University of Mount Union 2025 Annual Security and Fire Safety Report

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1972 Clark Avenue
Alliance, Ohio 44601

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Accessibility Statement: The University of Mount Union is committed to creating a learning environment that meets the needs of its diverse student body. Fonts, font sizes and contrast of text and page color of this report have been considered to allow for greater accessibility. This report is available in hard copy upon request. Individuals with accessibility needs should reach out to StudentAccessibility@mountunion.edu for assistance in accessing the information in this handbook.

If you need, or are aware of someone who needs, additional assistance in accessing this report, please reach out the Office of Student Accessibility Services within the Center for Student Success. You can find more information about the Office of Student Accessibility Services, including contact information here.

Important Phone Numbers

Emergency Contact Information

Local Emergency Numbers

- Emergency Medical Transport: 330-829-9900
- Stark-Summit Ambulance: 330-837-9806
- Mount Union Health Center (Illness: Weekdays 8 a.m. – 4 p.m.): 330-596-7995
- Alliance Police Department: 330-821-3131 or 911 (Emergency); 330-821-9140 (Non-Emergency);
- Alliance Fire Department: 911 (Emergency); 330-821-1213 (Non-Emergency)

On-Campus

- Residence Hall Emergencies:
  - Weekdays – 8 a.m. – 5 p.m.: 330-823-7288
  - Weekends and evenings: Contact Resident Director on Duty: 330-428-3500
- Campus Security: 330-428-1344 or 330-428-0460
  - From campus phones: S-A-F-E (7233)
- Main Campus switchboard: 330-821-5320
- Physical Plant Office: 330-823-7365

Utility Numbers

- Alliance Water Department: 330-823-3126
- Department of Health: 330-821-7373
- Ohio Edison/First Energy - Electric: 800-633-4766
- Columbia Gas – Gas Lines: 800-344-4077

Crime or Incident Reporting

Campus Security: 330-428-1344 or 330-428-0460
From campus phones: S-A-F-E (7233)

Alliance Police Department: 330-821-3131 or 911 (Emergency); 330-821-9140 (Non-Emergency);

Alliance Fire Department: 911 (Emergency); 330-821-1213 (Non-Emergency)

Residence Hall Emergencies:
Weekdays – 8 a.m. – 5 p.m.: 330-823-7288
Weekends and evenings: Contact Resident Director on Duty: 330-428-3500

Office of Student Accountability: (330) 829-8112
Online reporting: https://www.mountunion.edu/campus-life/safety-and-parking/student-accountability

Issues of Discrimination, Harassment, or Sexual Misconduct [Including Title IX (Sexual Assault, Domestic Violence, Dating Violence, and Stalking) and Title VI (Race and Ethnicity)]

Campus Security: 330-428-1344 or 330-428-0460
From campus phones: S-A-F-E (7233)

Alliance Police Department: 330-821-3131 or 911 (Emergency); 330-821-9140 (Non-Emergency);

Alliance Fire Department: 911 (Emergency); 330-821-1213 (Non-Emergency)

Residence Hall Emergencies:
Weekdays – 8 a.m. – 5 p.m.: 330-823-7288
Weekends and evenings: Contact Resident Director on Duty: 330-428-3500

Office of Student Accountability: 330-829-8112
Online reporting: https://www.mountunion.edu/campus-life/safety-and-parking/student-accountability

Title IX & Title VI Reporting

- Chief Organizational Impact Officer & Senior Title IX Administrator: Mark Black
  - Phone: 330-829-4904
  - E-mail: blackma@mountunion.edu

- Associate Organizational Impact Officer & Title IX and Title VI Coordinator: Andrew Boothe, Jr.
  - Phone: 330-823-6500
  - Email: bootheac@mountunion.edu
- Assistant Dean of Students & Deputy Title IX Coordinator: Jessica Douglas Cunion
  - Phone: 330-829-8112
  - Email: cunionje@mountunion.edu

- Director of Student Engagement & Title VI Coordinator: Shawnta Forester
  - Phone: 330-823-3196
  - Email: forestsh@mountunion.edu

Sexual Misconduct Resources

On-Campus

- Office of Counseling Services: 330-823-2886
- Office of Alcohol, Drug & Wellness Education: 330-829-6660
- Office of the Chaplain: 330-829-8715
- Sexual Misconduct Responders
  - https://www.mountunion.edu/campus-life/safety-and-parking/title-ix/sexual-assault-support-and-resources
- List of Sexual Misconduct Responders
  - https://www.mountunion.edu/Documents/Campus%20Life/Safety%20and%20Parking/Sexual%20Misconduct%20Responders.pdf

Off-Campus

- CommQuest Services of Stark County: 330-821-8407
- COMPASS Rape Crisis Services of Stark County (24-Hr Hotline): 330-452-1111
- National Sexual Assault Hotline: 800-656-4673
- Alliance Area Domestic Violence Shelter: 330-823-7223
- Domestic Violence Project (24-Hr Hotline): 330-453-SAFE (7233)

Sexual Misconduct Medical Assistance

Forensic Nurse Services available at the following 2 locations:

- Aultman Hospital Serenity Program (Canton):
  - 330-363-6203
  - 2600 6th Street SW, Canton, OH 44710
  - Aultman Serenity Program » Aultman

- HAVEN at Mercy Medical Center (Canton):
  - 330-489-1000 ext. 2170
  - 1320 Mercy Drive, NW, Canton, OH 44708
  - Emergency Services & Trauma | Cleveland Clinic Mercy Hospital

Other Resources for medical care include:

- Alliance City Health Department:
  - 330-821-7373
  - 537 E. Market St. Alliance, OH
- Aultman Alliance Community Hospital:
  - 330-596-6000
  - 200 E. State St. Alliance, OH
- Planned Parenthood of Greater Ohio, Canton Health Center
  - 330-456-7191
  - 2663 Cleveland Ave. NW., Canton, OH
- Alliance Pregnancy Center
  - 330-821-7283
  - 75 Glamorgan Ave. Alliance, OH
- University of Mount Union Health Center:
  - 330-596-7995
  - 270 E. State St. Alliance, OH Ste. 200

Alcohol and Other Drug Treatment Options and Referrals

On Campus

Mount Union offers a comprehensive alcohol and other drug counseling and education program to all students. Self-referrals, supervisory, and departmental referrals and consultations are welcome.

Office of Alcohol, Drug and Wellness Education

Hoover-Price Campus Center, 1972 Clark Ave., Alliance, OH

(330) 829-6660 or -adwe@mountunion.edu

Stark County

The following locations offer programs for those with alcohol or drug related concerns. These agencies can provide counseling, treatment, rehabilitation, re-entry and referral for Mount Union faculty, staff, and students.

- COLEMAN BEHAVIORAL HEALTH
  - Alliance Office: 1410 W. State St., Alliance, OH 44601, (330) 823-6932
  - Canton Office: 400 W. Tuscarawas St, Suite 200, Canton, OH, 44702, (330) 438-2400 colemanservices.org/
- COMMQUEST
  - Main Office: 625 Cleveland Ave NW, Canton, OH 44702, (330) 455-0374
  - Alliance Office:1207 West State St., Suite M, Alliance, OH 44601, (330) 821-8407

    - Massillon Office (Driver Intervention Program): 1660 Nave Road SE, Massillon, OH 44646,
    - (330) 834-1934 commquest.org
- CHILD AND ADOLESCENT BEHAVIORAL HEALTH
    - 1207 West State Street, Suite G, Alliance, Ohio 44601, (330)823-5335 childandadolescent.org
- STARK COUNTY TASC (ONLY FOR THOSE WITH CURRENT LEGAL INVOLVEMENT)
    - 624 N. Market St. Canton, OH 44702, 330-479-1912 starktasc.org

- SUMMIT PSYCHOLOGICAL ASSOCIATES
    - 4450 Belden Village St. NW, Suite 701, Canton, OH 44718, 330-493-2554 summit-psychological.org
- GLENBEIGH:
    - Intensive outpatient services and support for loved ones
    - 4661 Belpar St. NW, Canton, OH 44718, (800) 234-1001 glenbeigh.com
- PHOENIX RISING
    - Behavioral Health & Recovery of Alliance: Education, counseling, psychiatry and support for children, adolescents, and adults.
    - 1218 W. State St., Alliance, OH 44601, (330) 493-4553 phoenixrisingbhr.org/alliance/
- RECOR ALLIANCE COMMUNITY HOSPITAL
    - Sub-acute detoxification refers to detoxification services provided with twenty-four-hour medical monitoring.
    - Crisis Hotline at 330-452-6000 or contact CommQuest Services 330-837-9411.

Support Groups

- ALCOHOLICS ANONYMOUS INTERGROUP OFFICE
    - 4125 H ills & Dales Rd. NW, Suite 400B Canton, OH 44708, (330) 491-1989 (24/7) aaincantonohio.org/
- AL-ANON, ALA-TEEN
    - Schedule at 330-438-9511 or al-anon.alateen.org
- NARCOTICS ANONYMOUS FOR NORTHEAST OHIO
    - Call for meeting times and locations, (888) 438-4673 naohio.org/ or nabuckeye.org/
- COCAINE ANONYMOUS
    - Schedule at 330-284-2344 or ca.org/
- DUAL RECOVERY ANONYMOUS
    - Tuesday: 6:30 p.m., Crisis Intervention Recovery Center, 832 McKinley Ave. N, Canton;
    - 330-455-6264 draonline.org/meetings_dra/usa/ohio.ht
- FOUNDATIONS, A PLACE FOR EDUCATION & RECOVERY
    - Peer Recovery support
    - 800 Market Ave. N, Suite #1500A, Canton, OH 44702, 330-454-2888 foundationscanton.org
- GAM-ANON
    - For spouses and families of gamblers. Monday: 7:30-9 p.m. First Friends Church, Room E115, 5455 Market Avenue North, Canton.
    - gam-anon.org/
- GAMBLERS ANONYMOUS
    - International Service Office
    - 4981 Irwindale Avenue suite 700, Irwindale, CA 91706, (626) 960-3500
    - gamblersanonymous.org/ga/locations/
- HOPE UNITED
    - Faith-based aftercare & support groups for individuals and families suffering from addiction

    - P.O. Box 534, Uniontown, Ohio 44685
    - hopeunited.life
- RU RECOVERY - REFORMER'S UNANIMOUS ADDICTIONS PROGRAM
    - Friday: 7:00-9:00 p.m.
    - Temple Baptist Church, 1212 Greensburg Rd, Uniontown, OH 44685;
    - 234-281-4320
    - rurecovery.com

- SEX ADDICTS ANONYMOUS Call 800-477-8191 saa-recovery.org/ SOLACE
    - Meets the 3rd Monday of each month
    - Stark Park's Exploration Gateway, 5714 12th Street NW, Canton 6:30-8:00 p.m.
    - Contact Dale Batdorff at 330-323-7605 to confirm meetings and for more information.

Crisis Numbers

If you or someone you know is in crisis, please:

- Call 9-1-1 if emergency services are needed. If requesting law enforcement, you can ask for a CIT-trained officer
- Call (330) 452-6000, the Stark County Crisis Hotline anytime
- Call 988 for the National Suicide and Crisis Lifeline anytime
- Text 4hope to 741 741, the Crisis Text Line anytime
- Call the Domestic Violence Help Line anytime at (330) 453-SAFE (7233)
- Trevor Lifeline for LGBTQ youth 866-488-7386
- Trans Lifeline at 877-565-8860 is available 18 hours a day
- Homeless Hotline at 330-452-4363 for all Stark County homeless housing requests
- Military & Veterans Crisis Line 988, then press 1
- Military & Veterans Crisis Text Line 838255 to get help now

University of Mount Union Mission Statement

The mission of the University of Mount Union is to prepare students for fulfilling lives, meaningful work and responsible citizenship.

The University of Mount Union, a private Midwestern institution founded in 1846, offers a rigorous and relevant academic program that is grounded in the liberal arts tradition. Mount Union's students can select from broad-based and career-specific undergraduate majors as well as graduate programs. Known for its academic excellence and personal approach, the institution's curriculum is delivered by dedicated faculty who are experts in their fields.

The University strives to make its exceptional experience accessible to students of all financial backgrounds. Its increasingly diverse campus community benefits from a student-centered approach and array of activities for cultural, civic, and social development. Students experience outstanding opportunities for success after graduation, both in the workforce and in graduate study.

For more information, visit www.mountunion.edu.

Policy Statements

Policies for Compiling the Annual Security Report (ASR)

This report is compiled to keep the members of the University of Mount Union community well informed about security and fire safety policies, procedures, and practices on campus. Included in the report is information required

by both the Jeanne Clery Disclosure of Campus Security Policy and Campus Crimes Statistics Act and the Higher Education Act, as well as the Violence Against Women Reauthorization Act, as amended.

Introduction

Mount Union is committed to providing a safe learning, working, and living environment for each of its members, visitors, and guests. This report contains the University's Campus Crime Statistics for the three most recent calendar years (2023, 2024, and 2025) and the Fire Statistics for those three years. This report is available online for the campus community, applicants, and the general public on the University website's Campus Security page listed under Student Services at https://www.mountunion.edu/consumer-information . In addition, printed copies are available in the Office of Student Affairs located in the Hoover-Price Campus Center.

Each year, students, faculty, and staff members are notified via e-mail of the availability of the latest report. This e-mail contains a direct link to the report and to the website where they can access this report in its entirety. Prospective students may request a copy of this report from the Office of Admission. Prospective employees may request a copy of this report from the Office of Human Resources.

Preparing the ASR

The responsibility for preparing and compiling the ASR falls to the director of student accountability. The statistics included are compiled based on materials submitted by the Office of Residence Life, the Office of Campus Safety and Security, the Office of Student Affairs, Campus Security Authorities, and others. Additionally, information needed for this report has been requested from the Stark County Sheriff's Office and the Alliance Police Department. Documents reviewed include documentation reports, security logs, police reports (where available), and any direct reporting methods used by members of the University community.

Who is a Campus Security Authority (CSA)?

The Clery Act identifies certain categories of students and university employees as CSAs who have federally mandated responsibilities to report crimes that they witness or are reported to them. The intent of including non-law enforcement personnel in the role of CSA is to acknowledge that community members and students may be hesitant about reporting concerns to Campus Safety and Security but may be more inclined to report to other campus affiliated individuals.

Mount Union has designated all faculty and staff, as well as students employed in a supervisory role such as a resident assistant or raider guide as CSAs. This excludes AVI Dining staff as they are not employed by Mount Union. Professional University counselors and the chaplain, when acting as such, are not considered to be a campus security authority, and are not required to report crimes disclosed to them on a voluntary, confidential basis for inclusion in the annual disclosure of crime statistics. All CSAs are required to report all alleged criminal incidents, arrests, or disciplinary actions for Clery Act Crimes. These are defined as follows:

- Criminal Offenses – Criminal Homicide, including Murder and Non-negligent Manslaughter, and Manslaughter by negligence; Sexual Assault, including Rape, Fondling, Incest and Statutory Rape; Robbery; Aggravated Assault; Burglary; Motor Vehicle Theft; and Arson.
- Hate Crimes – Any of the above-mentioned offenses, and any incidents of Larceny-Theft, Simple Assault, Intimidation, or Destruction/Damage/Vandalism of Property that were motivated by bias;
- VAWA Offenses – Any incidents of Sexual Assault, Domestic Violence, Dating Violence, and Stalking; and
- Arrests and Referrals for Disciplinary Action for Weapons – Carrying, Possessing, Etc., Law Violations, Drug Abuse Violations and Liquor Law Violation (violations of UMU's Alcohol and Drug policies).
- Hazing Violations

CSAs are encouraged to report these concerns online at https://www.mountunion.edu/campushttps://www.mountunion.edu/campus-life/safety-and-parking/student-conductlife/safety-and-parking/student-conduct, but can also report them by contacting the Office of Safety and Security or the Office of Student Accountability.

Security of and Access to Campus Facilities

Academic and other campus facilities are generally open to students, employees, and guests during normal business hours. As an independent institution, Mount Union's campus is private property, and persons who do not have legitimate business on campus may be removed or arrested as trespassers. There is no formal policy requiring identification and admission of visitors on campus generally, although specific policies may govern access to particular buildings such as university residence halls, certain academic buildings, and the McPherson Academic and Athletic Center (MAAC). Academic and administrative buildings are on a lock and unlock schedule designed to accommodate usage by the campus community and implemented by Campus Safety and Security. The MAAC, the library, and other select university service areas have varying schedules reported annually and shared on individual services area webpages. Campus security officers and other personnel also check all buildings on a regular basis. In the case of periods of extended closing, non-residential buildings (excluding buildings that house administrative offices such as Hoover-Price Campus Center and Beeghly Hall) will be secured and the university will admit only those with prior approval or key access to those facilities.

In addition, the university has a weapons policy which prohibits individuals who are not law enforcement officers assisting university security officers from possessing, displaying, or using firearms, weapons, ammunition, or fireworks on campus at any time.

Students, faculty, and staff are encouraged to call Campus Safety and Security immediately if suspicious persons or activities are noticed in campus buildings or anywhere on campus.

While these precautions greatly improve the security of campus buildings, they cannot be entirely successful without the assistance of students, faculty, and staff. Campus community members are encouraged to practice good personal safety at all times, assist in keeping locked doors closed, not allow people to follow them into a locked building (piggybacking into the building), lock their room, office, and car doors, and report any suspicious activity to Campus Safety and Security.

Security of and Access to Residence Halls

As the “home away from home” for students, residence halls provide all residents with a sense of privacy, security, and community and these policies are based on the premise that residents share responsibility for their community’s security concerns.

Traditional residence halls, suite style residence halls, and university owned apartments are locked 24-hours a day. A card reader controls access to these residence halls and is limited to building residents and necessary Student Affairs, Physical Plant, and Campus Safety and Security personnel. University owned townhouses and houses are key-entry and the residents of the space control access to this space. Keys are assigned to specific residents, and the Community Standards Manual prohibits the sharing or duplication of these keys. Necessary Student Affairs, Physical Plant, and Campus Safety and Security personnel have access to the townhouses and houses. Guests and visitors, per the Community Standards Manual, may only be given access to the building where their host lives and must be escorted at all times. Hosts are responsible for their guests’ actions and any damage caused by their guests. All first-floor traditional residences, suite style residences, apartments, and townhouse rooms are equipped with stainless steel safety screens to decrease the ability to gain entrance from the outside. The safety screens are designed with an interior quick release function that will allow the occupant to remove them in the event of an emergency.

Residence life staff members are on duty and complete rounds through the traditional residence halls, and suite style residence halls. There are external rounds completed around the houses, townhouses, and university owned apartments at various times. Community members can reach a staff member at all times by calling the resident director duty phone. The duty phone number is posted in each residence room, outside of all resident assistants’ rooms, and on the back of all student I.D. cards.

Security Considerations in the Maintenance of Campus Facilities

Maintenance of the University grounds and facilities is also an important part of campus safety. Shrubs are kept trimmed and low hanging tree branches that could obscure views are removed on a routine basis. Parking lots and pathways are illuminated with lighting. In coordination with Campus Safety and Security, a visual check of exterior lighting is completed nightly and reported to the Physical Plant for priority maintenance. Campus Safety and Security also completes a monthly check in cooperation with the City of Alliance Police Department of all Blue Light Emergency Phones (of which there are ten) to ensure that they are in good functioning condition. Individual room and office locking systems and exterior building locks are tested and serviced annually. Those locks using a card reader are tested in conjunction with the Office of Campus Card and Facility Scheduling. Should card access on an exterior door fail, on-call staff are called in immediately to resolve the situation. Staff from Physical Plant, Campus Safety and Security, and Residence Life continually check campus buildings and facilities to ensure doors, windows, locks, access systems, lighting and other safety and security equipment and infrastructure are in good repair and working properly. If community members notice an unsafe space, an exterior light out, or have other safety concerns they should contact Campus Safety and Security.

Law Enforcement and Jurisdiction

Security and Law Enforcement

The Office of Campus Safety and Security reports to the Dean of Students Office. The office consists of the director, two (2) part-time Security Officers, and nine (9) full-time Security Officers. The department provides service twenty-four (24) hours a day, three hundred sixty-five (365) days a year. Campus security officers conduct vehicular, golf cart, and foot patrols on all campus grounds, campus facilities, and campus housing with safety and crime prevention in mind. Campus security officers have enforcement authority for all rules and regulations stated in University of Mount Union publications including, but not limited to, the Student Handbook, the University Catalogue, etc. Campus security officers are not deputized law enforcement officers and do not have arrest authority.

Campus Security coordinates their activities with local law enforcement officers when crime and emergency situations occur. The University of Mount Union has a strong working relationship with the Alliance Police Department. The Alliance Police Department provides law enforcement services to all Mount Union facilities located within its jurisdiction but does not have a written memorandum of understanding. The campus community is strongly encouraged to report crimes to the resources noted here.

Off Campus Student Organizations

The University of Mount Union recognizes one fraternity that owns property off campus as a meeting house and residential facilities. The Alliance Police Department monitors activities at these locations in the same manner as the rest of the city. They respond to calls for assistance and attend to violations of law that come to their attention. At the discretion of the police department, any interaction law enforcement officers have with students at these locations may be reported to the Office of Campus Safety and Security or the Office of Student Affairs. In addition, Campus security officers monitor these locations for safety concerns and violations of law or University policy that may occur.

Reporting

Accurate and Prompt Reporting Policy

While there are certain offices that focus specifically on keeping the University of Mount Union a safe place to live and work (Campus Safety and Security, Residence Life, Student Accountability, Student Affairs, etc.), the responsibility for maintaining a safe community falls to all of its members. The University strongly encourages

members of the university community to accurately and promptly report all crimes to the appropriate authority when the victim of a crime elects to or is unable to make such a report.

Reporting of Crimes

Reports to campus officials will be investigated and, if appropriate, referred to the Office of Student Conduct and/or the Alliance Police Department. In addition, reports of crimes will be included in the Campus Crime Statistics and Daily Crime Log, even if they do not lead to a formal investigation by the police or an arrest or responsible conduct findings.

If the crime is in progress, the community member should immediately contact one of the following:

- The Alliance Police Department at 330-821-3131 (or 911);
- By pressing the button on any of the "blue light" emergency telephones located around campus;
- Campus Safety and Security by dialing S-A-F-E from any campus phone or calling (330) 428-1344;
- Any residence Life staff member either in person or calling the RD duty phone at (330) 428-3500.

The decision regarding whom to contact should be based on the intensity or danger involved in the situation and/or the ease with which one of these authorities can be contacted. If Campus Safety and Security or a Residence Life staff member is notified prior to the Alliance Police being called, they will assist the community member with contacting the Alliance Police Department and making a report.

If the crime is discovered after it has occurred, the community member should contact one of the following:

- Campus Safety and Security by dialing S-A-F-E from any campus phone or calling (330) 428-1344;
- The Resident Director on Duty at 330-428-3500;
- The Office of Student Accountability at 330-823-7288 or https://www.mountunion.edu/campushttps://www.mountunion.edu/campus-life/safety-and-parking/student-conductlife/safety-and-parking/student-conduct

The person responding will assist the community member with making a report and connecting with the Alliance Police Department.

In the case of a sexual assault or other type of sexual misconduct, discrimination, or harassment the student may also contact:

- A Sexual Misconduct Responder. These faculty and staff members have been trained to assist students with all of the difficult decisions a student must make, including those about reporting. Additional information about the Sexual Misconduct Responder program, including the list of Responders and their contact information, can be found at https://www.mountunion.edu/campus-life/safety-and-parking/sexual-misconduct/titlehttps://www.mountunion.edu/campus-life/safety-and-parking/sexual-misconduct/title-ix/sexual-misconduct-respondersix/sexual-misconduct-responders.
- Any member of the Title IX team, the list of whom can be found at https://www.mountunion.edu/campus-life/safety-and-parking/sexual-misconduct/title-ix.
    - Chief Organizational Impact Officer & Senior Title IX Administrator: Mark Black
        - Phone: 330-829-4904
        - E-mail: blackma@mountunion.edu
    - Associate Organizational Impact Officer & Title IX and Title VI Coordinator: Andrew Boothe, Jr.
        - Phone: 330-823-6500
        - Email: bootheac@mountunion.edu
    - Assistant Dean of Students & Deputy Title IX Coordinator: Jessica Douglas Cunion
        - Phone: 330-829-8112
        - Email: cunionje@mountunion.edu

For the purposes of the crime statistics, the University will accept anonymous reports through the means described above. However, campus community members should recognize that the University's ability to act upon anonymous reports will likely be limited.

Confidential Reporting Procedures

Professional University counselors and the chaplain, when acting as such, are not considered to be a campus security authority and are not required to report crimes disclosed to them on a voluntary, confidential basis for inclusion in the annual disclosure of crime statistics. As a matter of policy, however, they are encouraged, when they deem appropriate, to inform persons they are counseling about crime reporting procedures. If the person does not want to report the crime themselves, counselors and the chaplain are encouraged, when they deem appropriate, to inform the person they are counseling that the information the person shares may be used confidentially in the annual campus crime reports, if the person desires. If they want this to happen, the person should advise the counselor or chaplain, who will then report the necessary information (without identifying the person) to the Title IX coordinator.

Alerting/Ongoing Disclosures

Timely Warning Notification

In the event of a major crime incident or other emergency situation occurring on the Mount Union campus or the surrounding area that poses a serious or continuing threat to the campus community, the vice president for student affairs/dean of students, the vice president for business affairs, the vice president of marketing, or their designees, will evaluate the circumstances and determine the need and manner for alerting the campus community. The mode of notification will vary depending on the particular circumstances of the situation and notification will occur without delay. One or more of the following communication tools will be used to notify students, faculty, and staff:

- Emails to Mount Union email addresses
- Phone calls to all campus phone numbers (landline and cell, if registered)
- Text messages through the emergency alert system
- Signage placed in and around buildings
- Alerts on the Mount Union website

If a problem appears to be confined to a building or group of buildings, notification will generally occur through posting flyers in the affected areas. If the buildings identified are residential, residence life staff may notify their students through hall meetings, word of mouth, or email in addition to the postings.

It is imperative that all community members read these warnings and respond appropriately. Anyone with information warranting a timely warning should report the circumstances to Campus Safety and Security by phone at (330) 428-1344 or to the Office of Student Affairs at (330) 823-2243.

Emergency Notification and Evacuation

The University of Mount Union has an Emergency Management Plan to enhance the safety of all members of the campus community, protect University property and facilities, and foster an environment conducive to quick recovery and business continuity when crises occur. On-going review and administration of the plan is a joint effort of the President's Council and the Campus Safety Committee. The Campus Safety Committee is co-chaired by the vice president of student affairs/dean of students and the vice president for business affairs/treasurer and its members are select faculty and staff. The Campus Safety Committee's purpose is to mitigate risk and prepare for crisis situations. The Emergency Management Plan includes information regarding incident teams, crisis plans and protocols, and safety guidance for students, faculty, and staff.

