - Risk Management & Insurance Programs
  - Health & Safety Programs
  - Environmental Compliance Programs
  - Business Continuity
- Claims management
  - Worker’s Compensation
  - Auto/Vehicle Damage
  - Property Loss or Damage
- Responding to health, safety & environmental concerns
- Inspections & Training
- Ergonomic Assessments
- Administer Protection of Children Policy:
  - Support the safety of children on campus for programs / activities.
  - Offer resources and training
  - protectionofchildren.nd.edu

Departments

The University of Notre Dame’s Office of Campus Safety is comprised of:

- Notre Dame Security Police Department (NDSP)
- Notre Dame Fire Department (NDFD)
- Risk Management & Safety Department (RMS)
- University’s Emergency Preparedness and Business Continuity programs.
Notre Dame Fire Department (NDFD) Services

NDFD is responsible for minimizing the possibility of fires and promoting fire safety by:

- Educating residence hall staff, student groups & employees on fire prevention, fire extinguisher use and fire code compliance
- Participating in public education activities with students, staff and local school children
- Conducting annual fire code and OSHA safety inspections of campus structures
- Performing design reviews for building and remodeling projects

Notre Dame Security Police (NDSP) Services

- Police & Campus Safety Officers 24/7
- Safety Escorts (SafeBouND)
- Website-Safety & Security Info
- Campus Crime Blotter & Alerts
- Crime Maps & Stats
- Bike Registration
- Property Registration
- Crime Prevention Presentations
- Parking Services
- Lost & Found
- Women’s Self-Defense Classes (Rape Aggression Defense)

Contacting NDSP for Emergencies

Landline - 911
Cell Phone - (574) 631-5555

- Fire
- Medical
- Weapons
- Suspicious Activity
- Hazardous Conditions

Contacting NDSP for Non-Emergencies

Landline & Cell Phone - (574) 631-5555

- Locked out of car or office
- Report a theft
- Jump start vehicle
- If you’re just not sure who to call

Emergency Information at Notre Dame

The University’s Mass Notification System (ND Alert) informs the Notre Dame community about an emergency through email, telephone, cell phone and text messaging if you have provided your contact information.

Provide your contact information through the My Resources Tab on “insideND”.

During a major emergency, information can be found here or by calling (866) 668-6631.

CONTACT INFORMATION

Campus Safety

NDSP - (574) 631-5555
NDFD - (574) 631-6200
Risk Management & Safety - (574) 631-5037
The University of Notre Dame Security Police Department (NDSP) is fully authorized as a police agency by the State of Indiana. The University employs both sworn police officers (with arrest authority) and non-sworn campus safety officers who patrol campus and respond to emergencies. Additional staff members work as security monitors or in other support positions in the department. Notre Dame police officers complete state mandated training requirements established for law enforcement officers and have the same legal authority as any other police officers in Indiana.

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

Officers maintain a 24-hour patrol of campus every day. In addition to the patrol section, officers are assigned to an investigation unit, a crime prevention and technical service unit, and a parking services and special event security unit.
Most of us are aware of recent acts of violence, including incidents on campuses, in schools, in houses of worship and in public venues. Experts point out that in virtually all cases of violence, someone (sometimes many people) in hindsight had concerns about the perpetrator, may have known of the planned violence and yet did not report the concerns to authorities before the attack.

If you know about concerning behaviors or threatening behaviors (including statements) please share the information with us so we can evaluate the concern or threat and take steps to promote community safety. Simply put:

If you see something, say something.

The information you provide will be evaluated by trained professionals, kept private to the extent possible, and appropriate action will be taken to promote safety of the community and support the individuals involved.

Our focus in all instances is on helping individuals and in keeping the community safe. If you are unsure whether a situation should be reported, you should err on the side of caution and talk to one of our reporting resources about your concerns.

If you are aware of an individual exhibiting concerning or threatening behaviors or statements, please promptly notify one of the following resources:

**Notre Dame Security Police**
(574) 631-5555 - available 24 hours every day
Via Email: reportthreats@nd.edu

**Students**
Office of Student Affairs - (574) 631-5500
Online Reporting - Speakup.nd.edu

**Faculty/Staff**
Human Resources - (574) 631-5900

**Anonymous Safety**
Integrity Line - (800) 688-9918
compliance-helpline.com/NotreDame
Speakup.nd.edu (for students)

Note that if you are making an anonymous report, please provide as much information as possible so that, where necessary, actions can be taken to address your concerns. If you wish to make an anonymous report due to concerns about your safety, please know that University safety officials are committed to working with you to support your safety and that we do so most effectively when working in direct collaboration with you.
CRIME REPORTING

Reporting an Incident

Any crime, emergency or suspicious situation on campus, including situations that may involve an immediate threat to the health or safety of members of the community, should be reported immediately to the Notre Dame Security Police Department (NDSP). On campus incidents of sexual assault, sexual misconduct, dating violence, domestic violence, and stalking may also be reported to the St. Joseph County Police Department (574-235-9611). This includes situations where the victim of a crime elects to report a crime, as well as when a victim is unable to make such a report. Anyone may call at any time.

Individuals are encouraged to accurately and promptly report crimes to NDSP for various security and safety reasons, including for the purpose of notifying and protecting the community when needed, and providing accurate annual crime statistics to the public.

A number of blue light emergency call stations are positioned around the campus for use in contacting NDSP, and telephones are located at the main entrances of most residence halls. For any emergency, dial 9-1-1 to summon assistance. When calling from a cell phone, NDSP recommends dialing (574) 631-5555 for emergency and non-emergency situations and to request services on campus. Both of these numbers are answered 24 hours a day.

Except for confidential communications made to pastoral or professional counselors or health care professionals, the University expects all employees to report to NDSP any crime reported to the employee that occurred at the University. This is necessary not only to protect the Notre Dame community, but also to enable the University to comply with its legal obligation to disclose and report campus crimes.

Response to Reported Sexual Assault, Dating Violence, Domestic Violence and Stalking

The section entitled “Sexual Assault, Dating Violence, Domestic Violence and Stalking” provides an overview of the University’s procedures for reporting instances of sexual assault, dating violence, domestic violence and stalking, and of the confidential resources available to students and employees.

For more detailed information concerning the reporting options and on-and off-campus resources available to those who wish to report incidents of sexual assault, dating violence, domestic violence and stalking, see the Reporting and Response Procedure set forth in du Lac: A Guide to Student Life (“Reporting and Response Procedure for Student Violations”), which is attached as Appendix 3 and also located here, for reporting violations by students; and see the Reporting and Response Procedure for Violations of the University’s Policy on Sexual and Discriminatory Harassment by Faculty and Staff (“Reporting and Response Procedure for Faculty/Staff Violations”), which is attached to this Report as Appendix 2 and also located here, for reporting violations by faculty and staff.
Reporting Crimes Confidentially (i.e., without sharing victim’s name)

Members of the Notre Dame community are encouraged to refer crime victims to NDSP to report crimes. Alternatively, victims and/or witnesses who wish to report crimes may do so on a voluntary confidential basis – i.e., without sharing the victim’s name – for inclusion in the annual disclosure of crime statistics, as explained below.

Anyone may submit crime reports confidentially (i.e., without sharing the victim’s name) on forms available from NDSP. NDSP will then include the reported crimes in the annual disclosure of crime statistics.

The form for reporting sexual assaults confidentially for inclusion in such crime statistics is available here. The form for reporting other crimes confidentially for inclusion in such crime statistics is also available here. These forms are in .pdf format and can be downloaded and filled out.

Once completed, attach the form to an email to NDSP at https://ndsp@nd.edu; or send it by mail to: Notre Dame Security Police, 204 Hammes Mowbray Hall, Notre Dame, IN 46556; or dropped off to NDSP at Hammes Mowbray Hall.

Confidential reports that provide sufficient detailed information for classification of the offense by law enforcement officials using FBI Uniform Crime Report (UCR) guidelines will be included in Notre Dame’s annual disclosure of crime statistics.

In addition, confidential crime reports made to pastoral or professional counselors may be shared with NDSP officials with no personally identifying information disclosed for the purposes of including the information in Notre Dame’s annual disclosure of crime statistics.

Anonymous Reporting

Anonymous crime reports may be made through Michiana Crime Stoppers by calling (800)-342-STOP (7267) or online here. Anonymous reports that contain sufficiently detailed facts for classification of the offense by law enforcement officials using FBI UCR guidelines will be included in annual crime report disclosures.
RESPONSE TO REPORTED INCIDENTS

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

NDSP Officers may also arrest individuals based on a reported criminal incident.

Additional information obtained through the investigation of students will also be forwarded to the Office of Community Standards for review, as deemed necessary. For information about the specific response to reports of sexual assault, dating violence, domestic violence and stalking, see the Reporting and Response Procedure for Student Violations in Appendix 3 and here, and the Reporting and Response Procedure for Faculty/Staff Violations in Appendix 2 and here.
WARNINGS AND EMERGENCY NOTIFICATION

Crime Alerts (a/k/a Timely Warnings)

In the event a serious crime occurs on campus and poses a serious, ongoing threat to members of the Notre Dame community, a mass email Crime Alert will be sent to all students and employees on campus and posted on the Notre Dame Security Police website, and may be posted in the residence halls and various other buildings on campus. The determination of whether an on-campus crime poses a serious, ongoing threat is made primarily by NDSP, which may consult with other University officials where appropriate.

The alerts are generally written by the Chief of Security Police or a designee, and they are distributed to the community by listserv operated by the University’s Office of Public Affairs and Communications. Updates to the Notre Dame community about any particular case resulting in a Crime Alert may be distributed via email, may be posted on the Notre Dame Security Police website or may be shared with the Observer student newspaper for a follow-up story. Crime Alerts and any updates will be drafted and disseminated in a way that protects the confidentiality of complainants. Such alerts and updates shall not include identifying information about the complainant in any publicly-available recordkeeping to the extent permitted by law.

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

Immediate Threat (NDAlert)

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

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

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

The Vice President for Public Affairs and Communications (or designee), and NDSP Communications Officers will, without delay and taking into account the safety of the community, determine the content of the notification and initiate the notification system, unless issuing a notification will, in the judgment of the first responders (including, but not limited to NDSP and NDFD), compromise the efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency.

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

**Mass notification system:** Through this service, campus leaders can send simultaneous alerts to individuals in a matter of minutes through landline phones, cellular phones, Public Address over Internet Protocol (IPPA), text messaging, speakers on VOip telephones and e-mail. To fully participate in this system, students, faculty and staff need to provide the University with key contact information such as their cell phone numbers and e-mail addresses in addition to their Notre Dame e-mail. Students can provide emergency contact information during the semester enrollment process, and employees can update such information via “insideND” on the University’s intranet.

The Vice President for Public Affairs and Communications (or designee) and NDSP Communications Officers are trained to distribute messages via the mass notification system, and the system will be used in events where the University assesses a risk of serious bodily injury or death to Notre Dame constituents.

As noted, while all messages must typically be approved by the Vice President for Public Affairs and Communications (or designee), messages may be automatically distributed by the NDSP Communications Officer in certain campus emergencies. Specifically, in the event that the St. Joseph County tornado siren is activated, the NDSP on-duty supervisor would authorize an ND alert message to be distributed to the campus community. In other incidents that provide immediate danger to campus (e.g., active shooter, NDSP in pursuit of the suspect of a serious violent crime, HAZMAT situation, etc.), the NDSP officer in charge would approve an ND Alert message.

The University emergency website will serve as the primary source of follow-up information and instruction during times of campus emergencies. In times of no emergency, a statement will remain on the site indicating that the University is operating under normal business conditions. The Office of Public Affairs and Communications (OPAC), under the direction of the EOC, will update the website.

Emergency information is made available to the larger community, including parents of students and the people in South Bend and the surrounding areas, through the website [here](#).
ND community members are encouraged to notify NDSP immediately of any situation or incident on campus that involves a significant emergency or dangerous situation that may involve an immediate threat to the health and safety of students, employees or any others on campus. NDSP has the responsibility of responding to, and summoning the necessary resources, to mitigate, investigate, and document any situation that may cause a significant emergency or dangerous situation.

In addition, NDSP has a responsibility to respond to such incidents to determine if the situation does, in fact, pose a threat to the community. If so, federal law requires that the institution notify the campus community or the appropriate segments of the community that may be affected by the situation.

**Emergency Response**

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

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

The University has general evacuation guidelines, in the event that a segment of the campus needs to be evacuated. Most evacuations occur during activated fire alarms, which require all occupants to promptly evacuate the building. Other portions of the plan would be affected by a myriad of factors, including the type of threat, the occupancy of the other buildings and areas of the campus at the time of the incident, etc. Therefore, specific information about a multi-building or area evacuation cannot be shared with the campus community in advance.

ND expects members of the community to follow the instructions of first responders on the scene, as this type of evacuation would be coordinated on-site. For example, in some emergencies, you may be instructed to “shelter-in-place.” This option may be utilized if an incident occurs and the areas around you become unstable, or if the air outdoors becomes dangerous due to toxic or irritating substances. In these cases it may be safer to stay indoors, because leaving the area may expose you to that danger. Thus, to “shelter-in-place” means to make a shelter of the building you are in, and with a few adjustments this location can be made even safer and more comfortable until it is safe to go outside. If an incident occurs and the building you are in is not damaged, stay inside in an interior room until you are told it is safe to come out.

If your building is damaged, take your personal belongings (purse, wallet, access cards, etc.) and follow the evacuation procedures for your building (close your door, proceed to the nearest exit, and use the stairs instead of the elevators).

Other options include moving to another part of your building, or evacuating from your building to an outside area or a neighboring building, as directed. Please follow the directions of on-scene police or fire department personnel or the announcements made via the ND Alert system.

Additional information about the emergency response/evacuation procedures are available in du Lac and online (here). The University also publicizes a summary of its emergency response and evacuation procedures at least once each year in conjunction with an emergency test, such as an exercise or drill.
NOTIFICATION OF MISSING STUDENTS

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

After investigating the missing person report, should NDSP determine that the student is missing and has been missing for more than 24 hours, ND will notify St. Joseph County Police, and the student’s emergency contact, within 24 hours after the student is determined to be missing.

If a student has identified such an individual, ND will notify that individual (as well as St. Joseph Police Department and the student’s emergency contact) no later than 24 hours after the student is determined to be missing.

If a student has identified such an individual, ND will notify that individual (as well as St. Joseph Police Department and the student’s emergency contact) no later than 24 hours after the student is determined to be missing.

If the missing student is under the age of 18 and is not an emancipated individual, the University will also notify the student’s custodial parent or legal guardian within 24 hours after NDSP has determined that the student has been missing. NDSP may make notification sooner than 24 hours.
The Notre Dame Security Police department provides important services to the community, but nothing we do can replace your actions in maintaining security and safety on campus. The crime prevention and security awareness programs and information described below are designed to inform students and employees about campus security procedures and practices and to encourage students and employees to be responsible for their own security and the security of others.

Take time to learn about crime prevention and safety – for yourself and your fellow community members. Information and awareness are your best weapons against crime and accidents. Information in du Lac: A Guide to Student Life and a brochure, “How to be ‘Streetwise’ and Safe”, which is available from NDSP upon request, provide important strategies for promoting safety. Additional pamphlets and posters, addressing a wide variety of safety-related matters, are available from NDSP.

