

Annual Security Report/Crime and Safety Plan

Cleveland Institute of Medical Massage

Cincinnati School of Medical Massage

Dayton School of Medical Massage

Dayton School of Medical Massage-Lima

Columbus School of Medical Massage

October 1, 2020

Annual Disclosure of Crime Statistics

In compliance with the Federal Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act of 1998 (formerly the Crime Awareness and Campus Security Act of 1990), this report provides the following campus crime statistics and information for calendar years 2016, 2017, & 2018.

Herein, the term "**school(s)**" refers to the respective campus of attendance (Cleveland Institute of Medical Massage, Cincinnati School of Medical Massage, Dayton School of Medical Massage, & Dayton School of Medical Massage-Lima, Columbus School of Medical Massage).

Cincinnati School of Medical Massage is located at 11250 Cornell Park Drive, Suite 203. The building is under the jurisdiction of the Blue Ash Police Department. The Blue Ash Police Department provided statistics to include in this report.

Cleveland Institute of Medical Massage is located at 18334-D East Bagley Road. The building is under the jurisdiction of the Middleburg Heights Police Department. The Middleburg Heights Police Department provided statistics to include in this report.

Dayton School of Medical Massage is located at 4457 Far Hills Avenue. The building is under the jurisdiction of the Kettering Police Department. The Kettering Police Department provided statistics to include in this report.

Columbus School of Medical Massage is located at 4936 Blazer Parkway. The building is under the jurisdiction of the Dublin Police Department. The Dublin Police Department provided statistics to include in this report.

Dayton School of Medical Massage-Lima is located at the Apollo Career Center located at 3325 Shawnee Road. The building is under the jurisdiction of the Shawnee Police Department. The campus was at the Enterprise Building on 205 West Market Street, Lima, Ohio, 45801 (Lima Police Department) at the first half of 2016 and at the Apollo Career Center for the last part of 2016 (Shawnee Township Police Department). The Shawnee Township Police Department provided statistics to include in this report.

Information Regarding Security Procedures

The School informs students and employees about safety procedures by means of the following:

- Each student is invited to review the Crime and Safety Plan. A hard copy is posted on student bulletin boards, where applicable. It is also uploaded on the school's website at <http://www.massageschools.com>, under Campus Security Report. Current students are also emailed the direct link to the email address we have on file for them. Faculty/Staff are emailed a copy of the document.
- Policies regarding safety and sexual harassment are included in the School Catalog.
- Students, Faculty, & Staff (current or prospective) may request a copy of this publication from the Director of Education & Compliance or other Campus Safety Authority, as listed in this plan. Any requests for a copy will be accommodated, at no charge.

* New students and potential students are provided the information regarding the availability of the Annual Security Report/Crime and Safety Plan during the enrollment/admissions process. The availability of the Crime and Safety Plan is noted in the Student Catalog too. Potential faculty and staff are provided the information during the hiring process.

Information Regarding Crime Prevention

This Annual Security Report/Crime and Safety Plan has been instituted as a method of informing prospective and current students, faculty, and staff about the prevention of crime.

“Emergency Response/Warning”

Under the Clery Act, 20 U.S.C. §1092(f), each campus is required to immediately notify the campus community upon confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on the campus. An “immediate” threat includes both an imminent or impending threat, such as an approaching fire in the neighborhood, as well as a fire currently burning in a building. The message that the school is required to give for a significant emergency or dangerous situation involving an immediate threat to health or safety is called an “emergency response” or “emergency warning” under the Clery Act. Our emergency response procedures are regularly updated and distributed and describe in detail how to provide an emergency response or warning to all members of the campus community.

Emergency Response and Evacuation Procedures

The school will immediately notify the campus community upon confirmation of an emergency or dangerous situation.

As soon as the school has confirmed that a significant emergency or dangerous situation exists, we will:

- Take into account the safety of the campus community,
- Determine what information to release about the situation, and
- Begin the notification process.

The only reason we would not immediately issue a notification for a confirmed emergency or dangerous situation is if doing so will compromise efforts to:

- Assist a victim,
- Contain the emergency,
- Respond to the emergency, or
- Otherwise mitigate the emergency. An example of not compromising efforts to mitigate the emergency might be agreeing to a request of local law enforcement or fire department officials.

Emergency Procedures

1. Call 911. Give the School address:

**Cincinnati School of Medical Massage
Massage 11250 Cornell Park Drive, Suite 203
Cincinnati, Ohio 45242**

**Cleveland Institute of Medical
18334-D East Bagley Road
Middleburg Heights, Ohio 44130**

**Dayton School of Medical Massage
4457 Far Hills Avenue
Dayton, Ohio 45429**

**Dayton School of Medical Massage-Lima
3325 Shawnee Road
Lima, Ohio 45806**

**Columbus School of Medical Massage
4936 Blazer Parkway
Dublin, Ohio 43017**

2. Individuals should evacuate the area immediately. Follow the emergency safety routes as shown on the Evacuation Routes for each building, and assemble in front of the building at least 100 feet away from the building. Campus Security Authorities will notify everyone when it is safe to return to the building. The school is small enough that communication from the front of the school to the back of the school can occur rather rapidly. There is a STARS Campus Management Portal database that will allow us to send immediate notifications via text message to students in the event of an emergency. Faculty & Staff are contacted by their respective supervisors and/or Campus Security Authorities. If there appears to be an immediate threat, the building will be evacuated. If there is a threat as a result of a criminal action that could potentially jeopardize the safety and well-being of the students, faculty, and staff, they are informed of the occurrence through one of the designated Campus Security Authorities. All faculty and staff participate in any meetings to address safety issues and the steps to take in the identification of a threat to safety and implementation of steps to minimize