If students, faculty, staff, or guests are aware of an emergency or dangerous situation, they should contact Campus Safety and Security by dialing S-A-F-E from any campus phone or calling 330-428-1344 or the Alliance Police Department at 330-821-3131 (or 911). Notification can also be made to the vice president of student affairs/dean of students at 330-823-2243.

Authority to declare a campus state of emergency and initiate campus notification resides with the President's Council. Typically, these decisions will be made by either the vice president for student affairs/dean of students or the vice president for business affairs/treasurer; however, they can be made by the President and/or any member of their council. The President's Council member involved in the process will work with Campus Safety and Security, local law enforcement, and emergency agencies to confirm that there is a significant emergency and determine who to notify. Upon confirmation of an emergency or dangerous situation, the institution will immediately notify the campus community. In most cases, the vice president of marketing, or a member of their staff, will be involved in drafting the content of the notification and initiating the notification system. If appropriate for the situation, first responders (such as campus security officers or resident assistants) may be notified prior to or at the same time as the campus community.

In most cases, the entire campus community will be notified of all events deemed an emergency. Should specific areas of the campus need to be notified (i.e., a specific residence hall) instead of the entire community, the President's Council member involved in this process will work with Campus Safety and Security, local law enforcement, and emergency agencies to determine the specific notification area. In this case, notification could be done via email, verbal announcement, signage, fire alarms, door to door knocking or campus alert as described below.

In cases of fire, or immediate need to evacuate a specific building, the fire alarm will be the initial notification of an emergency.

The University utilizes the Regroup Emergency Management system to provide information to all students, faculty, and staff members via phone calls to all campus phone numbers, cell phone numbers on record with the University, and home numbers for commuter students; e-mails to all Mount Union e-mail addresses; and/or text messages, if the community member has not opted out of this feature. If a significant emergency is confirmed, the University will, without delay and taking into account the safety of the community, determine the content of the notification and initiate the notification system, unless the notification will, in the professional judgment of responsible authorities, compromise efforts to assist victims or to contain, respond to, or otherwise mitigate the emergency.

Communication of emergency information to the community outside of the University will occur through the Office of Marketing, in consultation with local law enforcement and emergency agencies. Such communication may occur via local and network media outlets, the Mount Union website, campus signage, and other incident specific methods. Communication will be tailored by the Office of Marketing to include information specific to the incident and the target audience receiving the notification, i.e., outside community may be notified to stay off campus while the on-campus community may be asked to shelter in place. The directives in these notifications will be determined by a member of the President's Council.

Evacuation

Resident assistants and other residential life staff receive emergency response and evacuation training every year. The training includes information regarding emergency assembly areas and shelter in place sites for different locations on campus.

Each faculty and staff member receives and are asked to post the University of Mount Union's Emergency Response Guide. Additionally, this is sent electronically to all faculty, staff, and students annually. This guide includes directions on when to evacuate and when to shelter in place with directions on how to do so in different situations.

Emergency Protocol

There is no one set protocol for response to all crisis/emergency scenarios. However, there are three key contingent steps for consideration when confronted with crisis: Hide Out, Get Out, Call Out.

HIDE OUT (Cover/Conceal)

If members of the campus community are confronted by an emergency/crisis situation in which evacuation from their current location would expose them to potential peril or increased danger, then efforts should be made to take cover. When appropriate (i.e., armed intruder) doors should be locked, if possible, lights turned off, and efforts made to keep silent and out of sight.

GET OUT (Evacuate)

Whenever possible, members of the campus community should remove themselves from emergency/crisis locations provided that such evacuation will not expose them to increased danger. If unsure whether or not evacuation is a safe option, then taking cover and communicating the crisis to proper authorities may be the best alternative.

CALL OUT (Communicate)

When members of the campus community discover or are confronted by crisis/emergency situations, they should communicate those dangers to proper authorities as soon as possible. Prior to communication, community members should assess risk and be sure to isolate (Cover) or remove (Evacuate) themselves from imminent danger.

Once imminent danger has been avoided, community members can utilize the following numbers to contact assistance. Community members are encouraged to program the following numbers into their phones for ease of communication:

- Campus Security: 330-428-1344 or S-A-F-E from campus phones
- Alliance Police Department: 330-821-3131

Testing Emergency Response and Evacuation Procedures

The emergency response procedures are tested annually. Generally, there is an Alliance Community Exercise (Disaster Drill) Planning Committee, on which members of the campus emergency management team play an active role. This exercise takes place on or near the Mount Union campus in coordination with the Stark County Emergency Management Agency, Alliance Community Hospital, Alliance Police Department, and Alliance Fire Department. Other local agencies, such as the Stark County HazMat team, local ambulance services, and fire departments from nearby jurisdictions, etc. may be involved depending on the specific scenario upon which the drill is based. Additionally, the University's entire campus safety and security staff and various other members of the campus community participate in the drill as part of their training.

The following scenario was used for the 2026 Alliance Community Exercise, which was a tabletop, as opposed to a full-functional or hybrid exercise.

> A simulated pre-exercise notice reports that a group hijacked a truck carrying radiography cameras with radioactive material and made threats toward health care and higher education. During a Mount Union soccer event, a yellow truck arrives near campus stadium-area facilities. At 7:59 p.m., the truck explodes. Initial reports are incomplete; casualties are reported; the driver may have left the truck; and the material status is unknown.

The community and University teams had to respond to the table-top exercise simulation, working through a series of modules designed to test communication, response times, and response procedures goals set by each exercise participant.

In addition to the annual drill, the University tests the Regroup Emergency Notification system each fall and spring semester. An e-mail is sent informing members of the campus community that the system will be tested, asking

them to update their contact information, and explaining how to opt out of the text message notification. Approximately a week later, a test of the system is conducted with messages going out via phone, e-mail, and text.

During campus safety week, fire drills are conducted in every residence hall. During this same week, all faculty and staff who are new and have not previously received it or who request them are given paper copies of the Emergency Response guide to post in their office or classroom. Additionally, the emergency response guide is sent out to the entire campus community electronically during campus safety week.

General Prevention and Awareness

Programs and Activities Available on Campus to Raise Awareness of Safety and Risk Reduction

Throughout the year, on a continuous basis, programs and activities are held at Mount Union to educate and raise awareness of safety issues, including alcohol, drugs, domestic violence, sexual harassment and sexual abuse. The list below is not all inclusive but gives some of the programs and activities at Mount Union.

Safety Issue Awareness

Various offices throughout campus provide programming and training to educate and raise awareness of safety issues. These programs included, but are not limited to:

- Risk Management Programs for fraternities and sororities that include Bystander Training
- Upstander Intervention Training provided during University Compliance days and made available for departments and student organizations throughout the year that are conducted by the Office of Student Accountability and Office of Organizational Impact and Title IX
- Campus Safety Week – During this annual week to raise awareness regarding campus safety and security many events took place, including but not limited to campus safety tips sent via daily emails, a Campus Safety Week Scavenger Hunt, bicycle registrations, flu shot clinics, student ride-alongs, and online training modules regarding First Aid, AEDs, Active Shooter, and Health Emergencies were made available, self-defense classes.
- Office of Student Accountability Bulletin boards on topics such as Cyber Safety, Safety in Inclement Weather, and knowing the Community Standards Manual.
- In hall Residence Life programs – Programs on various topics including safety, security, wellness, social responsibility, and community building presented by residence life staff in various hall settings throughout the year.
- Escort Service – This service is provided by request through Campus Safety and Security to help individual services.
- Crime Prevention Programming – The director of campus safety and security provides this program to all incoming students and at request to discuss safety and crime prevention on campus.

Alcohol and Drug Awareness

Lead by the Office of Alcohol, Drug, and Wellness Education, much programming is provided to the community on Alcohol and Drugs. Additionally, the Office of Alcohol, Drug and Wellness Education provides confidential consultation and other services to the University Community as needed. The Alcohol and Drug Awareness programs provided throughout the year, included but are not limited to:

- 21st Birthday Cards - Evidenced based programming tool effective in educating students, parents, and others about the dangers of alcohol poisoning.
- Healthy Graffiti - Educational flyers posted on the restroom stall doors across the campus (8 editions per semester).

- Raiders Don't Drink & Drive – Partnering with the Stark County Sheriff's department to give simulated experience to drinking and driving.
- Rethink Your Drink – A panel of experts from campus accountability, law enforcement, emergency medicine, and the legal field help students understand the consequences of alcohol and other drugs on driving and other actions as well as the social, medical, and legal consequences
- Reverse Trick or Treat – Booze Can be Scary, information is provided on safe drinking.
- Risk Management Programs for fraternities and sororities that include support of GAMMA (Greeks Advocating Mature Management of Alcohol).
- Mocktails – Annual organizational mocktail event as a part of National Collegiate Alcohol Awareness Week.
- Office of Alcohol Drug and Wellness Education Bulletin boards on topics such as Rethink your Drink and Arrive Alive.
- DeStress Fest – A pre-final event to promote stress management.
- Safe Spring Break Planning - A week of events focused on presenting alcohol education and awareness, identifying the consequences of abusive alcohol and drug use during spring break.
- Arrive Alive - Participation in a campaign to focus on drunk driving and vehicular fatalities and how alcohol and other drugs impact decision making skills.
- Late Night and Weekend Programming – Providing the opportunity to build friendships and socialize without alcohol or other drugs. Programs include, but are not limited to, comedians, hypnotists, game shows, and trips to local attractions/sporting events, and monthly movies.
- Fraternity President's Meeting on Social Events Policy Revisions – President meetings to review the expectations about alcohol and safety in social settings.
- Get Inclusive - online training on alcohol choices and sexual misconduct required for every incoming student.

Domestic Violence, Sexual Harassment and Sexual Abuse

Raising awareness regarding Domestic Violence, Sexual Harassment, and Sexual Abuse is important to the University of Mount Union. Many events are held throughout the year to provide education, awareness and additional information to students and the community. These programs include, but are not limited to:

- Get Inclusive - online training on alcohol choices and sexual misconduct required for every incoming student
- Risk Management Programs for fraternities and sororities that include Bystander Training
- Fraternity and Sorority members on hazing prevention
- Ongoing Title IX training for students, faculty, and staff
- Title IX and Bystander Training for resident assistants, preview guides, and raider guides
- GAMMA Sexual Responsibility Training
- Office of Alcohol Drug and Wellness Education's Sexual Responsibility program completed for various constituencies on campus
- Condom Olympics – event provided by the Office of Alcohol Drug and Wellness Education for various constituencies on campus.

Hazing Prevention

Hazing is not and will not be tolerated at the University of Mount Union. We are committed to making campus a safe a welcoming place for everyone, and as such, we strictly prohibit hazing in all its forms and as defined by the University Community Standards Manual, Ohio Revised Code 2903.31, and Federal Public Law 118-173. Mount Union's hazing policy is outlined below.

Mount Union Hazing Policy

College student groups and individual students are prohibited from hazing in any form. This policy applies to behavior that occurs on or off campus and at University sponsored or approved activities as well as non-University activities.

A. In accordance with Ohio's Collin's Law and the Stop Campus Hazing Act, *hazing* is defined as (1) doing, participating in, allowing, causing, coercing or forcing an individual to do or engage in any of the acts listed below, which causes or creates risk – beyond what is reasonably expected in the context of participation in the institution or organizations (such as physical preparation for athletic teams) – of causing physical or psychological harm, regardless of that individual's willingness to participate, (2) in the course of initiation into or affiliating with, maintaining or enhancing membership in, or reinstating affiliation with any student group.
B. Acts indicated in A(1) include, but are not limited to:
    a. whipping, beating, striking, electronic shocking, or placing a harmful substance on someone's body;
    b. causing or coercing sleep deprivation, exposure to the elements, confinement in a small space, extreme calisthenics, or similar activities;
    c. inducing another person to consume food, liquid, alcohol, drugs, or other substances;
    d. causing or coercing another person to perform sexual acts;
    e. engaging in any activity that places another person in a reasonable fear of bodily harm through the use of threatening words or conduct;
    f. any act that includes violation of local, state, or federal law; and
    g. any act that requires another person to perform a duty or task that involves a criminal violation of law.
C. Student groups are defined as any group or organization in which two or more members are currently enrolled Mount Union students, whether or not the group is established or recognized by Mount Union. These groups include, but are not limited to, student organizations, clubs, and societies; varsity or junior varsity athletic teams; intramural and club sports teams; fraternity and sorority life organizations; band and other music groups or ensembles; or student government.
D. For the purposes of this policy, hazing includes knowledge or observation of hazing activities by individuals in a position to intervene but who fail to intervene, including organization advisors, officers, and leaders, as well as any other Mount Union employee, who are aware of planned or previously occurring hazing activities and/or who condone and/or fail to prevent hazing from occurring, regardless of that participation.

If a member of the University community becomes aware of incidents of hazing or suspicious behavior, they should immediately contact the director of student accountability at (330) 823-8112 or file a Hazing report as outlined below.
Mount Union, in accordance with local, state, and federal law, will report, and provide investigation materals related to, any criminal hazing behavior to the appropriate law enforcement agency.

Federal and State Laws and Definitions

Hazing

Under Federal Public Law 118-173, also known as the Stop Campus Hazing Act, hazing is defined as any intentional, knowing, or reckless act committed by a person (whether individually or in concert with other persons) against another person or persons regardless of the willingness of such other person or persons to participate, that

1. Is committed in the course of an initiation into, an affiliation with, or the maintenance of membership in, a student organization, AND
2. Causes or creates a risk, above the reasonable risk encountered in the course of participation in the institution of higher education or the organization (such as the physical preparations necessary for participation in an athletic team), of physical or psychological injury, including
    a. Whipping, beating, striking, electronic shocking, placing of a harmful substance on someone's body, or similar activity;
    b. Causing, coercing, or otherwise inducing sleep deprivation, exposure to the elements, confinement in a small space, extreme calisthenics, or other similar activity;

c. Causing, coercing, or otherwise inducing another person to consume food, liquid, alcohol, drugs, or other substances;
d. Causing, coercing, or otherwise inducing another person to perform sexual acts;
e. Any activity that places another person in a reasonable fear of bodily harm through the use of threatening words or conduct;
f. Any activity against another person that includes a criminal violation of local, state, or federal law; and
g. Any activity that induces, causes, or requires another person to perform a duty or task that involves a violation of local, state, or federal criminal law.

Under State Law (Ohio revised code 2903.31), also known as Collin's Law, (A) hazing is defined as doing any act or coercing another, including the victim, to do any act of initiation into any student or other organization or any act to continue or reinstate member in or affiliation with any student or other organization that causes or creates a substantial risk of causing mental or physical harm to any person, including coercing another to consume alcohol or a drug of abuse, as defined in section 3179.011 of the Revised Code.

Collin's Law goes on to state that, (B.1) No person shall recklessly participate in the hazing of another, and (B.2) No administrator, employee, faculty member, teacher, consultant, alumnus, or volunteer of any organization, including any primary, secondary, or post-secondary school or any other educational institution, public or private, shall recklessly permit the hazing of any person associated with the organization. And that (C.1) No personal shall recklessly participate in the hazing of another when the hazing includes coerced consumption of alcohol or drugs of abuse resulting in serious physical harm to the other person. Also, (C.2), no administrator, employee, faculty member, teacher, consultant, alumnus, or volunteer of any organization, including any primary, secondary, or post-secondary school or any other educational institution, public or private, shall recklessly permit the hazing of any person associated with the organization when the hazing include coerced consumption of alcohol or drugs of abuse resulting in serious physical harm to that person. Finally, (D), whoever violates this section is guilty of hazing. A violation of B.1 or B.2 of this section is a misdemeanor of the second degree. A violation of C.1 or C.2 of this section is a felony of the third degree.

Organization

The Stop Campus Hazing Act defines "student organization" as an organization at an institution of higher education (such as club, society, association, varsity or junior varsity athletic team, club sports team, fraternity, sorority, band, or student government) in which two or more of the members are students enrolled at the institution of higher education, whether or not the organization is established or recognized by the institution.

Ohio's Collin's Law defines "organization" as including a national or international organization with which a fraternity or sorority is affiliated.

Procedures

Reporting Hazing Incidents

Any person having knowledge of any activity or conduct that may constitute hazing can report their concerns to the Assistant Dean of Students by emailing studentconduct@mountunion.edu, calling 330-829-8112, or by submitting this online Hazing reporting form.
NOTE: All University employees are mandatory reporters for hazing incidents and *must* immediately report any knowledge of hazing-related activities.

Self-reporting of Incidents

Student organization/team members and officers/captains should immediately report any hazing incidents that occur within their group to the Assistant Dean of Students, providing a detailed description of the events that transpired, the names of any individuals involved, and a description of any actions taken by the organization.
Upon receiving the report, the Assistant Dean of Students will investigate as described in this regulation, and the organization president/captain and advisor/coach will be notified. The investigation and adjudication will proceed

related to the regulation violations by the individual(s) implicated in the report, unless evidence discovered in the investigation proves the incident to have been sanctioned by the organization. If the incident appears to have been sanctioned by the organization, a follow-up investigation into the organization's role will be undertaken. If the student organization is affiliated with a national organization, that organization headquarters will be notified.

Investigation of Allegations and Charges

Upon receiving a report of alleged hazing, the Assistant Dean of Students/Designee will begin the investigation or assign the case to a compliance officer or other trained investigator. As part of the investigation, the university will:

A. Make contact (if possible) with the individual(s) bringing forward the allegations of hazing;
B. Make contact with the individual(s) alleged to have perpetrated the hazing. If the conduct is organizational in nature, the investigator will contact the advisor and president of the organization under investigation;
C. Conduct interviews with all parties, including victims, the accused student(s), and any witnesses. The investigator may recommend interim action (as described in the Community Standards Manual) to the Dean of Students at any point during the investigation.
D. The investigator may, at their discretion, require students, or a select group of students (e.g., all new members) to participate in an investigatory meeting at a pre-determined time and location and may exercise discretion regarding the communication of students during the investigation process, including, but not limited to, restriction on the use of any electronic devices.
E. The investigator may, and their discretion, encourage students to undergo a physical examination by a campus or other health provider, at no cost to that student, particularly when allegations of physical abuse is part of the hazing investigation. The results of these physical examinations will be protected by applicable health and educational records privacy laws. However, a summary of any physical signs of hazing will be provided to the investigator by the medical professional conducting the exam, with permission of the student involved.
F. The investigator will provide a written report to the Assistant Dean of Students/Designee. Upon receipt of this report, the Assistant Dean will determine if charges are warranted. If so, the applicable individual student(s) or organization(s) will be charged.

Adjudication

Adjudication shall be conducted pursuant to the Community Standards Manual or other specific language in University policy related to organizational misconduct.

Individual and Organizational Responsibility

The University will, on a case-by-case basis, determine whether any violation of this policy is individual or organization in nature. In determining whether a violation is organizational in nature, the University will consider the following:

A. How many members were present when the alleged violation occurred or had specific knowledge of the alleged violation;
B. What knowledge the appropriate organization officers and/or advisors had of the alleged violation;
C. What action the appropriate organization officers and/or advisors took in addressing/preventing the alleged violation;
D. Were organization members acting in concert or did the individual's membership in the organization serve as an impetus for the alleged violation;
E. Did the violation arise out of an organization-sponsored, financed, or endorsed event; or
F. Is there a pattern of individual violations that have occurred without proper action by the chapter.

Amnesty

Students who make a hazing report in good faith, or victims of hazing violations who participate in an investigation, will not be charged with other University policy violations brought to light in the course of the investigation or that arose out of, or were committed as a direct result of, the hazing incident(s) under investigation. The University will follow up with those students related to the issues as appropriate in a non-disciplinary setting.

Sanctions

Sanctions for violations of this policy/regulation will be administered by the Dean of Students.

A. Groups and organizations subject to University jurisdiction and individual students found responsible for violations will be sanctioned in accordance with the Community Standards Manual. Organizational violations may result in sanctions including, but not limited to, revocation of registration or recognition or denial of application for registration or recognition; or loss of University privileges such as the ability to host events, formally meet on campus, reserve campus facilities, or hold recruitment events.
B. Sanctions imposed by the University will be in addition to any penalty imposed for violation of state law.
C. For groups formally associated with the University (e.g., varsity and junior varsity athletic teams, performing arts groups, or other organizations supported by the University and not required to register as a student organization), sanctioning for violations shall be determined by the Dean of Students in conjunction with the Vice President of the administrative unit that sponsors or supports the group.

Retaliation

It is a violation of this policy and these procedures to retaliate or take adverse action toward any person for reporting an alleged violation of this policy or for cooperating with University investigation related to this policy. Retaliation includes, but is not limited to, verbal or implied threats, physical or psychological abuse, intimidation, harassment (verbal or written), isolation, any other action intended to create a hostile environment for the intended target of the retaliation, or any other action as outlined in the Community Standards Manual.

Reporting Form

Please complete the online Hazing Incident Reporting form.

Stop Campus Hazing Act Transparency Report

As required by federal law, the Hazing Transparency Report will be published at least every six months, in June and December, and will detail incidents of hazing that have been found by the University to have occurred. The transparency report will include information regarding the specifics of the incident, the organization(s) involved, whether drugs or alcohol were involved, the date(s) of the incident(s), and any sanctions applied to the organization by the University.

These reports will contain information for the past five years. An update will be provided every six months, even if no incidents of hazing are found to have occurred during that time period.

Prevent Efforts & Training

As we strive to prevent incidents of hazing on campus, the Office of Student Accountability and Dean of Students Office will work, in concert with Athletics, the Performing Arts Department, Student Organizations, and the Office of New Student and Leadership programs, to develop and implement hazing prevention programs on campus.

Hazing prevention training will take place annually for all leaders and members of athletic teams, performing arts groups, and fraternity and sorority life organizations. Hazing prevention information will also be sent to all student organization leadership and advisors on a yearly basis. Mandatory training for all University employees, including full and part-time faculty, staff, and administration, as well as student staff who work in the residence halls or in new student programs, will take place on a yearly basis.

For new students, Mount Union will provide hazing prevention information as part of an upstanding training session during Orientation. We will also deploy an online hazing prevention module annually during Hazing Prevention month.

Hazing Prevention month will include several other events and activities aimed at hazing prevention for both specific student organizations and groups and the larger University community.

Resources

On-campus, students can get support from the Assistant Dean of Student (330-829-8112), Counseling Services, Alcohol, Drug, and Wellness Education, or the Office of the Chaplain.

Campus community members can also visit stophazing.org or the hazing prevention network for information on resources available related to the prevention of hazing.

Drug, Alcohol and Substance Abuse

Alcohol and Other Drug Policy

To comply with the Drug Free Schools and Communities Act of 1989 (DFSCA) and subsequent amendments, students and employees of the University of Mount Union are informed that strictly enforced policies are in place which prohibit the possession, use, or distribution of any illicit drugs, including alcohol, on University property or as part of any University-sponsored activity, with the exception for of-age students to consume alcohol moderately as specified below. Students and employees are also subject to all applicable legal sanctions under local, state, and federal law for any offenses involving illicit drugs on University property or at University-sponsored activities.

The University of Mount Union affirms that illegal drug use is unlawful and harmful. The use of illegal drugs and alcohol abuse by students and employees could result in cognitive deficits, loss of productivity, and other health risks. These risks include an increased risk of accidents, which may result in death or permanent injury. Free, confidential counseling for alcohol and other drug misuse and abuse issues is available to students through the Office of Alcohol, Drug, and Wellness Education. Other resources and referrals may include assessment, individual counseling, educational programs, materials, and referral and case management through community agencies, all of which might include a fee.

Students exhibiting signs of excessive alcohol consumption will be transported via local ambulance services at the student's expense for medical attention. Refusal to cooperate with EMS personnel may result in arrest by the Alliance Police Department in order to ensure the student's health and safety and/or a conduct complaint for disruptive behavior and/or failure to comply.

Parental/Guardian Notification

The University of Mount Union is concerned about students who improperly use alcohol and other drugs and the effects such use may have on their health, academic success, interpersonal relationships, and, ultimately, their future.

Mount Union's alcohol policy expressly forbids possession and/or consumption of alcohol by students, employees, or guests who are under the minimum legal drinking age of 21 years. Possession of drug paraphernalia and the use, manufacture, sale, or distribution of illegal drugs, whether on or off campus, by any student is also prohibited. In accordance with the Family Educational Rights and Privacy Act (FERPA), the director of student standards (or designee) reserves the right to notify the parents/guardians of students under 21 years of age of any incident in which the student is found responsible for violating the University Alcohol and Other Drug Policy. While the University may notify the parents/guardians of students under 21 years of age in any alcohol or drug violation, it is generally only done in cases where a student has been found to have violated the University's Alcohol or Other Drug Policy and are placed on university probation.

Alcohol Policy

The following sections describe Mount Union's policy regarding the sale, service, distribution, and consumption of alcoholic beverages on university property or at university-sponsored events in accordance with federal, state, and local laws.

Basic Guidelines

Students who are 21 years of age or older are permitted to possess and consume alcohol only in University housing per the parameters below. Alcohol may not be possessed,* served or consumed in any public place on Mount Union's campus or at any athletic event. Students who are of legal drinking age may not share or provide alcohol to any students, employees, or guests who are under 21 years of age. Those under the minimum legal drinking age of

21 years are not permitted to possess or consume alcohol anywhere on University property or at University-sponsored events. Drinking games, and simulated drinking games (e.g., water pong) are prohibited on campus.

Advertisements and promotional materials posted or distributed on campus may not make any direct or implied reference to or depict in any manner alcoholic beverages, alcoholic beverage company logos, or symbols, the consumption of alcoholic beverages, drugs, or drug paraphernalia or the use of illicit drugs. Exceptions to this policy may be made for advertisements for educational programs and events; however, these materials must be approved in advance by the associate dean of students or the director of alcohol, drug, and wellness education. No campus activity may be cosponsored by a bar, liquor establishment, or other alcoholic beverage manufacturer or distributor. Alcohol may not be sold on the Mount Union Campus.

Residence Hall/University Owned Housing Alcohol Guidelines

Persons who are 21 years of age or older may possess* and consume alcoholic beverages in the residence halls, university apartments and campus houses according to the following standards:

a. Students who are 21 or older may possess* or consume alcoholic beverages in the privacy of their individual student rooms or university apartments. Room/apartment doors must be shut when consumption is occurring.

b. An individual who is of legal drinking age may not consume alcohol in the presence of anyone under the age of 21, with the exception of their roommate(s)/apartment mate(s).

c. Alcohol may only be consumed in residence halls or campus house individual rooms. No one shall consume or possess* open containers of any alcoholic beverage in any other area of the residence halls or campus houses (e.g., lounges, hallways, restrooms, laundry rooms, etc.). In townhouses and apartments, students are permitted to drink in their living rooms/kitchens provided no one present is under the age of 21.

d. Kegs of beer, taps, beer balls, and beer funnels are not permitted in or on University of Mount Union property or on the property of organizations affiliated with the University. These items will be confiscated by University officials if discovered on campus.

e. Drinking games or contests involving alcoholic beverages may not be played on the University of Mount Union property.

