

2022 JEANNE CLERY ANNUAL CAMPUS SECURITY REPORT

For more information contact the Office of the Vice President for Technology,
Safety & Strategic Initiatives 937.328.6028

Clark State College, in compliance with the Federal Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act of 1998, provides the following campus crime statistics and information for **Calendar Year 2021**.

GENERAL INFORMATION

Access to Campus Facilities

Campus buildings and facilities are accessible to members of the campus community, guests, and visitors during normal hours of operation and during other hours for special events. Normal hours of operation are Monday through Thursday 7:30 a.m. to 10:30 p.m., Friday 7:30 a.m. to 5:00 p.m., and Saturday 7:30 a.m. to 3:00 p.m. (when classes are in session). If there are no special events scheduled, campus buildings are secured.

Facilities

The Springfield campus consists of approximately 107 acres and twelve buildings. Four buildings are located in downtown Springfield and eight buildings are located on Leffel Lane. The Beavercreek campus consists of one building on 3.6 acres. Additionally, Clark State has leased training facilities in Tremont City as well as space at the Greene County Career Center, Ohio Hi-Point Career Center, and the Xenia REACH Center.

POLICIES

Alcohol

The Clark State Performing Arts Center and the Hollenbeck Bayley Creative Arts and Conference Center hold a liquor license for the sale of alcoholic beverages. Individuals or organizations may be granted permission to serve alcoholic beverages in other campus buildings in compliance with Ohio State Liquor Laws. The unauthorized use and/or distribution of alcoholic beverages on College-owned or controlled property or at College-sponsored events are strictly prohibited. Underage persons consuming alcohol and/or anyone found in violation of the liquor laws shall be subject to arrest, criminal prosecution, and disciplinary action by the college.

Drugs

The unlawful possession, use, or distribution of any drug or controlled substance is prohibited on College-owned or controlled property or at College-sponsored events. Anyone found in violation of the drug laws shall be subject to arrest, criminal prosecution, and disciplinary action by Clark State College.

The Counseling Center at Clark State College has an independently licensed mental health counselor who provides screenings and referrals for students struggling with alcohol/drug use. Students can be referred to treatment centers within their community as well as twelve-step support groups. Pamphlets explaining these local resources are available in the Counseling Center. Students may also request information about alcohol/drugs or educational information about warning signs of abuse and dangers of alcohol/drugs. The Counseling Center is located in Rhodes Hall on the Leffel Lane Campus in Room 224. Hours are 8 a.m. to 5 p.m. Monday through Friday. Melinda Van Noord MS LPCC-S, Counselor, can be contacted at 937.328.7961.

Treatment programs for faculty and staff covered under the College's health plan can be found on Medical Mutual of Ohio's website at medmutual.com. Faculty and staff members may also access 24/7 confidential counseling on alcohol/drug abuse as well as anger management, stress, grief and loss, and other personal life concerns by contacting our Employee Assistance Program (EAP) provided by Matrix Integrated Psychological Services at 800.866.1171 matrixpsych.com.

Emergency Response and Evacuation Procedures

The College's emergency response and evacuation procedures are outlined in the Crisis Response Manual and the Mobile Emergency Response Plan (available as a mobile or desktop application) both of which are distributed widely to the campus community via mobileemergencyresponseplan.com. Upon the confirmation of a significant emergency or dangerous situation involving an immediate health or safety threat; students, faculty and staff will be notified via the College's mass notification system (Eagle Alert System), mass e-mails, phone speakers in offices and classrooms, beacons installed in public areas, computer screen displays, megaphones, and/or in person by assigned Building Project Officers and Campus Police. This notification will occur without delay and shall be worded appropriately depending on the emergency. The President, Senior Vice President of Technology, Safety and Strategic Initiatives and Risk Management Coordinator will initiate the notification upon determination of a significant emergency and will further determine the content and the extent of the notification. Evacuation procedures are reviewed periodically. Campus Police will work closely with the Senior Vice President of Technology, Safety and Strategic Initiatives, Risk Management Coordinator and Building Project Officers. During an event, the Senior Vice President of Technology, Safety and Strategic Initiatives and Risk Management Coordinator will stay in contact with the College President and the Marketing Department. Any off-campus communication that is deemed necessary will be determined by the Marketing Department. Building Project Officers meet semi-annually

with the Risk Management Coordinator to review emergency response and evacuation procedures.

Emergency Preparedness/Homeland Security

It is important that visitors, students, guests, and employees feel safe on campus. The United States Department of Homeland Security has created the National Terrorism Advisory System which replaced the color-coded advisory system. This information can be found at <http://www.dhs.gov/national-terrorism-advisory-system>.

Firearms/Dangerous Weapons

The possession of firearms, explosive devices, fireworks, dangerous or illegal weapons, or hazardous materials on College-owned or controlled property or at College-sponsored events is prohibited. A valid license does not authorize the licensee to carry a concealed handgun into any facility on College-owned or controlled property. Anyone found in violation of the firearms, deadly weapon, dangerous ordinance, or concealed carry laws shall be subject to arrest, criminal prosecution, and disciplinary action by Clark State.

Hazing Prohibition & Anti-Hazing Policy

Clark State College is committed to creating a safe, collegiate, working, and learning environment for all students, faculty and staff, and visitors. As a part of this commitment, Clark State College prohibits all forms of hazing as defined in this policy. The College will investigate and respond to all reports of hazing as outlined in this policy. The College holds students accountable for their behavior both on and off-campus and addresses behavior that is a violation of the Student Code of Conduct. This policy applies to conduct that occurs on or off-campus, between two or more people who are affiliated with the College, or any student or other organization associated with the College. This policy applies to Clark State College students, student clubs/organizations, student groups, and employees. This policy also applies to volunteers acting in an official capacity that advise or coach student clubs/organizations and/or student groups and who have direct contact with students. This policy is effective from matriculation to commencement, including breaks in the academic year and Clark State College has jurisdiction whether the conduct occurs on or off campus.

Sanctions: Hazing is a serious offense of the Clark State College Student Code of Conduct and, therefore, is subject to the full range of sanctions (educational sanction, warning, probation, suspension, dismissal). In addition, other educational activities may be required as conditions of the sanction. An individual, organization, or group may be subject to other outcomes in accordance with the applicable outside constituents or group in which the student is involved, or their governing bodies. The College has the right to take action regardless of the actions of the governing body.

Policy Enforcement: The Dean of Student Engagement and Support Services shall coordinate the investigation of all hazing allegations. When appropriate, other College offices may handle certain aspects of the College response, such as Human Resources. Additionally, the Dean of Student Engagement and Support Services will assess the need for interim measures (e.g. suspension of current group activities). Every effort will be taken to complete the investigation in a timely manner. The hazing allegation will be investigated and resolved in keeping with the Student Code of Conduct process. At the point when a formal conduct charge is made against an organization, the national or oversight organization, if any, shall be notified. Criminal investigations resulting from a report to law enforcement will be handled by the appropriate law enforcement agency. Clark State may charge an individual or a group with a violation of this Anti-Hazing Policy via the Student Code of Conduct and/or other College rules, regulations or policies. Sanctions applied to organizations and/or individuals will be imposed in accordance with the severity of the violation and will be determined by the Dean of Student Engagement and Support Services.

Definition of Hazing: Hazing means intentionally, knowingly, or recklessly, for the purposes of initiating, admitting or affiliating a student into or with an organization, or for the purpose of continuing or enhancing a student's membership or status in an organization, causing, coercing or forcing a student to do any of the following, regardless of whether such conduct occurs on or off campus:

- Violate Federal or State criminal law.
- Violate College policies, rules, regulations that are published in the student handbook or any other official College publications or agreements.
- Consume any food, liquid, alcoholic liquid, drug or other substance which subjects the student to a risk of emotional or physical harm.
- Endure brutality of a physical nature, including whipping, beating, branding, calisthenics or exposure to the elements.
- Endure brutality of a mental nature, including actively adversely affecting the mental health or dignity of the individual, sleep deprivation, exclusion from social contact or conduct that could result in extreme embarrassment.
- Endure brutality of a sexual nature.
- Endure any other activity that creates a reasonable likelihood of bodily injury to the student. It shall not be a defense to a charge of hazing that the student consented to the conduct in question.