**Educational Programs**

Upon request by students, residence hall staff, faculty or other employees, NDSP staff will provide educational programs addressing related safety matters including self-defense, security awareness, campus security procedures and practices, crime prevention, safe driving, alcohol laws, bystander intervention, active shooter prevention and response or other safety topics. The frequency of programs facilitated in person varies from year to year and is based on requests for programs by the ND community.

Safety information outposts are staffed during orientation weekend. Staff receive basic safety information during employee orientation. Throughout the year, NDSP in cooperation with other university organizations presents crime prevention awareness sessions and campus security procedure sessions on average 10 times per month. These sessions cover a variety of topics. In addition, information is disseminated to students and employees through crime prevention and campus security procedure messages, posters, displays, on-line videos, articles and advertisements in university and student newspapers. For more information about the date and location of such programs, contact the NDSP crime prevention coordinator.

**ndsp.nd.edu**

The best source of information concerning campus crime reported to NDSP is the department website (here). The site contains Crime Alerts (a/k/a Timely Warnings), a log of crimes reported to NDSP, annual crime statistics and crime prevention information (as well as other information about NDSP services). Crime prevention information includes video presentations on a variety of topics such as protecting property and identity, sexual assault, everyday personal safety, stalking, and what to do in a classroom or crowd shooting.

A printed copy of the crime log is also available during normal business hours from NDSP in Room 252 Hammes Mowbray Hall. NDSP staff regularly provide information to The Observer for news stories. In the event of a serious crime or incident on campus that may pose a serious, continuing threat, Crime Alerts are sent to the university community via e-mail and posted on the NDSP website. Everyone is encouraged to review such information and to share the information with others who may not have seen it so steps can be taken to minimize exposure to risks.
The compilation of information and statistics disclosed in accordance with the Clery Act is the responsibility of the Chief of the Notre Dame Security Police.

The Notre Dame Security Police department will gather data from its own records, as well as those maintained by other University departments and offices, and from local, county and state police agencies. A written request for crime statistical information is made on an annual basis to all employees. Crime reports are classified following FBI Uniform Crime Report guidelines. NDSP records all reports of criminal activity made to the department.

The tables on the following pages provide information about serious crimes and attempted crimes that were reported as well as arrests and referrals for violations of liquor laws, for drug offenses and for weapons offenses.

Notes for Crime Statistics

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


2014, 2015 and 2016 Hate Crimes Statistics

There were no crimes of prejudice reported to NDSP or to other campus security authorities in 2014, 2015 or 2016 for the categories of crimes listed in the charts on the following pages, or for any crime involving bodily injury that manifested evidence that the victim was intentionally selected because of the victim’s actual or perceived race, gender, religion, national origin, sexual orientation, gender identity, ethnicity, or disability.

2014, 2015 and 2016 Unfounded Crimes

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

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

In 2016, no crimes were formally determined by sworn law enforcement personnel to be baseless; therefore, no crimes were “unfounded” in 2016.
### MAIN CAMPUS (NOTRE DAME, INDIANA)
Statistics for Referrals, Arrests, and Reported Crimes

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<th>Criminal Offenses</th>
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<th></th>
<th></th>
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<td>Non Campus</td>
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<td>Total</td>
<td>Resid.</td>
<td>Campus</td>
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<td>Public</td>
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<td>Resid.</td>
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<td>Non Campus</td>
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## London, England Global Gateway

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(UNDERC West is identified as Non-Campus Property)  

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Campus Lighting and Physical Plant

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

SafeBouND (formerly known as O’SNAP)

When walking on campus after dark, students can use the SafeBound app (found at NDMobile) or call (574) 631-5555 for an escort from the men and women of Notre Dame SafeBouND. A SafeBouND employee will meet the student and escort that student from any point on campus. The service is free and confidential. SafeBouND is comprised of student employees; they will typically operate a golf cart, equipped with an amber light on top, or they will wear a SafeBouND vest. They are in radio contact with the NDSP Communication Center. SafeBouND will operate in the evening hours during the academic year. Golf carts will be used Sunday through Wednesday, and walking escorts will be offered Thursday through Saturday.

During evening hours when SafeBouND is not operating, campus safety officers and police officers provide this service and can be reached by calling (574) 631-5555.

Bus Service On Campus

The University of Notre Dame is party to an agreement with the South Bend Public Transportation Corp. (TRANSPO) that allows students, faculty and staff to ride fare-free on all TRANSPO routes in South Bend/Mishawaka. This includes the #7 and the Sweep routes that serves the Notre Dame and Saint Mary’s campuses.

TRANSPO schedule and route information is available here. Administrative shuttles run to various parking lots and buildings on and around campus. For detailed information and shuttle route maps please click here. The shuttles runs in the morning, at lunch and at the end of the business day. For more information, contact Business Operations at (574) 631-6661.
Security of and Access to Residence Halls and Other Campus Facilities

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

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

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

NDSP officers patrol the campus through vehicle, bicycle and foot patrols and conduct periodic checks of residence halls.
The University of Notre Dame strives to maintain a community characterized by a respect for others. At a minimum, this means a community that is free from sexual harassment and sexual violence. The acts of sexual assault, dating violence, domestic violence and stalking can be considered forms of sexual harassment. Accordingly, Notre Dame prohibits sexual harassment in all its forms, including, but not limited to, the acts of sexual assault, dating violence, domestic violence and stalking.

Additional information concerning the University’s prohibition of sexual assault, dating violence, domestic violence and stalking, can be found in the University’s Policy on Sexual and Discriminatory Harassment, which is attached to this Report as Appendix 1 and here.

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

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

1. Indiana State Law

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

a. Sexual assault

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

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

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

The crime of rape is a Level 3 felony.

b. Dating violence

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

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

The crime of battery is a Class B misdemeanor.
c. Domestic violence

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

(1) is or was a spouse of the other person;
(2) is or was living as if a spouse of the other person; or
(3) has a child in common with the other person;
in a rude, insolent, or angry manner that results in bodily injury to the person.

The crime of domestic battery is a Class A misdemeanor.

d. Stalking

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

e. Consent

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

2. Definitions under University Policy

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

a. Sexual assault

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

b. Dating violence

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

c. Domestic violence

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

d. Stalking

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

e. Consent

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

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

B. Ongoing Prevention And Awareness Campaigns

The University provides prevention and awareness campaigns for new and current students and employees to promote awareness and reduce the risk of sexual assault, dating violence, domestic violence and stalking. These programs are offered during orientation sessions for new students and employees to raise awareness of such crimes, and to help prevent them from occurring by addressing options for bystander intervention and information on risk reduction, including recognizing warning signs of abusive behavior and how to avoid potential attacks. Throughout the year, programming of this nature is directed to the campus community though other training programs made available both online and in person (e.g., numerous residence halls sponsor speakers and host panel discussions on sexual assault), or through emails or other communications. One such initiative, greeNDot, is a campus wide violence-prevention initiative that aspires to bring about a cultural shift in how we address violence on campus by targeting all students, faculty and staff and teaching them how to integrate moments of violence prevention into their existing relationships and activities, thereby improving their proactive and reactive bystander behaviors.

The NDSP Crime Prevention office also gives various presentations throughout the year on sexual assault, stalking, and violence in relationships, and offers “360 Stay Safe,” an educational video that addresses stalking and relationship violence, here.

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

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

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

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

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

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

For more detailed information concerning the reporting options available to those who wish to report incidents of sexual assault, dating violence, domestic violence and stalking, see the Reporting and Response Procedure set forth in du Lac: A Guide to Student Life (“Reporting and Response Procedure for Student Violations”), which is attached to this report as Appendix 3 and here, for reporting violations by students; and see the Reporting and Response Procedure for Faculty/Staff Violations (Appendix 2 or here) for reporting violations by faculty and staff.

2. Resources for Medical, Counseling and Pastoral Care

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

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

3. Privacy and Confidentiality of Reports

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

Campus officials (other than those identified as confidential resources) who receive a report of sexual assault, dating violence, domestic violence or stalking are required to share that information with appropriate University officials for investigation and follow-up. To the extent any such reports result in the issuance of Crime Alerts (a/k/a timely warnings) to the campus community, the Alerts and any updates to the Alerts will be drafted in a way that does not include personally identifying information about the complainant, to the extent permitted by law.

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

4. University Response to Reports

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

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

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

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

Members of the Notre Dame community who have been subjected to sexual assault, dating violence, domestic violence or stalking are strongly encouraged to review and report the incident in accordance with the Reporting and Response Procedure for Student Violations (see Appendix 3, or here), or the Reporting and Response Procedure for Faculty/Staff Violations (see Appendix 2, or here), as appropriate. They are also strongly encouraged to contact the Title IX Coordinator or the Deputy Title IX Coordinator with any questions concerning their rights and options, or the University’s procedures. University policy prohibits acts of retaliation against those who in good faith report alleged sexual harassment, and/or participate in a related investigation or proceeding. Although the Reporting and Response Procedure documents describe in detail the University’s procedures for institutional disciplinary action in cases of sexual assault, dating violence, domestic violence or stalking, the following are some of the key components of the University’s procedures for disciplinary action in such cases:

**Procedures for Alleged Violations by Students**

- Upon receiving a report of sexual assault, dating violence, domestic violence or stalking alleged to have been committed by a student, the Deputy Title IX Coordinator (or designee) will conduct an initial assessment of the nature and circumstances of the report to determine whether the reported conduct involves a potential policy violation and, if so, the appropriate proceeding(s) to bring the matter to resolution. Following completion of the initial assessment, the University may take one of
four actions: (1) refer the report to the Alternative Resolution process; (2) refer the report to the Administrative Resolution process; (3) if the conduct falls outside the scope of du Lac’s policies, refer the report to the appropriate entity to address the concerns reported; or (4) close the matter.

- After completing the initial assessment, the Deputy Title IX Coordinator (or designee) may determine that the Alternative Resolution Process may be appropriate for resolution of the complainant’s report. The Alternative Resolution Process is a voluntary, education and remedies-based process that is not intended to be disciplinary in nature (i.e., both parties must agree to participate and either may end the Process at any time).

- The Administrative Resolution Process involves continued investigation and could also result in disciplinary action against a respondent. When a report is referred to the Administrative Resolution Process, the Deputy Title IX Coordinator (or designee) will appoint an investigator to conduct a prompt, thorough, fair and impartial investigation.

- After completing the investigation, the investigator will prepare a Preliminary Investigative Report that informs the complainant and respondent of the information that may be used in the Final Investigative Report. The complainant and respondent will each be permitted to provide additional information, which the investigator will incorporate (as appropriate) in the Final Investigative Report. The investigator will also meet with the Deputy Title IX Coordinator (or designee) and another Student Affairs administrator to make recommendations concerning (1) whether the information supports a finding of responsibility for any violation(s) of policy and, if so, (2) the appropriate Administrative Outcomes to assign for the violation(s). The investigator will then prepare a Final Investigative Report that includes these recommendations, and the information and evidence on which they are based.

- The complainant and the respondent will be simultaneously informed in writing of these recommendations and instructions for how to contest the recommended finding(s) and Administrative Outcome(s). Specifically, either party may contest the recommended finding(s) through the University’s Administrative Review Process. If both parties accept the recommending finding(s), it becomes final.

- Either the complainant or respondent may contest the recommended finding(s) by requesting Administrative Review and submitting a written statement in support of this request; the other party will have an opportunity to respond in writing. The statement submitted by the party seeking Administrative Review (and any response) will be forwarded to an Administrative Review Board along with the Final Investigative Report, all of which will be reviewed in an Administrative Review Proceeding.

- The Administrative Review Proceeding provides an opportunity for the complainant and respondent to address the Administrative Review Board in person – i.e., to be heard by, to respond to any questions of, and to submit any questions to, the Board – concerning the contents of the Final Investigative Report or their supplemental statements submitted in response to it. At the conclusion of this Proceeding, the Administrative Review Board will determine whether there are grounds for remanding the case to the Deputy Title IX Coordinator. If no such grounds have been established, then the recommended finding of responsibility in the Final Investigative Report will be considered final, and not subject to further review. In cases where the respondent was found responsible for a policy violation, the Administrative Review Board will assign an appropriate Administrative Outcome. Both the complainant and respondent will receive written notice of the Administrative Review Board’s decision.

- Recommendations regarding a student’s responsibility (or lack thereof) are evaluated using a preponderance of the evidence standard, which means that it is more likely than not, based on all relevant evidence, that the respondent violated the policy.

- The University will seek to complete the Administrative Resolution Process within 60 calendar days after notifying the parties of the referral of the complainant’s report to the Administrative Resolution Process.

- The complainant and respondent will each have the same opportunities to have others present during any proceeding involved in the Administrative Resolution and Administrative Review processes, including the opportunity to be accompanied by an advisor of their choice. The advisor role is non-speaking. Additional information concerning the role of the advisor is contained in the Reporting and Response Procedure for Student Violations (see Appendix 3).

- The officials involved in responding to these reports receive annual training on issues related to sexual assault, dating violence, domestic violence and stalking, and on how to conduct an investigation and hearing process that provides
parties with notice and a meaningful opportunity to be heard.

- A respondent found responsible for the conduct alleged in the complaint will be subject to conduct process outcomes, up to and including dismissal from the University. See conduct process outcomes [here](#) for a complete list of possible conduct process outcomes.

### Procedures for Alleged Violations by Faculty or Staff

- In cases where a faculty or staff member is accused of sexual assault, dating violence, domestic violence or stalking, the Office of Institutional Equity (or designee) will investigate the complaint and determine whether a violation occurred.

- The University will provide a prompt, fair and impartial investigation and resolution.

- The University aims to complete all investigations within 60 calendar days of the initial report.

- The investigation will be conducted by individuals who receive annual training on issues related to sexual assault, dating violence, domestic violence and stalking, and on how to conduct an investigation and resolution process that protects the safety of victims and promotes accountability.

- The complainant and respondent will each be permitted to be accompanied by an advisor of his or her choice, at their respective investigatory meetings. The advisor role is non-speaking. Additional information concerning the role of the advisor is contained in the Reporting and Response Procedure for Faculty/Staff Violations (see Appendix 2).

- A preponderance of the evidence standard is used to determine the outcome of an investigation.

- The complainant and the respondent will be simultaneously informed in writing of the outcome of the investigation (i.e., whether a policy violation occurred, the rationale for that determination, and the sanctions imposed, if any); the procedures for requesting a review of that outcome; any change to the results that occurs prior to the time that such results become final; and when the results become final.

- A respondent found responsible for the alleged violation will be subject to sanctions, up to and including termination of employment.
The University has adopted and implemented a program to prevent the use of illicit drugs and the abuse of alcohol by students and employees.

With respect to students, the specific policies and standards pertaining to the use of illicit drugs and alcohol are presented in du Lac: A Guide to Student Life, which is available [here](#). The information presented in du Lac includes the standards of conduct that apply to the unlawful possession, use, or distribution of illicit drugs and alcohol by students; the sanctions the University will impose on students for violations of such standards; the legal sanctions that apply to the unlawful possession or distribution of illicit drugs and alcohol; the health risks associated with the use of illicit drugs and the abuse of alcohol; and the drug and alcohol counseling, treatment, or rehabilitation programs available to students.

With respect to employees, the specific policies and standards pertaining to the use of illicit drugs and alcohol are maintained by the Office of Human Resources and are available [here](#). These policies and standards include the standards of conduct that apply to the unlawful possession, use, or distribution of illicit drugs and alcohol by employees; the sanctions the University will impose on employees for violations of such standards; the legal sanctions that apply to the unlawful possession or distribution of illicit drugs and alcohol; the health risks associated with the use of illicit drugs and the abuse of alcohol; and the employee assistance program available for employees who want assistance with overcoming drug and/or alcohol abuse.