* PLEASE NOTE: The presence of alcohol may be interpreted as possession of alcohol. Students encountered in locations where alcohol is present may be considered to be in violation of the Alcohol Policy, even if they do not have alcohol on their person at the time they are encountered.

Examples of Violations of the University Alcohol Policy

- Purchasing alcohol by a person under the age of 21;
- Selling or providing alcohol to a person under the age of 21;
- Possessing either full or empty alcohol containers by a person under the age of 21;
- Consuming alcohol by a person under the age of 21;
- Showing physical or mental impairment following or resulting from alcohol use;
- Using or possessing common sources of alcohol including, but not limited to kegs, party balls, punch bowls, wine boxes, etc.;
- Participating in or being present during the occurrence of any drinking game;
- Possessing an open container of alcohol in a common area including, but not limited to bathrooms, hallways, lounges, elevators, lobbies or outdoor spaces;
- Driving under the influence of alcohol.

As stated in the Community Standards Manual, failure to comply with the reasonable directives of University officials, campus safety and security officers, or law enforcement officers during the performance of their duties

and/or failure to identify oneself to these persons when requested to do so, is considered unacceptable behavior for a university student. An example of such behavior includes refusing to submit to a breath test when requested by a police officer, whether on or off-campus, which is considered a violation of the University Community Standards Manual and may result in conduct sanctions.

Sanctions for alcohol violations are dependent upon a number of factors including, but not limited to: hearing officer discretion, the nature and severity of the incident, a student's conduct history, and a student's cooperation throughout the conduct process.

Illegal Drug Policy

The following sections describe the University's policy regarding the sale, manufacture, distribution, possession,* and use of illegal drugs on or off University property or at University-sponsored events or programs in accordance with federal, state, and local laws. Examples of violations include:

- Misuse of over-the-counter drugs;
- Misuse or sharing of prescription drugs;
- Possessing, using, being under the influence of, distributing, or manufacturing any form of illegal drug;
- Possessing paraphernalia for intended or implied use of any form of illegal drug;
- Possessing paraphernalia that contains or appears to contain illegal drug residue;
- Purchasing or passing illegal drugs from one person to another;
- Using mail services to purchase, pass, or distribute illegal drugs.

Paraphernalia includes, but is not limited to, bongs, hookahs, water pipes, rolling papers, vapes/vaporizers, and rigs.

This policy provides flexibility for the University in addressing drug-related offenses which occur on- or off-campus. Moreover, it permits the University to address its fundamental mission of holistic education and the development of human potential. While recognizing that there is a need to address violations related to the use or possession of controlled substances, the University must address the education and well-being of all its students and employees. In addition to University imposed sanctions, students and employees are subject to all legal sanctions under federal, state, and local law for any offenses involving illegal drugs on University property or at University activities.

* PLEASE NOTE: The presence of drugs may be interpreted as possession of drugs. Students encountered in locations where drugs are present may be considered to be in violation of the Drug Policy, even if they do not have drugs on their person at the time they are encountered.

Safe Harbor

The University has a Safe Harbor rule for students. The University believes that students who have a self-identified drug and/or addiction concern or problem deserve help. If any University student brings their own use, addiction or dependency to the attention of University officials outside the threat of drug tests or imposition of the conduct process and seeks assistance, a conduct complaint will not be pursued. A written action plan may be used to track cooperation with the Safe Harbor program by the student. Failure to follow the action plan will nullify the Safe Harbor protection and the campus conduct process will be initiated. Please see the Community Standards Manual for more information.

Alcohol and Other Drug Procedures for Student Organizations

All student organizations must abide by the following guidelines:

1. All state, local, and University laws and policies concerning the use of alcohol and other drugs must be observed. In addition, all student organizations must abide by their governing bodies' rules and regulations, as well as, policies set forth by their national organizations.
2. In order for alcoholic beverages to be allowed at a student organization event, organizations must comply with the Social Event Risk Management Policies. Compliance with these policies must be coordinated with the Office of New Student and Leadership programs and approval must be given by this office before the event can occur.
3. If an off-campus activity includes the sale of alcoholic beverages, organizations will be required to use a licensed third-party vendor to manage this sale.
4. Promotional materials (including, but not limited to, advertisements in any form, t-shirts, cups, or any other item to be displayed, given away or sold before, during, or after an event) shall not make any direct or implied reference to or depict in any manner alcoholic beverages, alcoholic beverage company logos, or symbols, the consumption of alcoholic beverages, drugs or drug paraphernalia, or the use of illicit drugs.
5. No activity may be co-sponsored by a bar, liquor establishment, or other alcoholic beverage manufacturer or distributor. Advertisement for such establishments, manufacturers, or distributers may not occur at any activity.
6. No student organization shall allow alcoholic beverages or drugs to be present at its membership recruitment activities or initiation activities.
7. The officers of the student organization sponsoring the activity are responsible for enforcing the above guidelines and for the behavior of the guests at their events.
8. Drinking games or contests involving alcoholic beverages may not be played at any event sponsored by a University of Mount Union student organization.

Alcohol and Drug Policy Sanctions

An individual involved in a violation of alcohol or other drug related policies will be referred for disciplinary action and may receive any of the sanctions outlined in the Community Standards Manual and accompanying Handbook of Student Policies.

If a recognized student organization violates the alcohol or other drug policies, the group will be referred for conduct action and may receive any of the sanctions outlined in the Community Standards Manual and accompanying Handbook of Student Policies

State and Federal Laws Pertaining to Alcohol and Other Drugs

Ohio law prohibits the purchase, consumption, or possession of alcoholic beverages by persons under 21 years of age, with a fine up to $1,000 and/or six months imprisonment for the first offense. Possession or display of a fictitious operator's license is a first-degree misdemeanor. The offense includes mere possession of a fictitious license or display of someone else's valid operator's license. The maximum penalty for this offense is six months imprisonment and/or a $1,000 fine. If the fictitious operator's license is used to purchase alcohol or enter an establishment that serves alcohol the minimum fine is $250.

A person who furnishes alcohol to an underage person is guilty of a first-degree misdemeanor. The maximum penalty associated with this offense is six months imprisonment and/or a $1,000 fine. Therefore, a social host risks being fined and imprisoned. It is a minor misdemeanor to possess an open alcoholic container in public. A first conviction for driving under the influence of alcohol or drugs has a penalty of up to $1,075 fine, forfeiture of driving privileges for six months, and a mandatory three days in jail and/or Driving Intervention Program.

Criminal penalties in Ohio for the illicit use of controlled substances ("drugs") vary with the type of drug and quantity. For example, possession of less than 100 grams of marijuana is a minor misdemeanor; possessing more than 201 grams is a felony. Possessing cocaine even in small amounts such as 5 grams is a felony.

Possession of drugs is illegal without valid authorization (i.e., a valid doctor's prescription). While penalties for possession are generally not as great as for manufacture and distribution of drugs, possession of a relatively large quantity may be considered distribution. Penalties for conviction of the sale or attempted distribution of drugs vary according to the amount and type of controlled substance in possession. Penalties can range between second degree misdemeanors and first- degree felony. For more information see the Ohio Revised Code 2929.13.

Under both state and federal laws, penalties for possession, manufacture, and distribution are much greater for second and subsequent convictions. Many of these laws dictate mandatory prison terms and require that the full minimum term be served.

In compliance with the Drug Free Schools Act, the University Mount Union does not allow the possession, use, or sale of marijuana or marijuana products, including but not limited to oils, edibles, etc. and, while Ohio has recently approved the use of medical marijuana, it is not permitted on campus.

Sale and possession of drug paraphernalia is illegal in Ohio. Drug paraphernalia can be classified as any equipment, product or material of any kind that is designed, intended, or used for producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, concealing, injecting, ingesting, inhaling or otherwise introducing into the human body, a controlled substance in violation of Ohio drug law.

The exact legal wording can be found in the Ohio Revised Code, Sections 4301.63.2, 4301.63.3, 4301.63.4, 4301.69: codes.ohio.gov/orc/4301.

Information Regarding the Impact of Alcohol and Other Drug Use

Alcohol

Alcohol consumption causes several changes in behavior and physiology. Low doses significantly impair judgment, coordination, and abstract mental functioning. Statistics show that alcohol use is involved in most of violent behaviors on college campuses, including acquaintance rape, vandalism, fights, and incidents of drinking and driving. Continued abuse may lead to dependency, which often causes permanent damage to vital organs and deterioration of a healthy lifestyle.

Possible long-term effects: bleeding from the intestinal tract, damage to nerves and the brain, psychotic behavior, loss of memory and coordination, damage to the liver often resulting in cirrhosis, impotence, severe inflammation of the pancreas, and damage to the bone marrow, heart, testes, ovaries, and muscles.

Cannabis (Marijuana, Hashish)

The use of marijuana may impair or reduce short-term memory and comprehension, alter sense of time, and reduce coordination and energy level. Users often have a lowered immune system and an increased risk of lung cancer. The active ingredient in marijuana, THC, is stored in the fatty tissues of the brain and reproductive system for a minimum of 28 – 30 days.

Possible long-term effects: Regular use can lead to physical dependence and withdrawal following discontinuation, as well as mental addiction or dependence.

Hallucinogens (Lysergic acid /LSD, mescaline, and psilocybin/mushrooms)

The use of hallucinogens may cause illusions and hallucinations. The user may experience panic, confusion, suspicion, anxiety, and loss of control. Delayed effects, or flashbacks, can occur even when use has ceased. Phencyclidine (PCP) affects the section of the brain that controls the intellect and keeps instincts in check. Because the drug blocks pain receptors, violent PCP episodes may result in self-inflicted injuries.

Possible long-term effects: respiratory depression, coma, convulsions, seizures, flashbacks, and death.

Cocaine/Crack

Cocaine users often have a stuffy, runny nose and may have a perforated nasal septum. The immediate effects of cocaine use include dilated pupils and elevated blood pressure, heart rate, respiratory rate, and body temperature, followed by depression. Crack, or freebase rock cocaine, is extremely addictive and can cause delirium, hallucinations, blurred vision, severe chest pains, muscle spasms, convulsions and even death.

Possible long-term effects: agitation, hostility, panic, aggression, and suicidal or homicidal tendencies. Paranoia, sometimes accompanied by both auditory and visual hallucinations.

Amphetamines (Speed, Methamphetamine, and some diet pills)

Amphetamine use can cause a rapid or irregular heartbeat, tremors, and loss of coordination, reduced appetite, irritability, panic and paranoia. Heavy users are prone to violence, and psychotic behavior.

Possible long-term effects: agitation, hostility, panic, aggression, and suicidal or homicidal tendencies. Paranoia, sometimes accompanied by both auditory and visual hallucinations.

Opiates (Codeine, Heroin, Morphine, and other opioid pain relievers)

Opiate use can cause the body to have diminished pain reactions, drowsiness, respiratory depression and arrest, nausea, confusion, constipation, and possibly coma or death.

Possible long-term effects: restlessness, irritability, loss of appetite, nausea, tremors, drug craving, severe depression, vomiting, blood pressure, and chills alternating with increased heart rate, and flushing and excessive sweating.

MDMA (Ecstasy)

Short term use of MDMA can cause increased tactile sensitivity, enhanced self-confidence, energy bursts, feelings of peacefulness, acceptance and closeness with others, loss of inhibition, confusion, hallucinations, muscle tension, increased heart rate, increased blood pressure, increased body temperature, dehydration, involuntary teeth clenching, nausea, blurred vision, rapid eye movement, faintness, chills and sweating, impaired memory, and learning. While long-term use of MDMA can lead to depression, sleep problems, liver & kidney damage, drug cravings, severe anxiety, paranoia, permanently impaired memory, and ability to learn.

Possible long-term effects: agitation, hostility, panic, aggression, and suicidal or homicidal tendencies. Paranoia, sometimes accompanied by both auditory and visual hallucinations.

Anabolic Steroids

Steroid users often experience hypertension, cholesterol changes, liver cysts and cancer, kidney cancer, hostility and aggression, acne, premature stoppage of growth, and reproductive side effects for both sexes.

Possible long-term effects: high cholesterol levels, which may increase the risk of coronary artery disease, strokes, and heart attacks.

The information above should not be used as a substitute for talking with a professional in the field of alcohol and drugs or for consulting a medical professional. Individual differences often influence the body's reaction to a drug and should always be considered. Although every effort is made to keep the information on these pages current, new findings are made frequently, so checking the latest research is recommended. The legal information provided is of a general nature and should not be used in place of speaking with an attorney if the case warrants.

*Resources in this section were compiled by Kelleen Weber, Director, Alcohol, Drug, and Wellness Education
Source: Drugs of Abuse: A DEA resource guide 2020 edition

Sexual Assault, Dating Violence, Domestic Violence and Stalking

Sexual Assault, Dating Violence, Domestic Violence, & Stalking Prevention and Response Policy Statements

The University of Mount Union is committed to creating an environment free of discrimination, harassment and sexual misconduct as well as complying with all requirements as set forth by Title IX of the Education Amendments of 1972 (Title IX) and the rule promulgated on May 19, 2020 by the U.S. Department of Education and entitled Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance. Discrimination on the basis of sex or gender will not be tolerated by any of the University's education programs or activities. This includes but is not limited to sexual harassment; sexual violence; sex or gender-based bullying; hazing; stalking; relationship violence (including domestic violence and dating violence) as well as failure to provide equal opportunity in admissions, activities, employment, or athletics. Sex and gender violations will be addressed by our Civil Rights Equity complaint protocols which are jointly coordinated by the Offices of Human Resources and Student Affairs.

University of Mount Union's Equal Opportunity, Harassment, and Nondiscrimination for All Faculty, Student, Employees, and Third-Parties Policy is available at https://www.mountunion.edu/campus-life/safety-and-parking/sexual-misconduct/title-ix, and includes how to report or file a formal complaint of sex discrimination, harassment or misconduct (including sexual orientation, gender identity or expression), how the University will respond to reports and formal complaints and the University's grievance process and procedures. The University Title IX co-coordinators will be informed of, and oversee, all complaints of discrimination and any questions regarding the University's Title IX policies or procedures may be directed to them.

Any person may report or file a formal complaint of sex discrimination, harassment or misconduct at any time, including during non-business hours, by Title IX Coordinator or Deputy Title IX Coordinator by telephone, email or U.S. mail utilizing the contact information listed below, or by utilizing the reporting function on the University's Title IX webpage.

- Chief Organizational Impact Officer & Senior Title IX Administrator: Mark Black
  - Phone: 330-829-4904
  - E-mail: blackma@mountunion.edu
- Associate Organizational Impact Officer & Title IX and Title VI Coordinator: Andrew Boothe, Jr.
  - Phone: 330-823-6500
  - Email: bootheac@mountunion.edu
- Assistant Dean of Students & Deputy Title IX Coordinator: Jessica Douglas Cunion
  - Phone: 330-829-8112
  - Email: cunionje@mountunion.edu

Inquires may be made externally to:

Office of Civil Rights (OCR)
U.S. Department of Education
400 Maryland Avenue, SW
Washington DC 20202-1100
Customer Service Hotline: (800) 421-3481
Fax: (202) 453-6012
TDD: (877) 521-2172
Email: OCR@ed.gov
Web: http://www.ed.gov/ocr

To read more about Title IX of the Education Amendments of 1972, please visit: https://www2.ed.gov/about/offices/list/ocr/docs/tix_dis.html.

Assistance for Victims of Sexual Assault, Domestic Violence, Dating Violence and Stalking.

Sexual Misconduct Responder Program

Sexual misconduct responders are Mount Union faculty and staff members who are trained to help a student who has experienced sexual misconduct understand their options. The sexual misconduct responder will not make decisions for the person but will provide them with the knowledge they need to make decisions. The responder who is contacted either goes to the person who calls or makes arrangements to meet them. The responder assists the person as they address the need for counseling, medical and legal issues, and helps with any other concerns the person may have.

By contacting a responder, the person can gain valuable assistance and information to help them make the many decisions ahead. They will also have someone to support them during this challenging time. The responder will provide written materials to the student that explains their many options. It is important to note that if a member of the Mount Union community informs a responder about an act of sexual misconduct, the sexual misconduct responder may be required, depending on the specifics of the situation, by University policy and by law to report the act to the police and to the Title IX coordinator in the Office of Student Affairs. This report does not mean that the student has to make a statement or pursue prosecution; just that the police will be informed of what happened. If the student is unwilling to make a statement, they will need to tell the police this directly. The student should be aware that they will not be able to control the progress or outcome of a legal investigation, but that their wishes will be given serious consideration.

There are decisions that the person needs to make with or without a responder. The person should give serious consideration to getting assistance from a responder or other trained sexual assault advocate. In case the student who has experienced sexual misconduct decides to work through this process without the benefit of a responder's assistance, there is additional information below that focuses on the major issues the person will need to address during her/his recovery from this experience.

Whether or not the person contacts a responder, in cases of sexual assault or sexual violence it is strongly recommended that they call a *Rape Crisis Hotline*. Workers at such a hotline can answer their questions and provide support, hospital advocacy and counseling, as well as, referral to long term treatment and help with health, legal, and financial issues.

More detailed information about the program, including the most up-to-date list of responders can be found here.

Why should someone who has experienced sexual misconduct/violence seek counseling?

It is important for someone in this circumstance to speak to a counselor, not because there is something wrong with them, but because they have been hurt. Having someone who can listen and help the student sort through their feelings is an important step toward regaining control of their life.

One way to receive this kind of counseling is through a *Rape Crisis Hotline*. Their counseling services are free and can be long-term, if necessary. There are also usually support groups available through these organizations which can be very beneficial for someone who has been through such an experience.

The Office of Counseling Services is also an excellent way for a student to receive free, confidential assistance. The Office of Counseling Services has counselors who can talk with the student and help in the process of emotional healing. If long-term counseling is needed they will help the student get additional assistance.

Additionally, the Office of Alcohol, Drug & Wellness Education, which is another free and confidential resource for individual counseling, also provides an on-going support group for those individuals who have experienced any kind of trauma related to sexual misconduct.

The Office of the Chaplain is another option for emotional support. The chaplain can offer spiritual guidance during this challenging time.

Contact Information for the counseling resources described above are:

- Alliance Area Domestic Violence Shelter: 330-823-7223
- COMPASS Rape Crisis Services of Stark County (24-Hr Hotline): 330-452-1111
- CommQuest Services of Stark County: 330-821-8407
- Domestic Violence Project (24-Hr Hotline): 330-453-SAFE (7233)
- National Sexual Assault Hotline: 800-656-4673
- UMU Counseling Services: 330-823-2886
- UMU Alcohol, Drug & Wellness Education: 330-829-6660
- UMU Chaplain: 330-829-8715

Should someone who has experienced sexual violence seek medical care?

Receiving medical care as soon as possible following a sexual assault or attempted sexual assault is extremely important for two reasons. First, the victim/survivor may have suffered injuries of which they are unaware or unable to determine. Testing, treatment, and information regarding sexually transmitted diseases or pregnancy may also be needed.

Second, if the victim/survivor thinks that there may be any possibility that they will wish to pursue prosecuting the offender, a medical/legal examination for the collection of evidence is vital. Having evidence collected does not mean prosecution. The forensic evidence will be stored until there has been an investigation. While certain medical assistance can be received from a number of locations, the only locations where evidence necessary for medical and forensic evaluation can be collected by a Sexual Assault Nurse Examiner (S.A.N.E. program) and secured for legal purposes are at a hospital emergency room. Currently, the only locations where that is possible are both in Canton at either Aultman Hospital in Canton or Mercy Medical Center.

For physical evidence to be present and useful, it is best collected as soon after the assault as possible; preferably within 12-24 hours and no later than 48-72 hours. It is best if the sexual assault victim/survivor does not shower, bathe, douche, brush their teeth, eat or drink, or change clothing prior to going to the Emergency Room. Doing so will destroy important physical evidence. If the person does take any of the above actions, it does not mean they should not go to the hospital. However, evidence collection may not be as productive. If the person changed clothes, they should take all articles of clothing worn at the time of the assault to the hospital. These items will need to be retained as evidence.

Since the crime of rape/sexual assault is a felony offense, hospital personnel are required by law to report the assault to a law enforcement officer. If the victim/survivor has not already spoken to a law enforcement officer, hospital personnel will notify the police that an assault has occurred. A law enforcement officer will come to the hospital to speak with the victim/survivor. It is always the victim/survivor's right to decide whether or not to talk to law enforcement, but the police officer will want to hear directly from the victim/survivor if they are unwilling to make a report.

There is no charge for the examination at the hospital if the victim/survivor cooperates with evidence collection. The victim/survivor does not have to request prosecution in order to have the exam for free. If too much time has passed for a hospital exam to be useful, the victim/survivor can also go to their own doctor or the Mount Union Student Health Center for an exam and testing for STDs and pregnancy. In addition, STD testing can be conducted at the Alliance City Health Department or Planned Parenthood of Stark County in Canton; Planned Parenthood also conducts pregnancy tests. The cost of tests at these facilities is based on a sliding scale. Most college students can expect free or extremely reduced costs.,

S.A.N.E. (Sexual Assault Nurse Examiner) Services available at the following 2 locations:

- Aultman Hospital Serenity Program (Canton):
  - 330-363-6203
  - 2600 6th Street SW, Canton, OH 44710
  - Aultman Serenity Program » Aultman

- HAVEN at Mercy Medical Center (Canton):
  - 330-489-1000 ext. 2170
  - 1320 Mercy Drive, NW, Canton, OH 44708
  - Emergency Services & Trauma | Cleveland Clinic Mercy Hospital

Other Resources for medical care include:

- Alliance City Health Department :
  - 330-821-7373
  - 537 E. Market St. Alliance, OH
- Aultman Alliance Community Hospital:
  - 330-596-6000
  - 200 E. State St. Alliance, OH
- Planned Parenthood of Greater Ohio, Canton Health Center
  - 330-456-7191
  - 2663 Cleveland Ave. NW., Canton, OH
- Alliance Pregnancy Center
  - 330-821-7283
  - 75 Glamorgan Ave. Alliance, OH
- University of Mount Union Health Center:
  - 330-596-7995
  - 270 E. State St. Alliance, OH Ste. 200

Should someone who has been sexually violated report the assault?

Mount Union encourages those that have experienced sexual misconduct/violence to file a report about the incident. By providing the Alliance Police Department and the Office of Student Affairs Title IX coordinator with information, the student may be able to prevent future such acts against themselves and others. It is vital that a report is made as soon as possible, particularly if it was a stranger assault. The potential danger to the victim/survivor and the community is higher with stranger assaults. Reporting is not the same as prosecuting. While the investigation and charges placed are not under the control of the victim/survivor, they have the opportunity to make their wishes regarding prosecution known.

In order to report to the police, the student can call the police department and an officer will meet them to take a statement. If the student would rather not have the officer come to them, the student can also go to the police department to make a report. If the student goes to the hospital for an examination, hospital personnel will contact the police and they can make a report there.

Some students may be reluctant to make a report if they were drinking at the time of the assault, particularly if they are under the legal age for alcohol consumption. Please be aware that University of Mount Union and the Alliance Police Department are more concerned about sexual misconduct than underage drinking.

Alliance Police Department 470 E Market, Alliance, OH	911 or (330) 821-3131
University of Mount Union Campus Safety and Security 405Simpson Street, Alliance, OH	(330) 428-1344

If someone experienced an act of sexual misconduct by a Mount Union student, on or off campus, the accused student may be charged under the UMU Community Standards Manual. Details of this process can be discussed with the director of student accountability, the vice president for student affairs/dean of students, or Title IX coordinator. The decision to place charges is made by the director of student accountability, but the reporting student's wishes are given serious consideration. The University conduct process is an administrative process, not a legal one; therefore, situations that the city prosecutor chooses not to pursue may be able to be addressed through the conduct process. Additionally, remedial and supportive actions can be provided regardless of whether the student chooses to pursue conduct action. For more information regarding campus policies and protocols please click here or for assistance contact one of the following:

- Associate Organizational Impact Officer & Title IX Coordinator, Andrew Boothe (330) 823-6500
- Assistant Dean of Students & Deputy Title IX Coordinator, Jessica Douglas Cunion (330) 823-8112

Equal Opportunity, Harassment, and Nondiscrimination for All Faculty, Students, Employees, and Third-Parties Policy and Procedures

Members of the University community, guests, and visitors have the right to be free from sexual violence and discrimination. All members of the University community are expected to conduct themselves in a manner that does not infringe upon the rights of others. The Equal Opportunity, Harassment, and Nondiscrimination for All Faculty, Students, Employees, and Third-Parties Policy has been developed to reaffirm this expectation and to provide recourse for those individuals whose rights have been violated. The University maintains a policy of zero tolerance for sexual misconduct regardless of the sexual orientation or gender identity of individuals engaging in sexual activity. Zero tolerance means the University will remedy all unwelcome conduct of a sexual nature and will impose serious sanctions on anyone who violates this policy. Resolution by the University is intended to bring an end to harassing or discriminatory conduct, prevent its recurrence, and remedy the effects on the victim and the community. This policy has dual purposes; as a guide for students on the University's expectations, preventatively, for sexual communication and interaction, responsibility, and respect; and it serves as a measure to determine, after-the-fact, if behaviors trespassed on community values.

While the policy is quite detailed and specific, the expectations of this university community can be summarized in this simple paragraph: Consent is clear sexual permission and can only be given by one of legal age. Consent can be given by word or action, but non-verbal consent is more ambiguous than explicitly stating one's wants and limitations. Consent to one form of sexual activity should not, and cannot, be taken as consent to any other sexual activity. Individuals who consent to sex must be able to fully understand what they are doing. Under this policy, "No" always means "No" and "Yes" may not always mean "Yes." For example, when alcohol or other drugs are used, a person will be considered unable to give valid consent if the person cannot appreciate the who, what, where, when, why, or how of a sexual interaction. In addition, silence - without clear actions demonstrating permission - cannot be assumed to indicate consent. The full policy and procedures can be found online.

Violations of the Equal Opportunity, Harassment, and Nondiscrimination for All Faculty, Students, Employees, and Third-Parties Policy and Procedures

Policy on Nondiscrimination

The University of Mount Union adheres to all federal, state, and local civil rights laws and regulations prohibiting discrimination in private institutions of higher education.

The University of Mount Union does not discriminate against any employee, applicant for employment, student, or applicant for admission on the basis of Race, Gender, Gender identity or expression, Sex, Sexual orientation, Religion, Age, Color, Creed, National or ethnic origin, Veteran status, Marital or parental status, Pregnancy, Disability, Genetic information, or any other protected characteristic under applicable local, state, or federal law, including protections for those opposing discrimination or participating in any grievance process within the institution, with the Equal Employment Opportunity Commission, and/or other human/civil rights agencies.
This policy covers nondiscrimination in both employment and access to educational opportunities. Therefore, any member of the University of Mount Union community whose acts deny, deprive, or limit the educational or employment or residential and/or social access, benefits, and/or opportunities of any member of the University of Mount Union community, guest, or visitor on the basis of that person's actual or perceived protected characteristics listed above is in violation of the University of Mount Union's Policy on Nondiscrimination.