Reporting: Reporting an Incident: Campus safety is a top priority and all reports of hazing are taken seriously to protect the health and well-being of our Clark State community. Individuals and/or student organizations should report incidents of hazing through the online Incident Report Form. Reports will be routed to the Dean of Student Engagement and Support Services. Clark State College depends on community members to identify and report behaviors of concern so that the College can provide distressed students and employees with appropriate support services and resources.

Clark State College is committed to reviewing all reports of hazing. Anonymous reports are accepted; however, the College's ability to obtain additional information may be compromised and the ability to investigate anonymous reports

may be limited. In the event of immediate physical danger to a student or others, 911 must be called immediately. Any questions concerning the interpretation or application of this policy should be referred to the Dean of Student Engagement and Support Services.

Mandatory Reporting: In order to enable the College to respond effectively and to stop instances of hazing, all College employees must, within twenty-four (24) hours of receiving the information, report information they have about reported or possible hazing to the Dean of Student Engagement and Support Services. Employees who are required by law to protect confidentiality are exempt from this requirement.

College Reporting: The College will maintain a report of all violations of this policy that are reported to the College and which result in a violation of this policy. The College will update the report bi-annually on January 1 and August 1 of each year and will post the updated report on the College's website. If the violations rise to the level of Clery Act reporting, they will be included in the Annual Campus Safety Report published each October.

College Training and Education: All students seeking membership in a registered student organization or student group at Clark State College must complete the anti-hazing training provided by the College. Failure to complete the training will result in the student being denied the ability to participate in any recognized student organization or group. If a student is unsure if they have completed the required program they should contact the Dean of Student Engagement and Support Services to verify their eligibility to join a student organization or group.

Rape/Sexual Assault/Dating Violence/Stalking

Clark State will sponsor rape and sexual assault awareness education/prevention programs during the academic year to all members of the campus community. These acts are strictly prohibited by Clark State policy and its student code of conduct, all allegations will be investigated fully and transparently. Victims of rape/sexual assault, dating violence, or stalking are strongly encouraged to report incidents to the Campus Police Department. The College will make accommodations in a victim's academic situation if reasonably possible. Students who have experienced sexual harassment or sexual violence on campus should report incidents to a Title IX Deputy Coordinator Ron Gordon, Dean of Enrollment Services at 937.328.6095, Nina Wiley, Dean of Student Engagement and Support Services at 937.328.7936, Natalie Johnson, Associate Dean (Greene County campuses) at 937.429.8926, Yolanda Hall, Sr. Human Resources Generalist at 937.328.6125 or to the Title IX Coordinator Laura Whetstone, Director of Human Resources at 937.328.7958. Victims can seek assistance from Clark State's Counseling Center (Rhodes Hall Room 224, Monday-Friday 8 a.m. – 5 p.m., 937.328.7961). A campus advocate from Project Woman (a sexual assault and domestic violence prevention agency) can meet with victims on campus. Please contact the Counseling Center at 937.328.7961 to arrange this. Project Woman's 24-hour crisis line is 800.634.9893.

Sex Discrimination

Clark State College is committed to providing a safe, collegiate, working and learning environment that promotes personal integrity, civility, and mutual respect and that is free of discrimination, harassment, or adverse treatment. Sex discrimination violates a person's fundamental rights and personal dignity. Clark State College considers sex discrimination in all its forms to be a serious offense. Title IX of the Education Amendments of 1972 to the Higher Education Act of 1965 prohibits discrimination based on sex in educational programs and activities that receive federal financial assistance. Education program or activity includes locations, events, or circumstances over which the college exercised substantial control over both the respondent and the context in which the sexual harassment occurs. To ensure compliance with Title IX and other federal and state civil rights laws, the College has developed policies and procedures that prohibit sex discrimination in all of its forms.

Clark State College does not discriminate on the basis of race, color, religion, gender/sex, gender identity or expression, national origin (ancestry), military status, disability, age (40 years of age or older), genetic information, sexual orientation, status as a parent during pregnancy and immediately after the birth of a child, status as a parent of a young child, or status as a foster parent and any other protected group status as defined by law or College policy in its educational programs, activities, admissions, or employment practices as required by Title IX of the Educational Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act, and other applicable statutes.

Clark State College encourages anyone who has experienced sex discrimination in any form, whether or not that person is a minor, to promptly report the incident, to seek all available assistance, and to pursue corrective action through the College against the offender, regardless of whether or not that person is a minor. The College encourages anyone who has experienced sex discrimination, whether or not he or she is a minor, to report the incident to the appropriate Title IX Coordinator listed in the associated procedures. The Title IX Coordinator can assist with all aspects of the reporting procedure and will conduct an investigation into a complaint as appropriate. Clark State is required to report to law enforcement, child protective services, or similar agency any case of sexual abuse of a minor by faculty, staff, or volunteers affiliated with the College.

The College will not tolerate sex discrimination, whether engaged in by fellow employees, supervisors, students, or by other non-employees who conduct business with the College. The College shall investigate any incident of alleged sex discrimination and shall take any action it deems appropriate after evaluating all of the circumstances. This policy shall be administered as set forth in the associated procedures. The office of human resources shall be assigned the responsibility of developing, implementing, and maintaining the sex discrimination policy and procedures.

- **Actual Knowledge:** Notice of sexual harassment or allegations of sexual harassment to the College's Title IX Coordinator or an official of the College who has authority to

institute corrective measures on behalf of the College.

- **Coercion:** The use of pressure to compel another person to initiate or continue sexual activity against a person's will. Coercion can include a wide range of behaviors, including intimidation, manipulation, threats and blackmail. A person's words or conduct are sufficient to constitute coercion if they wrongfully impair another person's freedom of will and ability to choose whether or not to engage in sexual activity. Examples of coercion include threatening to "out" someone based on sexual orientation, gender identity, or gender expression and threatening to harm oneself if the other party does not engage in the sexual activity.

- **Complainant:** A person who is alleged to be the victim of conduct that could constitute sexual harassment.

- **Consent:** Permission that is clear, knowing, voluntary, and expressed prior to engaging in and during an act. Consent is active, not passive. Silence, in and of itself, cannot be interpreted as consent. Consent can be given by words or actions, as long as those words or actions create mutually understandable clear permission regarding willingness to engage in (and the conditions of) sexual activity.

Consent can be withdrawn at any time. When consent is withdrawn, sexual activity must cease. Prior consent does not imply current or future consent even in the context of an ongoing relationship. Consent must be sought and freely given for each instance of sexual contact.

- **Formal Complaint:** A document filed by a complainant or signed by the Title IX Coordinator alleging sexual harassment against a respondent and requesting that the College investigate the allegation of sexual harassment.

- **Gender Expression:** How a person presents themselves (female, male, androgynous, or as another gender) as evidenced by their manner of dress, speech or other physical expression.

- **Gender Identity:** Person's internal knowledge of their own gender. A person may identify as a gender that does or does not appear to correspond to the sex (male or female) assigned to that person at birth, or the person may identify as neither female nor male.

- **Gender-Based Harassment:** Harassment based on sex or gender, sexual orientation, gender identity, or gender expression, which may include acts of intimidation or hostility, whether verbal or non-verbal, graphic, physical, or otherwise, even if the acts do not involve conduct of a sexual nature.

- **Incapacitation:** Physical and/or mental inability to make informed, rational judgments and decisions. States of incapacitation include sleep and blackouts. Where alcohol or other substances are involved, incapacitation is determined by how the substance impacts a person's decision-making capacity, awareness of consequences, and ability to make informed judgments.

- **Non-Consensual Sexual Contact:** Any intentional sexual touching, however slight, with any body part or object, by any person upon another that is without consent and/or by force or coercion. Sexual contact includes: intentional contact with the breasts, buttock, groin, or genitals, or touching another with any of these body parts or objects, or making another touch you or themselves with or on any of these body parts; any intentional bodily contact in a sexual manner, though not involving contact with/of/by breasts, buttocks, groin, genitals, mouth, or other orifice.

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- **Respondent:** A person who has been reported to be the perpetrator of conduct that could constitute sexual harassment.

- **Retaliation:** An adverse action taken against a person for the purpose of interfering with any right or privilege secured by Title IX or because the person has made a report or complaint testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing involving allegations of sex discrimination in violation of this policy.

- **Sex Discrimination:** Occurs when a person has been treated inequitably based on sex, sexual orientation, gender, gender identity, or gender expression. Sex discrimination can be committed by anyone regardless of sex, gender, gender identity, gender expression and/or sexual orientation.