The website of the Center for Student Well-Being describes the drug and alcohol education, counseling, treatment, rehabilitation, and reentry programs available to students.

The Center for Student Well-Being provides prevention, intervention and educational programs and coordinates assessment activities that support the health of Notre Dame students.

All incoming students must complete AlcoholEdu, an online pre-matriculation course, prior to their arrival on campus. The Center also provides online assessments, group education and workshops upon request to support the health and well-being of all students throughout their time at the University.

Additional information is available for students from the Center for Student Well-Being (574-631-7970) and the University Counseling Center (574-631-7336). Employees may call LifeWorks at 1-888-267-8126 for information or assistance programs.
Support Services for Crime Victims

A number of services are available to assist students, faculty and staff who may become the victim of a crime on campus, or who may be injured in a serious accident or other emergency situation on campus. In addition to prompt and professional emergency medical services provided by NDSP, NDFD, ambulance, hospital or Health Center staff, victims will be offered an opportunity to meet with Campus Ministry staff, and students may meet with professional staff from the Office of Student Affairs. University Counseling Center staff provide services for students 24 hours a day in emergency situations during the academic year.

In cases of criminal activity, information regarding victims’ rights and the steps followed by the criminal justice system to address their case is available from NDSP staff. Assistance for crime victims is also available from the County Prosecutor’s Office.

Resources for Victims Needing Visa and Immigration Assistance

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

Immigration Services are also available off-campus through Catholic Charities located at 1817 S. Miami St. in South Bend. They can be reached at (574) 234-3111 ext. 33 or by email at ccoleman@ccfwsb.org.

The Board of Immigration Appeals (U.S. Department of Homeland Security) recognizes Catholic Charities’ Immigration Services as a program that provides accurate and affordable services to immigrants who seek to adjust their status, reunite with family members, obtain employment authorization, or file paperwork to make other status adjustments through USCIS (U.S. Citizenship and Immigration Services, formerly the U.S. Immigration and Naturalization Service, or INS). Citizenship classes and assistance with the process of naturalization are also provided.

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

Indiana Sex and Violent Offender Registry

The Indiana Sheriffs’ Sex and Violent Offender Registry provides detailed information about individuals who register as sex or violent offenders at Indiana sheriff departments.

The purpose of the registry is to inform the general public about the identity, location, and appearance of sex and violent offenders who live, work, or study in Indiana.

The registry, as well as detailed information about Indiana’s laws governing the Sex and Violent Offender Registry, is available here.

Indiana’s Sex and Violent Offender Directory is maintained by the Indiana Criminal Justice Institute (ICJI) and lists individuals who have been convicted of one or more of the sex and violent offenses requiring registration with local law enforcement authorities. The directory and information about ICJI is available here.
IMPORTANT TELEPHONE NUMBERS

Emergency (Police, Fire, Medical)

Crime/Fire Medical Emergency 9-1-1
Notre Dame Security Police (574) 631-5555
University Health Services (574) 631-7497
Notre Dame Fire Department (574) 631-6200
Center for Student Well-Being (574) 631-7970
University Counseling Center (574) 631-7336
Deputy Title IX Coordinator (574) 631-7728
LifeWorks Employee Assistance (888) 267-8126
Office of Community Standards (574) 631-5551
Office of Student Affairs (574) 631-5550
SOS of the Family Justice Center (574) 289-4357
St. Joseph’s Medical Center ER (574) 237-7264

Area Police Agencies
(Notify Police in Locale Where Incident Occurred)

St. Joseph County (574) 235-9611
South Bend (574) 235-9201
Mishawaka (574) 258-1678
Indiana State Police (District 24) (574) 546-4900
St Joseph County Prosecuting Attorney’s Office (574) 235-9544

Notre Dame Security Police website can be found here.

The policy statements included in this brochure are up-to-date as of September 2017. For the most current version of campus policies, please visit http://dulac.nd.edu and http://equity.nd.edu/.

Notre Dame Security Police gratefully acknowledges the assistance of campus law enforcement agencies from across the country for their assistance in developing this brochure.
FIRE SAFETY POLICIES

Reporting a Fire

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

The University maintains a fire log that records, by the date the fire was reported, any fire that occurred in an on-campus student housing facility. The fire log includes the nature, date, time and general location of each fire, and can be viewed by visiting 252 Hammes Mowbray Hall during normal business hours.

Health, Safety and Security Policies

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

Housing Policies

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

Housing Safety: Conditions in Halls

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

1. Know the fire exit routes from the residence hall.
2. Burned-out light bulbs in corridors will be replaced by Maintenance technicians. Students should not replace any light bulb with brighter or colored bulbs. Oversized bulbs can overload the circuits and create a fire hazard.
3. Installation and/or the use of ceiling fans, air conditioners, water bed, and/or electronic or kerosene space heaters is not permitted.
4. Propane grills or any other type of liquid gas tanks are not to be stored in residence halls.
5. The following are prohibited as interior finish to any residence hall room:
   a. The installation of plywood paneling, plywood sheets, decorative wood shingles, particleboard, hardboard, wallpaper, paperboards, and any other flame and smoke propagating materials.
   b. Combustible fabrics, burlap, paper, cork, and other flame and smoke-propagating materials.
6. Combustible materials should not be placed against or left in contact with radiators, heating units, light bulbs or lighting fixtures, or any other electrical items.

7. Halogen torchiere lamps that have a tubular halogen bulb greater than 300 watts are prohibited. All halogen lamps must have a properly installed safety guard. Individuals owning these lamps must be able to prove the bulb wattage is 300 watts or less, replace all bulbs without wattage ratings and obtain and properly install the wire safety guard. Lamps should never be placed near curtains, bedding, posters or pictures. Clothing, towels, etc., should not be draped over lamps.

8. Carpeting is not permitted on walls or ceilings. Ceilings shall not be draped with any fabric, netting or paper products.

9. Partitions shall not be constructed in any residence hall suites or rooms.

10. Storage is not permitted in corridors or stairwells.

11. Bunk beds, as provided by the University, are always permissible. No more than two beds in any bunk structure are permitted. Extension beyond normal height of bunk structure is not permitted. A single bed spring raised on double end pieces is not permitted. Beds must be debunked and returned to floor level when residents move out of the hall.

12. Platforms or structures at any level constituting additional floor surfaces are prohibited.

13. Bed structures may not render windows unusable for emergency access or for air circulation. Bed structures may not block access to heating or ventilating units, plumbing, lighting fixtures and thermostats. Automatic sprinkler heads will be kept clear of all obstruction.

14. In multi-room suites, the corridor door in the center room shall be maintained for easy exit. The center room corridor door must be maintained so as to open at least 90 degrees. No bed structure or other furniture will block use of the connecting room doors so there is a clear passage or direct access to the center room for exiting. All corridors in every room (including suites) shall be maintained for easy exit.

15. Fire safety equipment may not be tampered or interfered with for any reason.

**Housing Safety: Appliances**

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

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

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

**Housing Safety: Decorations**

For reasons of residence hall safety and security:

1. All decorations must be non-combustible or factory-treated with flame retardant. No paper of any type may be used to line the exit corridors and stairs.

2. Smoke detectors, heat detectors or sprinkler heads cannot be covered or removed at any time. Nothing can be attached to these devices.

3. No decorations can be put on the floors that may be a trip hazard in an emergency or otherwise.

4. Hose cabinets, fire extinguishers, cabinets, and fire alarm stations may not be covered with any decorative materials.

5. Residence hall room doors may be decorated (not knobs, just the door surface), but no part of an exit or emergency lighting may be covered.

6. Only artificial, flame retardant wreaths and trees may be used in residence halls. Natural evergreen branches or trees are not permitted inside residence halls.

7. Only low voltage, indoor rated incandescent or LED lighting is permitted and no outdoor displays or animated/mechanized decorations are allowed inside of a building.

8. Open flames, including all types of candles and incense, are prohibited.

9. Nothing may impede or hinder occupants’ access to exits, including obstructing the view of an exit sign or exit doorway. This also means windows cannot be blocked with decorations, either inside or outside of the window.

10. No modification of the building electrical system is permitted. Extension cord use must be kept to a
minimum, and electrical cords cannot run through doorways, windows, or fire doors.

11. Colored lights may not be installed in corridor lighting fixtures.

**Smoking**

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

**Procedures for Evacuating Campus Buildings During Fires**

Anyone in a building which is involved in a fire should:

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

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

**Procedures for Those Trapped During Fires**

Anyone trapped by smoke or fire in corridors and who cannot leave by normal exits should:

1. Stay in or return to his or her room, office, or some other smoke and fire-free area. Shut the door and remain there until rescued.
2. If smoke enters the room from under or around the door, place sheets, blankets or clothing around the door to seal it as well as possible.

**Fire Safety Education and Training Program**

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

1. The Notre Dame Fire Department’s [website](#) contains fire safety education and training opportunities for students and employees.
2. Fire Safety and Fire Extinguisher Use Training
   a. Selected employees receive fire safety training and are trained in the use of extinguishers
   b. All residence hall staff are trained in fire safety and are provided hands-on fire extinguisher training
3. Fire Safety Events
   a. The Notre Dame Fire Department holds a fire safety event with contests and activities geared to increase fire safety knowledge.
   b. The Notre Dame Fire Department hosts fire safety awareness booths during several campus wide events throughout the year.

**Future Plans for Fire Safety Improvements in Student Housing**

There are no Fire Safety Improvements planned for Student Housing at this time.
## 2016 Student Housing Fire Safety Systems

<table>
<thead>
<tr>
<th>Residence Halls and/or On-Campus Buildings containing Student Residences</th>
<th>Central Alarm Monitoring by Notre Dame Fire Department</th>
<th>Smoke Detection in Common and Sleeping Areas</th>
<th>Full Automatic Fire Sprinkler System</th>
<th>Fire Extinguishers Installed</th>
<th>Evacuation Plans &amp; Placards</th>
<th>Number of evacuation (fire) drills</th>
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<th>Date</th>
<th>Time</th>
<th>Cause of Fire</th>
<th>Number of Injuries that Required Treatment at a Medical Facility</th>
<th>Number of Deaths Related to a Fire</th>
<th>Value of Property Damage Caused by Fire</th>
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1. INTRODUCTION

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

2. POLICY STATEMENT

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

3. SCOPE

This Policy applies to all faculty, staff, and students. This Policy applies to any allegation of Sexual or Discriminatory Harassment that is made in the context of an educational program or activity or that otherwise affects the University’s work or educational environment. However, the University’s investigation may be limited where the alleged conduct occurred outside the context of the University’s programs or activities, or work or educational environment.

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

4. RESPONSIBLE PARTY

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

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

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

5. PROHIBITION OF DISCRIMINATORY HARASSMENT

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

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

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

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

6. PROHIBITION OF SEXUAL HARASSMENT

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

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

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

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

B. **Other Sexual Misconduct**

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

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

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

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

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

- Other sexual misconduct offenses may also include, but are not limited to:
  - Indecent exposure
  - Sexual exhibitionism
  - Sex-based cyber-harassment
  - Prostitution or the solicitation of a prostitute
o Peeping or other voyeurism
o Going beyond the boundaries of consent (e.g. recording, sharing or disseminating recordings, or threatening to share or disseminate recordings, of sexual activity or nudity without the consent of all parties involved)

C. **Hostile Environment**

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

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

Examples of conduct that may create a hostile environment include:

- Unwelcome sexual jokes, language, epithets, advances or propositions;
- The display of sexually suggestive objects, pictures, magazines, posters or cartoons;
- Comments about an individual’s body, sexual orientation, sexual prowess or sexual deficiencies;
- Unwelcome physical contact of a sexual nature;
- Sexually suggestive, insulting or obscene comments, gestures or conduct (such as leering or whistling);
- Offering or implying an offer of an education- or employment-related reward, such as a favorable review, grade, assignment, promotion, or continued employment, in exchange for sexual favors; or
- Taking or threatening to take an adverse education- or employment-related action, such as an unfavorable review, grade or assignment, because sexual conduct or advances are rejected.

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

7. **INFORMATION ABOUT CONSENT, INTOXICATION AND INCAPACITATION**

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

Intoxication is not an excuse for failure to obtain consent.

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

8. REPORTING AND RESPONSE PROCEDURES FOR VIOLATIONS OF THIS POLICY

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

Violations of this Policy by University faculty or staff, or a third party (such as a vendor, contractor or guest) must be reported in accordance with the reporting and response procedures set forth in the Reporting and Response Procedure for Violations of the University’s Policy on Sexual and Discriminatory Harassment by Faculty and Staff.

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

9. EDUCATION PROGRAMS

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

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

• a statement that the University prohibits the offenses of sexual assault, domestic violence, dating violence, and stalking and a description of the University’s policies that prohibit this conduct;

• the definition of consent, in reference to sexual activity, as defined in this Policy;

• the definitions of sexual assault, domestic violence, dating violence, and stalking under Indiana law;

• safe and positive options for bystander intervention that may be carried out by an individual to prevent harm or intervene when there is a risk of sexual assault, domestic violence, dating violence, or stalking against a person other than the bystander;

• information on risk reduction to recognize warning signs of abusive behavior and how to avoid potential attacks;

• the possible sanctions or protective measures that the University may impose following a final determination of a University disciplinary procedure or investigation regarding allegations of sexual misconduct or other interpersonal misconduct;

• the procedures that a complainant should follow if a sex offense, sexual assault, domestic violence, dating violence, or stalking has occurred, as described in this Policy;

• the procedures for University disciplinary action in cases of alleged sexual assault, domestic violence, dating violence, or stalking, as described in this Policy;

• information about how the University will protect the confidentiality of complainants, including how publicly-available recordkeeping will be accomplished without the inclusion of identifying information about the complainant, to the extent permitted by law;

• information about existing counseling, health, mental health, victim advocacy, legal assistance, student financial aid, and other services available for student and employee complainants both on-campus and in the community; and

• information about options for, and available assistance in, changing academic, living, transportation, and working situations, if so requested by the complainant and if such accommodations are reasonably available, regardless of whether the complainant chooses to report the crime to campus police or local law enforcement.
APPENDIX 2

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

1. INTRODUCTION

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

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

A. Reporting Violations to the University

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

i. Reporting when Alleged Offender is a Faculty Member

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

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

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

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

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

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

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

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

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

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

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

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

C. Support of an Ombudsperson

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

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

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

In cases involving creation of a Hostile Environment and Discriminatory Harassment, the complainant may speak directly with the alleged offending person to address his or her concerns and obtain an appropriate resolution, if he or she feels comfortable doing so. Sometimes, an
effective manner of addressing offensive behavior is to politely and calmly advise the person, verbally or in writing, that his or her behavior or language is offensive and unwelcome, and to request that the person stop uttering such words or engaging in such behavior.