When brought to the attention of the University of Mount Union, any such discrimination will be promptly and fairly addressed and remedied by the University of Mount Union according to the appropriate grievance process described below.

The Department of Education's Office for Civil Rights (OCR), the Equal Employment Opportunity Commission (EEOC), and the state of Ohio regard Sexual Harassment, a specific form of discriminatory harassment, as an unlawful discriminatory practice.

Policy on Discriminatory Harassment

Students, staff, administrators, and faculty are entitled to an employment and educational environment that is free of discriminatory harassment. The University of Mount Union's harassment policy is not meant to inhibit or prohibit educational content or discussions inside or outside of the classroom that include germane, but controversial or sensitive subject matters protected by academic freedom.

The sections below describe the specific forms of legally prohibited harassment that are also prohibited under University of Mount Union policy. When speech or conduct is protected by academic freedom, it will not be considered a violation of University of Mount Union policy, though supportive measures will be offered to those impacted. All policies encompass actual and/or attempted offenses.

Discriminatory Harassment

Discriminatory harassment constitutes a form of discrimination that is prohibited by University of Mount Union policy. Discriminatory harassment is defined as unwelcome conduct by any member or group of the community on the basis of actual or perceived membership in a class protected by policy or law.

The University of Mount Union does not tolerate discriminatory harassment of any employee, student, visitor, or guest. The University of Mount Union will act to remedy all forms of harassment when reported, whether or not the harassment rises to the level of creating a "hostile environment."

A hostile environment is one that unreasonably interferes with limits, or effectively denies an individual's educational or employment access, benefits, or opportunities. This discriminatory effect results from harassing verbal, written, graphic, or physical conduct that is severe or pervasive *and* objectively offensive.

When discriminatory harassment rises to the level of creating a hostile environment, the University of Mount Union may also impose sanctions on the Respondent through application of the appropriate grievance process below.

The University of Mount Union reserves the right to address offensive conduct and/or harassment that 1) does not rise to the level of creating a hostile environment, or 2) that is of a generic nature and not based on a protected status. Addressing such conduct will not result in the imposition of discipline under University of Mount Union policy, but may be addressed through respectful conversation, remedial actions, education, effective Alternate Resolution, and/or other informal resolution mechanisms.

For assistance with Alternate Resolution and other informal resolution techniques and approaches, employees should contact the Director of Human Resources, and students should contact the Director of Student Accountability.

Sexual Harassment

The University of Mount Union has adopted the following definition of Sexual Harassment in order to address the unique environment of an academic community. Acts of sexual harassment may be committed by any person upon any other person, regardless of the sex, sexual orientation, and/or gender identity of those involved.

Sexual Harassment, as an umbrella category, includes the offenses of sexual harassment, sexual assault, domestic violence, dating violence, and stalking, and is defined as conduct on the basis of sex/gender or that is sexual that satisfies one or more of the following:

1. Quid Pro Quo:
    a. an employee of the University of Mount Union
    b. conditions[1] the provision of an aid, benefit, or service of the University of Mount
    c. on an individual's participation in unwelcome sexual conduct.
2. Sexual Harassment:
    a. Unwelcome conduct, determined by a reasonable person, to be so severe, and pervasive, and, objectively offensive, that it effectively denies a person equal access to the University of Mount Union's education program or activity.
3. Sexual assault, defined as:
    a. Sex Offenses, Forcible: Any sexual act directed against another person, without the consent of the Complainant, including instances in which the Complainant is incapable of giving consent.
    b. Sex Offenses, Non-forcible:
        i. Incest: Non-forcible sexual intercourse, between persons who are related to each other, within the degrees wherein marriage is prohibited by Ohio law.
    c. Statutory Rape: Non-forcible sexual intercourse, with a person who is under the statutory age of consent, which is 16.
    d. Dating Violence, defined as violence, on the basis of sex, committed by a person, who is in or has been in a social relationship of a romantic or intimate nature with the Complainant.
        i. The existence of such a relationship shall be determined based on the Complainant's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction
4. Domestic Violence, defined as:
    a. violence, on the basis of sex, committed by a current or former spouse or intimate partner of the Complainant, by a person with whom the Complainant shares a child in common, or by a person who is cohabitating with, or has cohabitated with, the Complainant as a spouse or intimate partner, or by a person similarly situated to a spouse of the Complainant under the domestic or family violence laws of Ohio, or by any other person against an adult or youth Complainant who is protected from that person's acts under the domestic or family violence laws of Ohio.

[1] Implicitly or explicitly.

b. To categorize an incident as Domestic Violence, the relationship between the Respondent and the Complainant must be more than just two people living together as roommates. The people cohabitating must be current or former spouses or have an intimate relationship

5. Stalking, defined as:
   a. engaging in a course of conduct, on the basis of sex, directed at a specific person, that would cause a reasonable person to fear for the person's safety, or the safety of others; or suffer substantial emotional distress.
   b. For the purposes of this definition, course of conduct means two or more acts, including, but not limited to, acts in which the Respondent 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.
      (i) Reasonable person means a reasonable person under similar circumstances and with similar identities to the Complainant.
      (ii) Substantial emotional distress means significant mental suffering or anguish that may but does not necessarily require medical or other professional treatment or counseling.

Force, Coercion, Consent, and Incapacitation

As used in the offenses above, the following definitions and understandings apply:

Force: Force is the use of physical violence and/or physical imposition to gain sexual access. Force also includes threats, intimidation (implied threats), and coercion that is intended to overcome resistance or produce consent (e.g., "Have sex with me or I'll hit you," "Okay, don't hit me, I'll do what you want.").

Sexual activity that is forced is, by definition, non-consensual, but non-consensual sexual activity is not necessarily forced. Silence or the absence of resistance alone is not consent. Consent is not demonstrated by the absence of resistance. While resistance is not required or necessary, it is a clear demonstration of non-consent.

Coercion: Coercion is unreasonable pressure for sexual activity. Coercive conduct differs from seductive conduct based on factors such as the type and/or extent of the pressure used to obtain consent. When someone makes clear that they do not want to engage in certain sexual activity, that they want to stop, or that they do not want to go past a certain point of sexual interaction, continued pressure beyond that point can be coercive.

Consent is knowing, and voluntary, and clear permission by word or action to engage in sexual activity.

Individuals may experience the same interaction in different ways. Therefore, it is the responsibility of each party to determine that the other has consented before engaging in the activity.

If consent is not clearly provided prior to engaging in the activity, consent may be ratified by word or action at some point during the interaction or thereafter, but clear communication from the outset is strongly encouraged.

For consent to be valid, there must be a clear expression in words or actions that the other individual consented to that specific sexual conduct. Reasonable reciprocation can be implied. For example, if someone kisses you, you can kiss them back (if you want to) without the need to explicitly obtain *their* consent to being kissed back.

Consent can also be withdrawn once given, as long as the withdrawal is reasonably and clearly communicated. If consent is withdrawn, that sexual activity should cease within a reasonable time.

Consent to some sexual contact (such as kissing or fondling) cannot be presumed to be consent for other sexual activity (such as intercourse). A current or previous intimate relationship is not sufficient to constitute consent.

Proof of consent or non-consent is not a burden placed on either party involved in an incident. Instead, the burden remains on the University of Mount Union to determine whether its policy has been violated. The existence of consent is based on the totality of the circumstances evaluated from the perspective of a reasonable person in the same or similar circumstances, including the context in which the alleged incident occurred and any similar, previous patterns that may be evidenced.

Consent in relationships must also be considered in context. When parties consent to BDSM[2] or other forms of kink, non-consent may be shown by the use of a safe word. Resistance, force, violence, or even saying "no" may be part of the kink and thus consensual, so the University of Mount Union's evaluation of communication in kink situations should be guided by reasonableness, rather than strict adherence to policy that assumes non-kink relationships as a default.

Incapacitation: A person cannot consent if they are unable to understand what is happening or is disoriented, helpless, asleep, or unconscious, for any reason, including by alcohol or other drugs. As stated above, a Respondent violates this policy if they engage in sexual activity with someone who is incapable of giving consent.

It is a defense to a sexual assault policy violation that the Respondent neither knew nor should have known the Complainant to be physically or mentally incapacitated. "Should have known" is an objective, reasonable person standard that assumes that a reasonable person is both sober and exercising sound judgment.

Incapacitation occurs when someone cannot make rational, reasonable decisions because they lack the capacity to give knowing/informed consent (e.g., to understand the "who, what, when, where, why, or how" of their sexual interaction).

Incapacitation is determined through consideration of all relevant indicators of an individual's state and is not synonymous with intoxication, impairment, blackout, and/or being drunk.

This policy also covers a person whose incapacity results from a temporary or permanent physical or mental health condition, involuntary physical restraint, and/or the consumption of incapacitating drugs.

Other Civil Rights Offenses

In addition to the forms of sexual harassment described above, which are covered by Title IX, the University of Mount Union additionally prohibits the following offenses as forms of discrimination that may be within or outside of Title IX when the act is based upon the Complainant's actual or perceived membership in a protected class.

1. Sexual Exploitation, defined as: taking non-consensual or abusive sexual advantage of another for their own benefit or for the benefit of anyone other than the person being exploited, and that conduct does not otherwise constitute sexual harassment under the policy. Examples of Sexual Exploitation include, but are not limited to:
    - Sexual voyeurism (such as observing or allowing others to observe a person undressing or using the bathroom or engaging in sexual acts, without the consent of the person being observed)
    - Invasion of sexual privacy (e.g., doxing)
    - Knowingly making an unwelcome disclosure of (r threatening to disclose) an individual's sexual orientation, gender identity, or gender expression
    - Taking pictures, video, or audio recording of another in a sexual act, or in any other sexually related activity when there is a reasonable expectation of privacy during the activity, without the consent of all involved in the activity, or exceeding the boundaries of consent (such as allowing another person to hide in a closet and observe sexual activity, or disseminating sexual pictures without the photographed person's consent), including the making or posting of non-consensual pornography

[2] Bondage, discipline/dominance, submission/sadism, and masochism.

- Prostituting another person
- Engaging in sexual activity with another person while knowingly infected with human immunodeficiency virus (HIV) or a sexually transmitted disease (STD) or infection (STI), without informing the other person of the infection
- Causing or attempting to cause the incapacitation of another person (through alcohol, drugs, or any other means) for the purpose of compromising that person's ability to give consent to sexual activity, or for the purpose of making that person vulnerable to non-consensual sexual activity
- Misappropriation of another person's identity on apps, websites, or other venues designed for dating or sexual connections (e.g. spoofing)
- Forcing a person to take an action against that person's will by threatening to show, post, or share information, video, audio, or an image that depicts the person's nudity or sexual activity
- Knowingly soliciting a minor for sexual activity
- Engaging in sex trafficking
- Knowingly creating, possessing, or disseminating child pornography

2. Harm endangerment, defined as:
    - Threatening or causing physical harm, extreme verbal, emotional, or psychological abuse, or other conduct which threatens or endangers the health or safety of any person;
    - Discrimination, defined as actions that deprive, limit, or deny other members of the community of educational or employment access, benefits, or opportunities;
    - Intimidation, defined as implied threats or acts that cause an unreasonable fear of harm in another;
    - Hazing, defined as acts likely to cause physical or psychological harm or social ostracism to any person within the University of Mount Union community, when related to the admission, initiation, pledging, joining, or any other group-affiliation activity (as defined further in the Hazing Policy and statement found on page 98);
    - Bullying, defined as repeated and/or severe aggressive behavior that is likely to intimidate or intentionally hurt, control, or diminish another person, physically and/or mentally diminish the Complainant that is not speech or conduct otherwise protected by the First Amendment.

Violation of any other University of Mount Union policies may constitute a Civil Rights Offense when a violation is motivated by actual or perceived membership in a protected class, and the result is a discriminatory limitation or denial of employment or educational access, benefits, or opportunities.

Sanctions for the above-listed Civil Rights Offenses range from reprimand through expulsion/termination.

Supportive Measures

The University of Mount Union will offer and implement appropriate and reasonable supportive measures to the parties upon notice of alleged harassment, discrimination, and/or retaliation.

Supportive measures are non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the parties to restore or preserve access to the University of Mount Union's education program or activity, including measures designed to protect the safety of all parties or the University of Mount Union's educational environment, and/or deter harassment, discrimination, and/or retaliation.

The Title IX co-coordinator promptly makes supportive measures available to the parties upon receiving notice or a complaint. At the time that supportive measures are offered, the University of Mount Union will inform the Complainant, in writing, that they may file a formal complaint with the
University of Mount Union either at that time or in the future, if they have not done so already. The Title IX co-coordinator works with the Complainant to ensure that their wishes are taken into account with respect to the supportive measures that are planned and implemented.

The University of Mount Union will maintain the privacy of the supportive measures, provided that privacy does not impair the University of Mount Union's ability to provide the supportive measures. The University of Mount Union will

act to ensure as minimal an academic/occupational impact on the parties as possible. The University of Mount Union will implement measures in a way that does not unreasonably burden the other party.

These actions may include, but are not limited to:

- Referral to counseling, medical, and/or other healthcare services
- Referral to the Employee Assistance Program (Impact Solutions)
- Referral to community-based service providers
- Visa and immigration assistance
- Student financial aid counseling
- Education to the institutional community or community subgroup(s)
- Altering campus housing assignment(s)
- Altering work arrangements for employees or student-employees
- Safety planning
- Providing campus safety escorts
- Providing transportation accommodations
- Implementing contact limitations (no contact orders) between the parties
- Academic support, extensions of deadlines, or other course/program-related adjustments
- Persona Non Grata (PNG) orders
- Timely warnings
- Class schedule modifications, withdrawals, or leaves of absence
- Increased security and monitoring of certain areas of the campus
- Any other actions deemed appropriate by the Title IX Co-coordinator(s)

Violations of no contact orders will be referred to appropriate student or employee conduct processes for enforcement.

Emergency Removal

The University of Mount Union can act to remove a student Respondent entirely or partially from its education program or activities on an emergency basis when an individualized safety and risk analysis has determined that an immediate threat to the physical health or safety of any student or other individual justifies removal. This risk analysis is performed by the chief organizational impact officer & senior Title IX administrator or the Title IX coordinator in conjunction with the CARE Team using its standard objective violence risk assessment procedures.

In all cases in which an emergency removal is imposed, the student will be given notice of the action and the option to request to meet with the chief organizational impact officer & senior Title IX administrator or the Title IX coordinator prior to such action/removal being imposed, or as soon thereafter as reasonably possible, to show cause why the action/removal should not be implemented or should be modified.

This meeting is not a hearing on the merits of the allegation(s), but rather is an administrative process intended to determine solely whether the emergency removal is appropriate. When this meeting is not requested in a timely manner, objections to the emergency removal will be deemed waived. A Complainant and their Advisor may be permitted to participate in this meeting if the Title IX coordinator determines it is equitable to do so. This section also applies to any restrictions that a coach or athletic administrator may place on a student-athlete arising from allegations related to Title IX. There is no appeal process for emergency removal decisions.

A Respondent may be accompanied by an Advisor of their choice when meeting with the chief organizational impact officer & senior Title IX administrator or Title IX coordinator for the show cause meeting. The Respondent will be given access to a written summary of the basis for the emergency removal prior to the meeting to allow for adequate preparation.

The chief organizational impact officer & senior Title IX administrator or Title IX coordinator has sole discretion under this policy to implement or stay an emergency removal and to determine the conditions and duration. Violation of an emergency removal under this policy will be grounds for discipline, which may include expulsion.

The University of Mount Union will implement the least restrictive emergency actions possible in light of the circumstances and safety concerns. As determined by the chief organizational impact officer & senior Title IX administrator or Title IX coordinator, these actions could include, but are not limited to: removing a student from a residence hall, temporarily re-assigning an employee, restricting a student's or employee's access to or use of facilities or equipment, allowing a student to withdraw or take grades of incomplete without financial penalty, authorizing an administrative leave, and suspending a student's participation in extracurricular activities, student employment, student organizational leadership, or intercollegiate/intramural athletics.

At the discretion of the chief organizational impact officer & senior Title IX administrator or Title IX coordinator, alternative coursework options may be pursued to ensure as minimal an academic impact as possible on the parties.

Where the Respondent is an employee, existing provisions for interim action are applicable.

Promptness

All allegations are acted upon promptly by University of Mount Union once it has received notice or a formal complaint. Complaints can take 60-90 business days to resolve, typically. There are always exceptions and extenuating circumstances that can cause a resolution to take longer, but the University of Mount Union will avoid all undue delays within its control.

Any time the general timeframes for resolution outlined in the University of Mount Union's procedures will be delayed, the University of Mount Union will provide written notice to the parties of the delay, the cause of the delay, and an estimate of the anticipated additional time that will be needed as a result of the delay.

Jurisdiction of the University of Mount Union

This policy applies to the education program and activities of the University of Mount Union, to conduct that takes place on the campus or on property owned or controlled by the University of Mount Union, at University of Mount Union-sponsored events, or in buildings owned or controlled by University of Mount Union's recognized student organizations. The Respondent must be a member of University of Mount Union's community in order for its policies to apply.

This policy can also be applicable to the effects of off-campus misconduct that effectively deprive someone of access to the University of Mount Union's educational program. The University of Mount Union may also extend jurisdiction to off-campus and/or to online conduct when the chief organizational impact officer & senior Title IX administrator or Title IX coordinator determines that the conduct affects a substantial University of Mount Union interest.

Regardless of where the conduct occurred, the University of Mount Union will address notice/complaints to determine whether the conduct occurred in the context of its employment or educational program or activity and/or has continuing effects on campus or in an off-campus sponsored program or activity. A substantial University of Mount Union interest includes:

a. Any action that constitutes a criminal offense as defined by law. This includes, but is not limited to, single or repeat violations of any local, state, or federal law;

b. Any situation in which it is determined that the Respondent poses an immediate threat to the physical health or safety of any student or other individual;

c. Any situation that significantly impinges upon the rights, property, or achievements of oneself or others or significantly breaches the peace and/or causes social disorder; and/or

d. Any situation that is detrimental to the educational interests or mission of the University of Mount Union.

If the Respondent is unknown or is not a member of the University of Mount Union community, the chief organizational impact officer & senior Title IX administrator or Title IX coordinator will assist the Complainant in identifying appropriate campus and local resources and support options and/or, when criminal conduct is alleged, in contacting local or campus law enforcement if the individual would like to file a police report.

Further, even when the Respondent is not a member of the University of Mount Union's community, supportive measures, remedies, and resources may be accessible to the Complainant by contacting the Title IX coordinator.

In addition, the University of Mount Union may take other actions as appropriate to protect the Complainant against third parties, such as barring individuals from University of Mount Union property and/or events.

All vendors serving the University of Mount Union through third-party contracts are subject to the policies and procedures of their employers or to these policies and procedures to which their employer has agreed to be bound by their contracts.

When the Respondent is enrolled in or employed by another institution, the Title IX co-coordinator can assist the Complainant in liaising with the appropriate individual at that institution, as it may be possible to allege violations through that institution's policies.

Similarly, the chief organizational impact officer & senior Title IX administrator or Title IX coordinator may be able to assist and support a student or employee Complainant who experiences discrimination in an externship, study abroad program, or other environment external to the where sexual harassment or nondiscrimination policies and procedures of the facilitating or host organization may give recourse to the Complainant.

Time Limits on Reporting

There is no time limitation on providing notice/complaints to chief organizational impact officer & senior Title IX administrator or a Title IX coordinator. However, if the Respondent is no longer subject to the University of Mount Union's jurisdiction and/or significant time has passed, the ability to investigate, respond, and provide remedies may be more limited or impossible.

Acting on notice/complaints significantly impacted by the passage of time (including, but not limited to, the rescission or revision of policy) is at the discretion of the chief organizational impact officer & senior Title IX administrator or Title IX coordinator, who may document allegations for future reference, offer supportive measures and/or remedies, and/or engage in informal or formal action, as appropriate.

When notice/complaint is affected by significant time delay, the University of Mount Union will typically apply the policy in place at the time of the alleged misconduct and the procedures in place at the time of notice/complaint.

Mandated Reporting

All University of Mount Union employees (faculty, staff, administrators) are expected to report actual or suspected discrimination or harassment to appropriate officials immediately, though there are some limited exceptions. The full Mandatory Reporting policy is available in the Mount Union website.

In order to make informed choices, it is important to be aware of confidentiality and mandatory reporting requirements when consulting campus resources. On campus, some resources may maintain confidentiality and are not required to report actual or suspected discrimination or harassment. They may offer options and resources without any obligation to inform an outside agency or campus official unless a Complainant has requested the information be shared.

If a Complainant expects formal action in response to their allegations, reporting to any Mandated Reporter can connect them with resources to report crimes and/or policy violations, and these employees will immediately pass reports to the Title IX coordinator (and/or police, if desired by the Complainant), who will take action when an incident is reported to them.

The following sections describe the reporting options at University of Mount Union for a Complainant or third-party (including parents/guardians when appropriate):

a. Confidential Resources

If a Complainant would like the details of an incident to be kept confidential, the Complainant may speak with:

- On-campus licensed professional counselors and staff
- On-campus health service providers and staff
- On-campus members of the clergy/chaplains working within the scope of their licensure or ordination
- Off-campus (non-employees):
    - Licensed professional counselors and other medical providers ○ Local rape crisis counselors
    - Domestic violence resources
    - Local or state assistance agencies
    - Clergy/Chaplains
    - Attorneys

All of the above-listed individuals will maintain confidentiality when acting under the scope of their licensure, professional ethics, and/or professional credentials, except in extreme cases of immediacy of threat or danger or abuse of a minor/elder/individual with a disability, or when required to disclose by law or court order.

University counselors (for students) or the Employee Assistance Program (for faculty or staff) are available to help free of charge and may be consulted on an emergency basis during normal business hours or after hours via on-call procedures outlined on their websites.

Employees who are confidential and who receive reports within the scope of their confidential roles will timely submit anonymous statistical information for Clery Act purposes unless they believe it would be harmful to their client, patient, or parishioner.

b. Anonymous Notice to Mandated Reporters

At the request of a Complainant, notice may be given by a Mandated Reporter to the chief organizational impact officer & senior Title IX administrator or Title IX coordinator anonymously, without identification of the Complainant. The Mandated Reporter cannot remain anonymous themselves.

If a Complainant has requested that a Mandated Reporter maintain the Complainant's anonymity, the Mandated Reporter may do so unless it is reasonable to believe that a compelling threat to health or safety could exist. The Mandated Reporter can consult with the Title IX co-coordinator on that assessment without revealing personally identifiable information.

Anonymous notice will be investigated by the University of Mount Union to the extent possible, both to assess the underlying allegation(s) and to determine if supportive measures or remedies can be provided.

However, anonymous notice typically limits the University of Mount Union's ability to investigate, respond, and provide remedies, depending on what information is shared.

When a Complainant has made a request for anonymity, the Complainant's personally identifiable information may be withheld by a Mandated Reporter, but all other details must be shared with the chief organizational impact officer & senior Title IX administrator or Title IX coordinator. Mandated reporters may not be able to maintain requests for anonymity for Complainants who are minors, elderly, and/or disabled, due to Ohio mandated reporter requirements.

c. Mandated Reporters and Formal Notice/Complaints

All employees of the University of Mount Union (including student employees), with the exception of those who are designated as Confidential Resources, are Mandated Reporters and must promptly share with the Title IX team all known details of a report made to them in the course of their employment.

Employees must also promptly share all details of behaviors under this policy that they observe or have knowledge of, even if not reported to them by a Complainant or third-party.

Complainants may want to carefully consider whether they share personally identifiable details with non-confidential Mandated Reporters, as those details must be shared with the Title IX team.

Generally, disclosures in climate surveys, classroom writing assignments or discussions, human subjects research, or at events such as "Take Back the Night" marches or speak-outs do not provide notice that must be reported to the Title IX team by employees, unless the Complainant clearly indicates that they desire a report to be made or a seek a specific response from the University of Mount Union.

Supportive measures may be offered as the result of such disclosures without formal University of Mount Union action.

Failure of a Mandated Reporter, as described above in this section, to report an incident of harassment or discrimination of which they become aware is a violation of University of Mount Union policy and can be subject to disciplinary action for failure to comply.

Though this may seem obvious, when a Mandated Reporter is engaged in harassment or other violations of this policy, they still have a duty to report their own misconduct, though the University of Mount Union is technically not on notice when a harasser is also a Mandated Reporter unless the harasser does in fact report themselves.

Finally, it is important to clarify that a Mandated Reporter who is themselves a target of harassment or other misconduct under this policy is not required to report their own experience, though they are, of course, encouraged to do so.

When a Complainant Does Not Wish to Proceed

If a Complainant does not wish for their name to be shared, does not wish for an investigation to take place, or does not want a formal complaint to be pursued, they may make such a request to the chief organizational impact officer & senior Title IX administrator or a Title IX coordinator, who will evaluate that request in light of the duty to ensure the safety of the campus and to comply with state or federal law.

The chief organizational impact officer & senior Title IX administrator or Title IX coordinator has ultimate discretion over whether the University of Mount Union proceeds when the Complainant does not wish to do so, and the Title IX

coordinator may sign a formal complaint to initiate a grievance process upon completion of an appropriate violence risk assessment.

The chief organizational impact officer & senior Title IX administrator or Title IX coordinator's decision should be based on results of the violence risk assessment that shows a compelling risk to health and/or safety that requires the University of Mount Union to pursue formal action to protect the community.

A compelling risk to health and/or safety may result from evidence of patterns of misconduct, predatory conduct, threats, abuse of minors, use of weapons, and/or violence. The University of Mount Union may be compelled to act on alleged employee misconduct irrespective of a Complainant's wishes.

The chief organizational impact officer & senior Title IX administrator or Title IX coordinator must also consider the effect that non-participation by the Complainant may have on the availability of evidence and the University of Mount Union's ability to pursue a Formal Grievance Process fairly and effectively.

When the chief organizational impact officer & senior Title IX administrator or Title IX coordinator executes the written complaint, they do not become the
Complainant. The Complainant is the individual who is alleged to be the victim of conduct that could constitute a violation of this policy.

When the University of Mount Union proceeds, the Complainant (or their Advisor) may have as much or as little involvement in the process as they wish. The Complainant retains all rights of a Complainant under this Policy irrespective of their level of participation. Typically, when the Complainant chooses not to participate, the Advisor may be appointed as proxy for the Complainant throughout the process, acting to ensure and protect the rights of the Complainant, though this does not extend to the provision of evidence or testimony.

Note that the University of Mount Union's ability to remedy and respond to notice may be limited if the Complainant does not want the University of Mount Union to proceed with an investigation and/or grievance process. The goal is to provide the Complainant with as much control over the process as possible, while balancing the University of Mount Union's obligation to protect its community.

In cases in which the Complainant requests confidentiality/no formal action and the circumstances allow the University of Mount Union to honor that request, the University of Mount Union will offer informal resolution options (see below), supportive measures, and remedies to the Complainant and the community, but will not otherwise pursue formal action.