- **Sexual Exploitation:** Occurs when a person takes non-consensual or abusive sexual advantage or benefit, or to benefit or advantage anyone other than the person being exploited, and that behavior does not otherwise constitute one of the other sexual violence offenses. Examples of sexual exploitation include, but are not limited to:

- a. Voyeurism
- b. Exposing one's genitals to another person without consent;
- c. Prostituting another person;
- d. Non-consensual video- or audio-recording or photographing of sexual activity;
- f. Knowingly exposing another person to a sexually transmitted

infection or virus without the other person's knowledge and consent.

- **Sexual Harassment:** Conduct on the basis of sex that satisfies one or more of the following:
 - a. Quid pro quo: An employee conditioning the provision of an aid, benefit, or service of the College on a person's participation in unwelcome sexual conduct.
 - b. Hostile environment: Unwelcome conduct that a reasonable person would determine is so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the educational institution's education program or activity.
 - c. Sexual assault: An offense classified as a forcible or non-forcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation. The FBI uniform crime reporting system provides:
 - i. Sex Offenses – Forcible. Any sexual act directed against another person, without that person's consent including instances where the person is incapable of giving consent.
 1. Forcible Rape: The carnal knowledge of a person, forcibly and/or against that person's will or not forcibly or against that person's will where the victim is incapable of giving consent because of his/her temporary or permanent mental or physical incapacity.
 2. Forcible Sodomy: Oral or anal sexual intercourse with another person, forcibly and/or against that person's will or not forcibly or against that person's will in instances where the victim is incapable

of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.

3. Sexual Assault With An Object: The use of an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, forcibly and/or against that person's will or not forcibly or against the person's will in instances where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.
4. Forcible Fondling: The touching of the private body parts of another person for the purpose of sexual gratification, forcibly and/or against that person's will or not forcibly or against that person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary mental incapacity.
 - ii. Sex Offenses – Non-forcible. Unlawful, non-forcible sexual intercourse.
 1. Incest: Non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
 2. Statutory Rape: Non-forcible sexual intercourse with a person who is under the statutory age of consent.
 - d. Dating Violence: Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the complainant. The existence of such a relationship will be determined based on the complainant's statement and

with consideration of the length and type of relationship, and the frequency of interaction between the persons involved in the relationship.

- e. Domestic Violence: Felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under domestic or family violence laws of the jurisdiction in which the crime of violence occurred, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.
- f. Stalking: Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for their safety; or suffer substantial emotional distress.
 - **Sexual Violence:** Physical sexual acts perpetrated against a person's will or when a person is incapable of giving consent.
 - **Supportive Measures:** Non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available and without fee or charge to the complainant or respondent.

This policy applies to all the following, including those who may be minors:
Non-Exempt and Exempt Staff employees
Faculty and Adjunct Faculty
Temporary Employees
Students
Vendors, Visitors and other Third-Parties

Sex Discrimination Procedures

The following administrative procedures pertain to the Clark State College policy on sex discrimination approved by the board of trustees. These procedures apply to sex discrimination complaints filed by Clark State College students or employees against other College employees, students, or third parties, regardless of the age of the complainant or respondent. They are meant to assist employees and students in understanding their rights and responsibilities under the current policy. Individuals who are complainants of sex discrimination are encouraged to promptly report the incident to the local law enforcement. If the person is incapacitated for any reason, a report should be made on behalf of the complainant.

Complaints of sex discrimination should be made to the Title IX Coordinator. Upon receipt of a formal complaint, the College will follow procedures in response to the reported conduct. A formal complaint is a document filed by a complainant or signed by the Title IX Coordinator alleging sexual harassment against a respondent and requesting that

the College investigate the allegation of sexual harassment. There are avenues available for submitting a formal complaint: the complainant can (1) make the complaint to the Title IX Coordinator; or (2) submit the online Sex Discrimination form located on the College website.

The Clark State Title IX Coordinators are:

- Title IX Coordinator: Laura Whetstone, Director, Human Resources
Rhodes Hall 210C | 937.328.7958 | whetstonel@clarkstate.edu
- Title IX Deputy Coordinator: Yolanda Hall, Senior Human Resources Generalist
Rhodes Hall 210D | 937.328.6125 | hally@clarkstate.edu
- Title IX Deputy Coordinator: Nina Wiley, Dean, Student Engagement & Support Services
Sara T. Landess Technology and Learning Center 115 | 937.328.7936 | wileyn@clarkstate.edu
- Title IX Deputy Coordinator: Ron Gordon, Dean, Enrollment Services
Hall 129 | 937.328.6095 | gordonr@clarkstate.edu
- Title IX Deputy Coordinator: Natalie Johnson, Associate Dean, Greene County Locations
Greene Center 108 | 937.429.8926 | johnsonn@clarkstate.edu

Rhodes

To ensure a prompt and thorough investigation, the complainant should provide as much of the following information as possible: the name, department, and position of the person or persons reportedly causing the sex discrimination, or retaliation; a description of the incident(s), including the date(s), location(s), and the presence of any witnesses, or potential witnesses; any other information the complainant believes to be relevant to the sex discrimination or retaliation.

Notification: Upon receipt of a formal complaint, written notice will be sent to the parties within five (5) calendar days of the reported conduct and the College's sex discrimination policy and procedures will be provided. Written notice will include the following:

- The identities of the parties involved
- The conduct reportedly constituting sexual harassment
- The date and location of the reported incident
- Notice that the parties may have an advisor of their choice
- Notice that parties may inspect and review evidence
- The respondent is presumed not responsible for the alleged conduct and a determination regarding responsibility is made at the end of the grievance process

Notice will be provided adequate time to prepare a response and secure an advisor before any initial interview. The respondent will have five (5) calendar days from the date of receipt of the written notice to secure an advisor.

Supportive Measures: In all instances of reported sexual harassment or misconduct, regardless of a formal complaint being filed, individual services are offered to the complainant or respondent. The services are offered as appropriate, as reasonably available, and without fee or charge. Supportive Measures may include counseling, campus escort services, mutual restrictions on contact between the parties or modifications of work/class schedules.

Informal Resolution: The Informal Resolution process is designed to assist students in resolving a formal complaint and may be appropriate in some circumstances when all parties agree. This process can be used for a variety of reasons including privacy, speed of resolution, and may be in the interest of both the complainant and the respondent to resolve the complaint through Informal Resolution rather than the Formal Resolution process. At any time prior to written consent agreeing to resolution, any party has the right to withdraw from the informal resolution process and resume the grievance process via the formal resolution process. The complainant may withdraw the formal complaint by notifying the Title IX Coordinator in writing that they would like to no longer pursue the matter.

The Title IX Coordinator(s) will serve as a facilitator(s) to help the complainant and respondent reach a mutually satisfactory resolution. The resolution will be conducted in a manner so that it is adequate, reliable, impartial, and confidential to the extent possible.

The process may include interview of the parties involved, including witnesses, potential witnesses, the gathering of relevant information and mediation. Both parties to the complaint will be afforded an equal opportunity to present relevant witnesses and other evidence. If a mediated resolution is reached, it will be agreed to in writing by the respondent, the complainant, and the Title IX Coordinator and may not be appealed.

Informal Resolution cannot be used for complaints involving allegations that an employee of the College sexually harassed a student.

Formal Resolution: The Formal Resolution process is designed to provide a prompt, fair, and impartial resolution. This process includes an Investigation, Hearing Process, Determination Regarding Responsibility, and Right to an Appeal. The Formal Resolution process will be implemented when a formal complaint has been filed with the College and the complainant and/or respondent does not pursue or withdraws from the Informal Resolution process.

The respondent is presumed not responsible for the reported conduct until a determination regarding responsibility has been made by the decision-maker. The standard of review used to determine responsibility is the "preponderance of the evidence" standard (i.e., it is more likely than not that sexual harassment or violence occurred). This means that a person is presumed not to have engaged in the reported conduct unless a "preponderance of the evidence" supports a finding that the conduct has occurred. This "preponderance of the evidence" standard requires that the evidence supporting

each finding be more convincing than the evidence in opposition to it.

1. Investigation

The IX Coordinator(s) will serve as investigative officer(s) who will be responsible for obtaining all facts of the case. The investigation will include interviews of any parties involved, including witnesses, potential witnesses, and gathering relevant evidence. The investigative officer(s) will have forty-five (45) calendar days upon receipt of formal complaint to generate the investigative report. The investigator(s) may provide written notice to the parties with explanation for an extension in generating the investigative report.