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

3. CONSIDERATIONS TO ENCOURAGE REPORTING AN INCIDENT

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

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

A. University Response to Reports

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

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

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

   ii. Other Interim Measures

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

   iii. Assignment of a Resource Coordinator

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

B. Retaliation and Intimidation Prohibited

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

To report retaliation, please contact the following officials:

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

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

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

4. PRIVACY AND CONFIDENTIALITY

A. Confidential Resources

Individuals who wish to keep the details of an incident confidential have several options. Faculty and staff may speak with counselors through Lifeworks, the Employee Assistance Program (888-267-8126) or health providers such as the Notre Dame Wellness Center (wellnesscenter.nd.edu) (574-634-9355). Students may speak with counselors at the University Counseling Center (ucc.nd.edu) (574-631-7336) or health providers such as those at University Health Services (uhs.nd.edu) (574-631-7567). Students, faculty and staff may also speak with off-campus resources, such as S-O-S of the Family Justice Center of St. Joseph County (fjcsjc.org/sos) (discussed below). Vowed religious (priests, deacons, and religious sisters and brothers) working within Campus Ministry and who are operating in that role are confidential resources. These resources will honor confidentiality unless there is an imminent danger to the individual or to others, or unless otherwise required by law. In addition, an individual’s disclosure during the sacrament of confession will not be revealed by the priest for any reason, which is a sacred obligation protected by law.
B. Parameters of Confidentiality in Reports of Sexual or Discriminatory Harassment

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

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

5. RESOURCES FOR MEDICAL, COUNSELING AND PASTORAL CARE

A. Medical Resources

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

Faculty and staff may visit the Notre Dame Wellness Center (574-634-9355), which is equipped to provide confidential and professional medical care to faculty and staff. Students may visit University Health Services, which is open 24 hours a day during the academic year and is equipped to provide confidential and professional medical care to students. University Health Services can be reached in Saint Liam Hall, 574-631-7567. While the Notre Dame Wellness Center and University Health Services staff are unable to perform procedures related to the collection of evidence for the purposes of pursuing criminal prosecution, they can provide assistance and support when an individual requests or requires transportation to the hospital.
B. Counseling Resources

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

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

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

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

C. Pastoral Resources

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

For more information about resources, please visit the University’s Office of Institutional Equity website or the Division of Student Affairs website.
6. INVESTIGATION PROCEDURES

A. Investigation Process

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

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

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

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

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

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

C. Sanctions and Remedial Measures and Related Communications

The University will take the appropriate remedial measures to protect the complainant and/or stop any misconduct by faculty or staff, and will impose any sanctions it deems appropriate. The remedial measures may include the provision of counseling, training, educational programming, accommodations, and other assistance as outlined in Section 3.A. above. Appropriate sanctions may include counseling or education, a verbal or written reprimand, transfer, reassignment, suspension, demotion, or other disciplinary action, up to and including termination.
In cases where the respondent is a faculty member, if the investigation reveals that the conduct is such that a “severe sanction” or dismissal is contemplated, the procedures for Severe Sanctions Including Dismissal for Serious Cause as outlined in Article III, Section 8 of the Academic Articles shall be followed.

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

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

D. Requests for Review

i. Where Respondent is a Staff Member

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

ii. Where Respondent is a Faculty Member

The complainant or respondent may request that the Vice President and Associate Provost for Faculty Affairs review the outcome of the investigation. This request must be in writing or email, must occur within ten (10) calendar days of notification of the outcome of the investigation, and must state with specificity acceptable grounds for seeking a review. Acceptable grounds are limited to the following: (1) a procedural defect that would have been substantial enough to have changed the outcome; and/or (2) the discovery of substantive new information that was unknown or unavailable at the time of the investigation and would have had a significant effect on the outcome. The Vice President and Associate Provost (or designee) will provide a written response to the party seeking a review, and this response is final.

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

| **Consent** | Informed, freely given agreement, communicated by clearly understandable words or actions, to participate in each form of sexual activity.  
For further information, see Section 7 of the Policy (“Information about Consent, Intoxication and Incapacitation”). |
<table>
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<tr>
<td><strong>Dating Violence</strong></td>
<td>Physical violence or the threat of physical violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with an individual, and the existence of such a relationship shall be determined based on factors such as the length and type of relationship, and frequency of interaction between the persons involved.</td>
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<tr>
<td><strong>Discriminatory Harassment</strong></td>
<td>Offensive, unwelcome conduct or language that is based on an individual’s race, color, national or ethnic origin, religion, sex, sexual orientation, age, disability, veteran status, or genetic information, and that would create an intimidating, hostile, offensive, or demeaning environment for a reasonable person and that actually creates such an environment for that individual.</td>
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<td><strong>Domestic Violence</strong></td>
<td>Physical violence or the threat of physical violence committed by a current or former spouse of an individual, by a person with whom the individual has a child in common, by a person who is cohabiting or has cohabitated with the individual as if a spouse (as determined under applicable law), or by any other person against an adult or youth who is protected from that person’s acts by applicable domestic or family violence laws.</td>
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<tr>
<td><strong>Hostile Environment</strong></td>
<td>Conduct including unwelcome sexual advances, requests for sexual favors, and other verbal, non-verbal, or physical conduct of a sexual nature when submission to such conduct is made either explicitly or implicitly a term or condition of an individual’s employment or a student’s status in a course, program or activity; submission to or rejection of such conduct by an employee or student is used as the basis for employment or academic decisions; or viewed from the perspective of both the individual and a reasonable person in the same situation, the conduct interferes with performance, limits participation in University activities, or creates an intimidating, hostile, or offensive University environment.</td>
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<tr>
<td><strong>Non-Consensual Sexual Contact</strong></td>
<td>Any sexual touching with any part of the body or other object, by any person upon another, without consent. Sexual touching is contact of a sexual nature, however slight.</td>
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<tr>
<td><strong>Ombudspersons</strong></td>
<td>Members of the Notre Dame faculty or staff appointed by the President to provide information and assistance regarding Sexual or Discriminatory Harassment to the entire University community.</td>
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<td><strong>Other Sexual Misconduct</strong></td>
<td>Misconduct of a sexual nature that may take the form of, but is not limited to, any of the following offenses: non-consensual sexual contact, domestic violence, dating violence, stalking, indecent exposure, sexual exhibitionism, sex-based cyber-harassment, prostitution or solicitation of a prostitute, peeping or other voyeurism, or going beyond the boundaries of consent.</td>
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<tr>
<td><strong>Sexual Assault</strong></td>
<td>Any sexual intercourse by any person upon another without consent. It includes oral, anal and vaginal penetration, to any degree, with any part of the body or other object. It is also referred to as “non-consensual sexual intercourse”.</td>
</tr>
<tr>
<td><strong>Sexual Harassment</strong></td>
<td>Sexual Assault, Other Sexual Misconduct, and the creation of a Hostile Environment.</td>
</tr>
<tr>
<td><strong>Staff</strong></td>
<td>All non-faculty employees of the University.</td>
</tr>
<tr>
<td><strong>Stalking</strong></td>
<td>Knowingly or intentionally engaging in a course of conduct involving repeated or continuing harassment of another person that would cause a reasonable person to feel terrorized, frightened, intimidated, or threatened and that actually causes the individual to feel terrorized, frightened, intimidated, or threatened.</td>
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Important Information

Regarding Sexual Harassment, Sexual Misconduct, Dating Violence, Domestic Violence, Stalking, and Conduct That Creates A Hostile Environment

Introduction

Sexual harassment, which includes sexual assault and sexual misconduct, is a form of sex discrimination which is prohibited under Title IX of the Education Amendments of 1972. Dating violence, domestic violence and stalking could also be considered forms of sex discrimination. Because of the seriousness of these offenses, the University has adopted specific policies and procedures outlined on this webpage to address alleged violations.

Students who engage in conduct prohibited by this document may be subject to disciplinary action, up to and including dismissal from the University. Some forms of sexual harassment may also violate state and federal laws, and criminal prosecution may occur independently of any disciplinary action taken by the University.

This document sets forth the procedures that will be used to investigate and respond to reports of sexual assault, sexual misconduct, dating violence, domestic violence, stalking, and/or conduct that creates a hostile environment. The University will respond to reports about sexual assault, sexual misconduct, dating violence, domestic violence, stalking, and/or conduct that creates a hostile environment with measures designed to eliminate the conduct, prevent its recurrence, and remedy any adverse effects of the conduct on individuals, members of the campus community, or University-related programs or activities.

Reporting Options

Students are provided different options both on and off-campus for reporting sexual assault, sexual misconduct, dating violence, domestic violence, stalking, and/or conduct that creates a hostile environment.

Administrative Contacts

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

Deputy Title IX Coordinator
Office of Student Affairs
316 Main Building
University of Notre Dame
Notre Dame, IN 46556
574-631-7728
DeputyTitleIXCoordinator@nd.edu

The University has designated the Director of its Office of Institutional Equity to handle all inquiries regarding its efforts to comply with and carry out its responsibilities under Title IX. The Title IX Coordinator may be contacted as follows:
Education Programs
The University will provide a variety of education programs designed to promote the awareness of sexual assault (including but not limited to rape and acquaintance rape), sexual misconduct, dating violence, domestic violence, stalking, and conduct that creates a hostile environment for all incoming students and new employees. Additionally, the University will also coordinate ongoing prevention and awareness campaigns for students and employees. For more information about the education programs offered by the University, please see the Education Programs section of this document.

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

References to "Complainant" and "Respondent"
For the purposes of the policies and procedures described in this document, the individual who has been directly affected by an alleged violation is referred to as the “complainant.” A student alleged to have violated a University policy is referred to as the “respondent.”

Accountability for Student Groups
In addition to investigating and addressing behavior of individual students, the University reserves the right to investigate and hold accountable the collective behavior of student groups (student clubs, organizations, teams, residential communities, etc.).

Applicable University Policies
Information about how to report alleged violations of the following policies and what procedures will be followed can be found in the "How To Report Incidents of Sexual assault, Sexual misconduct, Dating Violence, Domestic Violence, Stalking, and Conduct that Creates a Hostile Environment" section.

The University may investigate and address alleged violations of other policies outlined in the University Standards of Conduct. The Deputy Title IX Coordinator (or designee) will notify the respondent of policies which are being investigated through the Notice of Administrative Resolution.

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

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

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

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

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

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

B. Other Sexual Misconduct

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

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

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

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

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

- **Other Sexual Misconduct Offenses**
  Other sexual misconduct offenses include, but are not limited to:
- Indecent exposure
- Sexual exhibitionism
- Sex-based cyber-harassment
- Prostitution or the solicitation of a prostitute
- Peeping or other voyeurism
- Going beyond the boundaries of consent (e.g. recording, sharing or disseminating recordings, or threatening to share or disseminate recordings, of sexual activity or nudity without the consent of all parties involved)

C. Hostile Environment

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

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

Examples of conduct that may create a hostile environment include:

- Unwelcome sexual jokes, language, epithets, advances or propositions;
- The display of sexually suggestive objects, pictures, magazines, posters or cartoons;
- Comments about an individual’s body, sexual orientation, sexual prowess or sexual deficiencies;
- Sexually suggestive, insulting or obscene comments, gestures or conduct (such as leering or whistling);
- Offering or implying an offer of an education- or employment-related reward, such as a favorable review, grade, assignment, promotion, or continued employment, in exchange for sexual favors; or
- Taking or threatening to take an adverse education- or employment-related action, such as an unfavorable review, grade or assignment, because sexual conduct or advances are rejected.

Information About Consent, Intoxication and Incapacitation

Consent means informed, freely given agreement, communicated by clearly understandable words or actions, to participate in each form of sexual activity. Consent cannot be inferred from silence, passivity, or lack of active resistance. A current or previous dating or sexual relationship is not sufficient to constitute consent, and consent to one form of sexual activity does not imply consent to other forms of sexual activity. By definition, there is no consent when there is a threat of force or violence or any other form of coercion or intimidation, physical or psychological. A person who is the object of sexual aggression is not required to physically or otherwise resist the aggressor; the lack of informed, freely given consent to sexual contact constitutes sexual misconduct. There is no consent when the individual in question is under the legal age of consent. The legal age of consent in Indiana is 16.

Intoxication is not an excuse for failure to obtain consent.

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

Confidential Resources and Information About Privacy

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

- counselors at the University Counseling Center;
- health providers, such as University Health Services and local hospitals;
- off-campus rape crisis resources, such as S.O.S, the rape crisis center for St. Joseph County; and
- vowed religious (priests, deacons, and religious sisters and brothers) working within Campus Ministry and who are operating in that role.

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

Parameters of Privacy and Confidentiality for Investigations; Responsible Employee Reporting Obligation
In all instances and to the extent possible, the University will protect the privacy of all parties to a report of sexual assault, sexual misconduct, dating violence, domestic violence, stalking, and/or conduct that creates a hostile environment. That said, with the exception of those Confidential Resources listed above, all University employees, including faculty and staff, are considered Responsible Employees. Responsible Employees who receive information about any suspected or potential violations of sexual assault, sexual misconduct, dating violence, domestic violence, stalking, and/or conduct that creates a hostile environment, whether from the student involved or a third party, must report the information to the University.

Responsible Employees may provide support and assistance to a complainant, witness, or respondent; but, Responsible Employees cannot promise confidentiality or withhold information about sexual assault, sexual misconduct, dating violence, domestic violence, stalking, and/or conduct that creates a hostile environment.

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

Availability of Counseling, Medical, and Pastoral Care
The following resources are available to all Notre Dame students and may be of particular interest to students who have been affected by an incident:
Counseling Resources

Students may receive specialized support from the University Counseling Center (UCC), which is staffed by trained professionals and counselors. Current students may seek counseling at any time, even years after the incident. The confidential services of the UCC are available to any student who may need support or assistance. The UCC can be reached at 574-631-7336 (24 hours). In addition, a Walk-In Crisis Service is available in Saint Liam Hall, Monday-Friday, 9:00 a.m. –5:00 p.m. For further information, go to ucc.nd.edu.

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

One service of the Family Justice Center is S-O-S, the rape-crisis center for St. Joseph County. S-O-S is staffed by trained professionals and volunteer advocates who are available 24 hours a day. The staff can provide confidential counseling and recovery services, as well as support and information about communication with the police, family and friends. S-O-S Volunteer Advocates provide emotional support and information on the phone and in person at area hospital Emergency Departments around the clock. Specially trained professionals offer confidential counseling, group therapy, information, and referrals. The S-O-S Advocate acts as a liaison between the student and the legal process, and can accompany them to court, if desired. The 24-hour telephone number for the Rape Crisis Center is 574-289-4357.

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

Medical Resources

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

Students may visit University Health Services, for confidential and professional medical care. University Health Services is located in Saint Liam Hall and can be reached at 574-631-7497. See uhs.nd.edu for hours of operation. While the University Health Services staff are unable to perform procedures related to the collection of evidence for the purposes of pursuing criminal prosecution, they can provide medical care including wound care, testing and treatment for sexually transmitted infections, and referral and transportation to a Sexual Assault Nurse Examiner. Medical services for survivors of sexual assault can be provided by University Health Services at no cost and is strictly confidential.

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

A student may call the S-O-S program of the Family Justice Center of St. Joseph County at 574-289-4357 and request to have an S-O-S advocate meet the student at the hospital to provide medical options regarding treatment, evidence
collection, sexually transmitted disease testing and follow up care. After a student arrives at the hospital, the SANE at St. Joseph Regional Medical Center can, upon request by a student, contact an advocate from S-O-S program of the Family Justice Center of St. Joseph County to meet the student at the hospital. A student may request the SANE wait to perform a medical exam until an S-O-S advocate is present. The S-O-S program is a confidential resource.

Pastoral Resources

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

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

A complete list of resources is available on the University’s Title IX/Sexual Assault website (titleix.nd.edu).