If the Complainant elects to take no action, they can change that decision if they decide to pursue a formal complaint at a later date. Upon making a formal complaint, a Complainant has the right, and can expect, to have allegations taken seriously by the University of Mount Union, and to have the incidents investigated and properly resolved through these procedures. Please consider that delays may cause limitations on access to evidence, or present issues with respect to the status of the parties.

Federal Timely Warning Obligations

Parties reporting sexual assault, domestic violence, dating violence, and/or stalking should be aware that under the Clery Act, the University of Mount Union must issue timely warnings for incidents reported to them that pose a serious or continuing threat of bodily harm or danger to members of the campus community.

The University of Mount Union will ensure that a Complainant's name and other identifying information is not disclosed, while still providing enough information for community members to make safety decisions in light of the potential danger.

False Allegations and Evidence

Deliberately false and/or malicious accusations under this policy are a serious offense and will be subject to appropriate disciplinary action. This does not include allegations that are made in good faith but are ultimately shown to be erroneous or do not result in a policy violation determination.

Additionally, witnesses and parties knowingly providing false evidence, tampering with or destroying evidence, or deliberately misleading an official conducting an investigation can be subject to discipline under University of Mount Union policy.

Amnesty for Complainants and Witnesses

The University of Mount Union community encourages the reporting of misconduct and crimes by Complainants and witnesses. Sometimes, Complainants or witnesses are hesitant to report to University of Mount Union officials or participate in grievance processes because they fear that they themselves may be in violation of certain policies, such as underage drinking or use of illicit drugs at the time of the incident. Respondents may hesitate to be forthcoming during the process for the same reasons.

It is in the best interests of the University of Mount Union community that Complainants choose to report misconduct to University of Mount Union officials, that witnesses come forward to share what they know, and that all parties be forthcoming during the process.

Students: Sometimes, students are hesitant to assist others for fear that they may get in trouble themselves (for example, an underage student who has been drinking or using marijuana might hesitate to help take an individual who has experienced sexual assault to their resident assistant or resident director).

The University of Mount Union maintains a policy of amnesty for students who offer help to others in need or are engaged in minor violations but who choose to bring related serious violations by others to the attention of the University. Although policy violations cannot be overlooked, the University of Mount Union may provide purely educational options with no official conduct finding, rather than punitive sanctions, to those who offer their assistance to others in need. The full amnesty policy for students can be found on page 56.

Employees: Sometimes, employees are hesitant to report harassment or discrimination they have experienced for fear that they may get in trouble themselves. For example, an employee who has violated the code of behavioral policy and is then assaulted in the course of that relationship might hesitate to report the incident to University of Mount Union officials.

The University of Mount Union may, at its discretion, offer employee Complainants amnesty from such policy violations (typically more minor policy violations) related to the incident. Amnesty may also be granted to Respondents and witnesses on a case-by-case basis.

Amnesty does not apply to more serious allegations such as physical abuse of another or illicit drug distribution. The decision not to offer amnesty is based on neither sex nor gender, but on the fact that collateral misconduct is typically addressed for all students within a progressive discipline system, and the rational for amnesty – the incentive to report serious misconduct – is rarely applicable to the Respondent with respect to a Complainant.

Federal Statistical Reporting Obligations

Certain campus officials – those deemed Campus Security Authorities – have a duty to report the following for federal statistical reporting purposes (Clery Act):

a) All “primary crimes,” which include homicide, sexual assault, robbery, aggravated assault, burglary, motor vehicle theft, and arson;

b) Hate crimes, which include any bias-motivated primary crime as well as any bias motivated larceny or theft, simple assault, intimidation, or destruction/damage/vandalism of property;

c) VAWA-based crimes,[3] which include sexual assault, domestic violence, dating violence, and stalking; and

d) Arrests and referrals for disciplinary action for weapons-related law violations, liquor-related law violations, and drug abuse-related law violations.

All personally identifiable information is kept private, but statistical information must be shared with Campus Security or the Office of Student Accountability regarding the type of incident and its general location (on or off-campus or in the surrounding area, but no addresses are given) for publication in the Annual Security Report and daily campus crime log.

Campus Security Authorities include: all university non-student employees except those exceptions to the Mandatory Reporter status as well as those student employees who serve as residence life staff members, raider or preview guides or learning assistants.

Preservation of Evidence

The preservation of evidence in incidents of sexual assault is critical to potential criminal prosecution and to obtaining restraining orders, and particularly time-sensitive. The University of Mount Union will inform the Complainant of the importance of preserving evidence by taking the following actions:

1. Seek forensic medical assistance at the Aultman Alliance Community Hospital, ideally within 120 hours of the incident (sooner is better).
2. Avoid showering, bathing, washing hands or face, or douching, if possible, although evidence may still be collected even if you do.
3. Try not to urinate.
4. If oral sexual contact took place, refrain from smoking, eating, drinking, or brushing teeth.
5. If clothes are changed, place soiled clothes in a paper bag (plastic destroys evidence). If you do not have a paper bag, Campus Safety and Security can provide one for you.
6. Seeking medical treatment can be essential even if it is not for the purposes of collecting forensic evidence.

During the initial meeting between the Complainant and the Title IX coordinator, the importance of taking these actions will be reiterated, if timely.

Resolution Process for Alleged Violations of the Policy on Equal Opportunity, Harassment, and Nondiscrimination (Known as Process "A")

1. Overview

University of Mount Union will act on any formal or informal notice/complaint of violation of the Equal Opportunity, Harassment, and Nondiscrimination Policy ("the Policy") that is received by the CDO & Senior Title IX Administrator or Title IX coordinator or any other Official with Authority by applying these procedures, known as "Process A."

The procedures below apply to all allegations of harassment or discrimination on the basis of actual or perceived protected characteristic involving students, staff, administrators, or faculty members. A set of technical dismissal requirements within the Title IX regulations may apply as described below, but when a technical dismissal under the Title IX allegations is required, any remaining allegations will proceed using these same grievance procedures,

[3] VAWA is the Violence Against Women Act, enacted in 1994 codified in part at 42 U.S.C. sections 13701 through 14040.

clarifying which Policy provisions above are applicable. Although the effect of the Title IX regulations can be confusing, these grievance procedures apply to all Policy offenses.

If other Policy definitions are invoked, such as protected characteristic harassment or discrimination above, please see a description of the procedures applicable to the resolution of such offenses, known as "Process B" in the appropriate handbook.

Process B can also apply to sexual harassment (including sexual assault, dating violence, domestic violence, and stalking, as defined above) when jurisdiction does not fall within Process A, as determined by the CDO & Senior Title IX Administrator or Title IX coordinator.
The procedures below may be used to address collateral misconduct by the Respondent arising from the investigation of or occurring in conjunction with reported misconduct (e.g., vandalism, physical abuse of another), when alleged violations of the Policy are being addressed at the same time. In such cases, the CDO & Senior Title IX Administrator or Title IX coordinator may consult with the institutional officials who typically oversee such conduct (e.g., Human Resources, Student Accountability, Academic Affairs, etc.) to provide input as needed. All other allegations of misconduct unrelated to incidents covered by the Policy will be addressed through procedures described in the student, employment policies for faculty, and administrative staff, and hourly staff handbooks.

2. Notice/Complaint

Upon receipt of a Formal Complaint or notice to the CDO & Senior Title IX Administrator or Title IX Coordinator of an alleged violation of the Policy, the CDO & Senior Title IX Administrator or Title IX Coordinator initiates a prompt initial assessment to determine the next steps the University of Mount Union needs to take. CDO & Senior Title IX Administrator or Title IX Coordinator will contact the Complainant to offer supportive measures and determine whether the Complainant wishes to file a Formal Complaint.

The CDO & Senior Title IX Administrator or Title IX Coordinator will then initiate at least one of three responses:
1. Offering supportive measures because the Complainant does not want to file a Formal Complaint
2. An Informal Resolution (upon submission of a Formal Complaint)
3. A Formal Grievance Process including an investigation and a hearing (upon submission of a Formal Complaint)

The University of Mount Union uses the Formal Grievance Process to determine whether or not the Policy has been violated. If so, the University of Mount Union will promptly implement effective remedies designed to ensure that it is not deliberately indifferent to harassment or discrimination,

3. Initial Assessment

Following receipt of notice or a Formal Complaint of an alleged violation of this Policy, the CDO & Senior Title IX Administrator or Title IX Coordinator[4] engages in an initial assessment, typically within one to five business days. The steps in an initial assessment can include:

- The CDO & Senior Title IX Administrator or Title IX Coordinator seeks to determine if the person impacted wishes to make a Formal Complaint, and will assist them to do so, if desired.
    - If they do not wish to do so, the Title IX coordinator determines whether to initiate a complaint because a violence risk assessment indicates a compelling threat to health and/or safety.
    - If a formal complaint is received, the CDO & Senior Title IX Administrator or Title IX Coordinator assesses its sufficiency and works with the Complainant to make sure it is correctly completed.
- The CDO & Senior Title IX Administrator or Title IX Coordinator reaches out to the Complainant to offer supportive measures.
- The CDO & Senior Title IX Administrator or Title IX Coordinator works with the Complainant to ensure they are aware of the right to have an Advisor.

- The Title IX coordinator works with the Complainant to determine whether the Complainant prefers a supportive and remedial response, an Informal Resolution option, or a formal investigation and grievance process.
    - If a supportive and remedial response is preferred, the Title IX coordinator works with the Complainant to identify their wishes, assesses the request, and implements accordingly. No Formal Grievance Process is initiated, though the Complainant can elect to initiate one later, if desired.
    - If an informal resolution option is preferred, the CDO & Senior Title IX Administrator or Title IX Coordinator assesses whether the complaint is suitable for Informal Resolution, which informal mechanism may serve the situation best or is available and may seek to determine if the Respondent is also willing to engage in Informal Resolution.
    - If a Formal Grievance Process is preferred, the CDO & Senior Title IX Administrator or Title IX Coordinator determines if the alleged misconduct falls within the scope of 2020 Title IX regulations:
    - If it does, the CDO & Senior Title IX Administrator or Title IX Coordinator will initiate the formal investigation and grievance process, directing the investigation to address, based of the nature of the complaint:
        - an incident, and/or
        - a pattern of alleged misconduct, and/or
        - a culture/climate issue.
- If alleged misconduct does not fall within the scope of the Title IX regulations, the CDO & Senior Title IX Administrator or Title IX Coordinator determines that the regulations do not apply (and will "dismiss" that aspect of the complaint, if any), assesses which policies may apply, which resolution process is applicable, and will refer the matter accordingly, including referring the matter for resolution under Process B if applicable. Please note that dismissing a complaint under the 2020 Title IX regulations is solely a procedural requirement under Title IX, which does not limit the University of Mount Union's authority to address a complaint with an appropriate process and remedies.

a. Violence Risk Assessment

In some cases, the CDO & Senior Title IX Administrator or Title IX Coordinator may determine that a Violence Risk Assessment (VRA) should be conducted by the CARE Team as part of the initial assessment. A VRA can aid in ten critical and/or required determinations, including:

1. Emergency removal of a Respondent on the basis of immediate threat to an individual or the community's physical health/safety
2. Whether the CDO & Senior Title IX Administrator or Title IX Coordinator should pursue/sign a Formal Complaint absent a willing/able Complainant
3. Whether the scope of the investigation should include an incident and/or pattern of misconduct and/or climate of hostility/harassment
4. To help identify potential predatory conduct
5. To help assess/identify grooming behaviors
6. Whether it is reasonable to try to resolve a complaint through Informal Resolution, and if so, what approach may be most successful
7. Whether to permit a voluntary withdrawal by the Respondent
8. Whether to impose transcript notation of communicate with a transfer institution about a Respondent
9. Assessment of appropriate sanctions/remedies (to be applied post-hearing)
10. Whether a Clery Act Timely Warning/Persona-non-grata is needed

Threat assessment is the process of evaluating the actionability of violence by an individual against another person or group following the issuance of a direct or conditional threat. A VRA is a broader term used to assess any potential violence or danger, regardless of the presence of a vague, conditional, or direct threat.
VRAs require specific training and are typically conducted by psychologists, clinical counselors, social workers, case managers, law enforcement officers, student conduct officers, or other CARE team members. A VRA authorized by the CDO & Senior Title IX Administrator or Title IX Coordinator should occur in collaboration with the CARE team. Where a VRA is required by the CDO & Senior Title IX Administrator or Title IX Coordinator, a

Respondent refusing to cooperate may result in a charge of failure to comply within the appropriate student or employee conduct process.
A VRA is not an evaluation for an involuntary behavioral health hospitalization (e.g., Ohio Revised Code Chapter 5122: Hospitalization of Mentally Ill), nor is it a psychological or mental health assessment. A VRA assesses the risk of actionable violence, often with a focus on targeted/predatory escalations, and is supported by research from the fields of law enforcement, criminology, human resources, and psychology.

b. Dismissal (Mandatory and Discretionary)

The University of Mount Union must dismiss a Formal Complaint or any allegations therein if, at any time during the investigation or hearing, it is determined that:

1. The conduct alleged in the Formal Complaint would not constitute Title IX Sexual Harassment as defined above, even if proved

2. The conduct did not occur in an educational program or activity controlled by the University of Mount Union (including buildings or property controlled by recognized student organizations), and/or the University of Mount Union does not have control of the Respondent

3. The conduct did not occur against a person in the United States

4. At the time of filing a Formal Complaint, a Complainant is not participating in or attempting to participate in an educational program or activity of the University of Mount Union and based on the available information the CDO & Senior Title IX Administrator or Title IX Coordinator has determined that they do not need to sign a Formal Complaint on behalf of the University of Mount Union[5].

The University of Mount Union may dismiss a Formal Complaint or any allegations therein if, at any time during the investigation or hearing:

1. A Complainant notifies the CDO & Senior Title IX Administrator or Title IX Coordinator in writing that the Complainant would like to withdraw the Formal Complaint or any allegations therein

2. The Respondent is no longer enrolled in or employed by the University of Mount Union

3. Specific circumstances prevent the University of Mount Union from gathering evidence sufficient to reach a determination as to the Formal Complaint or allegations therein.

Upon any dismissal, the University of Mount Union will promptly send written notice of the dismissal and the rationale for doing so simultaneously to the parties.
A Complainant who decides to withdraw a complaint may later request to reinstate it or refile it.
This dismissal decision is appealable by any party under the procedures for appeal below. The decision not to dismiss is also appealable by any party claiming that a dismissal is required or appropriate.

4. Counterclaims

The University of Mount Union is obligated to ensure that the grievance process is not abused for retaliatory purposes, thus counterclaims made with retaliatory intent will not be permitted. The University of Mount Union permits the filing of counterclaims but uses an initial assessment, described above, to assess whether the allegations in the counterclaim are made in good faith.

Counterclaims determined to have been reported in good faith will be processed using the Resolution Process below. Investigation of such claims may take place after resolution of the underlying initial complain, in which case a delay may occur.

Counterclaims may also be resolved through the same investigation as the underlying complaint, at the discretion of the CDO & Senior Title IX Administrator or Title IX Coordinator. When counterclaims are not made in good faith, they will be considered retaliatory and may constitute a violation of this policy.

5. Right to an Advisor

The parties may each have an Advisor of their choice present with them for all meetings, interviews, and hearings within the Resolution Process, if they so choose. The parties may select whoever they wish to serve as their Advisor as long as the Advisor is eligible and available.[6]

Choosing an Advisor who is also a witness in the process creates potential for bias and conflict-of-interest. A party who chooses an Advisor who is also a witness can anticipate that issues of potential bias will be explored by the hearing Decision-Maker.

a. Who Can Serve as an Advisor

The Advisor may be a friend, mentor, family member, attorney, or any other individual a party chooses to advise, support, and/or consult with them throughout the Resolution Process. The parties may choose Advisors from inside or outside of the University of Mount Union community.

The CDO & Senior Title IX Administrator or Title IX Coordinator will also offer to assign a trained Advisor for any party if the party so chooses. If the parties choose an Advisor from the pool available from the University of Mount Union, the Advisor will be trained by the University of Mount Union and be familiar with the University of Mount Union's resolution process.

If the parties choose an Advisor from outside the pool of those identified by the University of Mount Union, the Advisor may not have been trained by the University of Mount Union and may not be familiar with University of Mount Union policies and procedures.

Parties also have the right to choose not to have an Advisor in the initial stages of the Resolution Process, prior to a hearing.

b. Advisor's Role in Meetings and Interviews

The parties may be accompanied by their Advisor in all meetings and interviews at which the party is entitled to be present, including intake and interviews. Advisors should help the parties prepare for each meeting and are expected to advise ethically, with integrity, and in good faith.

The University of Mount Union cannot guarantee equal Advisory rights, meaning that if one party selects an Advisor who is an attorney, but the other party does not or cannot afford an attorney, the University of Mount Union is not obligated to provide an attorney.

c. Advisors in Hearings/University of Mount Union-Appointed Advisor

Under Title IX regulations, a form of indirect questioning is required during the hearing, but must be conducted by the parties' Advisors. The parties are not permitted to directly question each other or any witnesses. If a party does not have an Advisor for a hearing, the University of Mount Union will appoint a trained Advisor for the limited purpose of conducting any questioning of the parties and witnesses.

A party may reject this appointment and choose their own Advisor, but they may not proceed without an Advisor. If the party's Advisor will not conduct questioning, the University of Mount Union will appoint an Advisor who will do so

[6] "Available" means the party cannot insist on an Advisor who simply doesn't have inclination, time, or availability. Also, the Advisor cannot have institutionally conflicting roles, such as being a Title IX administrator who has an active role in the matter, or a supervisor who must monitor and implement sanctions.

thoroughly, regardless of the participation or non-participation of the advised party in the hearing itself. Extensive questioning of the parties and witnesses will also be conducted by the Decision-Maker during the hearing.

d. Pre-Interview Meetings

Advisors and their advisees may request to meet with the investigator(s) conducting interviews/meetings in advance of these interviews or meetings. This pre-meeting allows Advisors to clarify and understand their role and University of Mount Union's policies and procedures.

e. Advisor Violations of University of Mount Union Policy

All Advisors are subject to the same University of Mount Union policies and procedures, whether they are attorneys or not, and whether they are selected by a party or assigned by the University of Mount Union. Advisors are expected to advise their advisees without disrupting proceedings. Advisors should not address University of Mount Union officials or investigators in a meeting or interview unless invited to (e.g., asking procedural questions). The Advisor may not make a presentation or represent their advisee during any meeting or proceeding and may not speak on behalf of the advisee to the Investigator(s) or Decision-Maker(s) except during a hearing proceeding, during questioning.

The parties are expected to ask and respond to questions on their own behalf throughout the investigation phase of the Resolution Process. Although the Advisor generally may not speak on behalf of their advisee, the Advisor may consult with their advisee, either privately as needed, or by conferring or passing notes during any Resolution Process meeting or interview. For longer or more involved discussions, the parties and their Advisors should ask for breaks to allow for private consultation.

Any Advisor who oversteps their role as defined by this Policy, or who refuses to comply with the University of Mount Union's established rules of decorum for the hearing, will be warned only once. If the Advisor continues to disrupt or otherwise fails to respect the limits of the Advisor role, the meeting/interview/hearing will be ended, or other appropriate measures implemented, including the University of Mount Union requiring the party to use a different Advisor or providing a different University-appointed Advisor. Subsequently, the CDO & Senior Title IX Administrator or Title IX Coordinator will determine how to address the Advisor's non-compliance and future role.

f. Sharing Information with the Advisor

The University of Mount Union expects that the parties may wish to have the University of Mount Union share documentation and evidence related to the allegations with their Advisors. The University of Mount Union provides a consent form that authorizes the University to share such information directly with the parties' Advisor.

The parties must either complete and submit this form to the CDO & Senior Title IX Administrator or Title IX Coordinator or provide similar documentation demonstrating consent to a release of information to the Advisor before University of Mount Union is able to share records with an Advisor.

If a party requests that all communication be made through their attorney Advisor, the University of Mount Union may comply with that request at the discretion of the CDO & Senior Title IX Administrator or Title IX Coordinator.

g. Privacy of Records Shared with Advisor

Advisors are expected to maintain the privacy of the records shared with them. These records may not be shared with third parties, disclosed publicly, or used for purposes not explicitly authorized by University of Mount Union. The University of Mount Union may seek to restrict the role of any Advisor who does not respect the sensitive nature of the process or who fails to abide by the University of Mount Union's privacy expectations.

h. Expectations of an Advisor

The University of Mount Union generally expects an Advisor to adjust their schedule to allow them to attend University of Mount Union meetings/interviews/hearings when planned, but the University may change scheduled meetings to accommodate an Advisor's inability to attend, if doing so does not cause an unreasonable delay.

The University of Mount Union may also make reasonable provisions to allow an Advisor who cannot be present in person to attend a meeting/interview/hearing by telephone, video conferencing, or other similar technologies as may be convenient and available.

i. Expectations of the Parties with Respect to Advisors

A party may elect to change Advisors during the process and is not obligated to use the same Advisor throughout. The parties are expected to inform the Investigator(s) of the identity of their Advisor at least two (2) business days before the date of their first meeting with Investigators (or as soon as possible if a more expeditious meeting is necessary or desired).

The parties are expected to provide timely notice to the CDO & Senior Title IX Administrator or the Title IX coordinator if they change Advisors at any time. It is assumed that if a party changes Advisors, consent to share information with the previous Advisor is terminated, and a release for the new Advisor should be secured. Parties are expected to inform the CDO & Senior Title IX Administrator or Title IX Coordinator of the identity of their hearing Advisor at least two (2) business days before the hearing.

j. Assistance in Securing an Advisor

University of Mount Union does not provides attorneys, law faculty, or law students as Advisors in the resolution process. However, the Grievance Pool members are also trained as advisors and that list can be found at mountunion.edu/campus-life/safety-and-parking/sexual-misconduct/title-ix.

For outside representation, Respondents may wish to contact organizations such as:

- Families Advocating for Campus Equality or FACE (facecampusequality.org)
- Stop Abusive and Violent Environments or SAVE (saveservices.org).

Complainants may wish to contact organizations such as:

- The Victim Rights Law Center (victimrights.org),
- The National Center for Victims of Crime (victimsofcrime.org), which maintains the Crime Victim's Bar Association.
- The Time's Up Legal Defense Fund: nwlc.org/times-up-legal-defense-fund/

6. Resolution Processes

Informal Resolution can include three different approaches:

- **Supportive Resolution.** When the CDO & Senior Title IX Administrator or Title IX Co-coordinator can resolve the matter informally by providing supportive measures (only) to remedy the situation.
- **Alternative Resolution.** When the parties agree to resolve the matter through an alternate resolution mechanism, including mediation, restorative practices, facilitated dialogue, etc., as described below, often before a formal investigation takes place (see below).
- **Accepted Responsibility.** When the Respondent accepts responsibility for violating policy, and desires to accept the recommended sanction(s) and end the Resolution (see below).

To initiate Informal Resolution, a Complainant needs to submit a Formal Complaint, as defined above. A Respondent who wishes to initiate Informal Resolution should contact the CDO & Senior Title IX Administrator or Title IX Coordinator. The parties may agree, as a condition of engaging in Informal Resolution, that statements made, or evidence shared, during the Informal Resolution process will not be considered in the Formal Grievance Process unless all parties consent.

It is not necessary to pursue Informal Resolution first in order to pursue a Formal Grievance Process, and any party participating in Informal Resolution can stop the process at any time and begin or resume the Formal Grievance Process. The parties may not enter into an agreement that required the University of Mount Union to impose specific sanctions, though the parties can agree to certain restrictions or other courses of action. For example, the parties cannot require a student be suspended, but the parties can agree that the Respondent will temporarily or permanently withdraw. The only Informal Resolution Process that can result in sanctions levied by the institution is "Accepted Responsibility." The CDO & Senior Title IX Administrator or Title IX Coordinator has discretion to determine if an investigation will be paused during Informal Resolution, or if it will be limited, or will continue during the Informal Resolution process.

Prior to implementing Informal Resolution, the University of Mount Union will provide the parties with written notice of the reported misconduct and any sanctions (only in the case of Accepted Responsibility) or measures that may result from participating in such a process, including information regarding any records that will be maintained or shared by the University of Mount Union.
The University of Mount Union will obtain voluntary, written confirmation that all parties wish to resolve the matter through Informal Resolution before proceeding and will not pressure the parties to participate in Informal Resolution.

b. Alternate Resolution Mechanism

Alternate Resolution is an informal approach, including mediation, restorative practices, facilitated dialogue, etc. by which the parties reach a mutually agreed upon resolution of a complaint. All parties must consent to the use of an Alternate Resolution approach.
The CDO & Senior Title IX Administrator or Title IX Coordinator may consider the following factors to assess whether Alternate Resolution is appropriate, or which form of Alternate Resolution may be most successful for the parties:

- The parties' amenability to Alternate Resolution
- Likelihood of potential resolution, considering any power dynamics between the parties
- The nature and severity of the alleged misconduct
- The parties' motivation to participate
- Civility of the parties
- Results of a violence risk assessment/ongoing risk analysis
- Disciplinary history of the Respondent
- Whether an emergency removal is needed
- Skill of the Alternate Resolution facilitator with this type of complaint
- Complaint complexity
- Emotional investment/capability of the parties
- Rationality of the parties
- Goals of the parties
- Adequate resources to invest in Alternate Resolution (time, staff, etc.)

The ultimate determination of whether Alternate Resolution is available or successful is to be made by the CDO & Senior Title IX Administrator or Title IX Coordinator. CDO & Senior Title IX Administrator or Title IX Coordinator is authorized to facilitate a resolution that is acceptable to all parties, and/or to accept a resolution that is proposed by the parties, usually through their Advisors, including terms of confidentiality, release, and non-disparagement.

The CDO & Senior Title IX Administrator or Title IX Coordinator maintains records of any resolution that is reached, and failure to abide by the resolution agreement may result in appropriate responsive/disciplinary actions (e.g., referral for formal resolution, referral to the conduct process for failure to comply). Results of complaints resolved by Alternate Resolution are not appealable.

c. Respondent Accepts Responsibility for Alleged Violations

The Respondent may accept responsibility for all or part of the alleged policy violations at any point during the Resolution Process. If the Respondent indicates an intent to accept responsibility for all of the alleged misconduct, the formal process will be paused, and the CDO & Senior Title IX Administrator or Title IX Coordinator will determine whether Informal Resolution can be used according to the criteria above.

If Informal Resolution is applicable, the CDO & Senior Title IX Administrator or Title IX Coordinator will determine whether all parties and the University of Mount Union are able to agree on responsibility, restrictions, and/or remedies. If so, the CDO & Senior Title IX Administrator or Title IX Coordinator implements agreed-upon restrictions and remedies and determines the appropriate sanction(s) in coordination with other appropriate administrator(s), as necessary.
This result is not subject to appeal once all parties indicate their written assent to all agreed upon terms of resolution. When the parties cannot agree on all terms of resolution, the Formal Grievance Process will resume at the same point where it was paused.