Prior to completion of the investigative report, the investigator(s) will send to each party and the party's advisor the evidence subject to inspection and review. The parties will have up to ten (10) calendar days from receipt to submit a written response. Late submissions will not be accepted. The investigator(s) will consider the parties' written response prior to completion of the investigative report.

The investigative report will be sent to each party and the party's advisor at least ten (10) calendar days before the hearing for their review and written response.

2. Hearing Process

The complainant and respondent may have an advisor and one support person in attendance at the hearing. The advisor will be permitted to ask the other party and witnesses relevant questions and follow-up questions. The cross-examination will be conducted directly, orally and in real time. The decision-maker(s) must determine whether the question is relevant and explain any decision to exclude a question as not relevant. Advisors will submit questions to the decision-maker(s) two (2) calendar days prior to the hearing. The support person will not be permitted to speak or participate in the proceedings. The hearing procedure will allow for the following:

- Complainant(s) and the Respondent(s) to give an opening statement
- Advisor for each party will conduct cross-examination
- Witnesses will only be present when they are giving testimony
- Respondent(s) and the complainant(s) give closing statement
- At the request of either party, the hearing procedures will occur with parties in separate rooms, with the use of technology.
- A recording or transcript will be created and made available for the parties to review

In the event, that any party or witness declines to participate in the hearing or answer cross-examination questions, the decision-maker must not rely of any statement of that party or witness in reaching a determination regarding responsibility. The decision-maker will not draw an inference about the determination regarding responsibility based solely on a party's or witness's absence from the live hearing or refusal to answer cross-examination or other questions.

Investigator: The investigator is a neutral and impartial fact finder that is responsible documenting the facts. They will provide the written investigative report.

Advisor: The advisor may be any person of the party's choosing. Any party involved in a grievance process may select an advisor who may be but is not required to be an attorney. Any expenses associated with retaining legal counsel will be the responsibility of the person engaging such counsel. If the party does not have an advisor present at the hearing, an advisor of the College's choice will be provided to serve in this role, without fee or charge, for the purpose of conducting cross-examination.

Decision Maker: The decision-maker oversees the live hearing. They will provide written determination regarding responsibility.

Support Person: The support person may be any person of the party's choosing. The support person will not be permitted to speak or participate in the proceedings.

3. Determination Regarding Responsibility

The decision-maker(s) will issue a written determination regarding responsibility to the parties, within seven (7) calendar days of the conclusion of the hearing. Written determination provided by the decision-maker(s) will include the following:

- Identification of the allegations potentially constituting sexual harassment
- Description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, evidence gathered and hearings
- Finding of fact that support the determination
- Conclusions regarding the application of the College's policy and procedures
- A statement of and rationale for the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions the College imposes on the respondent, and whether remedies designed to restore or preserve equal access to the recipient's education program or activity will be provided by the College to the complainant
- Procedures for Appeal Process

Dismissal of Case: The College will investigate the allegations in a formal complaint. If the conduct reported does not meet the definition of sexual harassment or did not occur within the College's program or activity, or did not occur against a person in the United States, the College will dismiss the formal complaint with regard to that conduct for purposes of sexual harassment under Title IX; however, such a dismissal does not preclude action under another condition of the College's policy and procedures.

The College may dismiss a formal complaint or any allegations therein if: (1) the complainant notifies the Title IX coordinator in writing that they would like to withdraw the formal complaint or any allegations therein; (2) the respondent is no longer enrolled or employed by the College; or (3) specific circumstances prevent the College from gathering evidence sufficient to reach a determination as to the formal complaint or any allegations therein.

Appeal: Both parties to the complaint may appeal the determination regarding responsibility or dismissal of a formal complaint or any allegations therein on the following bases:

- Procedural irregularity affected the outcome
- New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome
- The Title IX Coordinator, investigator, or decision-maker had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome

Disagreement with the outcome is not sufficient grounds for an appeal.

Appeals must be made in writing and submitted to the Title IX Coordinator within seven (7) calendar days of receipt of the determination regarding responsibility or dismissal of formal complaint.

Upon receipt of an appeal, written notice will be sent to the other party. Both parties will have equal opportunity to submit a written statement in support of the hearing determination or challenging the outcome of the hearing determination. Each party will have ten (10) calendar days to submit their written statement.

Appeals involving students will be conducted by the senior vice president for student success. Appeals involving employees and/or third parties will be conducted by the vice president of business affairs. If the request for an appeal is granted, the vice president will review the investigative report, evidence and recording or transcript of the hearing.

The senior vice president for student success and/or vice president of business affairs shall provide written notification of the outcome of the appeal with rationale within fourteen (14) calendar days of the established deadline for the written statements. The written decision will be provided simultaneously to both parties.

The decision of the senior vice president for student success and/or vice president of business affairs is final.

Requests for Confidentiality: As a public institution, Clark State College cannot promise complete confidentiality. Each situation is resolved as discreetly as possible, maintaining confidentiality to the extent allowed under state and federal laws. There may be situations that mandate reporting.

Retaliation: The College shall take reasonable steps to prevent the recurrence of sex discrimination or retaliation in any form. If the reoccurrence takes place, those responsible for such behavior may be subject to disciplinary action under the student code of conduct, if the person is a student, or the sex discrimination policy if the person is an employee or third party.

The College will take all necessary steps to remedy the discriminatory effects on the complainants and others.

Clark State College shall not retaliate against a person who makes a report of sex discrimination, nor permit any employee or student to do so. Retaliation is a very serious violation of the College's sex discrimination policy and should be reported immediately. Any person found to have retaliated against a person for reporting sex discrimination or against anyone participating in the investigation of a complaint shall be subject to appropriate disciplinary procedures.

Clark State College has developed its sex discrimination policy and procedures to insure that all of its employees and students can work and learn in an environment free from sex discrimination. The sex discrimination policy and procedures is available to all employees and students.

Sex Offender Notification

Megan's Law, effective July 1, 1997, requires certain sex offenders to register with the Sheriff in the county in which they reside. The Sheriff's Office must notify the College of any such registrations.

The Campus Sex Crime Prevention Act went into effect on October 28, 2002. This federal law provides for tracking of convicted, registered sex offenders enrolled as students at institutions of higher education, or working or volunteering on campus. This act amends the Jacob Wetterling Crimes against Children and Sexually Violent Offender Registration

Act. Clark State College is notified by mail about individuals registered as sexual predators and individuals registered as habitual sex offenders via required community notifications. Websites for the four counties serviced by Clark State as well as the website for the State of Ohio are:

- Clark County – www.clarkcountysheriff.com

- Greene County – www.co.greene.oh.us/sheriff
- Logan County – <http://www.logansheriff.com>
- Champaign County – <http://www.co.champaign.oh.us/Sheriff/html/esorn.html>
- State of Ohio – <http://www.icrimewatch.net/index.php?AgencyID=55149&disc>

Individuals seeking further information about these laws, or the notifications made to the College in accordance with these laws, should contact the office of the Vice President for Technology, Safety & Strategic Initiatives at 937.328.6028.

CLARK STATE SAFETY AND SECURITY

Campus Police

The College contracts with the City of Springfield to provide safety and security services for the Springfield campuses. The Campus Police Department is staffed by officers from the Springfield Police Department. Clark State contracts with Moonlight Security to provide safety and security services for the Beavercreek (Greene Center) campus. The College follows safety and security procedures at Ohio Hi-Point Career Center for the Bellefontaine campus. Clark State maintains a close working relationship with the City of Springfield Police Department, the Clark County Sheriff's Office, the Beavercreek City Police Department, the Xenia Police Department, the Logan County Sheriff's Office, the Bellefontaine Police Department, and other federal, state, and local law enforcement agencies. It is the College's mission to provide a safe and secure environment for students, employees, guests, and visitors while on campus (**no officially recognized student housing or student organizations, such as Greek life, exist**). Information regarding Safety and Security at Clark State can be found at <https://www.clarkstate.edu/college-life/safety-and-security/>.

Battery Jump Starts

The Campus Cadets in Springfield (937.605.8269) have a jump-start service for faculty, staff, students, and visitors whose vehicles are parked on or near campus. This service is available on a first-come first-served basis as time and weather permit. Anyone parked on Clark State campuses can get a free jump-start. A waiver must be signed releasing the College from liability.