Considerations to Encourage Reporting an Incident

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

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

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

Students who feel unsafe in a residence hall after parietals should leave the hall, regardless of the time, without concern for a parietals violation. A student will not be found responsible for a violation of the University’s undergraduate residence hall visitation (parietals) policy if the violation is related to an incident of sexual assault, sexual misconduct, dating violence, domestic violence, stalking, and/or conduct that creates a hostile environment.

Presence of an Advisor

Complainants and respondents are provided the opportunity to consult with an advisor of their choosing. The advisor may be any person, including an attorney, who is not otherwise a party or witness involved in the investigation. The parties may be accompanied by their respective advisor at any meeting related to the investigation and resolution of a report under this policy. The advisor’s role is non-speaking, and advisors who are disruptive during the meetings, investigative interviews, and proceedings may be required to leave. While the advisor may provide support and advice to the parties before any meeting and/or proceeding and during breaks in meetings/proceedings, the advisor may not speak on behalf of the parties or otherwise participate in, or in any manner delay, disrupt, or interfere with meetings and/or proceedings. The University will not delay the scheduling of meetings, investigations, or Administrative Review Proceedings based on the advisor's unavailability.

The University will communicate directly with the complainant and respondent, not through any third party. A representative may not appear in the place of either the complainant or respondent.
Additional provisions for advisor participation at Administrative Review Proceedings are described in the Administrative Review Proceedings section.

Assignment of a Resource Coordinator

After a report is received by the Deputy Title IX Coordinator, a complainant will be assigned a Resource Coordinator (RC). If a report identifies the name of a respondent and an Administrative Resolution is initiated, a Resource Coordinator will also be assigned to the respondent. A Resource Coordinator will also be assigned to a Respondent participating in the Alternative Resolution process. RCs are trained Notre Dame faculty and administrators who will serve as resource persons to the complainant and respondent to identify, explain and navigate University processes and available support services. This can include referrals to counseling, educational support, pastoral care, and medical treatment, and information about University and legal processes.

Availability of Referrals to Support Resources

After a report is received by the Deputy Title IX Coordinator, information will be shared with the complainant about a variety of resources both on and off campus based on the nature of the incident.

Interim Measures

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

Students are encouraged to report violations of interim measures as soon as possible. For more information, see “Reporting and Response Procedures for Reports of Retaliation, Violations of No Contact Orders, and/or Violations of Terms of Interim Measures” below.

No Contact Orders

When the name of a respondent has been identified through the reporting and/or investigative process, the Deputy Title IX Coordinator will, where appropriate, issue No Contact Orders to both the respondent and the complainant.

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

Students are encouraged to report violations of No Contact Orders as soon as possible. For more information, see “Reporting and Response Procedures for Reports of Retaliation, Violations of No Contact Orders, and/or Violations of Terms of Interim Measures” below.

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

Prohibition of Retaliation and Intimidation

The University strongly encourages students to report any incident of sexual assault, sexual misconduct, dating violence, domestic violence, stalking, and/or conduct that creates a hostile environment. The University takes such reports very
seriously. Any actual or threatened retaliation or any act of intimidation to prevent or otherwise obstruct the reporting will be addressed by the University.

Students are encouraged to report concerns about retaliation as soon as possible. For more information, see “Reporting and Response Procedures for Reports of Retaliation, Violations of No Contact Orders, and/or Violations of Terms of Interim Measures” below.

Reporting and Response Procedures for Reports of Retaliation, Violations of No Contact Orders, and/or Violations of Terms of Interim Measures

The University encourages students to report any acts of retaliation, violations of No Contact Orders, and violations of the terms of interim measures.

Students are provided the following options to report retaliation or a violation of the No Contact Order or other interim measure:

- In case of emergency, call Notre Dame Security Police at 574-631-5555 or call 911.

- The University offers an online incident reporting form at speakup.nd.edu. All reports submitted through the speakup.nd.edu online reporting form will be forwarded to an appropriate University administrator to review within two (2) University business days.

- The University’s Deputy Title IX Coordinator is available during regular business hours of University offices (Monday-Friday, 8:00 a.m. - 5:00 p.m.) by calling 574-631-7728 or by e-mailing DeputyTitleIXCoordinator@nd.edu.

Upon receiving a report of any acts of retaliation, violations of No Contact Orders, and/or violations of the terms of Interim Measures, the Deputy Title IX Coordinator (or designee) will review the information to determine the appropriate means to address the alleged behavior.

A student found responsible for violating a No Contact Order, violating an Interim Measure, or engaging in retaliation will be subject to Administrative Outcomes which may include dismissal from the University.

Information to Consider about Pursuing a Complaint through the University of Notre Dame and/or Law Enforcement

A complainant has the option to pursue a complaint of sexual assault, sexual misconduct, dating violence, domestic violence, stalking, and/or conduct that creates a hostile environment through the University of Notre Dame. A respondent may be subject to an investigation from the time he/she first attends the University until he/she graduates (or otherwise completes a University program) or is permanently dismissed. In addition, a complainant may also pursue a criminal complaint with an appropriate law enforcement agency. A complainant will be provided with written notice of these options upon reporting an incident to the Deputy Title IX Coordinator.

Information about Pursuing a Complaint through the University of Notre Dame

If an incident of sexual assault, sexual misconduct, dating violence, domestic violence, stalking, and/or conduct that creates a hostile environment committed by a student is reported to the University the Deputy Title IX Coordinator (or designee) will respond to the report. For more information, please refer to:

- Initial Assessment
- Alternative Resolution
- Administrative Resolution
Information about Pursuing a Criminal Complaint through Law Enforcement

The University encourages students to report all incidents to the police.

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

The University’s Initial Assessment, Alternative Resolution, and Administrative Resolution processes are distinct from the criminal investigation.

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

The University may not wait for the conclusion of a criminal proceeding to begin its own investigation and, if needed, will take immediate steps to provide appropriate interim measures for the complainant.

Information obtained through the criminal investigation may be considered in the University’s Administrative Resolution process.

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

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

How to Report Incidents of Sexual Assault, Sexual Misconduct, Dating Violence, Domestic Violence, Stalking, and Conduct that Creates a Hostile Environment

The University encourages students to report all incidents of sexual assault, sexual misconduct, dating violence, domestic violence, stalking, and conduct that creates a hostile environment. Students may choose either or both of the following reporting options:

- Reporting to the University

The University’s Deputy Title IX Coordinator is available by calling 574-631-7728 or by e-mailing DeputyTitleIXCoordinator@nd.edu. The Deputy Title IX Coordinator is available Monday-Friday, 8:00 a.m. – 5:00
The University offers an online incident reporting form at speakup.nd.edu. All reports of sexual assault, sexual misconduct, dating violence, domestic violence, stalking, and/or conduct that creates a hostile environment involving Notre Dame students submitted through the speakup.nd.edu online reporting form will be forwarded to the University’s Deputy Title IX Coordinator for review.

**o Reporting to Law Enforcement**

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

**University's Response to Reports**

**Initial Assessment**

After receiving a report of sexual assault, sexual misconduct, dating violence, domestic violence, stalking, and/or conduct that creates a hostile environment, the Deputy Title IX Coordinator (or designee) will gather information about the reported conduct and respond to any immediate health or safety concerns.

The Deputy Title IX Coordinator (or designee), and where appropriate a Student Affairs administrator, will also assess the nature and circumstances of the report to determine whether the reported conduct is within the scope of this policy, whether the reported conduct raises a potential policy violation, and the appropriate manner of resolution under this policy. This will include, when possible, a discussion of complainant’s expressed preference for manner of resolution and any barriers to proceeding (see Requests for Anonymity and/or No University Resolution Process below). It will also take into consideration the University’s obligation to maintain an environment free from harassment and discrimination.

At the conclusion of the initial assessment, the University will either:

1. refer the report to the Alternative Resolution process;
2. refer the report to the Administrative Resolution process;
3. refer the report to an appropriate entity to address the concerns if the conduct is not within the scope of the policy or does not raise a potential policy violation; and/or
4. close the matter.

The Deputy Title IX Coordinator (or designee) will maintain records of all reports and resolutions.

**Requests for Anonymity and/or No University Resolution Process**

In the event that a complainant requests anonymity or that a matter not be referred to the Administrative Resolution or Alternative Resolution process, the University will consider such a request. The Deputy Title IX Coordinator (or designee) will make a determination about whether the request can be granted. The decision will be based on a review of
numerous factors, including, but not limited to, patterns of behavior involving the respondent, a group of individuals and/or a specific location; threats of future sexual or other violence by the respondent; the use of a weapon; whether the complainant is a minor; and/or other risks to the University community.

If the University is able to agree to a complainant’s request that a matter not be referred to the Administrative Resolution process, the complainant will be notified in writing that he/she has six (6) months [from the date of the decision of the Deputy Title IX Coordinator (or designee)] to request that the matter be referred to the Administrative Resolution process or Alternative Resolution process.

If the University is able to agree to a complainant’s request for anonymity, the University’s ability to meaningfully investigate the incident or pursue Administrative Outcomes against the alleged respondent(s) may be limited.

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

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

Information about Respondent’s Enrollment, Transcript, and Degree

Generally, a respondent may not withdraw or take a leave of absence from the University after the University receives a report of an alleged violation of the University’s Standards of Conduct. The University reserves the right to proceed with the an appropriate resolution process regardless of a student’s request for a withdrawal or for a leave of absence from the University. At any time, the University may place an administrative hold on the respondent's University academic transcript, make a transcript notification, or withhold the award of the respondent's degree. In cases where the University permits a respondent to withdraw from the University while the resolution process is pending, this withdrawal may be considered permanent and the respondent’s academic transcript may be held or noted “withdrawal pending investigation.” Even if a respondent withdraws from the University, the Deputy Title IX Coordinator (or designee) may decide to proceed with the Administrative Resolution process. At the conclusion of the Administrative Resolution process, the respondent’s transcript will be updated with the appropriate notation or removal of notation as prescribed by the University’s Conduct Records Reporting Policy.

Alternative Resolution Process

Alternative Resolution is a voluntary, educational, and remedies-based process that is not intended to be disciplinary in nature. Where an Initial Assessment concludes that Alternative Resolution may be appropriate, the University will offer individual and/or community-based remedies designed to maintain the complainant’s access to the educational, extra-curricular, and employment activities at the University and to eliminate a potential hostile environment.

This process may include a variety of approaches including, but not limited to, educational programming or training, facilitated dialogue with a respondent, and/or mediation. In some cases, such as alleged sexual assaults, mediation will not be appropriate, even on a voluntary basis. Depending on the form of Alternative Resolution chosen, it may be possible for a complainant to maintain anonymity. The University will not compel a student to participate in any particular form of Alternative Resolution. Participation in Alternative Resolution is voluntary, and either party can request to end Alternative Resolution at any time.

The University will seek to complete the Alternative Resolution process within sixty (60) calendar days following the decision to proceed with Alternative Resolution. In some instances, that may be the same date as the date of the report; in other instances, based on information gathered in the initial assessment, that may be at a later date. The 60 calendar day timeframe does not typically include academic break periods and may be affected by holidays or other extenuating circumstances. The
University reserves the right to reasonably modify the Alternative Resolution Process based on a case-by-case basis due to the scope or complexity of the facts and circumstances at issue, or due to other extenuating circumstances. The University may extend any timeframe in this policy for good cause, including extension beyond 60 calendar days. Any modifications will be communicated to both parties.

Administrative Resolution Process

Administrative Resolution involves continued investigation and could result in discipline against a respondent. When a report is referred to the Administrative Resolution process, the Deputy Title IX Coordinator (or designee) will appoint an investigator to conduct a prompt, thorough, fair, and impartial investigation.

Notice of Administrative Resolution

The Deputy Title IX Coordinator (or designee) will, subject to requests for anonymity, notify the complainant and the respondent, in writing, of the following information (if known):

- the names of the complainant and the respondent;
- the nature of the reported conduct;
- the reported policy violation(s);
- the name of the investigator;
- the prohibition against retaliation;
- the importance of preserving any potentially relevant evidence in any form; and
- a copy of this policy.

If the investigation reveals the existence of additional or different potential policy violations, the Deputy Title IX Coordinator (or designee) will issue a supplemental notice of investigation that includes this information.

Overview of Investigation

During an Administrative Resolution, the investigator will seek to meet separately with the complainant, respondent, and relevant witnesses. Witnesses are individuals who may have information relevant to the incident, including individuals who may have observed the acts in question, may be able to provide contextual information, may have other information related to the incident, or related matters. Witnesses may not participate solely to speak about an individual’s character.

The investigator may also gather or request other relevant information or evidence, when available and appropriate. The complainant and respondent will be asked to identify witnesses and provide other relevant information, such as documents, communications, photographs, and other evidence. Both parties are encouraged to provide all relevant information (including witness information) as promptly as possible to facilitate prompt resolution. In the course of the investigation, information will be shared as necessary with people who need to know, such as investigators, witnesses, and the respondent.

Review of Preliminary Investigative Report

At the conclusion of the fact-gathering portion of the investigation, the investigator will prepare a Preliminary Investigative Report that provides the complainant and the respondent access to information that may be used in the Final Investigative Report.

The Preliminary Investigative Report and accompanying documents will be made available to the complainant and the respondent to review. The complainant and respondent will be provided seven (7) calendar days to:

- request to meet again with the investigator;
• provide written comment or feedback;
• submit additional information;
• submit questions for the investigator to consider asking the other party or witnesses; and/or
• identify additional witnesses.

If either party provides a written response or additional information, the content will be shared with the other party and incorporated as appropriate in the Final Investigative Report. Moreover, if any witnesses share new information, this will also be shared with the parties. As appropriate, each party will be provided five (5) calendar days to respond in writing to the additional information referenced above.

Both parties will have access to review the Preliminary Investigative report during University business hours. The report is property of the University and may not be photocopied, photographed, recorded or duplicated. The University may provide alternative arrangements to review the report. An individual participating as a witness may not be present during the review of the report.

**Final Investigative Report**

After receiving the additional information from the parties, the investigator will meet with the Deputy Title IX Coordinator (or designee) and a Student Affairs administrator to review the information gathered during the investigation. Together, these individuals will make recommendations as to the following:

• whether, based on a preponderance of the evidence, the information supports a finding of responsibility for any violation of policy; and, if so,
• the appropriate Administrative Outcomes to assign for the violation(s).

A finding of responsibility based on a preponderance of the evidence means that it is more likely than not, based on all relevant evidence, that the respondent violated the policy.

The investigator will then prepare a Final Investigative Report, which will include these recommendations and the information relied upon to reach them. Both parties will receive simultaneous written notification of the recommendations and instructions for how to contest the recommended finding(s) and Administrative Outcome(s).

Both parties will have access to review the Final Investigative report during University business hours. The report is property of the University and may not be photocopied, photographed, recorded or duplicated. The University may provide alternative arrangements to review the report. An individual participating as a witness may not be present during the review of the report.

**Review of, and Procedures to Contest, the Recommended Finding**

Either party may accept or contest the recommended finding(s) through an Administrative Review process by asserting:

a. a procedural defect which would have been substantial enough to have changed the recommended finding;
b. the discovery of substantive new information that was unknown or unavailable to the student during the investigation and would have had a significant effect on the recommended finding; and/or
c. there was insufficient evidence to support the recommended finding.