When a resolution is accomplished, the appropriate sanction(s) or responsive actions are promptly implemented in order to effectively stop the harassment or discrimination, prevent its recurrence, and remedy the effects of the discriminatory conduct, both on the Complainant and the community.

7. Formal Grievance Process Pool

The Formal Grievance Process relies on a pool of administrators ("the Pool") to carry out the process. Members of the Pool are announced in an annual distribution of this policy to all students, parents/guardians of students, employees, prospective students, and prospective employees.

The list of Pool members and a description of the Pool can be found here.

a. Pool Member Roles

Members of the Pool are trained annually, and can serve in in the following roles, at the direction of the CDO & Senior Title IX Administrator or Title IX Coordinator:

- To provide appropriate intake of and initial guidance pertaining to complaints
- To act as an Advisor to the parties
- To serve in a facilitation role in Informal Resolution or Alternate Resolution if appropriately trained in appropriate resolution approaches (e.g., mediation, restorative practices, facilitated dialogue)
- To perform or assist with initial assessment
- To investigate complaints
- To serve as a hearing facilitator (process administrator, no decision-making role)
- To serve as a Decision-maker regarding the complaint
- To serve as an Appeal Decision-maker

b. Pool Member Appointment

The CDO & Senior Title IX Administrator or Title IX Coordinators, in consultation with the President, appoints the Pool, which acts with independence and impartiality. Although members of the Pool are typically trained in a variety of skill sets and can rotate amongst the different roles listed above in different cases, the University of Mount Union can also designate permanent roles for individuals in the Pool, using others as substitutes or to provide greater depth of experience when necessary. This process of role assignment may be the result of particular skills, aptitudes, or talents identified in members of the Pool that make them best suited to particular roles.

c. Pool Member Training

The Pool members receive annual training. This training includes, but is not limited to:

- The scope of the University of Mount Union's Policy on Equal Opportunity, Harassment and Nondiscrimination and Procedures
- How to conduct investigations and hearings that protect the safety of Complainants and Respondents, and promote accountability
- Implicit bias
- Disparate treatment and impact
- Reporting, confidentiality, and privacy requirements
- Applicable laws, regulations, and federal regulatory guidance
- How to implement appropriate and situation-specific remedies
- How to investigate in a thorough, reliable, timely, and impartial manner
- How to uphold fairness, equity, and due process
- How to weigh evidence
- How to conduct questioning
- How to assess credibility
- Impartiality and objectivity
- How to render findings and generate clear, concise, evidence-based rationales
- The definitions of all offenses
- How to apply definitions used by the University of Mount Union with respect to consent (or the absence or negation of consent) consistently, impartially, and in accordance with policy
- How to conduct an investigation and grievance process including hearings, appeals, and Informal Resolution Processes
- How to serve impartially by avoiding prejudgment of the facts at issue, conflicts of interest, and bias against Respondents and/or Complainants, and on the basis of sex, race, religion, and other protected characteristics
- Any technology to be used at a live hearing
- Issues of relevance of questions and evidence
- Issues of relevance to create an investigation report that fairly summarizes relevant evidence
- How to determine appropriate sanctions in reference to all forms of harassment, discrimination, and/or retaliation allegations
- Recordkeeping

The materials used to train all members of the Pool are publicly posted here.

d. Pool Membership

The Pool includes:

- 2 or more Decision-Makers: one representative from HR and one from Student Affairs, etc., who make decisions regarding student and employee Respondents
- 3 or more members of the Academic Affairs administration and/or faculty
- 4 or more members of the administration/staff
- 2 representatives from Human Resources
- 1 or more representative from Athletics

Pool members are usually appointed to an indefinite term and serve at the discretion of the CDO & Senior Title IX Administrator or Title IX Coordinator and as the individual's supervisor/department chair is amenable. Individuals who are interested in serving in the Pool are encouraged to contact the CDO & Senior Title IX Administrator or Title IX Co-coordinator.

8. Formal Grievance Process: Notice of Investigation and Allegations

The CDO & Senior Title IX Administrator or Title IX Coordinator will provide written Notice of the Investigation and Allegations (the "NOIA") to the Respondent upon commencement of the Formal Grievance Process. This facilitates the Respondent's ability to prepare for the interview and to identify and choose an Advisor to accompany them. The

NOIA is also copied to the Complainant, who will be given advance notice of when the NOIA will be delivered to the Respondent.
The NOIA will include:

- A meaningful summary of all of allegations
- The identity of the involved parties (if known)
- The precise misconduct being alleged,
- The date and location of the alleged incident(s) (if known)
- The specific policies implicated
- A description of the applicable procedures
- A statement of the potential sanctions/responsive actions that could result
- A statement that the University of Mount Union presumes the Respondent is not responsible for the reported misconduct unless and until the evidence supports a different determination
- A statement that determinations of responsibility are made at the conclusion of the process and that the parties will be given an opportunity during the review and comment period to inspect and review all directly related and/or relevant evidence
- A statement about the University of Mount Union's policy on retaliation
- Information about the confidentiality of the process
- Information on the need for each party to have an Advisor of their choosing and suggestions for ways to identify an Advisor
- A statement informing the parties that the University of Mount Union's Policy prohibits knowingly making false statements, including knowingly submitting false information during the Resolution Process
- Detail on how the party may request disability accommodations during the Resolution Process
- A link to the University of Mount Union's VAWA Brochure
- The name(s) of the Investigator(s), along with a process to identify, in advance of the interview process, to the CDO & Senior Title IX Administrator or Title IX Co-coordinator any conflict of interest that the Investigator(s) may have
- An instruction to preserve any evidence that is directly related to the allegations

Amendments and updates to the NOIA may be made as the investigation progresses and more information becomes available regarding the addition or dismissal of various allegations.

Notice will be made in writing and may be delivered by one or more of the following methods: in person, mailed to the local or permanent address(es) of the parties as indicated in official Mount Union records, or emailed to the parties' University of Mount Union-issued email or designated accounts. Once mailed, emailed, and/or received in-person, notice will be presumptively delivered.

9. Resolution Timeline

The University of Mount Union will make a good faith effort to complete the resolution process within a sixty-to-ninety (60-90) business daytime period, including appeal if any, which can be extended as necessary for appropriate cause by the CDO & Senior Title IX Administrator or Title IX Coordinator, who will provide notice and rationale for any extensions or delays to the parties as appropriate, as well as an estimate of how much additional time will be needed to complete the process.

10. Appointment of Investigators

Once the decision to commence a formal investigation is made, the CDO & Senior Title IX Administrator or Title IX Coordinator appoints Pool members to conduct the investigation, typically using a team of two Investigators, usually within five (5) business days of determining that an investigation should proceed.

11. Ensuring Impartiality

Any individual materially involved in the administration of the Resolution Process including the CDO & Senior Title IX Administrator or Title IX Coordinator, Investigator(s), and Decision-maker(s) may neither have nor demonstrate a conflict of interest or bias for a party generally, or for a specific Complainant or Respondent.

The CDO & Senior Title IX Administrator or Title IX Coordinator will vet the assigned Investigator(s) for impartiality by ensuring there are no actual or apparent conflicts of interest or disqualifying biases. At any time during the Resolution Process, the parties may raise a concern regarding bias or conflict of interest, and the CDO & Senior Title IX Administrator or Title IX Co-coordinator will determine whether the concern is reasonable and supportable. If so, another Pool member will be assigned and the impact of the bias or conflict, if any, will be remedied. If the source of the conflict of interest or bias is the CDO & Senior Title IX Administrator or Title IX Coordinator, concerns should be raised with non-involved Title IX Coordinator.

The Formal Grievance Process involves an objective evaluation of all relevant evidence obtained, including evidence that supports that the Respondent engaged in a policy violation and evidence that supports that the Respondent did not engage in a policy violation. Credibility determinations may not be based solely on an individual's status or participation as a Complainant, Respondent, or witness.
The University of Mount Union operates with the presumption that the Respondent is not responsible for the reported misconduct unless and until the Respondent is determined to be responsible for a policy violation by the applicable standard of proof.

12. Investigation Timeline

Investigations are completed expeditiously, normally within sixty (60) business days, though some investigations may take weeks or even months, depending on the nature, extent, and complexity of the allegations, availability of witnesses, police involvement, etc.

The University of Mount Union will make a good faith effort to complete investigations as promptly as circumstances permit and will communicate regularly with the parties to update them on the progress and timing of the investigation.

13. Investigation Process Delays and Interactions with Law Enforcement

The University of Mount Union may undertake a short delay in its investigation (several days to a few weeks) if circumstances require. Such circumstances include, but are not limited to: a request from law enforcement to temporarily delay the investigation, the need for language assistance, the absence of parties and/or witnesses, and/or accommodations for disabilities or health conditions.

The University of Mount Union will communicate the anticipated duration of the delay and reason to the parties in writing and provide the parties with status updates if necessary. The University of Mount Union will promptly resume its investigation and Resolution Process as soon as feasible. During such a delay, University of Mount Union will implement supportive measures as deemed appropriate.

The University of Mount Union action(s) or processes are not typically altered or precluded on the grounds that civil or criminal charges involving the underlying incident(s) have been filed or that criminal charges have been dismissed or reduced.

14. Investigation Process Steps

All investigations are thorough, reliable, impartial, prompt, and fair. Investigations involve interviews with all relevant parties and witnesses; obtaining available, relevant evidence; and identifying sources of expert information, as necessary.

All parties have a full and fair opportunity, through the investigation process, to suggest witnesses and questions, to provide evidence and expert witnesses, and to fully review and respond to all evidence on the record.

At the discretion of the CDO & Senior Title IX Administrator or Title IX Coordinator, investigations can be combined when complaints implicate a pattern, collusion, and/or other shared or similar actions.

The Investigator(s) typically take(s) the following steps, if not already completed (not necessarily in this order):

- Determine the identity and contact information of the Complainant
- Identify all policies implicated by the alleged misconduct and notify the Complainant and Respondent of all of the specific policies implicated
- Assist the CDO & Senior Title IX Administrator or Title IX Coordinator with conducting a prompt initial assessment to determine if the allegations indicate a potential policy violation
- Commence a thorough, reliable, and impartial investigation by identifying issues and developing a strategic investigation plan, including a witness list, evidence list, intended investigation timeframe, and order of interviews for the parties and all witnesses
- Meet with the Complainant to finalize their interview/statement, if necessary
- Work with the CDO & Senior Title IX Administrator or Title IX Coordinator, as necessary, to prepare the initial Notice of Investigation and Allegation (NOIA). The NOIA may be amended with any additional or dismissed allegations
    - Notice should inform the parties of their right to have the assistance of an Advisor, who could be a member of the Pool or an Advisor of their choosing present for all meetings attended by the party
- Provide each interviewed party and witness an opportunity to review and verify the Investigator's summary notes (or transcript) of the relevant evidence/testimony from their respective interviews and meetings
- Make good faith efforts to notify the parties of any meeting or interview involving another party, in advance when possible
- When participation of a party is expected, provide that party with written notice of the date, time, and location of the meeting, as well as the expected participants and purpose
- Interview all available, relevant witnesses and conduct follow-up interviews as necessary
- Allow each party the opportunity to suggest witnesses and questions they wish the Investigator(s) to ask of the other party and/or witnesses, and document in the report which questions were asked, with a rationale for any changes or omissions
- Complete the investigation promptly and without unreasonable deviation from the intended timeline
- Provide regular status updates to the parties throughout the investigation
- Prior to the conclusion of the investigation, provide the parties and their respective Advisors (if so desired by the parties) with a list of witnesses whose information will be used to render a finding
- Write a comprehensive investigation report fully summarizing the investigation, all witness interviews, and addressing all relevant evidence. Appendices including relevant physical or documentary evidence will be included
- Gather, assess, and synthesize evidence, but make no conclusions, engage in no policy analysis, and render no recommendations as part of their report
- Prior to the conclusion of the investigation, provide the parties and their respective Advisors (if so desired by the parties) a secured electronic or hard copy of the draft investigation report as well as an opportunity to inspect and review all of the evidence obtained as part of the investigation that is directly related to the reported misconduct, including evidence upon which the University of Mount Union does not intend to rely in reaching a determination, for a ten (10) business day review and comment period so that each party may meaningfully respond to the evidence. The parties may elect to waive the full ten days. Each copy of the materials shared will be watermarked on each page with the role of the person receiving it (e.g., Complainant, Respondent, Complainant's Advisor, Respondent's Advisor).

- Elect to respond in writing in the investigation report to the parties' submitted responses and/or to share the responses between the parties for additional responses
- Incorporate relevant elements of the parties' written responses into the final investigation report, include any additional relevant evidence, make any necessary revisions, and finalize the report. The Investigators should document all rationales for any changes made after the review and comment period
- Share the report with the CDO & Senior Title IX Administrator or Title IX Coordinator and/or legal counsel for their review and feedback
- Incorporate any relevant feedback and share the final report with all parties and their Advisors through secure electronic transmission or hard copy at least ten (10) business days prior to a hearing. The parties are also provided with a file of any directly related evidence that was not included in the report.

15. Witnesses Role and Participation in the Investigation

Witnesses (as distinguished from the parties) who are employees of the University of Mount Union are strongly encouraged to cooperate with and participate in the University of Mount Union's investigation and Resolution Process. Student witnesses and witnesses from outside of the University of Mount Union community are encouraged to cooperate with University investigations and to share they know about a complaint.

Although in-person interviews for parties and all potential witnesses are ideal, circumstances (e.g., study abroad, summer break) may require individuals to be interviewed remotely. Skype, Zoom, Microsoft Teams, FaceTime, WebEx, or similar technologies may be used for interviews if the Investigator(s) determine that timeliness, efficiency, or other reasons dictate a need for remote interviewing. The University of Mount Union will take appropriate steps to reasonably ensure the security/privacy of remote interviews.

Witnesses may also provide written statements in lieu of interviews or choose to respond to written questions, if deemed appropriate by the Investigators, though not preferred. If a witness submits a written statement but does not intend to be and is not present for cross examination at a hearing, their written statement may not be used as evidence.

16. Interview Recordings

No unauthorized audio or video recording of any kind is permitted during investigation meetings. If Investigator(s) elect to audio and/or video record interviews, all involved parties must be made aware of audio and/or video recording.

17. Evidentiary Considerations

Neither the investigation nor the hearing will does not consider: 1) incidents not directly related to the possible violation(s), unless they evidence a pattern; or 2) questions and evidence about the Complainant's sexual predisposition; or 3) questions or evidence about a Complainant's prior sexual behavior, unless such questions and evidence about the Complainant's prior sexual behavior are offered to prove that someone other than the Respondent committed the conduct alleged by the Complainant, or if the questions and evidence concern specific incidents of the Complainant's prior sexual behavior with respect to the Respondent and are offered to prove consent.

Within the boundaries stated above, the investigation and the hearing can consider character evidence generally, if offered, but that evidence is unlikely to be relevant unless it is fact evidence or relates to a pattern of conduct.

18. Referral for Hearing

Provided that the complaint is not resolved through Informal Resolution, once the final investigation report is shared with the parties, the CDO & Senior Title IX Administrator or Title IX Coordinator will refer the matter for a hearing.

The hearing cannot be less than ten (10) business days from the conclusion of the investigation –when the final investigation report is transmitted to the parties and the Decision-Maker–unless all parties and the Decision-Maker agree to an expedited timeline.

The CDO & Senior Title IX Administrator or Title IX Coordinator will select an appropriate Decision-Maker from the Pool and provide a copy of the investigation report and the file of directly related evidence. Allegations involving student-employees in the context of their employment will be directed to the appropriate Decision-Maker depending on the context and nature of the alleged misconduct.

19. Hearing Decision-maker Composition

The University of Mount Union will designate a single Decision-Maker. The single Decision-Maker will also Chair the hearing.

The Decision-Maker will not have had any previous involvement with the complaint. The CDO & Senior Title IX Administrator or Title IX Coordinator may elect to have an alternate from the Pool sit in throughout the hearing process in the event that a substitute is needed for any reason.
Those who have served as Investigators will be witnesses in the hearing and therefore may not serve as the Decision-Maker. Those who are serving as Advisors for any party may not serve as the Decision-Maker in that matter.

The CDO & Senior Title IX Administrator or Title IX Coordinator may not serve as a Decision-Maker in the matter but may serve as an administrative facilitator of the hearing if their previous role(s) in the matter do not create a conflict of interest. Otherwise, a designee may fulfill this role. The hearing will convene at a time determined by the CDO & Senior Title IX Administrator or Title IX Coordinator or designee.

20. Additional Evidentiary Considerations in the Hearing

Any evidence that the Decision-Maker determines is relevant and credible may be considered. The hearing does not consider: 1) incidents not directly related to the possible violation, unless they evidence a pattern; 2) the character of the parties; or 3) questions and evidence about the Complainant's sexual predisposition or prior sexual behavior, unless such questions and evidence about the Complainant's prior sexual behavior are offered to prove that someone other than the Respondent committed the conduct alleged by the Complainant, or if the questions and evidence concern specific incidents of the Complainant's prior sexual behavior with respect to the Respondent and are offered to prove consent.

Previous disciplinary action of any kind involving the Respondent may not be used unless there is an allegation of a pattern of misconduct. Such information may be considered in determining an appropriate sanction upon a determination of responsibility, as the University of Mount Union uses a progressive discipline system. This information is only considered at the sanction stage of the process and is not shared until then.

The parties may each submit a written impact statement and/or mitigation prior to the hearing for the consideration of the Decision-Maker at the sanction stage of the process when a determination of responsibility is reached.

After post-hearing deliberation, the Decision-Maker renders a determination based on the preponderance of the evidence; whether it is more likely than not that the Respondent violated the Policy as alleged.

21. Hearing Notice

No less than ten (10) business days prior to the hearing, the CDO & Senior Title IX Administrator or Title IX Coordinator or the Decision-Maker will send notice of the hearing to the parties. Once mailed, emailed, and/or received in-person, notice will be presumptively delivered.

The notice will contain:

- A description of the alleged violation(s), a list of all policies allegedly violated, a description of the applicable hearing procedures, and a statement of the potential sanctions/responsive actions that could result.
- The time, date, and location of the hearing and a reminder that attendance is mandatory, superseding all other campus activities.
- Description of any technology that will be used to facilitate the hearing.
- Information about the option for the live hearing to occur with the parties located in separate rooms using technology that enables the Decision-Maker and parties to see and hear a party or witness answering questions. Such a request must be raised with the Title IX co-coordinator at least five (5) business days prior to the hearing.
- A list of all those who will attend the hearing, along with an invitation to object to the Decision-Maker on the basis of demonstrated bias. This must be raised with the CDO & Senior Title IX Administrator or Title IX Coordinator at least five (5) business days prior to the hearing.
- Information on how the hearing will be recorded and how the parties can access the recording after the hearing.
- A statement that if any party or witness does not appear at the scheduled hearing, the hearing may be held in their absence. For compelling reasons, the Decision-Maker may reschedule the hearing.
- Notification that the parties may have the assistance of an Advisor of their choosing at the hearing and will be required to have one present for any questions they may desire to ask. The party must notify the CDO & Senior Title IX Administrator or Title IX Coordinator of they wish to conduct cross-examination and do not have an Advisor, and the University of Mount Union will appoint one. Each party must have an Advisor present if they intend to cross-examine others. There are no exceptions.
- A copy of all the materials provided to the Decision-Maker about the complaint unless they have already[7] been provided.
- An invitation to each party to submit to the Decision-Maker an impact and/or mitigation statement pre-hearing that the Decision-Maker will review during any sanction determination.
- An invitation to contact the CDO & Senior Title IX Administrator or Title IX Coordinator to arrange any disability accommodations, language assistance, and/or interpretation services that may be needed at the hearing, at least seven (7) business days prior to the hearing.
- Notification that parties cannot bring mobile phones/devices into the hearing.

Hearings for possible violations that occur near or after the end of an academic term (assuming the Respondent is still subject to this Policy) and are unable to be resolved prior to the end of term will typically be held immediately after the end of the term or during the summer, as needed, to meet the resolution timeline followed by the University of Mount Union and remain within the 60-90 business day goal for resolution. Employees who do not have 12-month contracts are still expected to participate in Resolution Proceedings that occurring during months between contracts.
In these cases, if the Respondent is a graduating student, a hold may be placed on graduation and/or official transcripts until the matter is fully resolved (including any appeal). A student facing charges under this Policy is not in good standing to graduate.

22. Alternative Hearing Participation Options

If a party or parties prefer not to attend or cannot attend the hearing in person, the party should request alternative arrangements from the CDO & Senior Title IX Administrator or Title IX Coordinator or the Decision-Maker at least five (5) business days prior to the hearing.

The CDO & Senior Title IX Administrator or Title IX Coordinator or the Decision-Maker can arrange to use technology to allow remote testimony without compromising the fairness of the hearing.
Remote options may also be needed for witnesses who cannot appear in person. Any witness who cannot attend in person should let the CDO & Senior Title IX Administrator or Title IX Coordinator or the Decision-Maker know as soon as possible, preferably at least five (5) business days prior to the hearing so that appropriate arrangements can be made.

23. Pre-Hearing Preparation

After any necessary consultation with the parties, the Decision-maker, will provide the names of persons who have been asked to participate in the hearing, all pertinent documentary evidence, and the final investigation report to the parties at least ten (10) business days prior to the hearing.

Any witness scheduled to participate in the hearing must have been first interviewed by the Investigators or have proffered a written statement or answered written questions, unless all parties and the Decision-Maker assent to the witness's participation in the hearing. The same holds for any relevant evidence that is first offered at the hearing. If the parties and Decision-Maker do not assent to the admission of evidence newly offered at the hearing, the Decision-Maker may delay the hearing and/or instruct that the investigation needs to be re-opened to consider that evidence.

The parties will be given the name of the Decision-Maker at least five (5) business days in advance of the hearing. All objections to the Decision-Maker must be raised in writing, detailing the rationale for the objection, and must be submitted to the CDO & Senior Title IX Administrator or Title IX Coordinator as soon as possible and no later than three (3) days prior to the hearing. Decision-Makers will only be removed if the CDO & Senior Title IX Administrator or Title IX Coordinator concludes that their actual or perceived bias or conflict of interest precludes an impartial hearing of the complaint.

The CDO & Senior Title IX Administrator or Title IX Coordinator will give the Decision-Maker a list of the names of all parties, witnesses, and Advisors at least five (5) business days in advance of the hearing. Any Decision-Maker who cannot make an objective determination must recuse themselves from the proceedings when notified of the identity of the parties, witnesses, and Advisors in advance of the hearing. If a Decision-Maker is unsure of whether a bias or conflict of interest exists, they must raise the concern to the CDO & Senior Title IX Administrator or Title IX Coordinator as soon as possible.

During the ten (10) business day period prior to the hearing, the parties have the opportunity for continued review and comment on the final investigation report and available evidence. That review and comment can be shared with the Decision-Maker at the pre-hearing meeting or at the hearing and will be exchanged between each party by the Decision-Maker.

24. Pre-Hearing Meetings

The Decision-Maker may convene a pre-hearing meeting(s) with the parties and/or their Advisors and invite them to submit the questions or topics they (the parties and/or their Advisors) wish to ask or discuss at the hearing, so that the Decision-Maker can rule on their relevance ahead of time to avoid any improper evidentiary introduction in the hearing or provide recommendations for more appropriate phrasing. However, this advance review opportunity does not preclude the Advisors from asking a question for the first time at the hearing or from asking for a reconsideration on a pre-hearing ruling by the Decision-maker based on any new information or testimony offered at the hearing. The Decision-Maker must document and share with each party their rationale for any exclusion or inclusion at a pre-hearing meeting.

The Decision-Maker, **only** with full agreement of the parties, may decide in advance of the hearing that certain witnesses do not need to be present if their testimony can be adequately summarized by the Investigators in the investigation report or during the hearing.

At each pre-hearing meeting with a party and/or their Advisor, the Decision-Maker will consider arguments that evidence identified in the final investigation report as relevant is, in fact, not relevant. Similarly, evidence identified as directly related but not relevant by the Investigators may be argued to be relevant. The Decision-Maker may rule on these arguments pre-hearing and will exchange those rulings between the parties prior to the hearing to assist in

preparation for the hearing. The Decision-Maker may consult with legal counsel and/or the CDO & Senior Title IX Administrator or Title IX Coordinator or ask either or both to attend pre-hearing meetings.

The pre-hearing meeting(s) will not be recorded.

25. Hearing Procedures

At the hearing, the Decision-Maker has the authority to hear and make determinations on all allegations of discrimination, harassment, and/or retaliation and may also hear and make determinations on any additional alleged policy violations that occurred in concert with the discrimination, harassment, and/or retaliation, even though those collateral allegations may not specifically fall within the Policy on Equal Opportunity, Harassment, and Nondiscrimination.

Participants at the hearing will include the Decision-Maker, the Investigator(s) who conducted the investigation, the parties, Advisors to the parties, any called witnesses, a hearing facilitator if needed, and anyone providing authorized accommodations or assistive services. The CDO & Senior Title IX Administrator or Title IX Coordinator may attend at the request of the Decision-Maker.
The Decision-Maker will answer all questions of procedure. Anyone appearing at the hearing to provide information will respond to questions on their own behalf.

The Decision-Maker will allow witnesses who have relevant information to appear at a portion of the hearing in order to respond to specific questions from the Decision-Maker and the parties and the witnesses will then be excused. The Investigator(s) may remain present for the duration of the hearing.

26. Joint Hearings

In hearings involving more than one Respondent and/or involving more than one Complainant who has accused the same individual of substantially similar conduct, the default procedure will be to hear the allegations jointly.

However, the CDO & Senior Title IX Administrator or Title IX Coordinator may permit the investigation and/or hearings pertinent to each Respondent to be conducted separately if there is a compelling reason to do so. In joint hearings, separate determinations of responsibility will be made for each Respondent and/or for each complaint with respect to each alleged policy violation.

27. The Order of the Hearing – Introductions and Explanation of Procedure

The Decision-Maker explains the procedures and introduces the participants. This may include a final opportunity for challenge or recusal of the Decision-Maker on the basis of bias or conflict of interest. The Decision-maker will rule on any such challenge unless the Decision-maker is the individual who is the subject of the challenge, in which case the CDO & Senior Title IX Administrator or Title IX Coordinator will review and decide any challenge of the Decision-Maker.

The Decision-Maker and/or hearing facilitator then conducts the hearing according to the hearing script. At the hearing, recording, witness logistics, party logistics, curation of documents, separation of the parties, and other administrative elements of the hearing process are managed by a non-voting hearing facilitator appointed by the Title IX co-coordinator. The Title IX coordinator may serve in this position.

The hearing facilitator may attend to: logistics of rooms for various parties/witnesses as they wait; flow of parties/witnesses in and out of the hearing space; ensuring recording and/or virtual conferencing technology is working as intended; copying and distributing materials to participants, as appropriate, etc.

28. Investigator Presents the Final Investigation Report

The Investigators will then present a summary of the final investigation report, including items that are contested and those that are not, and will be subject to questioning by the Decision-Maker and the parties (through their Advisors). The Investigator(s) may be present during the entire hearing process, but not during deliberations.