Emergency Telephone Numbers

In an emergency, **always dial 911**.

If you think the situation is not an emergency, but you would like to contact Campus Security, call:

Springfield Campuses: Extension 3856 or 937.328.3856 Beavercreek (Greene Center) Campus: 937.605.8339 Bellefontaine (Ohio Hi-Point) Campus: 937.599.3010 ext. 1314

Non-emergency numbers for local safety services include:

Springfield City Police: 937.324.7680

Clark County Sheriff's Office: 937.328.2560 Beavercreek City Police: 937.426.1225 Xenia Police Department: 937.372.9901

Bellefontaine Police Department: 937.599.1010

Fire Safety & Suppression

Pursuant to the Clery Act and guidelines established by the Department of Education's Campus Safety and Reporting Handbook, Clark State College is not required to publish an Annual Fire Safety Report. As previously addressed in this report, **Clark State does not maintain any student housing or facilities either on or off-campus**. In the spirit of transparency and campus safety however, fire suppression details will be discussed here. The existence or nonexistence of automatic fire suppression systems in campus facilities, including sprinkler systems, smoke detectors, and/or fire alarms, are specified by fire safety codes. These systems include water sprinklers, automatic fume-hood suppressors, and inert gas systems. In the 2020 calendar year, **there were zero fires reported on any Clark State College campus**.

Vehicle Lock-Outs

The Campus Cadets in Springfield (937.605.8269) will attempt to open vehicles with keys locked inside. A waiver must be signed releasing Clark State from liability. Proof of ownership and proper identification are required.

Safety Escorts

Students, faculty, staff, and guests at the Springfield campuses requesting safety escorts to their vehicle can call Campus Cadets at 937.605.8269, or Campus Police at ext. 3856. Students, faculty, staff and guests at the Beavercreek (Greene Center) campus requesting safety escorts to their vehicle can call Moonlight Security at 937.605.8339.

How to be an Active Bystander

Bystanders play a critical role in the prevention of sexual and relationship violence. They are individuals who observe violence or witness the conditions that enable and perpetuate violence. They are not directly involved but have the choice to intervene. Clark State strives to promote a culture of community accountability, where bystanders are actively engaged in the prevention of violence without causing further harm. Individuals may not always know what to do, even when they want to help. Below is a list of some ways to be an active bystander. As always, if you or someone else is in immediate danger, call 911.

- Pay attention to your friends and coworkers. If it looks like they're in trouble or need help, ask if they are ok.
- Confront those who seclude, pressure, or take advantage of people who are incapacitated or otherwise vulnerable.
- Take notice of conversations or stories where one person speaks about taking advantage of another.
- Support those who disclose sexual assault, abusive behavior, or stalking; offer them help and support with reporting.
- Refer victims to the campus resources listed in this document for health or counseling support.

Accessibility Services

In order to provide equal access to all college programs and services, the Office of Accessibility Services recognizes disability as an important aspect of diversity. We work with students with disabilities who wish to request academic adjustments, reasonable modifications, auxiliary aides and/or services to provide equal opportunity for academic success. To receive accommodations, students must complete a confidential registration process through the Office of Accessibility via the online Accommodation Request Form <https://elbert.accessiblelearning.com/s-ClarkState/ApplicationStudent.aspx>.

Behavioral Intervention Team (BIT)

The Behavioral Intervention Team is a consultation team that works together to support and protect Clark State's environment, both inside and outside the classroom, and promote the safety and well-being of students, faculty and staff. The BIT members represent various areas on campus. BIT consultation is intended to provide for an immediate intervention that can address student situations that may pose a threat of harm or be disruptive to student and College safety, security or operations. A BIT team member can be contacted at any campus by calling 937.328.6056.

Concern, Assessment, Response, Evaluation (CARE) Team

The CARE Team is a multidisciplinary team of staff that provides coordinated support for students who may be experiencing academic, personal or emotional challenges or demonstrating concerning behavior. The purpose of the CARE Team is to coordinate resources on campus and in the community to support the well-being and success of students. The CARE Team does not take the place of standard classroom management techniques used by faculty. The goals of the CARE team are to: minimize disruption to the teaching and learning process, review information from faculty, staff, students and/or others, assess the most appropriate way to intervene and offer support. Develop a coordinated plan to support the student, provide support and timely response to students experiencing academic, personal or emotional challenges or demonstrating concerning behavior, coordinate follow-up with the student to ensure that recommended services, support and resources are deployed effectively, and finally, to provide education and resources to the campus community in managing and maintaining a safe environment conducive to learning. Referrals to the CARE Team may be made by both faculty and staff, and can include personal safety concerns, academic concerns, behavioral issues, or concerns about student resources or welfare. Referrals can be made at all times via Clark State's online form at cm.maxient.com/reportingform.php?ClarkStateCC&layout_id=15.

Counseling Services

Counseling Services is staffed by a licensed mental health counselor. Services provided include Crisis Intervention and Assessment, Consultation and Referral, Suicide Prevention Training and Outreach, Short-term Counseling and a Peer Listening Program. Counseling Services can assist students with a wide range of problems including stress management issues, relationship conflicts/abuse, or major mental health problems. Counseling sessions are free and confidential (except in cases in which disclosure of information is necessary to protect the student or others from physical harm or life-threatening injuries) otherwise no information will be released without the student's written permission. The Counseling Center's office hours are: Monday through Friday 8:00 a.m. to 5:00 p.m. The office is located in Rhodes Hall, Room 224, at the Springfield Leffel Lane Campus. Students may walk-in or call 937.328.7961 for an appointment; however, appointments are encouraged. Students attending classes at other locations, may call 937.328.7961 for an appointment. Virtual appointments are available.

Red Flag Campaign

Clark State has joined a national campaign to prevent sexual assault and relationship violence. The project, called The Red Flag Campaign, uses a bystander intervention strategy to empower campus members to intervene when they encounter abusive behavior. The project brings awareness to important topics and aspects of abuse including coercion, emotional abuse, sexual assault, victim-blaming, excessive jealousy, isolation and stalking.

Clark State's Sexual Prevention Team will utilize the Red Flag Campaign in campus programming such as awareness events and prevention trainings. The purpose of the campaign is to encourage students to "say something" when they see warning signs ("red flags") for dating violence in their friends' relationships. Friends have an influential role in intervening, not only with the victim, but also with the abusive partner. Peer groups can provide safety and support and can also dictate what behaviors are unacceptable. The Red Flag Campaign's goal is to help college students harness their power to change the cultural tolerance of violence in relationships. For more information about the campaign, visit theredflagcampaign.org. If you or a friend needs immediate help, contact Counseling Services at 937.328.7961, your local domestic violence agency or the National Domestic Violence Hotline: 800.799.7233.

Sexual Violence Prevention Team

The Sexual Violence Prevention Team is a collaboration of faculty, staff and students dedicated to raising awareness about sexual violence, increasing the safety of our Clark State community and coordinating sexual violence prevention efforts and resources. Through a coordinated community response approach, the Sexual Violence Prevention Team provides sexual violence prevention education and intervention strategies to the campus community, fosters a safe environment where survivors are empowered to access resources and provides advocacy and support to survivors.

The team meets monthly to assess, plan, monitor and evaluate campus prevention and response efforts. For assistance or to access their resources, contact Nina Wiley, Dean of Student Engagement and Support Services at 937.328.7936, Melinda Van Noord MS LPCC-S, Counselor Services Coordinator, at 937.328.7961, Jason Wearly, Library Circulation Specialist, at 937.328.6022, Callie Cary-Devine, Project Director of Student Account Services, 937.328.6122, Karen Benton, Criminal Justice Professor, 937.328.8073, or Dominic Strodes, Project Director of Trauma Informed Practices, 937.328.6478.

Clery Compliance

Campus Police and administrators are here to serve the entire Clark State community. However, they cannot do it alone; safety is everyone's concern. Campus Security Authorities (CSA's) are individuals who have been identified as having responsibility for students, their welfare, and the campus as a whole. CSA's are trained in this respective capacity to receive and report alleged crimes and Clery Act violations. These are critical functions that allow Clark State to:

- Issue timely warnings and awareness bulletins in case of ongoing or potential threats
- Cooperate with law enforcement to apprehend offenders and prevent victimization
- Maximize campus safety by tracking and disclosing crime statistics as mandated by the Clery Act

Victims and witnesses are strongly encouraged to report all crimes. Complaints can be made anonymously and all reports will be investigated. Campus crime and crime-related concerns are communicated and processed openly to all members of the campus community. Confidential reporting can be made by using the Report a Concern link at the bottom of every Clark State webpage, emailing Clery@ClarkState.edu, or calling the Title IX office at 937.328.7936.