The Administrative Review Board’s review is limited to these three grounds. It is not the role of the Administrative Review Board to substitute its judgment for the judgment of those making the recommended finding if there is a reasonable basis for the recommendation. Therefore, the Administrative Review Board may not alter a recommended finding unless the recommended finding is unreasonable (i.e., there is no reasonable basis for the recommended finding).
Procedures for contesting the recommended finding include:

If a Recommended Finding of "Not Responsible" for a Violation of Policy

1. COMPLAINANT DOES NOT REQUEST ADMINISTRATIVE REVIEW
   If the complainant does not contest a recommended finding that respondent was not responsible for any policy violations, the recommended finding becomes final and the case will be closed.

2. COMPLAINANT REQUESTS ADMINISTRATIVE REVIEW
   The complainant must submit a statement via online form within seven (7) calendar days explaining why the complainant contests the recommended finding(s).

   The respondent will have the opportunity to review and respond in writing to the complainant’s statement. The respondent’s response must be submitted via online form within five (5) calendar days of the date the respondent is notified of the complainant’s request.

   The information submitted by the complainant (and respondent, if the respondent submits a response) will be forwarded to the Administrative Review Board along with the Final Investigative Report. The information will be reviewed in an Administrative Review Proceeding.

If a Recommended Finding of "Responsible" for a Violation of Policy

1. RESPONDENT DOES NOT REQUEST ADMINISTRATIVE REVIEW
   If the respondent does not contest a recommended finding of responsibility for a policy violation, the recommended finding becomes final and the Final Investigative Report will be forwarded to the Administrative Review Board.

   The Administrative Review Board will make a decision on the assignment of Administrative Outcome(s).

2. RESPONDENT REQUESTS ADMINISTRATIVE REVIEW
   The respondent must submit a statement via online form within seven (7) calendar days explaining why the respondent contests the finding(s).

   The complainant will have the opportunity to review and respond in writing to the respondent’s statement. The complainant’s response must be submitted via online form within five (5) calendar days of the date the complainant is notified of the respondent’s request.

   The information submitted by the respondent (and complainant, if the complainant submits a response) will be forwarded to the Administrative Review Board along with the Final Investigative Report. The information will be reviewed in an Administrative Review Proceeding as described below.

Administrative Review Proceeding
The Administrative Review Proceeding is an opportunity for the complainant and respondent to address the Administrative Review Board in person. The parties may address any information in the Final Investigative Report, and supplemental statements submitted in response to the Final Investigative Report (if applicable).

The Administrative Review Board has the discretion to determine the specific Administrative Review Proceeding agenda. Both the complainant and the respondent are provided:

a. the opportunity to be present at the Proceeding.
i. Should the respondent or complainant fail to attend the scheduled Proceeding, the Proceeding will be held and a decision will be made in his and/or her absence.

ii. An excused absence from University obligations, including academic courses, will be provided in order to attend the Administrative Review Proceeding.

iii. Both parties will have the opportunity to be present throughout the entire Administrative Review Proceeding. Either party may request alternative arrangements for participating in the Administrative Review Proceeding that do not require physical proximity to the other party, including participating through electronic means.

b. the opportunity to have an advisor of choice to be present at the Administrative Review Proceeding
   i. The advisor’s role is non-speaking.
   ii. Advisors will not be permitted to make comments, pass notes, or otherwise disrupt the Administrative Review Proceeding.
   iii. Advisors who are disruptive during the Administrative Review Proceeding may be required to leave.
   iv. Breaks will be offered during the Administrative Review Proceeding for the complainant and respondent to confer with their respective advisors in a location outside of the room where the Administrative Review Proceeding will be held. The scheduling and length of all breaks will be at the discretion of the Administrative Review Board.

c. the opportunity to be heard and respond to any questions of the Administrative Review Board.
   i. The Administrative Review Board will communicate directly with the respondent and complainant, not through any third party.
   ii. A representative may not appear in the place of a respondent or complainant.
   iii. Each party may submit questions in writing to the Administrative Review Board at the Proceeding for consideration to be asked to the other party by the Administrative Review Board.
   iv. Any questions asked will be at the sole discretion of the Administrative Review Board.

d. Neither the complainant nor the respondent will be permitted to engage in direct communication with each other before, during or immediately after the Administrative Review Proceeding

Proceedings will be audio recorded by the Administrative Review Board and may not be recorded by anyone other than the Board. The recording will be preserved for at least one year after the conclusion of the Proceeding or as long as necessary to provide evidence should the matter be referred to legal processes.

Determination by the Administrative Review Board
At the conclusion of the Administrative Review Proceeding, the Administrative Review Board will determine whether there was:

- a procedural defect which would have been substantial enough to have changed the recommended finding;
- substantive new information that was unknown or unavailable to the student during the investigation and would have had a significant effect on the recommended finding; and/or
- sufficient evidence to support the recommended finding.

If the Administrative Review Board determines that any of these three grounds was met, the Administrative Review Board will remand the matter to the Deputy Title IX Coordinator.

If the Administrative Review Board determines that none of these three grounds were met, the recommended finding of responsibility in the Final Investigative Report will be considered final and not subject to further review. In cases where the respondent was found responsible for a violation of a policy, the Administrative Review Board will then assign an appropriate Administrative Outcome as described below.
Assignment of Administrative Outcomes

Where there is a finding of responsibility for a violation of University policy, the Administrative Review Board may assign one or more Administrative Outcomes. The Administrative Review Board will consider the recommended Administrative Outcome(s) included in the Final Investigative Report; however, the Administrative Review Board may adjust Administrative Outcomes, where appropriate.

The assignment of Administrative Outcomes is designed to eliminate sexual harassment, prevent its recurrence, and remedy its effects, while supporting the University’s educational mission. The respondent’s conduct record, including any past sexual misconduct, may be considered in determining the appropriate Administrative Outcome.

Administrative Outcomes may be assigned individually or in combination. Administrative Outcomes may include disciplinary action (i.e. Disciplinary Probation or dismissal from the University). Administrative Outcomes may include, but are not limited to, the following:

- Written Warning
- Participation in an Educational Program
- Alcohol Assessment or Education
- Substance Abuse Treatment
- Psychological Assessment
- Ban from a Specific Location of Campus
- Loss of Extra-Curricular Privileges
- Loss of Specific Privileges within a Residential Community
- Loss of Opportunity to Live in Campus Housing
- No Contact Order
- Disciplinary Action (as described below)
  - Disciplinary Probation: Defined as a specified period of observation and evaluation of a student’s conduct. Any violation of University or residence hall policy committed by a student on Disciplinary Probation is a serious violation and could result in dismissal from the University. A student placed on Disciplinary Probation may not participate in an international study abroad program or any other off-site University academic program during the period of probation.
  - Dismissal with the Opportunity to Apply for Readmission: A separation from the University which provides the student an opportunity to apply for readmission after a specified period of time and after meeting all conditions specified at the time of dismissal. An application to the University is required to seek readmission and readmission is not guaranteed. The University reserves the right to consider in its sole discretion, as a part of a student’s application for readmission, any unresolved and/or additional reports of alleged misconduct.
  - Permanent Dismissal: A permanent separation from the University with no opportunity for readmission.

Notice of Administrative Review Board Decision

Both the complainant and respondent will receive written notice of the Administrative Review Board’s decision. Findings of responsibility will also be included in a student’s conduct record maintained by the University and reportable according to the University’s Conduct Records Reporting Policy. If either party is deceased, the next of kin shall be informed in writing of the outcome of the Administrative Review Proceeding upon written request.
Guidelines Related to Administrative Resolution Process

The following parameters provide guidelines for the Administrative Resolution process, as applicable. The University reserves the right to reasonably modify the Administrative Resolution Process based on a case-by-case basis due to the scope or complexity of the facts and circumstances at issue, or due to other extenuating circumstances. Any modifications will be communicated to both parties.

- **Timeframe**
  The University will seek to complete the Administrative Resolution process within sixty (60) calendar days following the Notice of Administrative Resolution. In some instances, that may be the same date as the date of the report; in other instances, based on information gathered in the initial assessment, that may be at a later date. The 60 calendar day timeframe does not typically include academic break periods and may be affected by holidays or other extenuating circumstances. The University may extend any timeframe in this policy for good cause, including extension beyond 60 calendar days. An extension may be required to ensure the integrity and thoroughness of the investigation; in response to the unavailability of the parties or witnesses; or for other legitimate reasons, such as the complexity of the investigation and/or the severity and extent of the alleged misconduct. If the Administrative Resolution cannot be completed within the 60 calendar days, the Deputy Title IX Coordinator (or designee) will notify the parties in writing of any extension of the timeframes.

- **Investigator**
  The investigator may be a University employee and/or an external investigator. Any investigator will receive annual training on issues related to sexual assault, sexual misconduct, dating violence, domestic violence, stalking, and/or conduct that creates a hostile environment.

- **Participation in the Administrative Resolution Process**
  All University community members are expected to provide truthful information in any report or proceeding under this policy. Providing deliberately false information and/or making an accusation in bad faith or with a view to personal gain or intentional harm to another in connection with an incident of sexual assault, sexual misconduct, dating violence, domestic violence, stalking, and/or conduct that creates a hostile environment is prohibited and subject to disciplinary action. This provision does not apply to reports made or information provided in good faith, even if the facts alleged in the report are not later substantiated or no policy violation is found to have occurred.

- **Consolidation of Investigation**
  The Deputy Title IX Coordinator (or designee) has the discretion to consolidate multiple reports into a single investigation, where appropriate. Consolidation might involve multiple complainants and a single respondent, multiple respondents, and/or conduct that is temporally or logically connected.

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

- **Prior Sexual History**
  Information shared regarding any party’s past sexual conduct will ordinarily not be considered, except in those instances where there was a prior sexual relationship between the parties and the information shared may be relevant to the issue of consent.

- **Administrative Review Board**
  The Administrative Review Board will consist of three individual members drawn from a standing pool of board members. The Administrative Review Board will consist of faculty and administrators appointed by the President of the University. Students may not serve as a member of the Administrative Review Board. All members of the Administrative Review Board will receive annual training on the issues related to sexual assault, sexual misconduct, dating violence, domestic violence, stalking, and/or conduct that creates a hostile environment and on how to conduct fair and impartial proceedings that provides parties with notice and a meaningful opportunity to be heard.
Education Programs
The University will provide the following education programs designed to promote the awareness of sexual assault (including but not limited to rape and acquaintance rape), domestic violence, dating violence, and stalking.

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

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

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

The provisions of this document do not constitute a contract, express or implied, between the University of Notre Dame and any applicant, student, student’s family, or faculty or staff member. The University of Notre Dame reserves the right to change the policies, procedures, rules, regulations, and information at any time.
APPENDIX 4

Except as noted below, all statements of policy and procedure contained in this Annual Security and Fire Safety Report pertain to all campuses and/or remote locations.

Chicago Campus

The University of Notre Dame’s facility in Chicago is located at the Railway Exchange Building, at 224 S. Michigan Avenue (“Railway Exchange Building”).

Security and Law Enforcement

Securitas Security Services USA (“Securitas”), a private security company, provides onsite security services. Securitas personnel (“Security Officers”) are staffed at the Railway Exchange Building 24 hours per day, seven days per week. The Security Officers are trained, and while they are licensed by the state of Illinois, they have no powers of arrest. They enforce building regulations, maintain order, investigate building alarms, screen personnel entering and exiting the building and are on the alert for any unusual activity within the building. During non-business hours, the Security Officers conduct patrols of the building.

The University does not have a Memorandum of Understanding with the Chicago Police Department or any other local police agency. The University does not officially recognize any student organization with an off-site location.

Emergency Procedures and Crime Reporting

Individuals are encouraged to accurately and promptly report all crimes to the local law enforcement authorities, including the Chicago Police Department, even when the victim is unable to make such a report. Criminal investigations are handled by the Chicago Police Department.

To contact the police in an emergency, telephone 911 and ask for the police; in the event of a non-emergency, telephone 311.

Any crime, emergency or suspicious situation should also be reported immediately to the building’s Security Officers, and to the University’s Program Director. The Security Officers can be reached at (312) 341-9436 in the event of an emergency. Building Management, Jones Lang LaSalle, can be reached at (312) 341-9431 for non-emergency matters.

Building Lighting and Physical Plant

Jones Lang LaSalle (the “Property Manager”) maintains the Railway Exchange Building with a concern for the safety and security of the members of our community. The building’s facilities and lighting are regularly surveyed by Jones Lang LaSalle staff. Security staff assist Jones Lang LaSalle by reporting potential safety or security concerns. Anyone who notices a safety or security problem with the physical plant should contact the Property Manager at 312-341-9431, or in person in the Office of the Building located on the 3rd floor.

Security of and Access to the Academic Facility

The Railway Exchange Building is staffed by Security Officers 24 hours per day, seven days per week. The Railway Exchange Building is open to the public from 7:00 am to 6:00 pm Monday through Friday. Access is available to tenants and their guests at any time.

Tenants and guests entering the building between 6:00 pm and 10:00 pm Monday through Friday and all day on Saturday and Sunday are required to use their security access cards at the security console. The Michigan Avenue doors are unlocked until 10:00 pm each night. All Tenants must use their security access cards to enter the building at Michigan Avenue between 10:00 p.m. and 7:00 a.m. each day. The Jackson Boulevard doors are open from 7:00 a.m. through 6:00 pm, Monday through Friday, and are locked at all other times. On weekends, access is only available from Michigan Avenue.

Sex Offender Registries

The Illinois State Police provides an online listing of sex offenders required to register in the State of Illinois. This registry, as well as detailed information about Illinois laws governing the registry, is available here. The database is updated daily and allows searching by name, city, county, zip code, compliance status, or any combination thereof, so that the general public has access to the identity, location, and appearance of sex offenders who live, work, or study in Illinois. The registry can also be searched by geographic location.
Crime Alerts (a/k/a Timely Warnings)

In an effort to provide timely notice to the Notre Dame Chicago community, and in the event a serious crime occurs at the Railway Exchange Building and poses a serious, ongoing threat to members of the Notre Dame community in Chicago, a mass email Crime Alert will be sent to all students and employees at the building. The alerts are generally written by the Program Director or a designee, in consultation with the Chief of the Notre Dame Security Police, and they are distributed to the community by email. Updates to the Notre Dame Chicago community about any particular case resulting in a Crime Alert may be distributed via email or may be posted in the Railway Exchange Building.

Crime Alerts and any updates will be drafted and disseminated in a way that protects the confidentiality of complainants. Such alerts and updates shall not include identifying information about the complainant in any publicly-available recordkeeping to the extent permitted by law.

Notification About an Immediate Threat

The University will immediately notify the Chicago community upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students, faculty or staff occurring at the Railway Exchange Building. The Chicago Police Department and Chicago Fire Department are primarily responsible for confirming that there is a significant emergency or dangerous situation at the facility that could cause an immediate threat to the health or safety of the members of the community.

The Property Manager, in conjunction with the Program Director, is responsible for communicating appropriate, relevant information to students, faculty and staff in the event of an emergency. In the event of an emergency, notification may be made via fire alarm system, email, and/or announcements (including announcements over the loud speaker system) by staff inside the building.

Taking into account the safety of the community, the Property Manager, in conjunction with the Program Director, will immediately determine the content of the notification and initiate the notification system. Such actions will be delayed if, in the judgment of the first responders (including, but not limited to police and fire service), issuing a notice will compromise the efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency.

Information is made available to the larger community, including parents of students, and the people in Chicago and the surrounding areas, by logging onto the Notre Dame Emergency Information website here.

Dublin, Ireland Global Gateway

The University of Notre Dame’s facility in Dublin is the O’Connell House, located at 58 Merrion Square South, Dublin 2, Ireland.