Neither the parties nor the Decision-Maker should ask the Investigator(s) their opinions on credibility, recommended findings, or determinations, and Advisors and parties will refrain from discussion of or questions about these assessments. If such information is introduced, the Decision-Maker will disregard it.

29. Testimony and Questioning

Once the Investigator(s) present their report and respond to questions, the parties and witnesses may provide relevant information in turn, beginning with the Complainant, and then in the order determined by the Decision-Maker. The hearing will facilitate questioning of parties and witnesses by the Decision-maker and then by the parties through their Advisors.

All questions are subject to a relevance determination by the Decision-Maker. The Advisor, who will remain seated during questioning, will pose the proposed question orally, electronically, or in writing (orally is the default, but other means of submission may be permitted by the Decision-Maker upon request if agreed to by all parties and the Decision-Maker), the proceeding will pause to allow the Decision-Maker to consider it (and state it if it has not been stated aloud), and the Decision-Maker will determine whether the question will be permitted, disallowed, or rephrased.

The Decision-Maker may invite explanations or persuasive statements regarding relevance with the Advisors, if the Decision-Maker so chooses. The Decision-Maker will then state their decision on the question for the record and advise the party/witness to whom the question was directed, accordingly. The Decision-Maker will explain any decision to exclude a question as not relevant, or to reframe it for relevance.

The Decision-Maker will limit or disallow questions on the basis that they are irrelevant, unduly repetitious (and thus irrelevant), or abusive. The Decision-Maker has final say on all questions and determinations of relevance. The Decision-Maker may consult with legal counsel on any questions of admissibility. The Decision-Maker may ask Advisors to frame why a question is or is not relevant from their perspective but will not entertain argument from the Advisors on relevance once the Decision-Maker has ruled on a question.

If the parties raise an issue of bias or conflict of interest of an Investigator or Decision-Maker at the hearing, the Decision-Maker may elect to address those issues, consult with legal counsel, and/or refer them to the CDO & Senior Title IX Administrator or Title IX Coordinator, and/or preserve them for appeal. If bias is not in issue at the hearing, the Decision-Maker should not permit irrelevant questions that probe for bias.

30. Refusal to Submit to Cross-Examination and Inferences

Any party or witness may choose not to offer evidence and/or answer questions at the hearing, either because they do not attend the meeting, or because they attend but refuse to participate in some or all of the questioning. The Decision-Maker can only rely on whatever relevant evidence is available through the investigation and hearing in making the ultimate determination of responsibility. The Decision-Maker may not draw any inference solely from a party's or witness's absence from the hearing or refusal to submit to cross-examination or answer other questions.

31. Hearing Recordings

Hearings (but not deliberations) are recorded by the University of Mount Union for purposes of review in the event of an appeal. The parties may not record the proceedings and no other unauthorized recordings are permitted.

The Decision-Maker, the parties, their Advisors, and appropriate administrators of the University of Mount Union will be permitted to review the recording in a controlled environment as determined by the CDO & Senior Title IX

Administrator or Title IX Coordinator. No person will be given or be allowed to make a copy of the recording without permission of the CDO & Senior Title IX Administrator or Title IX Coordinator.

32. Deliberation, Decision-making, and Standard of Proof

The Decision-Maker will deliberate in closed session to determine whether the Respondent is responsible or not responsible for the policy violation(s) in question. The preponderance of the evidence standard of proof is used. The hearing facilitator may be invited to attend the deliberation by the Decision-Maker, but is there only to facilitate procedurally, not to address the substance of the allegations.

When there is a finding of responsibility on one or more of the allegations, the Decision-Maker may then consider the previously submitted party impact and/or mitigation statements in determining appropriate sanction(s).

The Decision-Maker will ensure that each of the parties has an opportunity to review any impact and/or mitigation statement submitted once they are submitted.

The Decision-Maker will also review the statements and any pertinent conduct history provided by the hearing facilitator and will recommend the appropriate sanction(s) in consultation with other appropriate administrators, as required.

The Decision-Maker will then prepare a written statement detailing all findings and final determinations, the rationale(s) explaining the decision(s), the evidence used in support of the determination(s), the evidence not relied upon in the determination(s), any credibility assessments, and any sanction(s) and rationale(s) explaining the sanction(s) and will deliver the statement to the CDO & Senior Title IX Administrator or Title IX Coordinator.

This statement is typically three to five (3-5) pages in length and must be submitted to the CDO & Senior Title IX Administrator or Title IX Co-coordinator within two (2) business days of the end of deliberations, unless the CDO & Senior Title IX Administrator or Title IX Coordinator grants an extension. If an extension is granted, the CDO & Senior Title IX Administrator or Title IX Coordinator will notify the parties.

33. Notice of Outcome

Using the deliberation statement, the CDO & Senior Title IX Administrator or Title IX Coordinator will work with the Decision-Maker to prepare a Notice of Outcome letter. The Notice of Outcome may then be reviewed by legal counsel. The CDO & Senior Title IX Administrator or Title IX Co-coordinator will then share the letter, which includes the final determination, rationale, and any applicable sanction(s) with the parties and their Advisors within five (5) business days of receiving the Decision-Maker's deliberation statement.

The Notice of Outcome will then be shared with the parties simultaneously. Notification will be made in writing and may be delivered by one or more of the following methods: in person, mailed to the local or permanent address of the parties as indicated in official University of Mount Union records, or emailed to the parties' University of Mount Union-issued email or otherwise approved account. Once mailed, emailed, and/or received in-person, notice will be presumptively delivered.
The Notice of Outcome will articulate the specific alleged policy violation(s), including the relevant policy section(s), and will contain a description of the procedural steps taken by the University of Mount Union from the receipt of the misconduct report to the determination, including any and all notifications to the parties, interviews with parties and witnesses, site visits, methods used to obtain evidence, and hearings held.

The Notice of Outcome will specify the finding on each alleged policy violation; the findings of fact that support the determination; conclusions regarding the application of the relevant policy to the facts at issue; a statement of, and rationale for, the result of each allegation to the extent the University of Mount Union is permitted to share such information under state or federal law; any sanction(s) issued which the University of Mount Union is permitted to

share according to state or federal law; and whether remedies will be provided to the Complainant to ensure access to the University of Mount Union's educational or employment program or activity.

The Notice of Outcome will also include information on when the results are considered final by the University of Mount Union, will note any changes to the outcomes and/or sanction that occur prior to finalization, and the relevant procedures and bases appeal.

34. Statement of the Rights of the Parties

- The right to an equitable investigation and resolution of all credible allegations of prohibited harassment or discrimination made in good faith to University of Mount Union officials.
- The right to timely written notice of all alleged violations, including the identity of the parties involved (if known), the precise misconduct being alleged, the date and location of the alleged misconduct (if known), the implicated policies and procedures, and possible sanctions.
- The right to timely written notice of any material adjustments to the allegations (e.g., additional incidents or allegations, additional Complainants, unsubstantiated allegations) and any attendant adjustments needed to clarify potentially implicated policy violations.
- The right to be informed in advance of any public release of information regarding the allegation(s) or underlying incident(s), whenever possible.
- The right not to have any personally identifiable information released to the public without consent provided, except to the extent permitted by law.
- The right to be treated with respect by University of Mount Union officials.
- The right to have University of Mount Union policies and procedures followed without material deviation.
- The right not to be pressured to mediate or otherwise informally resolve any reported misconduct involving violence, including sexual violence.
- The right not to be discouraged by University of Mount Union officials from reporting sexual harassment, discrimination, and/or retaliation to both on-campus and off-campus authorities.
- The right to be informed by University of Mount Union officials of options to notify proper law enforcement authorities, including local police, and the option(s) to be assisted by University of Mount Union authorities in notifying such authorities, if the party so chooses. This also includes the right not to be pressured to report, as well, except as required by Ohio law.
- The right to have allegations of violations of this Policy responded to promptly and with sensitivity by University of Mount Union Campus Safety and Security and/or other University of Mount Union officials.
- The right to be informed of available interim actions and supportive measures, such as counseling; advocacy; health care; student financial aid, visa, and immigration assistance; or other services, both on campus and in the community.
- The right to a University of Mount Union-implemented no-contact order [or a no-trespass order against a non-affiliated third party] when a person has engaged in or threatens to engage in stalking, threatening, harassing, or other improper conduct.
- The right to be informed of available assistance in changing academic, living, and/or working situations after an alleged incident of discrimination, harassment, and/or retaliation, if such changes are reasonably available. No formal report, or investigation, either campus or criminal, needs to occur before this option is available. Such actions may include, but are not limited to:
    - Relocating an on-campus student's housing to a different on-campus location
    - Assistance from University of Mount Union staff in completing the relocation ○ Changing an employee's work environment (e.g., reporting structure, office/workspace relocation)
    - Transportation accommodations ○ Visa/immigration assistance ○ Arranging to dissolve a housing contract and a pro-rated refund ○ Exam, paper, and/or assignment rescheduling or adjustment
    - Receiving an incomplete in, or a withdrawal from, a class (may be retroactive) ○ Transferring class sections

- Temporary withdrawal/leave of absence (may be retroactive) ○ Campus safety escorts ○ Alternative course completion options.

- The right to have the University of Mount Union maintain such actions for as long as necessary and for supportive measures to remain private, provided privacy does not impair the University of Mount Union's ability to provide the supportive measures.
- The right to receive sufficiently advanced, written notice of any meeting or interview involving the other party, when possible.
- The right to ask the Investigators and Decision-Maker to identify and question relevant witnesses, including expert witnesses.
- The right to provide the Investigators/Decision-Maker with a list of questions that, if deemed relevant by the Investigators/Decision-Maker, may be asked of any party or witness.
- The right not to have irrelevant prior sexual history or character admitted as evidence.
- The right to know the relevant and directly related evidence obtained and to respond to that evidence.
- The right to a fair opportunity to provide the Investigators with their account of the alleged misconduct and have that account be on the record.
- The right to receive a copy of the investigation report, including all factual, policy, and/or credibility analyses performed, and all relevant and directly related evidence available and used to produce the investigation report, subject to the privacy limitations imposed by state and federal law, prior to the hearing, and the right to have at least ten (10) business days to review the report prior to the hearing.
- The right to respond to the investigation report, including comments providing any additional relevant evidence after the opportunity to review the investigation report, and to have that response on the record.
- The right to be informed of the names of all witnesses whose information will be used to make a finding, in advance of that finding, when relevant.
- The right to regular updates on the status of the investigation and/or resolution.
- The right to have reports of alleged Policy violations addressed by Investigators, Title IX coordinator, and Decision-Makers who have received at least eight hours of relevant annual training.
- The right to preservation of privacy, to the extent possible and permitted by law.
- The right to meetings, interviews, and/or hearings that are closed to the public.
- The right to petition that any University of Mount Union representative in the process be recused on the basis of disqualifying bias and/or conflict of interest.
- The right to have an Advisor of their choice to accompany and assist the party in all meetings and/or interviews associated with the resolution process.
- The right to have the University of Mount Union compel the participation of faculty and staff witnesses.
- The right to the use of the appropriate standard of evidence, preponderance of the evidence to make a finding after an objective evaluation of all relevant evidence.
- The right to be present, including presence via remote technology, during all testimony given and evidence presented during any formal grievance hearing.
- The right to have an impact statement considered by the Decision-Maker following a determination of responsibility for any allegation, but prior to sanctioning.
- The right to be promptly informed in a written Notice of Outcome letter of the finding(s) and sanction(s) of the resolution process and a detailed rationale of the decision (including an explanation of how credibility was assessed), delivered simultaneously (without undue delay) to the parties.

- The right to be informed in writing of when a decision by the University of Mount Union is considered final and any changes to the sanction(s) that occur before the decision is finalized.
- The right to be informed of the opportunity to appeal the finding(s) and sanction(s) of the resolution process, and the procedures for doing so in accordance with the standards for appeal established by the University of Mount Union.
- The right to a fundamentally fair resolution as defined in these procedures.

35. Sanctions

Factors considered when determining a sanction/responsive action may include, but are not limited to:

- The nature, severity of, and circumstances surrounding the violation(s)
- The Respondent's disciplinary history
- The need for sanctions/responsive actions to bring an end to the discrimination, harassment, and/or retaliation
- The need for sanctions/responsive actions to prevent the future recurrence of discrimination, harassment, and/or retaliation
- The need to remedy the effects of the discrimination, harassment, and/or retaliation on the Complainant and the community
- The impact on the parties
- Any other information deemed relevant by the Decision-Maker

The sanctions will be implemented as soon as is feasible, either upon the outcome of any appeal or the expiration of the window to appeal without an appeal being requested.

The sanctions described in this Policy are not exclusive of, and may be in addition to, other actions taken or sanctions imposed by external authorities.

If it is later determined that a party or witness intentionally provided false or misleading information, that action could be grounds for re-opening a grievance process at any time, and/or referring that information to another process for resolution.

a. Student Sanctions

The following are the common sanctions that may be imposed upon students or organizations singly or in combination:

- *Warning*: An official written notice that the student or organization has violated community standards as outlined in the Community Standards Manual, that such behavior is unacceptable, and that more severe conduct action will result should the student be involved in other violations while the student is enrolled at the University.
- *Community Service Requirements*: For a student or organization to complete a specific supervised university and/or community service.
- *Loss of Privileges*: The student or organization will be denied specified privileges for a designated period of time.
- *Educational Sanctions*: This includes, but is not limited to, required activities such as seeking counseling or substance abuse screening, writing a letter of apology, etc.
- *Educational Program*: Requirement to attend, present, and/or participate in a program related to the violation. It may also be a requirement to sponsor or assist with a program for others on campus to aid them in learning about a specific topic or issue related to the violation for which the student or organization was found responsible. Audience may be restricted.
- *Restriction of Visitation Privileges*: May be imposed on a resident or non-resident student. The parameters of the restriction will be specified.
- *Housing Probation*: Official notice that, should further violations of Residence Life or University policies occur during a specified probationary period, the student may immediately be removed from University housing. Regular probationary meetings may also be imposed.
- *Housing Reassignment*: Reassignment to another University housing facility. Residential Life personnel will decide on the reassignment details in collaboration with the director of student accountability or designee. When a student is reassigned within University housing, they are banned from the building or hall they were reassigned from for the rest of the academic year unless otherwise noted in their decision letter.

- *Housing Suspension*: Removal from University housing for a specified period of time after which the student is eligible to return. Conditions for re-admission to University housing may be specified. Under this sanction, a student is required to vacate University housing within 24 hours of notification of the action, though this deadline may be extended upon application to, and at the discretion of, the director of residence life. This sanction may be enforced with a trespass action if deemed necessary. Prior to reapplication for University housing, the student must gain permission from the director of residence life or designee. When a student is suspended from University housing, they are banned from all housing facilities until they have received permission from the director of residence life to return to University housing.
- *Housing Expulsion*: The student's privilege to live in, or visit, any University housing structure is revoked indefinitely. This sanction may be enforced with a trespass action if deemed necessary.
- *University Probation*: The student is put on official notice that, should further violations of University policies occur during a specified probationary period, the student may face more severe sanctions, including suspension or expulsion. Regular probationary meetings may also be imposed. A student on University probation is deemed "not in good standing" with the institution.
- *Suspension*: Separation from the University for a specified minimum period of time, after which the student is eligible to return. Eligibility may be contingent upon satisfaction of specific conditions noted at the time of suspension. The student is required to vacate the campus within 24 hours of notification of the action, though this deadline may be extended upon application to, and at the discretion of, the director of student accountability or designee. During the suspension period, the student is banned from university property, functions, events, and activities without prior written approval from the director of student accountability or designee. This sanction may be enforced with a trespass action as necessary.
- *Expulsion*: Permanent separation from the University. The student is banned from all university property and the student's presence at any University-sponsored activity or event is prohibited. This action may be enforced with a trespass action as necessary.
- *Degree revocation or Withholding*: the termination of a student's degree based on a violation that the University becomes aware of after a student graduates or the withholding of a degree due to a violation that occurs prior to graduation as the conduct process proceeds and/or until sanctions are completed.
- *Organizational Sanctions*: Deactivation, loss of recognition, loss of some or all privileges (including University of Mount Union registration) for a specified period of time.
- *Other Sanctions*: Additional or alternate sanctions may be created and designed as deemed appropriate to the offense with the approval of the Title IX Co-coordinator or designee.

b. Employee Sanctions/Responsive Actions/ Corrective Actions

Responsive actions for an employee who has engaged in harassment, discrimination, and/or retaliation include:

- *Warning – verbal or written*
- *Performance improvement plan/management process*
- *Enhanced supervision, observation, or review*
- *Required counseling*
- *Required training or education*
- *Probation*
- *Denial of pay increase/pay grade*
- *Loss of oversight or supervisory responsibility*
- *Demotion*
- *Transfer*
- *Reassignment*
- *Delay of (or referral for delay of) tenure track progress*
- *Assignment to new supervisor*
- *Restriction of stipends, research, and/or professional development resources*
- *Suspension/administrative leave with pay*
- *Suspension/administrative leave without pay*

- *Termination*
- *Other Actions:* In addition to or in place of the above sanctions/responsive actions, the University of Mount Union may assign any other responsive actions as deemed appropriate.

36. Withdrawal or Resignation Before Complaint Resolution

a. Students

If a student has an allegation pending for violation of the Policy on Equal Opportunity, Harassment, and Nondiscrimination, the University of Mount Union may place a hold on a student's ability to graduate and/or to receive an official transcript/diploma.

Should a Respondent decide to not participate in the Resolution Process, the process proceeds absent their participation to a reasonable resolution. Should a student Respondent permanently withdraw from the University of Mount Union, the Resolution Process typically ends with dismissal, as the University of Mount Union has lost primary disciplinary jurisdiction over the withdrawn student.

However, the University of Mount Union may continue the Resolution Process when, at the discretion of the CDO & Senior Title IX Administrator or Title IX Coordinator, doing so may be necessary to address safety and/or remedy ongoing effects of the alleged harassment, discrimination, and/or retaliation. The student who withdraws or leaves while the process is pending may not return to the University of Mount Union in any capacity. Admissions and Human Resources will be notified accordingly and a hold will be placed on their ability to be readmitted. They may also be barred from University of Mount Union property and/or events.

If the student Respondent only withdraws or takes a leave for a specified period of time (e.g., one semester or term), the resolution process may continue remotely and, if found in violation, that student is not permitted to return to University of Mount Union unless and until all sanctions, if any, have been satisfied.

b. Employees

Should an employee Respondent resign with unresolved allegations pending, the Resolution Process typically ends with dismissal, as the University of Mount Union has lost primary disciplinary jurisdiction over the resigned employee.

However, the University of Mount Union will continue the Resolution Process when, at the discretion of the CDO & Senior Title IX Administrator or Title IX Coordination, doing so may be necessary to address and/or remedy ongoing effects of the alleged harassment, discrimination, and/or retaliation.
The employee who resigns with unresolved allegations pending is not eligible for academic admission or rehire with the University of Mount Union, and the records retained by the CDO & Senior Title IX Administrator or Title IX co-coordinator will reflect that status.

All University of Mount Union responses to future inquiries regarding employment references for that individual will include that the former employee resigned during a pending disciplinary matter.

37. Appeals

Any party may file a request for appeal ("Request for Appeal"), but it must be submitted in writing to the Title IX co-coordinator within five (5) days of the delivery of the Notice of Outcome.

A single Appeal Decision-Maker will Chair the appeal. The Appeal Decision-Maker will not have been involved in the process previously, including any dismissal appeal that may have been heard earlier in the process.

The Request for Appeal will be forwarded to an Appeal Decision-Maker (who will not hear the Appeal) for consideration to determine if the request meets the grounds for appeal (a Review for Standing).

This review is not a review of the merits of the appeal, but solely a determination as to whether the request meets the grounds and is timely filed.

a. Grounds for Appeal

Appeals are limited to the following grounds:

1. Procedural irregularity that affected the outcome of the matter;
2. New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter;
3. The CDO & Senior Title IX Administrator or Title IX Co-coordinator, Investigator(s), or Decision-Maker had a conflict of interest or bias for or against Complainants or Respondents generally or the specific Complainant or Respondent that affected the outcome of the matter.

If any of the grounds in the Request for Appeal do not meet the grounds in this Policy, that request will be denied by the Appeal Decision-Maker and the parties and their Advisors will be notified in writing of the denial and the rationale.

If any of the grounds in the Request for Appeal meet the grounds in this Policy, that request will be denied by the Appeal Decision-Maker and the parties and their Advisors, will be notified in writing of the denial and the rationale.

If any of the grounds for the Request for Appeal meet the grounds in this Policy, then the Appeal Decision-maker will notify all parties and their Advisors, the CDO & Senior Title IX Administrator or Title IX Coordinator

All other parties and their Advisors, the CDO & Senior Title IX Administrator or Title IX Coordinator, and, when appropriate, the Investigator(s) and/or the original Decision-Maker will be mailed, emailed, and/or provided a hard copy of the Request for Appeal with the approved grounds and then be given five (5) business days to submit a response to the portion of the appeal that was approved and involves them. All responses, if any, will be forwarded by the Appeal Decision-Maker to all parties for review and comment.

The non-appealing party (if any) may also choose appeal at this time. If so, that will be reviewed to determine if it meets the grounds in this Policy by the Appeal Decision-Maker and will either be denied or approved. If approved, it will be forwarded to the party who initially requested an appeal, the CDO & Senior Title IX Administrator or Title IX Coordinator, and the Investigator(s) and/or original Decision-Maker, as necessary, who will submit their responses, if any, in five (5) business days, which will be circulated for review and comment by all parties.

Neither party may submit any new requests for appeal after this time period. The Appeal Decision-maker will collect any additional information needed and all documentation regarding the approved grounds for appeal, and the subsequent responses and the Appeal Decision-maker will render a decision within no more than seven (7) business days, barring exigent circumstances. All decisions apply the preponderance of the evidence standard.

A Notice of Appeal Outcome will be sent to all parties simultaneously. The Notice of Appeal Outcome will specify the finding on each ground for appeal, any specific instructions for remand or reconsideration, any sanction(s) that may result which the University of Mount Union is permitted to share according to state or federal law, and the rationale supporting the essential findings to the extent the University of Mount Union is permitted to share under state or federal law.

Notification will be made in writing and may be delivered by one or more of the following methods: in person, mailed to the local or permanent address of the parties as indicated in official institutional records, or emailed to the parties' University of Mount Union-issued email. Once mailed, emailed and/or received in-person, notice will be presumptively delivered.

b. Sanctions Status During the Appeal

Any sanctions imposed as a result of the hearing are stayed (i.e. not implemented) during the appeal process. Supportive measures may be reinstated, subject to the same supportive measure procedures above.

If any of the sanctions are to be implemented immediately post-hearing, but pre-appeal, then emergency removal procedures (detailed above) for a show cause meeting on the justification for doing so must be permitted within 48 hours of implementation.

If the original sanctions include separation in any form, the University of Mount Union may still place holds on official transcripts, diplomas, graduations, and course registration, etc. pending the outcome of an appeal. The Respondent may request a stay of these holds from the CDO & Senior Title IX Administrator or Title IX Coordinator within two (2) business days of the notice of the sanctions. The request will be evaluated by the CDO & Senior Title IX Administrator or Title IX Coordinator or designee, whose determination is final.

c. Appeal Considerations

- Decisions on appeal are to be deferential to the original determination, making changes to the finding only when there is clear error and to the sanction(s)/responsive action(s) only if there is a compelling justification to do so.
- Appeals are not intended to provide for a full re-hearing (de novo) of the allegation(s). In most cases, appeals are confined to a review of the written documentation or record of the original hearing and pertinent documentation regarding the specific grounds for appeal.
- An appeal is not an opportunity for an Appeal Decision-maker to substitute their judgment for that of the original Decision-Maker merely because they disagree with the finding and/or sanction(s).
- The Appeal Decision-Maker may consult with the CDO & Senior Title IX Administrator or Title IX Coordinator on questions of procedure or rationale, for clarification, if needed. Documentation of all such consultation will be maintained.
- Appeals granted should normally be remanded (or partially remanded) to the original Investigator(s) and/or Decision-Maker for reconsideration.
- Once an appeal is decided, the outcome is final: further appeals are not permitted, even if a decision or sanction is changed on remand (except in the case of a new hearing). When appeals result in no change to the finding or sanction, that decision is final. When an appeal results in a new finding or sanction, that finding or sanction can be appealed one final time on the grounds listed above and in accordance with these procedures.
- In rare cases where an error cannot be cured by the original Investigator(s) and/or Decision-Maker, or the CDO & Senior Title IX Administrator or Title IX Coordinator (as in cases of bias), the Appeal decision-maker may order a new investigation and/or a new hearing with new Pool members serving in the Investigator and Decision-maker roles.
- The results of a remand to a Decision-Maker cannot be appealed. The results of a new hearing can be appealed, once, on any of the three available appeal grounds.
- In cases in which the appeal results in reinstatement to the University of Mount Union or resumption of privileges, all reasonable attempts will be made to restore the Respondent to their prior status, recognizing that some opportunities lost may be irreparable in the short term.

38. Long-Term Remedies/Other Actions

Following the conclusion of the resolution process, and in addition to any sanctions implemented, the CDO & Senior Title IX Administrator or Title IX Coordinator may implement additional long-term remedies or actions with respect to the parties and/or the campus community that are intended to stop the harassment, discrimination, and/or retaliation, remedy the effects, and prevent reoccurrence.

These remedies/actions may include, but are not limited to:

- Referral to counseling and health services
- Referral to the Employee Assistance Program
- Education to the individual and/or the community

- Permanent alteration of housing assignments
- Permanent alteration of work arrangements for employees
- Provision of campus safety escorts
- Climate surveys
- Policy modification and/or training
- Provision of transportation assistance
- Implementation of long-term contact limitations between the parties
- Implementation of adjustments to academic deadlines, course schedules, etc.

At the discretion of the CDO & Senior Title IX Administrator or Title IX Coordinator, certain long-term support or measures may also be provided to the parties even if no policy violation is found.

When no policy violation is found, the CDO & Senior Title IX Administrator or Title IX Coordinator will address any remedies by the University of Mount Union owes the Respondent to ensure no effective denial of educational access.

The University of Mount Union will maintain the confidentiality of any long-term remedies/actions/measures, provided confidentiality does not impair the University of Mount Union's ability to provide these services.

39. Failure to Comply with Sanctions and/or Responsive Actions

All Respondents are expected to comply with the assigned sanctions, responsive actions, and/or corrective actions within the timeframe specified by the final Decision-Maker (including the Appeal Decision-Maker).

Failure to abide by the sanction(s)/action(s) imposed by the date specified, whether by refusal, neglect, or any other reason, may result in additional sanction(s)/action(s), including suspension, expulsion, and/or termination from the University of Mount Union. Supervisors are expected top enforce completion of the sanctions/responsive actions for their employees.

A suspension will only be lifted when compliance is achieved to the satisfaction of the CDO & Senior Title IX Administrator or Title IX Coordinator.