Confidential reporting may also be made to specifically designated CSA's: Ron Gordon, Dean of Enrollment Services at 937-328-6095; Nina Wiley, Dean of Student Engagement and Support Services at 937-328-7936; Natalie Johnson, Associate Dean (Greene County) at 937-429-8926; Justin McCulla, Director of Athletics and Student Life, Student Services at 937-328-7819; or Lisa Castle, Student Services Coordinator, Enrollment Services (Bellefontaine) at 937-328-6484.

Timely Warnings & Emergency Notifications

Timely Warnings are designed to provide notification regarding certain Clery crimes which present a serious and continuing threat to the campus community. If deemed appropriate, a Timely Warning will be issued to allow students, faculty, and staff to take steps to protect themselves. Notifications may also seek information regarding the offender or circumstances. The occurrence of Clery-reportable crimes on campus or on non-campus property immediately adjacent to or accessible from campus may trigger such a notification. Clark State personnel will examine the facts surrounding each eligible crime to determine, on a case-by-case basis, if such a threat exists. Factors to be examined include, but are not limited to: the nature of the crime, the continuing danger to the community, and the risk of compromising law enforcement efforts. Emergency notifications are similar in purpose and channels of communication, but may be issued for non-Clery compliant situations.

Timely Warnings will be communicated in a way likely to reach the entire community. Marketing, Business Affairs, and Emergency Management will work in conjunction with law enforcement to disseminate Timely Warnings, primarily using Eagle Alerts, Alertus applications, and Clark State email. Timely Warnings will also be posted at: <https://www.clarkstate.edu/college-life/safety-and-security/>. Timely Warnings will include (subject to known information and conditions):

- The nature of the crime;
- The continuing danger to the community; and
- The risk of compromising law enforcement efforts.

To register for Eagle Alerts, or update your existing contact information, visit: https://my.clarkstate.edu/_layouts/15/CSCC.SharePoint.IdentityManagement/EagleAlerts.aspx. When activated, messages may be sent by email, phone call, and/or text message to up to five different contact avenues.

Awareness Bulletins

Clark State recognizes that some incidents not triggering a Timely Warning can be addressed through similar means. When circumstances warrant, Clark State may release an Awareness Bulletin to inform the community of a particular event or series of events that do not rise to Clery reporting standards. The intention is to bring about awareness and engagement within the Clark State community, with the ultimate goal of preventing further occurrences. The incidents reported in such bulletins are not subject to Timely Warning mandates. Dissemination of such bulletins will be considered on a case-by-case basis.

Exceptions Regarding CSA's:

When a professional mental health counselor, pastoral counselor or any other licensed counselor is functioning in their official capacity, they are not considered to be a CSA. Maintenance, and janitorial staff are also not considered CSA's.

Cooperation with Law Enforcement

Clark State will make every available effort to cooperate with law enforcement agencies, particularly when the safety and welfare of campus or students is in danger. Each year, in preparation for the Annual Safety Report, the college will make good-faith efforts to gather police reports and incident reports from all appropriate agencies that meet Clery geography for Clark State. This documentation will include all reported incidents, Clery qualifying or not, and any discrepancies within the Clery Log will be rectified appropriately.

Emergency Response Exercises

Clark State regularly participates in intra-agency exercises with Clark County Emergency Management, as well as incident-specific drills on campus. Three different drills (lockdown, fire, and tornado) are conducted annually across Clark State's locations with the full cooperation of faculty and staff. Training is also conducted throughout the year emphasizing specific incidents and responses, such as medical emergencies or active-shooter. For more information about upcoming or

CRIME STATISTICS

Annual Safety Report

A comprehensive annual report of crime-related information is compiled, published, and distributed to all students and employees, and to any prospective student and employee upon request. Crime statistics are obtained from the Clark State Campus Police Department, Springfield City Police Department, Clark County Sheriff's Office, Beavercreek City Police Department, Xenia Police Department and Bellefontaine Police Department. This shared data, coupled with Clark State's internal reporting, is submitted annually to the Department of Education via a web-based collection procedure.

Faculty, staff, and students are notified via e-mail that the updated Annual Campus Safety Report is available in printed copy and online at <http://www.clarkstate.edu/student-life/safety-security/>. Additionally, the college's statistics, as well as statistics submitted by other colleges and universities, can be found on the U.S. Department of Education's website at <http://ope.ed.gov/security/>.

Clery-Compliant Crime Definitions

The following definitions come from the Summary Reporting System (SRS) User Manual from the FBI's Uniform Crime Reporting Program and are used for purposes of reporting crimes under the Clery Act (the handbook may be viewed here <https://www.fbi.gov/file-repository/ucr/ucr-srs-user-manual-v1.pdf/view>):

Criminal Homicide: Murder and non-negligent manslaughter: the willful (nonnegligent) killing of one human being by another. Manslaughter by negligence: the killing of another person through gross negligence.

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

Aggravated Assault: An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm. (It is not necessary that injury result from an aggravated assault when a gun, knife or other weapon is used which could and probably would result in serious personal injury if the crime were successfully completed.)

Burglary: The unlawful entry of a structure to commit a felony or a theft. For reporting purposes, this definition includes: unlawful entry with intent to commit a larceny or felony; breaking and entering with intent to commit a larceny; housebreaking; safecracking; and all attempts to commit any of the aforementioned.

Motor Vehicle Theft: The theft or attempted theft of a motor vehicle. (Classify as motor vehicle theft all cases where automobiles are taken by persons not having lawful access even though the vehicles are later abandoned – including joyriding.)

Arson: Any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, personal property of another, etc.

Weapons Law Violations: The violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment or use of firearms, cutting instruments, explosives, incendiary devices or other deadly weapons. This classification encompasses weapons offenses that are regulatory in nature.

Drug Abuse Violations: The violation of laws prohibiting the production, distribution and/or use of certain controlled substances and the equipment or devices

utilized in their preparation and/or use. The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation or importation of any controlled drug or narcotic substance. Arrests for

violations of state and local laws—specifically those relating to the unlawful possession, sale, use, growing, manufacturing and making of narcotic drugs.

Liquor Law Violations: The violation of state or local laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession or use of alcoholic beverages, not including driving under the influence and drunkenness. The following definitions come from the U.S. Department of Education Code of Federal Regulations as they relate to hate crimes and are used for purposes of reporting hate crimes under the Clery Act.

Hate Crime: A crime that is reported to local police agencies or to a campus security authority that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim. Categories of bias include the victim's actual or perceived race, religion, gender, gender identity, sexual orientation, ethnicity, national origin and disability. (34 CFR § 668.46(a)) For purposes of Clery Act reporting, hate crimes are reported for the following crimes: criminal homicide; murder and non-negligent manslaughter; sex offenses (rape, fondling, incest and statutory rape); robbery; aggravated assault; burglary; motor vehicle theft; arson; larceny-theft; simple assault; intimidation; and destruction/ damage/vandalism of property. See above for definitions of criminal homicide, robbery, aggravated assault, burglary, motor vehicle theft and arson. See Section XII.A for definitions of sex offenses. The definitions for larceny-theft, simple assault, intimidation and the destruction/damage/vandalism of property come from the Hate Crime Data Collection Guidelines and Training Manual from the FBI's Uniform Crime Reporting Program:

Larceny: Theft (except motor vehicle theft): the unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another. Attempted larcenies are included. Embezzlement, confidence games, forgery, worthless checks, etc. are excluded.

Simple Assault: An unlawful physical attack by one person upon another where neither the offender displays a weapon, nor the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration or loss of consciousness.

Intimidation: To unlawfully place another person in reasonable fear of bodily harm through the use of

threatening words and/ or other conduct but without displaying a weapon or subjecting the victim to actual physical attack.

Destruction/Damage/Vandalism of Property: To willfully or maliciously destroy, damage, deface or otherwise injure real or personal property without the consent of the owner or the person having custody or control of it.