Security and Law Enforcement

Law enforcement is provided by An Garda Síochána, the national police service of Ireland. The agency is often referred to simply as Garda. The Mission of An Garda Síochána is working with communities to protect and serve. Following the establishment of the Irish Free State in 1922, the Dublin Metropolitan Police merged with the An Garda Síochána in 1925.

The Garda Station nearest to O’Connell House is the Pearse Street Garda Station in the Dublin Metropolitan Region. The Pearse Street Garda Station is located at 1 – 6 Pearse Street, Dublin 2 (Tel: +353 1 666 9000). Garda Eamon Lynch is located at Pearse Garda Station and looks after the Dublin 2 area. Direct Dial + 353 (1) 666 9030. The premises at O’Connell House are protected by an alarm system which is monitored 24 hours per day, 7 days a week, by Top Security company. Top Security also provides key holding services and is the first point of call for intruder and fire alarms. All information in respect of the activation and subsequent actions taken are recorded on a real time basis and can be recalled at any time. Top Security does not have the authority to make arrests and does not provide any security functions at O’Connell House other than those mentioned above. University employees do not perform these or any security functions.

Neither the University nor Top Security has a memorandum of understanding with the Garda or any local police agency.
The Garda maintains a 24-hour presence from O'Connell House to the Royal Society of Antiquaries of Ireland, a few doors away.

The University does not officially recognize any student organization in Dublin with a location outside the O'Connell House. The University does not maintain student housing at the O'Connell House or elsewhere in Dublin.

Emergency Procedures and Crime Reporting

Individuals are encouraged to accurately and promptly report crimes, including when the victim is unable to make such a report. Any crime, emergency, or suspicious situation should be reported immediately to the Garda by dialing 999 or 112. This call is free on landline and mobile phones. For a fire or medical emergency, call 999. In the event of a crime, emergency, or suspicious situation, resident staff at O'Connell house should be notified immediately, regardless of whether local law enforcement officials have already been contacted.

Building Lighting and Physical Plant

The staff at O'Connell House maintains the academic building with a concern for the safety and security of the members of our community. University facilities and lighting are regularly surveyed by staff. Anyone who notices a safety or security problem with the physical plant or landscaping should contact building staff.

Security of and Access to the Academic Facility

The University facilities at O'Connell House are private property. Individuals are allowed onsite at the discretion of the University. It is the University’s expectation that visitors abide by University rules. Policies for persons visiting are outlined in the student handbook. Visitors to O'Connell House must sign in and out of the building. Reception has an intercom with inbuilt monitor so that the receptionist can identify and communicate verbally with a visitor before he/she is granted access to the building. Hours of operation are from 9:00 am to 8:00 pm Monday through Wednesday and 9:00 am to 5:00 pm Thursday and Friday, and are extended as necessary to meet the needs of students. The building is closed on weekends.

Within O'Connell house, a fingerprint recognition system is in use which allows students, staff and faculty access to the building. Staff will know who is in the building at all times for health & safety reasons.

The premises at O'Connell House are monitored 24 hours per day, 7 days a week by Top Security company. Top Security also provides key holding services and is the first point of call for intruder and fire alarms.

Sex Offender Registries

The sex offender registries in Ireland are different than those found in the United States. The details held by the Gardaí in relation to those persons guilty of sex offences and who are subject to the requirements of the Sex Offenders Act 2001 are not subject to freedom of information legislation. You are not entitled, therefore, to apply under the Freedom of Information Acts to find out details of sex offenders living in your area.

Crime Alerts (a.k.a. Timely Warnings)

In an effort to provide timely notice to the Notre Dame Dublin community, and in the event a serious crime occurs at O'Connell House and poses a serious, ongoing threat to members of the Notre Dame Dublin community, a mass email Crime Alert will be sent to all students and employees at O'Connell House and will typically be posted in the lobby/entrance area of the building. Updates to the Notre Dame Dublin community about any particular case resulting in a Crime Alert may be distributed via email or may be posted in O'Connell House. Crime Alerts and any updates will be drafted and disseminated in a way that protects the confidentiality of complainants. Such alerts and updates shall not include identifying information about the complainant in any publicly-available recordkeeping to the extent permitted by law.

Notification About an Immediate Threat

Notre Dame will immediately notify the community at O'Connell House upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students, faculty or staff occurring at the O'Connell House. Dublin public safety services are primarily responsible for confirming that there is a significant emergency or dangerous situation onsite that could cause an immediate threat to the health and safety of the members of the Notre Dame community.

The House Manager is responsible for communicating appropriate, relevant information to students, faculty and staff at O'Connell House in the event of an emergency. Notification may be made via alarm system, email, and announcements by staff inside O'Connell House.

The House Manager will immediately determine the content of the notification and initiate the notification system, unless issuing a notification will, in the judgment
of the first responders (including, but not limited to police and fire), compromise the efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency.

Information is available to the larger community, including parents and in the surrounding areas, by logging onto the Notre Dame Emergency Information website here.

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The University of Notre Dame operates the Tantur Ecumenical Center (the “Tantur Center”) in Jerusalem.

**Security and Law Enforcement**

The Tantur Center has a series of security cameras located around the complex and they are monitored 24 hours a day. During daylight hours, the camera at the main gate is monitored and entry controlled from the reception desk. In the evening when the night guard comes on duty, all doors are checked and the administrative building is locked. From that point and through the night the only public entrance to Tantur is through the main door at reception. There is a Security Officer on site through the night who remains inside and monitors the security cameras. The Security Officers have no power of arrest and are not affiliated with any police agency. Tantur has no memorandum of understanding with any local police agency. The University does not officially recognize any student organization in Israel with a location outside the Tantur Center. An incident/crime log is maintained by the security staff and is available for inspection upon request during business hours.

**Emergency Procedures and Crime Reporting**

Individuals are encouraged to accurately and promptly report all crimes to the local law enforcement authorities, including when the victim is unable to make such a report. Criminal investigations are handled by the Israeli Police. To contact the police in an emergency, telephone 100 and ask for the police, or contact security staff at the building entrance and ask them to summon police. To call an ambulance, dial 101. For a fire emergency, dial 102. In the event of a crime, emergency or suspicious situation on the Tantur Center, resident staff or security should be notified immediately, regardless of whether local law enforcement officials have already been contacted.

**Building Lighting and Physical Plant**

The staff at Tantur Ecumenical Center maintains the facility with a concern for the safety and security of the members of our community. Tantur’s facilities and lighting are regularly surveyed by Tantur staff. Anyone who notices a safety or security problem with the physical site that may affect the safety and/or security of others, should contact the Tantur Security Officers.

**Security of and Access to the Academic Facility**

The University facilities at Tantur are private property. Individuals are allowed onsite at the discretion of the University. It is the University’s expectation that visitors abide by University rules.

Vehicular access to the Tantur Center is through a locked gate which is monitored by camera and opened by security staff. This gate is monitored 24 hours a day. There are also two pedestrian gates to the Tantur Center which are monitored by surveillance cameras. The buildings are locked during the night and any entry or departures from the buildings are monitored. Residents of the Tantur Center should protect themselves by always locking their doors whether they are in or away from their rooms – even when leaving for a moment. Residents should not prop open locked doors. Remember, too, that residents are held accountable for the actions of their guests.

**Sex Offender Registries**

Israel has no sex offender registries that are accessible to the public.

**Crime Alerts (a/k/a Timely Warnings)**

In an effort to provide timely notice to the Notre Dame Tantur community, in the event a serious crime occurs at the Tantur Center and poses a serious, ongoing threat to members of the Tantur community, a mass email Crime Alert is sent to all students and employees in the Tantur program. Crime Alerts are also posted by program staff inside the entrance to the facility and in the common areas. The alerts are generally written by the Rector, or a designee, in consultation with the Chief of the Notre Dame Security Police. Updates to the Notre Dame Tantur community about any particular case resulting in a Crime Alert may be distributed via email or may be posted in common areas. Crime Alerts and any updates will be drafted and disseminated in a way that protects the confidentiality of complainants. Such alerts and updates shall not include identifying information about the complainant in any publicly-available recordkeeping to the extent permitted by law.
Notification About an Immediate Threat

Notre Dame will immediately notify the Tantur community upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students, faculty or staff occurring at the Tantur Center. Israeli public safety services are primarily responsible for confirming that there is a significant emergency or dangerous situation onsite that could cause an immediate threat to the health and safety of the members of the community.

The Tantur Rector is responsible for communicating appropriate, relevant information to students, faculty and staff in the event of an emergency. Notification may be made via alarm system, email, and announcements by staff inside the facility.

Taking into account the safety of the community, the Rector will immediately determine the content of the notification and then initiate the notification system. Such actions will be delayed if in the judgment of the first responders (including, but not limited to police and fire service), the notification would compromise the efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency.

The general public can view information regarding emergency situations at Notre Dame, and on its affiliated properties, by visiting the Notre Dame Emergency Information website here.

London, England Global Gateway

Security and Law Enforcement

The University of Notre Dame in England (NDUK), which is affiliated with the University of Notre Dame, USA (University), employs South Bank Business Watch, a private security company, to provide manned guarding at its two premises: namely, Fischer Hall, the academic facility, and Conway Hall, the residential facility. South Bank Business Watch also provides mobile security operatives who patrol the vicinity of Conway Hall. South Bank Business Watch is registered and regulated by a UK Government body. All South Bank Business Watch Security operatives are trained and affiliated by the regulating body, are not armed and have no powers of arrest. The NDUK residence hall and teaching building retain a 24 hour South Bank Business Watch security operative on site, to provide access control, CCTV monitoring and alarm monitoring. The security operative posted at Conway Hall has direct radio contact with the mobile security operative and can summon their assistance at any time. The security operative provides the first link in the reporting of non-urgent crimes or other incidents. The NDUK does not have a Memorandum of Understanding with the London Metropolitan Police or any other police agency. The NDUK does not officially recognize any student organization with location outside Fischer Hall and Conway Hall. An incident/crime log is maintained at each location by the security operative and is available for inspection upon request during business hours.

Emergency Procedures and Crime Reporting

Individuals are encouraged to accurately and promptly report all crimes to the local law enforcement authorities, including when the victim is unable to make such a report. Criminal investigations are handled by the Metropolitan Police. Both of NDUK’s buildings fall within the jurisdiction of the Charring Cross Police Station. To contact the police in an emergency, telephone 999 and ask for the police; in the event of a non-emergency, telephone 101. Any crime, emergency or suspicious situation should be reported immediately to the security operative. The telephone number at the teaching building is 020 7484 7800 and at the residential building is 020 7928 1716.

Building Lighting and Physical Plant

The Department of Estate and Facilities Management maintains the London academic building and residence hall with a concern for the safety and security of the members of our community. Facilities and lighting are regularly surveyed by the London staff. Security staff assist Estate and Facilities Management by reporting potential safety or security concerns. Anyone who notices a safety or security problem with the physical plant should contact the Facilities Manager at 020 7484 7802.

Security of and Access to the Academic Facility

NDUK facilities in London are private property. Individuals are allowed onsite at the pleasure of NDUK. It is NDUK’s expectation that visitors abide by NDUK rules. Policies for persons visiting residence halls are outlined in residence hall rules.
Safety and security within the London residence hall is the joint responsibility of the residence hall staff and security. Entrances to the London residence hall are generally locked at all times except during move-in and move-out. Ensuring that the residence hall is free from uninvited visitors requires that residents themselves take an active role in making sure strangers are reported to hall staff and/or Security. London residents should protect themselves by always locking their doors whether they are in or away from their rooms – even when leaving for a moment. London residents should not prop open locked doors. Remember too, that residents are held accountable for the actions of their guests.

The NDUK residence hall and academic building retain a 24 hour South Bank Business Watch security operative on site, to provide access control, CCTV monitoring and alarm monitoring. The security operative posted at Conway House has direct radio contact with the mobile security operatives and can summon their assistance at any time.

Support Services for Victims of Sexual Assault

In addition to the reporting options available to all University students, members of the Notre Dame community in London who are subjected to sexual assault may receive local support and assistance through The Havens sexual assault resource centers. Services are available on a confidential basis at any of their three locations:

The Haven - Camberwell
King's College Hospital,
London SE5
Telephone number - 020 3299 1599 9:00 am through 5:00 pm Monday to Friday, or 020 3299 9000 at all other times.

The Haven - Paddington
St Mary's Hospital,
London W2
Telephone number - 020 3312 1101 9:00 am through 5:00 pm Monday to Friday, or 020 3312 6666 at all other times.

The Haven - Whitechapel
The Royal London Hospital,
London E1
Telephone number - 020 7247 4787 at any time

Sex Offender Registries

The sex offender registry in the United Kingdom is different than those found in the USA. The registry in England contains the details of anyone convicted, cautioned or released from prison for a sexual offence against children or adults since September 1997, when it was set up. The register, which is run by the police, is not retroactive, so does not include anyone convicted before 1997. Under the Sex Offenders Act 1997, as amended by the Sexual Offences Act 2003, all convicted sex offenders must register with the police within three days of their conviction or release from prison. Failure to register is an offence which can carry a term of imprisonment. Registrants must inform the police within three days if they change their name or address, and disclose if they are spending seven days or more away from their home. Convicted sex offenders have to register with their local police every year.

Head teachers, doctors, youth leaders, sports club managers and others, including landlords, are notified of the existence of a local sex offender on a confidential basis, but the information is not available to the general public in the UK.

Crime Alerts (a/k/a Timely Warnings)

In an effort to provide timely notice to the Notre Dame London community, and in the event a serious crime occurs at either Fischer Hall or Conway Hall and poses a serious, ongoing threat to members of the NDUK community, a mass email Crime Alert will be sent to all students and employees in the London program. Crime alerts are also posted by program staff in both Fischer Hall and Conway Hall and are typically posted in the lobby/entrance area of the buildings. The alerts are generally written by the Director of the London Program, or a designee, in consultation with the Chief of the Notre Dame Security Police, and they are distributed to the community by listerv. Updates to the Notre Dame London community about any particular case resulting in a Crime Alert may be distributed via email or may be posted in Fischer Hall and Conway Hall. Crime Alerts and any updates will be drafted and disseminated in a way that protects the confidentiality of complainants. Such alerts and updates shall not include identifying information about the complainant in any publicly-available recordkeeping to the extent permitted by law.

Notification About an Immediate Threat

NDUK will immediately notify the London community upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students, faculty or staff occurring at either of the London facilities. Municipal public safety services in London are primarily responsible for confirming that there is a significant emergency or dangerous situation onsite that could cause an immediate threat to the health and safety of the members of the
London community.

The London Facilities Manager, in conjunction with the Academic Director, is responsible for communicating appropriate, relevant information to students, faculty and staff in the event of an emergency. In the residence hall, the Rector may make this notification. In the event of an emergency, notification may be made via alarm system, email, and announcements by staff inside the academic building and residence hall.

Taking into account the safety of the community, the London Facilities Manager at the academic building and the Rectors in the residence hall, in conjunction with the Academic Director, will immediately determine the content of the notification and initiate the notification system. Such actions will be delayed if, in the judgment of the first responders (including, but not limited to police and fire service), issuing a notice will compromise the efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency.

Information is available to the larger community, including parents and in the surrounding areas by logging onto the Notre Dame emergency website here.
about the complainant in any publicly-available recordkeeping to the extent permitted by law.