40. Recordkeeping

University of Mount Union will maintain for a period of at least seven years following the conclusion of the Resolution Process records of:

1. Each sexual harassment investigation including any determination regarding responsibility and any audio or audiovisual recording or transcript required under federal regulation
2. Any disciplinary sanctions imposed on the Respondent
3. Any remedies provided to the Complainant designed to restore or preserve equal access to the University of Mount Union's education program or activity
4. Any appeal and the result therefrom
5. Any Informal Resolution and the result therefrom;
6. All materials used to train Title IX coordinators, Investigators, Decision-Makers, and any person who facilitates an Informal Resolution process. University of Mount Union will make these training materials publicly available on University of Mount Union's website
7. Any actions, including any supportive measures, taken in response to a report or Formal Complaint of sexual harassment, including:
    a. The basis for all conclusions that the response was not deliberately indifferent
    b. Any measures designed to restore or preserve equal access to the University of Mount Union's education program or activity
    c. If no supportive measures were provided to the Complainant, document the reasons why such a

response was not clearly unreasonable in light of the known circumstances

University of Mount Union will also maintain any and all records in accordance with state and federal laws.

41. Disabilities Accommodations in the Resolution Process

The University of Mount Union is committed to providing reasonable accommodations and support to qualified students, employees, or others with disabilities to ensure equal access to the University of Mount Union's Resolution Process.

Anyone needing such accommodations or support should contact the director of student accessibility services or the director of human resources or designee, who will review the request and, in consultation with the person requesting the accommodation and the CDO & Senior Title IX Administrator or Title IX Coordinator, determine which accommodations are appropriate and necessary for full participation in the process.

42. Revision of this Policy and Procedures

This Policy and procedures supersede any previous policy(ies) addressing harassment, sexual misconduct, discrimination, and/or retaliation under Title IX and will be reviewed and updated annually by the CDO & Senior Title IX Administrator or Title IX Coordinators. The University of Mount Union reserves the right to make changes to this document as necessary, and once those changes are posted online, they are in effect.

During the resolution process, the CDO & Senior Title IX Administrator or Title IX Coordinators may make minor modifications to procedures that do not materially jeopardize the fairness owed to any party, such as to accommodate summer schedules. The CDO & Senior Title IX Administrator or Title IX Coordinators may also vary procedures materially with notice (on the institutional website, with the appropriate effective date identified) upon determining that changes to law or regulation require policy or procedural alterations not reflected in this Policy and procedures.

If government laws or regulations change – or court decisions alter – the requirements in a way that impacts this document, this document will be construed to comply with the most recent government regulations or holdings.

This document does not create legally enforceable protections beyond the protection of the background state and federal laws which frame such policies and codes, generally.

Bystander Intervention

The University expects all community members to take reasonable and prudent actions to prevent or stop an act of sexual misconduct. Taking action may include direct intervention, calling Campus Safety and Security or local law enforcement, or seeking assistance from a person in authority. The University will support its members who choose to intervene in this fashion.

Risk Reduction Tips

Risk reduction tips can often take a victim-blaming tone, even unintentionally. With no intention to victim-blame, and with recognition that only those who commit sexual violence are responsible for those actions, these suggestions may nevertheless help you to reduce your risk of experiencing a non-consensual sexual act.

- Make any limits known as early as possible.
- Tell a sexual aggressor "NO" clearly and firmly.
- Try to remove yourself from the physical presence of a sexual aggressor.
- Find someone nearby and ask for help.

- Take affirmative responsibility for your alcohol intake/drug use and acknowledge that alcohol/drugs lower your sexual inhibitions and may make you vulnerable to someone who views a drunk or high person as a sexual opportunity.
- Take care of your friends and ask that they take care of you. A friend should challenge you if you are about to make a mistake. Respect them when they do.
- Clearly communicate your intentions to your sexual partner and give them a chance to clearly relate their intentions to you.
- Understand and respect personal boundaries.
- Don't make assumptions about consent; about someone's sexual availability; about whether they are physically and/or mentally able to consent. If there are any questions or ambiguity then you DO NOT have consent.
- Mixed messages from your partner are a clear indication that you should stop, defuse any sexual tension and communicate better. You may be misreading them. They may not have figured out how far they want to go with you yet. You must respect the timeline for sexual behaviors with which they are comfortable.
- Don't take advantage of someone's drunkenness or drugged state.
- Realize that your potential partner could be intimidated by you, or fearful. You may have a power advantage simply because of your gender or size. Don't abuse that power.
- Understand that consent to some form of sexual behavior does not automatically imply consent to any other forms of sexual behavior.
- Silence and passivity cannot be interpreted as an indication of consent. Read your potential partner carefully, paying attention to verbal and non-verbal communication and body language.

Disclosure of Disciplinary Proceedings

Mount Union will disclose the results of any conduct/disciplinary proceeding conducted by the institution against a student who is the alleged perpetrator/responding party of any crime of violence or a non-forcible sex offence (incest or statutory rape) to the alleged victim/reporting party or next of kin if the victim/reporting party is deceased.

Sex Offender Registration

In accordance with the Wetterling Act, states are required to obtain information from registered sex offenders regarding their enrollment or employment at institutions of higher education and to then make this information available promptly to the appropriate law enforcement agency having jurisdiction where the institution is located. In the case of the University of Mount Union, our jurisdictional agencies are the Alliance Police Department or the Stark County Sheriff's Office. Members of the Mount Union campus community who want to obtain information about registered sex offenders provided by the State of Ohio have several options. Inquiries can be made to the director of campus safety and security who will provide any information that has been disclosed to them. In addition, community members can contact the Alliance Police Department, or review the complete list of sex offenders registered in Stark County at the Stark County Sheriff's Office Website.

Missing Student Policy and Procedures

It is the policy of the University of Mount Union to treat all reports of missing students as serious incidents and to investigate such reports completely. To promote the well-being of Mount Union students and to comply with federal law as stated in the Missing Persons Procedures of the Higher Education Opportunity Act, Mount Union encourages all members of the campus community to make timely reports to Campus Safety and Security regarding missing students.

Reporting Missing Students

A student may be considered missing if the student's absence of 24 hours or more is contrary to their usual pattern of behavior and unusual circumstances may have caused the absence. The University of Mount Union encourages any student who believes that another student is missing to contact Campus Safety and Security as soon as

possible. Any University employee who receives information indicating that a student may be missing is required to report this information to Campus Safety and Security immediately, whether the student lives on or off campus. The phone number for Campus Safety and Security is (330) 428-1344.
Campus Safety and Security, in cooperation with other Student Affairs staff members, investigates all reported incidents of missing students. This may include checking the student's residence hall and other areas the student may frequent, checking with faculty, staff members, or other students, etc. Within 24 hours of a credible report being received, the Alliance Police are notified regarding the missing student. This occurs regardless of the student's residential status, and even if they have not registered an emergency contact person. Nothing in this policy requires the University to wait 24 hours before reporting to the Alliance Police.

Students' Emergency Contact Information

When registering for campus housing each year (or at the beginning of the spring semester for students who were not on campus in the fall), all first-year students and all those students living on campus have the opportunity to identify a contact person or persons who will be notified within 24 hours of the determination by campus officials that the student is missing. Students are asked to provide emergency contact information that identifies the contact person they would prefer to be notified. Every effort is made to obtain this information for every student; however, it is ultimately the student's responsibility to provide it. The emergency contact information is confidential and accessible only to authorized University officials. It will not be disclosed except to law enforcement personnel involved in a missing persons investigation.

For students who are under 18 years of age and not emancipated, both the student's custodial parent or guardian and the student's designated emergency contact person will be contacted within 24 hours of the determination that the student is missing.

Fire Safety Report

Fire Safety Regulation

Students are expected to always use good judgment to prevent fires. Tampering with fire equipment or ringing the fire alarm, except in case of fire, violates state law and University regulations and could result in suspension from the University. Fire doors in all campus facilities must be closed at all times.

Fire drills are held annually in all living units. All inhabitants are required by law and University policy to exit the building if a fire alarm is sounding. Failure to do so could result in serious sanctions. Students are expected to follow the posted procedures for the evacuation of the particular area they are located. When a fire alarm rings, students should:

- Close all windows.
- Wear coat and shoes.
- Close the door to their room.
- Leave via the closest exit as quickly as possible.
- Assemble away from the building.
- Adhere to directions given by hall staff, administrators, and fire personnel.
- Wait for signal to return to the building.

All fires must be reported. If a fire is actively burning, community members should pull the nearest fire alarm pull-station as they exit the building. Calling 911 as soon as possible after exiting the building is also recommended. Campus Safety and Security should also be notified as soon as possible in the case of any fire, regardless of how small it may be. Campus Safety and Security can be reached at (330) 428-1344 or from any campus phone by dialing S-A-F-E (x7233).

If a fire has occurred in student housing that was not reported to Campus Safety and Security at the time of the incident, these should be reported for purposes of inclusion in the annual fire safety report below. These should be reported to Campus Safety and Security at (330)428-1344.

Policies Related to Fire Safety

Mount Union considers the behavior described in the following list as inappropriate for the University community and in opposition to the core values set forth in the Student Handbook. These expectations and rules apply to all students. The University encourages community members to report to University officials all incidents that involve the following actions. The following is a partial list of prohibited behavior highlighting policies that are related to fire safety. The full list can be found starting on page 44 in the Student Handbook.

- *Fire Safety*: Violation of local, state, federal, or campus fire policies including, but not limited to:
    - Intentionally or recklessly causing a fire which damages University or personal property, or which causes injury.
    - Failure to evacuate a University-controlled building or to not do so in a timely manner during a fire alarm.
    - Improper use of University fire safety equipment.
    - Tampering with or improperly engaging a fire alarm or fire detection/control equipment while on University property.
    - Causing, making, or circulating a false report or warning of fire, explosion, or other crisis or emergency.
- *Tobacco*: Smoking or tobacco use in any area of campus, including the use of smokeless tobacco, vaporizers and e-cigarettes;
- *Appliance Usage*: Use or possession of any appliance on the unapproved appliance list. The unapproved appliance list includes, but is not limited to:
    - Air conditioners (installed or free standing)
    - Any appliance with an open heating element
    - Any type of fog or smoke machine
    - Bread makers
    - Ceiling fans
    - Electric frying pans or woks
    - Electric or outdoor grills
    - Halogen Lams
    - Hot dog cooker
    - Hot plates
    - Hot pots
    - Hoverboards
    - Microwaves more than 1,000 watts
    - Oil-based popcorn poppers
    - Refrigerators larger than 4.5 cubic feet and or 36 inches high - Rice Cookers
    - Slow cookers/Crockpots
    - Space heaters
    - Sun lamps
    - Toaster ovens
    - Toasters

    *For additional information please see http://www.mountunion.edu/packing-list.
- *Cleanliness*: Failure to keep residences (individual bedrooms and common spaces) clean and orderly at all times. Residence life and/or physical plant staff may conduct periodic room inspections to ensure health and safety standards are adhered to. 24-hour notice will be given in advance of inspections, unless staff deem there is an immediate concern. Additionally, inspections may be conducted prior to winter break to ensure closing procedures have been adhered to.

- *Decorations*: Permanently altering a room or use or possession of decorations on the prohibited decoration list. The prohibited decoration list includes:
    - Decorations hindering the use or restricting access to hallways, doorways, stairs, corridors, or fire related equipment;
    - Cardboard, aluminum foil, flags, signs, bottles, or other items hung or displayed in windows, excluding fire-retardant cloth curtains;
    - Displaying alcohol/drug signs, or other related alcohol/drug memorabilia so they are visible from outside a student residence (such as in windows or on doors);
    - Attaching items to or tampering with light fixtures, ceiling tiles, fire safety equipment, or exit signs;
    - Use of tape, decals, nails, double-sided foam mounting tape, etc. on walls, ceilings, doors, and floors that result in patching or repainting of the room;
    - Cut/live evergreen trees, pine roping, garland, cotton batting, straw, vines, leaves, shrubbery, foam plastic, or other flammable items;
    - Displaying material that is generally accepted as offensive or that is biased against any person or groups, so it is visible from outside a student residence (such as in windows or on doors);
    - Decorative hangings and draperies placed over doors or entryways;
    - Street signs;
    - No more than 50% of the wall/ceiling space may be covered. No paper may be hung within 1 foot of an electrical outlet.
    - *Open Flames*: Possession and/or use of candles, candles warmers, oil burners, incense, fireworks (including sparklers), or other open flame apparatus is prohibited within university-operated housing.

Fire Safety Education

Fire safety education at the University of Mount Union is primarily focused on fire drills that educate students about how to escape in case of a fire. Drills are scheduled annually by the Office of Residence Life in coordination with Mount Union Campus Safety and Security. Drills are not publicized prior to happening. In addition, Residence Life staff members receive training about how to respond if there is a fire, including safely leading residents from the building and notification of emergency personnel. Additionally, the Alliance Fire Department provides fire suppression training to the residence life staff members annually. Further, at the opening floor and hall meetings residents are instructed on fire safety and where they should meet upon leaving the building when the fire alarm sounds.

Fire Equipment Maintenance and Future Fire Safety Improvements

Mount Union annually looks at the life safety systems, specifically condition of and performance of the fire alarm systems. Mount Union annually invests in upgrades and replacement of fire alarm systems. This assessment for updates is done annually in March. Every three (3) years Physical Plant conducts a facility audit to review life safety improvement plans. Recently, these improvements have included replacing the main fire control panel in Cunningham Hall and replacing all the auto call/pull stations in the Hoover-Price Campus Center. Physical Plant completes annual testing of all systems and requests evaluation from our fire alarm control system provider in regard to the updates needed.

Fire Statistics

Campus Housing Facility	Sprinkler	Local smoke detector (or heat)	Building smoke (or heat) detector	Remotely monitored smoke	Remotely monitored sprinkler	Manual alarm pull stations	Fire rated doors at rooms	Fire rated walls at rooms	Portable fire extinguishers	Number of drills during 2024	Number of reported fires during 2025	Number of reported fires during 2024	Number of reported fires during 2023
1401 S Union	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	1	0	0	0
1413 S. Union	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	1	0	0	0
1445 S. Union	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	1	0	0	0
Adams Court	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	1	0	0	0
Orwick Court	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	1	0	0	0
Grove Court	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	1	0	0	0
Clutter Manor	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	1	0	0	0
Jae Manor	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	1	0	0	0
Keller Manner	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	1	0	0	0
Bica Ross Hall	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	1	0	0	0
Shields Hall	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	1	0	0	0
McCready Hall	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	1	0	0	0
Cunningham Hall	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	1	0	0	0
Elliott Hall	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	1	0	0	0
Hoiles Peterson Hall	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	1	0	0	0
Ketcham Hall	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	1	0	0	0
King Hall	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	1	0	0	0
Miller Hall	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	1	0	0	0
McMaster Hall	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	1	0	0	0
Alpha Xi Delta (143 W. Simpson)	No	Yes	No	No	No	No	Yes	No	Yes	1	0	0	0
Alpha Chi Omega (347 W. Simpson)	No	Yes	No	No	No	No	Yes	No	Yes	1	0	0	0
King Guest House/ADPi	No	Yes	No	No	No	Yes	No	No	Yes	1	0	0	0
Dussel House/DST	No	Yes	No	No	No	Yes	No	No	Yes	1	0	0	0
Alpha Tau Omega	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	1	0	0	0
Berea House/PKT	Yes	Yes	No	No	No	Yes	No	No	Yes	1	0	0	0
Sigma Nu	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	1	0	0	0
431 W. Simpson	No	Yes	No	No	No	Yes	No	No	Yes	0	0	0	0
330 W. Vincent	No	Yes	No	No	No	Yes	No	No	Yes	0	0	0	0
532 W. Vincent	No	Yes	No	No	No	Yes	No	No	Yes	0	0	0	0
562/564 W. Vincent	No	Yes	No	No	No	Yes	No	No	Yes	0	0	0	0
30 E. Simpson St.	No	Yes	Yes	No	No	Yes	No	No	Yes	0	0	0	0
40 E. Simpson St.	No	Yes	Yes	No	No	Yes	No	No	Yes	0	0	0	0
111 Glamorgan Ave	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	0	0	0	0
205 W. Simpson	No	Yes	Yes	No	No	Yes	Yes	No	Yes	0	0	0	0
355 W. Simpson	No	Yes	Yes	No	No	Yes	Yes	No	Yes	0	0	0	0

Crime Statistics for University of Mount Union

(Made Available by October 1, 2026, as required by the Jeanne Clery Disclosure of Campus Security Policy and Campus Crimes Statistics Act - formerly the Campus Security Act)

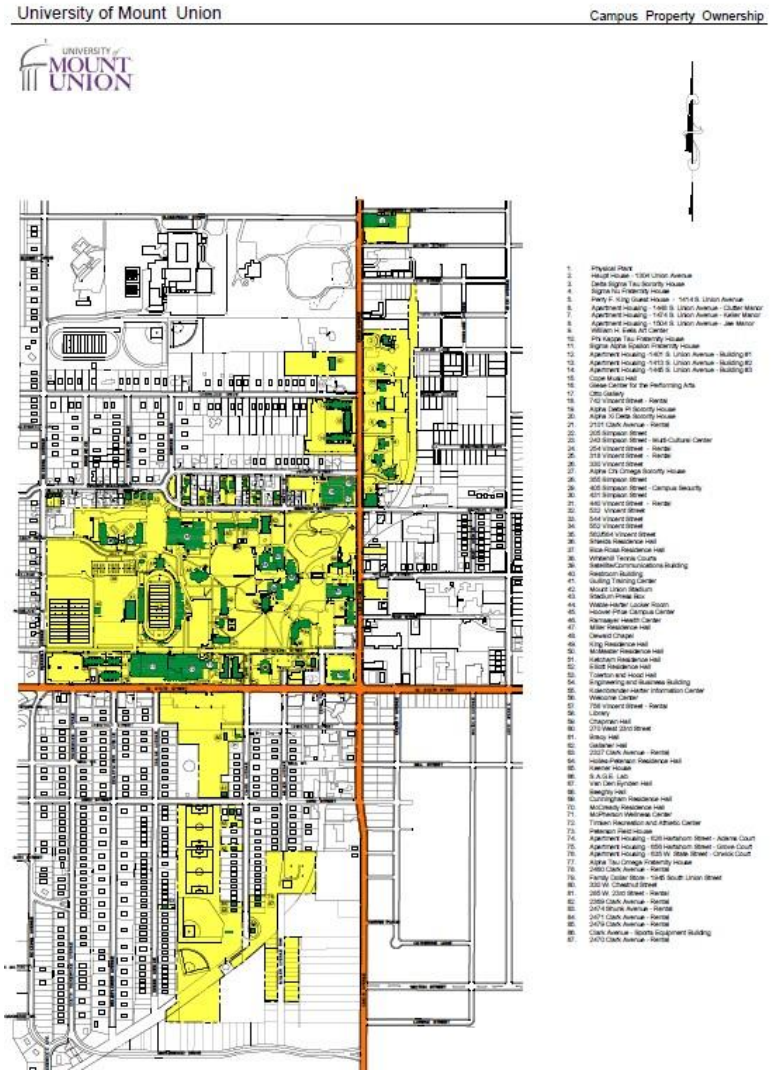
All institutions that receive federal student aid must compile and publish crime rate statistics each year for certain crimes reported to have occurred on campus, in non-campus buildings that are controlled by the University or one of its organizations, and for public property contiguous to campus. Information on these reported crimes must be made available to all students and employees and to applicants for enrollment or employment. Please note the following information on how to interpret this report.

Reporting Geography

The Annual Security Report provides documentation regarding Crime Statistics that occur with Mount Union's *Clery Act* geography. This is defined by U.S. Department of Education as

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

To assist in identifying these areas, below is a map of the *Clery Act* geography that is contiguous to the University of Mount Union's Campus (please note it does not include the Nature Center or any *Clery Act* geography not contiguous to the campus).



Definition of Clery Act Reportable Crimes

Primary Crimes:

1. Murder and Non-Negligent Manslaughter:
    a. The willful (non-negligent) killing of one human being by another.
2. Negligent Manslaughter
    b. The killing of another person through gross negligence.
3. Aggravated Assault
    a. An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury.
4. Arson
    a. Any willful or malicious burning or attempting to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, personal property of another, etc.
5. Burglary
    a. Unlawful entry of a structure to commit a felony or a theft. Attempted forcible entry is included.
6. Robbery
    a. The taking or attempting to take anything of value from the care, custody, or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear.
7. Motor Vehicle Theft
    a. The theft or attempted theft of a motor vehicle. A motor vehicle is self-propelled and runs on land surface and not on rails. Watercraft, construction equipment, airplanes, and farming equipment are specifically excluded from this category
8. Hazing
    a. Any intentional, knowing, or reckless act committed against a person, regardless of their willingness to participate, that occurs during initiation or continued membership in a student organization and creates a risk of psychological or physical injury above the normal risk of participation.
9. Sex Offenses
    a. 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.
    b. Fondling: The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity.
    c. Incest: Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law
    d. Statutory Rape: Sexual intercourse with a person who is under the statutory age of consent.

Alcohol, drug, and weapons violations

1. Liquor Law Violations
    a. 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.
2. Weapons Possession
    a. 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.
3. Drug Abuse Violations
    a. 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, growth, manufacture, and making of narcotic drugs.

Hate Crimes

A crime reported to local police agencies or to a CSA that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim. Under the Clery Act, hate crimes include any of the following offenses motivated by bias: murder and non-negligent manslaughter, sexual assault, robbery, aggravated assault, burglary, motor vehicle theft, arson, larceny-theft, simple assault, intimidation, destruction/damage/vandalism of property. Larceny-theft, simple assault, intimidation, and destruction/damage/vandalism of property are only included in reporting statistics if they are hate crimes.

1. Larceny-theft
    a. The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another.
2. Simple Assault
    a. An unlawful physical attack by one person on 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.
3. Intimidation
    a. To unlawfully place another person in reasonable fear of bodily harm through the use of threatening words and/or conduct, but without displaying a weapon or subjecting the victim to actual attack. Includes cyber-intimidation if victim is threatened on Clery geography.
4. Destruction/Damage/Vandalism of Property
    a. 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 the property.

Violence Against Women Act Reportable Crimes

1. Dating Violence
    a. 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 with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.
2. Domestic Violence
    a. A felony or misdemeanor crime of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crimes 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.
3. Stalking
    a. Engaging in a course of conduct directed at a specific person that would cause a reasonable person to (1) fear for his or her safety or the safety of others or (2) suffer substantial emotional distress.
    b. 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.
    c. Reasonable person means a reasonable person under similar circumstances and with similar identities to the victim.
    d. Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

Corresponding Ohio Criminal Code Regarding Sexual Assault, Dating Violence, Domestic Violence, and Stalking

3113.31 Domestic violence definitions - hearings.

(A) As used in this section:

(1) "Domestic violence" means the occurrence of one or more of the following acts against a family or household member:

(a) Attempting to cause or recklessly causing bodily injury;

(b) Placing another person by the threat of force in fear of imminent serious physical harm or committing a violation of section 2903.211 or 2911.211 of the Revised Code;

(c) Committing any act with respect to a child that would result in the child being an abused child, as defined in section 2151.031 of the Revised Code; (d) Committing a sexually oriented offense.

2903.211 Menacing by stalking.

(A)

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

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

(3) No person, with sexual motivation, shall violate division (A)(1) or (2) of this section.

2907.02 Rape.

(A)

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

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

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

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

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

Campus Crime Statistics

Crime Classification	Year	In Housing	On Campus	Total on Campus (Sum of prior columns)	Non-Campus	Public Property	Unfounded
Reports of Criminal Homicide: Murder and Non-Negligent Homicide	2023	0	0	0	0	0	0
	2024	0	0	0	0	0	0
	2025	0	0	0	0	0	0
Reports of Negligent Manslaughter	2023	0	0	0	0	0	0
	2024	0	0	0	0	0	0
	2025	0	0	0	0	0	0
Rape	2023	3	0	3	0	0	0
	2024	0	0	0	0	0	0
	2025	3	1	4	0	0	0
Fondling	2023	1	0	1	0	0	0
	2024	1	0	1	0	0	0
	2025	3	0	3	0	0	0
Incest	2023	0	0	0	0	0	0
	2024	0	0	0	0	0	0
	2025	0	0	0	0	0	0
Statutory Rape	2023	0	0	0	0	0	0
	2024	0	0	0	0	0	0
	2025	0	0	0	0	0	0
Reports of Robbery	2023	0	0	0	0	0	0
	2024	0	0	0	0	0	0
	2025	0	0	0	0	0	0
Reports of Aggravated Assault	2023	0	0	0	0	0	0
	2024	0	0	0	0	0	0
	2025	0	0	0	0	0	0
Reports of Burglary	2023	1	0	1	0	0	0
	2024	0	0	0	0	0	0
	2025	3	5	8	0	0	0
Reports of Motor Vehicle Theft	2023	0	0	0	0	0	0
	2024	0	0	0	0	0	0
	2025	0	0	0	0	0	0
Reports of Arson	2023	0	0	0	0	0	0
	2024	0	0	0	0	0	0
	2025	0	0	0	0	0	0
Arrest for Liquor Law Violations	2023	0	0	0	2	2	0
	2024	0	0	0	0	0	0
	2025	0	0	0	0	0	0
Arrest for Drug Law Violations	2023	2	0	2	0	0	0
	2024	0	0	0	0	0	0
	2025	0	0	0	0	0	0
University Disciplinary Referrals for Liquor Law Violations	2023	48	1	49	0	0	0
	2024	39	0	39	0	0	0
	2025	50	0	50	0	0	0
University Disciplinary Referrals for Drug Law Violations	2023	30	0	30	0	0	0
	2024	23	2	25	0	0	0
	2025	21	0	21	0	0	0
Arrest for Illegal Weapon Possession	2023	0	0	0	0	0	0
	2024	1	0	1	0	0	0
	2025	0	0	0	0	0	0
University Disciplinary Referrals for Illegal Weapon Possession*	2023	0	0	0	0	0	0
	2024	0	0	0	0	0	0
	2025	0	1	1	0	0	0
Domestic Violence	2023	0	0	0	0	0	0
	2024	0	0	0	0	0	0
	2025	0	0	0	0	0	0
Dating Violence	2023	0	2	2	0	0	0
	2024	0	0	0	0	0	0
	2025	0	0	0	0	0	0
Stalking	2023	0	0	0	0	0	0
	2024	0	0	0	0	0	0
	2025	1	0	1	0	0	0
Hazing	2023	0	0	0	0	0	0
	2024	0	0	0	0	0	0
	2025	0	0	0	0	0	0

Campus Hate Crime Statistics

There were no hate crimes reported in 2023, 2024, or 2025.

Notes from the above tables: *Although most arrests are addressed disciplinarily, the statistics for disciplinary referrals do not include those crimes where an arrest was made. Inclusion in the statistic for disciplinary referrals does not mean that the individual was found responsible for the violation, only that a referral was made.