Hate-Crime Definitions

In compliance with the Hate Crime Statistics Act of 1990, the Clery Act has been amended to include larceny/simple assault, intimidation and destruction/damage/vandalism (except arson) as reportable categories of hate crimes. These new reporting categories are only reported if motivated by bias as determined by one of the designated bias categories. The types of bias categories include: race, gender, religion, sexual orientation, ethnicity, national origin, gender identity and disability.

For the 2018, 2019, & 2020 reporting periods, **zero hate crimes** were reported.

Bias: a preformed negative opinion or attitude toward a group of persons based on their race, religion, disability, sexual orientation or ethnicity/national origin.

Bias Crime: a criminal offense committed against a person or property is motivated, in whole or in part, by the offender's bias against a race, religion, disability, sexual orientation or ethnicity/national origin. This is also known as hate crime.

Race: a preformed negative attitude toward a group of persons who possess common physical characteristics (e.g., color of skin, eyes and/or hair; facial features, etc.) genetically transmitted by descent and heredity which distinguish them as a distinct division of humankind (e.g., Asians, blacks, whites).

Religion: a preformed negative opinion or attitude toward a group of persons who share the same religious beliefs regarding the origin and purpose of the universe and the existence or nonexistence of a supreme being (e.g., Catholics, Jews, Protestants, atheists).

Sexual Orientation: a preformed negative opinion or attitude toward a group of persons based on their actual or perceived sexual orientation. Sexual orientation is the term for a person's physical, romantic and/or emotional attraction to members of the same and/or opposite sex, including lesbian, gay, bisexual and heterosexual (straight) individuals.

Gender: a preformed negative opinion or attitude toward a person or group of persons based on their actual or perceived gender, e.g., male or female.

Gender Identity: a preformed negative opinion or attitude toward a person or group of persons based on their actual or perceived gender identity, e.g., bias

against transgender or gender non-conforming

individuals. Gender nonconforming describes a person who does not conform to the gender-based expectations of society, e.g., a woman dressed in traditionally male clothing or a man wearing makeup. A gender non-conforming person may or may not be a lesbian, gay, bisexual or transgender person but may be perceived as such.

Ethnicity: a preformed negative opinion or attitude toward a group of people whose members identify with each other, through a common heritage, often consisting of a common language, common culture (often including a shared religion) and/or ideology that stresses common ancestry. The concept of ethnicity differs from the closely related term "race" in that "race" refers to a grouping based mostly upon biological criteria, while "ethnicity" also encompasses additional cultural factors.

National Origin: a preformed negative opinion or attitude toward a group of people based on their actual or perceived country of birth. This bias may be against people that have a name or accent associated with a national origin group, participate in certain customs associated with a national origin group, or because they are married to or associate with people of a certain national origin.

Disability: A preformed negative opinion or attitude toward a group of persons based on their physical or mental impairments, whether such disability is temporary or permanent, congenital or acquired by heredity, accident, injury, advanced age or illness. NOTE: Even if the offender was mistaken in their perception that the victim was a member of the group of the offender was acting against, the offense is still a bias crime because the offender was motivated by bias against the group.

Violence Against Women Act (VAWA)

The 2014 VAWA Negotiated Rulemaking has resulted in Final Consensus Language formalizing federal definitions for VAWA offenses, both felony and misdemeanor.

Domestic Violence: A 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 or intimate partner; By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred; or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

Dating Violence: A crime of violence committed by: Who is or has been in a social relationship of a romantic or intimate nature with the victim; and the existence of such a relationship shall be determined based on the reporting party's statement with consideration of: 1. The length of the relationship; 2. The type of relationship; 3. The frequency of interaction between the persons

involved in the relationship. Dating violence includes but is not limited to sexual or physical abuse or the threat of such abuse. Dating violence does not include acts covered under the definition of domestic violence.

Stalking: Engaging in a course of conduct against 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. For the purpose of this definition; Course of conduct means two or more acts, including but not limited to: acts which the stalker directly, indirectly or through third parties, by any action, method, device or means follows, monitors, observes, surveils, threatens or communicates to or about, a person or interferes with a person's property; Reasonable person means a reasonable person under similar circumstances and with similar identities to the victim; Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

Unfounded Crimes

An institution may withhold, or subsequently remove, a reported crime from its crime statistics in rare situations where sworn or commissioned law enforcement personnel have fully investigated the reported crime and, based on the results of this full investigation and evidence, have made a formal determination that the crime report is false or baseless and therefore "unfounded." Only sworn or commissioned law enforcement personnel may "unfound" a crime report after a thorough investigative process. The recovery of stolen property, the low value of stolen property, the refusal of the victim to cooperate with the prosecution, and the failure to make an arrest do not "unfound" a crime report. For the 2019, 2020, & 2021 reporting periods, **zero unfounded crimes** were reported.

Geography:

Geographic Definitions

Criminal incidents are reported and defined by the following geographic definitions pursuant to the Clery Act and 34 CFR § 668.46(c)(2). The definitions and corresponding campus geography are listed below:

- **On-Campus:** : (1) Any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institution's educational purposes, including residence halls; and (2) any building or property that is within or reasonably contiguous to paragraph (1) of this definition, that is owned by the institution but controlled by another person, is frequently used by students and supports institutional purposes, such as a food or other retail vendor.
- **Non-Campus Building or Property:** (1) Any building or property owned or controlled by a student organization that is officially recognized by the institution (i.e. privately-owned fraternity); or (2) any building or property owned or controlled by an institution that is used in direct support of or in relation to the institution's educational purposes, is frequently used by students and is not within the same reasonably contiguous geographic area of the institution.
- **Public Property:** All public property including thoroughfares, streets, sidewalks and parking facilities within the campus or immediately adjacent to and accessible from the campus.
- **Reasonably Contiguous:** Refers to a building or property an institution owns or controls that is in a location that students consider to be, and treat as, part of the campus. Generally speaking, it is reasonable to consider locations within one mile from the core or main campus border to be reasonably contiguous with the campus.

Springfield Campuses:

Downtown Addresses		Downtown Streets	Downtown Cross-Streets
300 S Fountain Ave	100 - 106 S Limestone	51 - 181 E High	RR Tracks between S Fountain/Linden
301 S Fountain Ave	116 S Limestone	58 - 384 S Limestone	E High / S Limestone
350 S Fountain Ave	120 S Limestone	100 - 359 E Washington	S Limestone / E Washington
362 S Fountain Ave	351 S Limestone	100 - 498 S Spring	S Spring / E Washington
366 S Fountain Ave	355 S Limestone	W Jefferson (all)	S Limestone / Monroe
21 Jefferson St	361 S Limestone	0 - 61 Monroe	S Limestone / Mulberry
125 E High	363 S Limestone	0 - 65 E Mulberry	S Fountain / Monroe
28 E Mulberry		Alley between W Jefferson & W Mulberry	S Fountain / Mulberry
		Both alleys between S Limestone & S Spring	

Leffel Lane Campus:

Leffel Lane Addresses		Leffel Lane Streets	Leffel Lane Cross-Streets
516 E Leffel Lane	501 E Auburn Ave	506 - 615 E Leffel Lane	E Auburn / Huron

518 E Leffel Lane	600 E Auburn Ave	2000 - 2083 Huron Ave	E John / Riley
570 E Leffel Lane	630 E Auburn Ave	Riley Way (all)	
610 E Leffel Lane	650 E Auburn Ave		
2112 Huron Ave			
2106 Huron Ave			

Leffel Lane Addresses		Leffel Lane Street Numbers	Leffel Lane Cross-Streets
516 E Leffel Lane	501 E Auburn Ave	506 - 615 E Leffel Lane	E Auburn / Huron
518 E Leffel Lane	600 E Auburn Ave	2000 - 2083 Huron Ave	E John / Riley
570 E Leffel Lane	630 E Auburn Ave	Riley Way (all)	
610 E Leffel Lane	650 E Auburn Ave		
2112 Huron Ave			
2106 Huron Ave			

Bellefontaine Campus (Ohio Hi-Point Career Center):

Bellefontaine Addresses		Bellefontaine Streets	Bellefontaine Cross-Streets
2280 SR 540	474 Sloan	2109 - 2462 SR 540	SR 540 / Sloan

Beavercreek Campus (Greene Center):

Beavercreek Addresses		Beavercreek Streets	Beavercreek Cross-Streets
3775 Pentagon Blvd	3745 Pentagon Blvd	College Park Dr (all)	College Park / Pentagon Blvd
3715 Pentagon Blvd		Catalina Dr (all)	
		3789 - 3715 Pentagon Blvd	

Xenia Campus (YMCA):

Xenia Address	Xenia Streets	Xenia Cross-Streets
334 S Progress	2109 - 2462 SR 540	S Progress / W Second
		S Progress / Upper Bellbrook

Tremont City (Commercial Transportation Training):

Clark County Address
325 Tremont City

HATE CRIME LEGEND:

Criminal offenses listed above that manifested evidence of prejudice based on race, gender, religion, sexual orientation, ethnicity/national origin, or disability are noted as follows:

Race = RA Religion = RE Ethnicity = E Disability = D
Gender = G Sexual Orientation = S National Origin = NO

KEY:

A = Crimes on campus **C** = Crimes reported on public property (adjacent public streets and sidewalks)
B = Crimes in or on non-campus buildings or property

The above categories and reported criminal activity do not necessarily constitute an arrest or conviction. These are allegations of wrongdoing. Not all crimes, arrests, or allegations are reflected in these statistics, only those incidents meeting the Clery Act reporting criteria.