Notification About an Immediate Threat

Notre Dame will immediately notify the Rome community upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students, faculty or staff occurring at the Rome location. Municipal public safety services in Rome are primarily responsible for confirming that there is a significant emergency or dangerous situation that could cause an immediate threat to the health and safety of the members of the Rome community. The Rome Director of Operations or Academic Director is responsible to communicate with students, faculty and staff in the Rome facility. In the event of an emergency, notification may be made via the fire alarm system, email, and/or a verbal announcement by staff inside the building.

The Director of Operations, in conjunction with the program director will, without delay and taking into account the safety of the community, determine the content of the notification and initiate the notification system, unless issuing a notification will, in the judgment of the first responders (including, but not limited to police and fire service), compromise the efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency.

Information is available to the larger community, including parents, and in the surrounding areas by logging onto the Notre Dame emergency website here.

Environmental Research Center (UNERC)

The University of Notre Dame Environmental Research Center (UNERC) is established in two locations. The “East” location encompasses land on both sides of the state line between Wisconsin (in Vilas County) and Michigan’s Upper Peninsula (in Gogebic County). The “West” location is in western Montana (in Lake County).

Security and Law Enforcement

Both sites are subject to local law enforcement agencies (respectively, county sheriffs’ offices in Gogebic County, MI and in Vilas County, WI (East), and in Lake County, MT (West)). These law enforcement agencies can be reached as follows:

Gogebic County, MI - (906) 667-0203
Vilas County, WI - (800) 472-7290
Lake County, MT – (406) 883-7301

UNDERC East, commonly referred to as Land O’Lakes, the University-owned property located in the northern Wisconsin and Michigan’s Upper Peninsula, is staffed by a year-round, full-time property manager. Residence halls and teaching facilities at Land O’ Lakes are monitored by resident staff members who oversee access privileges during seasonal use (May-September). Similarly, at UNDERC West, located in Montana, University-rented housing and instructional facilities are monitored by resident staff when students are present (June-August). For both locations, on-site staff members provide the first link in the reporting of non-urgent crimes or other incidents. The University has not entered into any memoranda of understanding with any police agencies with jurisdiction over UNDERC East or UNDERC West.

The University does not officially recognize any student organizations in any locations outside of UNDERC East or UNDERC West.

Emergency Procedures and Crime Reporting

Individuals are encouraged to accurately and promptly report all crimes to the local law enforcement authorities, including when the victim is unable to make such a report. Criminal investigations are handled by the county sheriff’s department with jurisdiction (see above). In the event of an emergency, contact the police by dialing 9-1-1, giving your location, and asking for the appropriate county sheriff’s office. In the instance of a non-emergency, or an occurrence that does not merit immediate medical attention, individuals are encouraged to call one of the numbers cited below. In the event of a crime, emergency or suspicious situation at an UNDERC site, resident staff should be notified immediately, regardless of whether local law enforcement officials have already been contacted. The pertinent telephone numbers to call at UNDERC East (Land O’ Lakes) are:

Gary Belovsky (Director) – (906) 842-1012
Joseph Annoye (Property Manager) – (906) 842-2257
Michael Crammer (Assistant Director) – (906) 842-2486
Teaching Building – (906) 842-8633

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In Montana at UNDERC West, call the UNDERC Director Gary Belovsky at (406) 644-2265 or Assistant Director David Flagel who can be reached at the teaching/residence building at (406) 644-8639.

Building Lighting and Physical Plant

The UNDERC East (Land O’ Lakes) Property Manager and maintenance personnel maintain the academic buildings and residence facilities with a concern for the safety and security of the members of our community. At UNDERC West, the landlord of the rental facilities is responsible for all building-related maintenance work. Facilities and lighting are regularly surveyed by UNDERC staff. Anyone who notices a problem with the physical site that would jeopardize the safety and/or security of others should contact an UNDERC site staff member, all of whom can be reached via the contact numbers listed below.

UNDERC East:
Gary Belovsky (Director) – (906) 842-1012
Joseph Annoye (Property Manager) – (906) 842-2257
Michael Cramer (Assistant Director) – (906) 842-2486

UNDERC West
Gary Belovsky (Director) – (406) 644-2265
David Flagel (Assistant Director) – (406) 644-8639
Residence/Instructional Building – (406) 644-8639

Security of and Access to the Academic Facility

The University facilities at UNDERC East (Land O’ Lakes) are private property. Individuals are allowed onsite at the discretion of the University. Normal operating dates for UNDERC East are from May 15 to September 15. Access to the property between March 1 and May 15 is severely limited due to the instability of the roads during the spring thaw. Depending on road conditions, the property manager may restrict or prohibit driving on certain portions of the property until late May.

The gates to the UNDERC East (Land O’ Lakes) property are locked and access is restricted to authorized personnel only. Requests for access to the property for scientific and educational purposes must be made through the Director or Assistant Director, both during the spring-summer field season and at all other times of the year. The property manager does not have the authority to admit visitors to the property for scientific or educational purposes, nor can he permit anyone to use UNDERC facilities or equipment, without prior approval from the Director or Assistant Director.

Residents and regular visitors of UNDERC East (Land O’ Lakes) may be issued keys to the south property gate by the Director or Assistant Director. Keys are not to be duplicated or given to others without permission. Possession of a key to the property gates does not constitute implied permission to enter the property unless specific authorization has been given to do so. Even more, keys must be surrendered immediately at the request of the UNDERC Director, Assistant Director or the Land O’ Lakes Property Manager.

Each person visiting the property, including field station residents, must complete a Visitor Information Form each time he or she visits the property. Visitors may obtain forms from the Assistant Director that must be filled out and returned to the Assistant Director immediately following their arrival. During the spring-summer field season, UNDERC East visitors must always inform the Assistant Director once they are on site. At other times, or if the Assistant Director is unavailable, visitors must check in with the Land O’ Lakes Property Manager in order to retrieve and complete a Visitor Information Form. Visitors are expected to lock entrance gates each time they enter or leave the property.

Safety and security within the residence facility is the responsibility of the on-site UNDERC staff. Even more, while the Land O’ Lakes property is gated and locked, and the UNDERC West site is on private property, ensuring that residence facilities are free of uninvited visitors requires that residents themselves take an active role in maintaining the safety of others. For example, residents should immediately notify hall staff concerning the presence of strangers onsite. It is important to note that residents are held accountable for the actions of their guests. Furthermore, it is the University’s expectation that visitors abide by all University rules. Policies for persons visiting residence halls are outlined within the sites’ residence hall rules.

Support Services for Victims

In addition to the reporting options available to all members of the University community, members of the Notre Dame community at one of the UNDERC locations who are the victims of crime or sexual assault may receive confidential support and assistance at local hospitals, which are noted below. Also, resources specifically dedicated to serving victims of sexual assault or misconduct are indicated by a (*) mark.

Woodruff, WI
Howard Young Medical Center
Telephone (715) 356-8000
Open for emergencies 24/7
Sex Offender Registries

Sex offender registries provide detailed information about individuals who register as sex offenders in the relevant jurisdiction. The purpose of such registries is to inform the general public about the identity, location, and appearance of sex offenders who live, work, or study in a jurisdiction. The sex offender registries for UNDERC sites are:

Michigan: [http://www.mipsor.state.mi.us/](http://www.mipsor.state.mi.us/)
Wisconsin: [http://offender.doc.state.wi.us/public/](http://offender.doc.state.wi.us/public/)

Crime Alerts (a/k/a Timely Warnings)

In an effort to provide timely notice to the Notre Dame community, in the event a serious crime against people occurs onsite at UNDERC East or UNDERC West and poses a serious, ongoing threat to members of the Notre Dame community at one of the UNDERC sites, an email Crime Alert will be sent to all students and employees who are documented as being on site at that particular time. The Crime Alert is also typically posted on an established central bulletin board. Updates to the Notre Dame community at the affected site about any particular case resulting in a Crime Alert may be distributed via email and may also be posted on an established central bulletin board. The UNDERC Director, the site’s Assistant Director, or the Land O’ Lakes Property Manager will consult the Notre Dame Security Police Chief or designee when drafting a Crime Alert. Crime Alerts and any updates will be drafted and disseminated in a way that protects the confidentiality of complainants. Such alerts and updates shall not include identifying information about the complainant in any publicly-available recordkeeping to the extent permitted by law.

Notification About an Immediate Threat

Notre Dame will immediately notify the appropriate UNDERC community upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health and safety of students, faculty or staff on the property. County public safety officials near UNDERC sites are primarily responsible for confirming that there is a significant emergency or dangerous situation on the property that could cause an immediate threat to the health and safety of the members of the community.

The UNDERC Director, Assistant Directors and the Land O’ Lakes Property Manager are responsible for communicating appropriate, relevant information to students, faculty and staff in the event of an emergency. Notification tactics include the following: A note will be posted on a centralized bulletin board, a mass e-mail or text message will be sent, or an in-person announcement will be made inside the academic and/or resident facilities.

Taking into account the safety of the community, the UNDERC Director, Assistant Directors or the Land O’ Lakes Property Manager will immediately determine the content of the notification, and then initiate the notification system. Such actions will be delayed if first responders, such as police and fire service, feel that the notification would compromise the efforts to assist a victim, or contain, respond to and mitigate the emergency.

The general public can view information regarding emergency situations at Notre Dame, and on its affiliated properties, by visiting the Notre Dame Emergency Information website [here](http://www.mipsor.state.mi.us/).
Except as noted below, all statements concerning fire safety-related policies and procedures contained in this Annual Security and Fire Safety Report generally pertain to all remote locations.

Tantur Ecumenical Institute – Jerusalem, Israel

Fire on Campus

Fire services are provided by the local Fire Brigade. The Fire Brigade can be contacted by dialing 102 from any phone.

Fire Log

A printed copy of the daily fire log is available in the Rector’s office during normal business hours.

Procedures for Evacuating Buildings During Fires

Anyone in a building which is involved in a fire should:

1. Call the Israeli Fire Brigade immediately by pulling the nearest pull station in the building. Pull stations are usually located at or near exits. Alternatively, dial 102 to report the fire.
2. Use stairwells and stay off elevators.
3. Get out of the building if possible and stay out until firefighters signal that it is safe to return.
4. Stay back a reasonable distance from the building to avoid falling objects from upper floors.

REMEMBER: Call 102 for all fire emergencies. For an ambulance, call 101.

Future Plans for Fire Safety Improvements in Student Housing

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

2016 Student Housing Fire Safety Systems

<table>
<thead>
<tr>
<th>Residence Halls and/or On-Campus Buildings containing Student Residences</th>
<th>Central Alarm Monitoring</th>
<th>Smoke Detection in Common and Sleeping Areas</th>
<th>Full Automatic Fire Sprinkler System</th>
<th>Fire Extinguishers Installed</th>
<th>Evacuation Plans &amp; Placards</th>
<th>Number of evacuation (fire) drills</th>
</tr>
</thead>
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<tr>
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Student Housing Fire Occurrence Statistics

<table>
<thead>
<tr>
<th>Residence</th>
<th>Year</th>
<th>Total Fires Within the Building(s) for the Year</th>
<th>Date</th>
<th>Time</th>
<th>Cause of Fire</th>
<th>Number of Injuries that Required Treatment at a Medical Facility</th>
<th>Number of Deaths Related to a Fire</th>
<th>Value of Property Damage Caused by Fire</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tantur Residence</td>
<td>2014</td>
<td>0</td>
<td>N/A</td>
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<td>Tantur Residence</td>
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</tbody>
</table>
Fire on Campus
Fire services are provided by the London Fire Brigade. For more information visit the London Fire Brigade website (here). To report a fire emergency, the phone number is 999. For non-emergencies, the phone number is 020 8555 1200.

Fire Log
A printed copy of the daily fire log is also available at the Office of the Facilities Manager, in the academic facility during normal business hours.

Procedures for Evacuating Buildings During Fires
Anyone in a building which is involved in a fire should:

1. Call the London Fire Brigade immediately by pulling the nearest pull station in the building. Pull stations are usually located near or at exits. Alternatively, dial 999 to report the fire.
2. Use stairwells and stay off elevators.
3. Get out of the building if possible and stay out until firefighters signal that it is safe to return.
4. Stay back a reasonable distance from the building to avoid falling objects from upper floors.

REMEMBER: Call 999 for all fire, medical or police emergencies.

Future Plans for Fire Safety Improvements in Student Housing
Conway Hall is a newly remodeled facility with state of the art fire protection systems that meet all applicable codes. Fire safety improvements are ongoing for student housing at this time.

2016 Student Housing Fire Safety Systems

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<th>Number of evacuation (fire) drills</th>
</tr>
</thead>
<tbody>
<tr>
<td>Conway Hall</td>
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</table>

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<tr>
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<th>Number of Deaths Related to a Fire</th>
<th>Value of Property Damage Caused by Fire</th>
</tr>
</thead>
<tbody>
<tr>
<td>Conway Hall</td>
<td>2014</td>
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<td>N/A</td>
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</table>
Fire Safety

All Notre Dame students are trained in fire safety by the Notre Dame Fire Department prior to leaving for the UNDERC sites. This training includes a video on how to safely respond to a fire emergency and how to properly use a fire extinguisher. Additionally, students receive hands-on fire extinguisher training, therein enabling them to successfully put out a fire.

1. At the UNDERC East property in Michigan/Wisconsin, the dormitory in which the students reside has a centralized fire alert system, and a sprinkler system. Also, fire extinguishers are located in each of the common areas, all of which are checked for usability monthly. Additionally, each dorm room has an emergency ladder to expedite escaping from a fire if exits are blocked. (The UNDERC staff demonstrates how to use these ladders.)

2. At the UNDERC West property in Montana, the housing facility has smoke detectors and fire extinguishers in each of the common areas, all of which are checked monthly.

In the event of a fire, students and staff are trained to safely exit buildings and meet at a predetermined location to ensure that all on-site individuals are accounted for. Fire drills are regularly scheduled to make sure students understand the fire safety protocol. All fire drill protocols are posted in each dormitory building, individual room and laboratory area.

Fire on Campus

If a fire occurs at an UNDERC site, community members should immediately notify the relevant local fire safety department. Local fire services are provided by:

<table>
<thead>
<tr>
<th>State</th>
<th>Fire Department</th>
<th>Contact Information</th>
</tr>
</thead>
<tbody>
<tr>
<td>WI</td>
<td>Boulder Junction Volunteer Fire Department, (715) 385-2002</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Land O’ Lakes Volunteer Fire Department, (715) 547-6170</td>
<td></td>
</tr>
<tr>
<td>MT</td>
<td>Charlo Volunteer Fire Department, (406) 644-2501</td>
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</tr>
</tbody>
</table>

Fire Log

A printed copy of the daily fire log is available at the UNDERC office on the main Notre Dame campus during normal business hours.

Procedures for Evacuating Campus Buildings During Fires

Anyone in a building which is involved in a fire should:

1. Call the local fire department. Alternatively, dial 911 to report the fire.
2. Use stairwells and stay off elevators.
3. Get out of the building if possible and stay out until firefighters signal that it is safe to return.
4. Stay back a reasonable distance from the building to avoid falling objects from upper floors.

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

Future Plans for Fire Safety Improvements in Student Housing

There are no fire safety improvements planned for UNDERC student housing at this time.
## 2016 Student Housing Fire Safety Systems

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<tr>
<td>Dormitory A</td>
<td>No</td>
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<tbody>
<tr>
<td>Dormitory A</td>
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