	2018	2019	2020
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VAWA Offenses <i>(Violence Against Women Act)</i>	A	B	C	A	B	C	A	B	C
	Domestic Violence	0	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0
Stalking	0	0	0	0	0	0	0	0	0

Total Occurrences	2019			2020			2021		
	A	B	C	A	B	C	A	B	C
Crimes									
Murder/Non Negligent Manslaughter	0	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0	0
Sex Offenses – Forcible	0	0	0	0	0	0	0	0	0
Sex Offenses - Non-Forcible	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	2
Burglary	0	0	0	0	0	0	1	0	0
Arson	0	0	0	0	0	0	0	0	1
Motor Vehicle Theft	0	1	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0
Domestic Violence	0	0	0	0	0	0	0	0	0
Stalking	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0
Hate Crimes									
Larceny-theft	0	0	0	0	0	0	0	0	0
Simple Assault	0	0	0	0	0	0	0	0	0
Intimidation	0	0	0	0	0	0	0	0	0
Destruction, Damage or Vandalism of Property	0	0	0	0	0	0	0	0	0
Arrests/Referrals for Disciplinary Action									
Liquor Law Violations	0	0	0	0	0	0	0	0	0
Drug-Related Violations	0	0	0	0	0	0	0	0	0
Weapons Violations	0	0	0	0	0	0	0	0	0

Leffel Lane Campus	2019			2020			2021		
	A	B	C	A	B	C	A	B	C
Crimes									
Murder/Non Negligent Manslaughter	0	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0	0
Sex Offenses – Forcible	0	0	0	0	0	0	0	0	0
Sex Offenses - Non-Forcible	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	2
Burglary	0	0	0	0	0	0	1	0	0
Arson	0	0	0	0	0	0	0	0	1
Motor Vehicle Theft	0	1	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0
Domestic Violence	0	0	0	0	0	0	0	0	0
Stalking	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0
Hate Crimes									
Larceny-theft	0	0	0	0	0	0	0	0	0
Simple Assault	0	0	0	0	0	0	0	0	0
Intimidation	0	0	0	0	0	0	0	0	0
Destruction, Damage or Vandalism of Property	0	0	0	0	0	0	0	0	0
Arrests/Referrals for Disciplinary Action									
Liquor Law Violations	0	0	0	0	0	0	0	0	0
Drug-Related Violations	0	0	0	0	0	0	0	0	0
Weapons Violations	0	0	0	0	0	0	0	0	0

Springfield Campuses	2019			2020			2021		
	A	B	C	A	B	C	A	B	C
<i>Crimes</i>									
Murder/Non Negligent Manslaughter	0	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0	0
Sex Offenses – Forcible	0	0	0	0	0	0	0	0	0
Sex Offenses – Non-Forcible	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	1	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0
Domestic Violence	0	0	0	0	0	0	0	0	0
Stalking	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0
<i>Hate Crimes</i>									
Larceny-theft	0	0	0	0	0	0	0	0	0
Simple Assault	0	0	0	0	0	0	0	0	0
Intimidation	0	0	0	0	0	0	0	0	0
Destruction, Damage or Vandalism of Property	0	0	0	0	0	0	0	0	0
<i>Arrests/Referrals for Disciplinary Action</i>									
Liquor Law Violations	0	0	0	0	0	0	0	0	0
Drug-Related Violations	0	0	0	0	0	0	0	0	0
Weapons Violations	0	0	0	0	0	0	0	0	0

<i>Bellefontaine Campus</i>	2019			2020			2021		
	A	B	C	A	B	C	A	B	C
<i>Crimes</i>									
Murder/Non Negligent Manslaughter	0	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0	0
Sex Offenses – Forcible	0	0	0	0	0	0	0	0	0
Sex Offenses - Non-Forcible	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0
Domestic Violence	0	0	0	0	0	0	0	0	0
Stalking	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0
<i>Hate Crimes</i>									
Larceny-theft	0	0	0	0	0	0	0	0	0
Simple Assault	0	0	0	0	0	0	0	0	0
Intimidation	0	0	0	0	0	0	0	0	0
Destruction, Damage or Vandalism of Property	0	0	0	0	0	0	0	0	0
<i>Arrests/Referrals for Disciplinary Action</i>									
Liquor Law Violations	0	0	0	0	0	0	0	0	0
Drug-Related Violations	0	0	0	0	0	0	0	0	0
Weapons Violations	0	0	0	0	0	0	0	0	0

Beavercreek Campus	2019			2020			2021		
	A	B	C	A	B	C	A	B	C
<i>Crimes</i>									
Murder/Non Negligent Manslaughter	0	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0	0
Sex Offenses – Forcible	0	0	0	0	0	0	0	0	0
Sex Offenses - Non-Forcible	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0
Domestic Violence	0	0	0	0	0	0	0	0	0
Stalking	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0
<i>Hate Crimes</i>									
Larceny-theft	0	0	0	0	0	0	0	0	0
Simple Assault	0	0	0	0	0	0	0	0	0
Intimidation	0	0	0	0	0	0	0	0	0
Destruction, Damage or Vandalism of Property	0	0	0	0	0	0	0	0	0
<i>Arrests/Referrals for Disciplinary Action</i>									
Liquor Law Violations	0	0	0	0	0	0	0	0	0
Drug-Related Violations	0	0	0	0	0	0	0	0	0
Weapons Violations	0	0	0	0	0	0	0	0	0

Xenia Campus	2019			2020			2021		
	A	B	C	A	B	C	A	B	C
Crimes									
Murder/Non Negligent Manslaughter	0	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0	0
Sex Offenses – Forcible	0	0	0	0	0	0	0	0	0
Sex Offenses - Non-Forcible	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0
Domestic Violence	0	0	0	0	0	0	0	0	0
Stalking	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0
Hate Crimes									
Larceny-theft	0	0	0	0	0	0	0	0	0
Simple Assault	0	0	0	0	0	0	0	0	0
Intimidation	0	0	0	0	0	0	0	0	0
Destruction, Damage or Vandalism of Property	0	0	0	0	0	0	0	0	0
Arrests/Referrals for Disciplinary Action									
Liquor Law Violations	0	0	0	0	0	0	0	0	0
Drug-Related Violations	0	0	0	0	0	0	0	0	0
Weapons Violations	0	0	0	0	0	0	0	0	0

Tremont City Campus	2019			2020			2021		
	A	B	C	A	B	C	A	B	C
Crimes									
Murder/Non Negligent Manslaughter	0	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0	0
Sex Offenses – Forcible	0	0	0	0	0	0	0	0	0
Sex Offenses - Non-Forcible	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0
Domestic Violence	0	0	0	0	0	0	0	0	0
Stalking	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0
Hate Crimes									
Larceny-theft	0	0	0	0	0	0	0	0	0
Simple Assault	0	0	0	0	0	0	0	0	0
Intimidation	0	0	0	0	0	0	0	0	0
Destruction, Damage or Vandalism of Property	0	0	0	0	0	0	0	0	0
Arrests/Referrals for Disciplinary Action									
Liquor Law Violations	0	0	0	0	0	0	0	0	0
Drug-Related Violations	0	0	0	0	0	0	0	0	0
Weapons Violations	0	0	0	0	0	0	0	0	0