or eliminate any risk of danger that are held while on campus. Faculty and staff will be required to have their classes participate in any reviews of the procedures or drills while they are on campus as well.

Emergency Response Team

Cincinnati School of Medical Massage

Ken Chandler – Director of Financial Aid

Katie Looney – Student Services Manager

Blue Ash Police Department - Non-Emergency: 1-513-745-8555

Blue Ash Police Department - Emergency: 911

Cleveland Institute of Medical Massage

Carson Burke – Director of Admissions

Awilda Olmeda – Student Services Manager

Middleburg Heights Police Department - Non-Emergency: 1-440-243-1234

Middleburg Heights Police Department – Emergency: 911

Dayton School of Medical Massage

Sarah Brannon– Director of Education & Compliance

David Drake – Director of Marketing & Operations

Angie Dixon- Director of Student Services/Placement

Kettering Police Department - Non-Emergency: 1-937-296-2555

Kettering Police Department – Emergency: 911

Dayton School of Medical Massage-Lima

Sandee Mentrup- Director of Admissions/Student Services

Shawnee Township Police Department- Non-Emergency: 1-419-227-1115

Shawnee Township Police Department- Emergency: 911

Columbus School of Medical Massage

Traci Schroeder- Director of Admissions

Dublin Police Department- Non-Emergency: 1-614-889-1112

Dublin Police Department- Emergency: 911

The Emergency Response Team will check all restrooms, lounges, classrooms, and offices directing students and personnel out of the building through the nearest exit door(s). Traffic from the corridors will be directed to the exits and will proceed to the designated area. All faculty should direct the traffic from their classrooms to the corridors and proceed to the designated area. DO NOT light any cigarettes near the building. EVERYONE is to remain in the designated area until given the “All Clear” signal.

Students will be provided with the locations of the emergency exits in the buildings and are provided guidance about the direction they should travel when exiting each facility for a short-term building evacuation (they also are provided this information at orientation). In the case of short-term or long-term evacuations, the Campus Security Authorities or designated faculty or staff on the scene will communicate information to students regarding the developing

situation or any evacuation status changes.

The purpose of evacuation drills is to prepare building occupants for an organized evacuation in case of an emergency. Property management for the location that houses the school conducts routine inspections of the building alarm systems. There are multiple fire extinguishers throughout the school and students, staff, and faculty are made aware of the locations.

“Timely Warnings”

In addition, the Clery Act requires that schools provide timely warnings concerning the occurrence of any Clery Act reportable crime that poses a continuing and ongoing threat to the school community. The determination to issue a timely warning is made by the Campus Security Authorities of each campus or his/her designee, on a case by case basis considering all the available facts, including whether the incident is a serious or continuing threat to the community and whether the warning may compromise law enforcement efforts. A timely warning includes a brief description of the incident and the suspect, if known; the date, time, and location of the incident; and suggested precautions. The purpose of the timely warning is to aid in the prevention of similar occurrences.

The school is small enough that communication from the front of the school to the back of the school can occur rather rapidly via face-to-face or through calling instructors on their cell phones. Notices will also be placed on student information boards, hallway walls, doors, etc. notifying them of potential threats. If the school needs to be closed, we will utilize local news stations via television and radio. Students are also made aware that they can access emergency notices via our Facebook page or the school website. We have a STARS Campus Management Portal database that will allow us to send immediate notifications via text message to students, in the event of an emergency. Staff and faculty will be reached by their respective supervisors. In the evening, the instructors hold the responsibility of making the decision if the Campus Security Authorities are unavailable to make the determination. If there appears to be an immediate threat, the building will be evacuated. If there is a threat as a result of a criminal action that could potentially jeopardize the safety and well-being of the students, faculty, and staff, they are informed of the occurrence through one of the designated Campus Security Authorities.

If you are witness to or become aware of any criminal offenses occurring on campus, please contact a Campus Security Authority immediately. If you are a student and one of these individuals is not available, please alert another instructor or staff member. If you are faculty or staff, and cannot reach one of the Campus Security Authorities or School Administrators and you determine that this is an emergency, the school Police Department should be contacted and a report made to the appropriate authorities. Any suspicious person or activity in or around the campus should be reported immediately to one of the following Campus Security Authorities listed below. If there is an emergency of any sort, 911 should be called immediately. Individuals are encouraged to report all crimes to Campus Security Authorities

and the local school's Police Department in an accurate and timely manner.

***Voluntary Confidential Reporting**

If you are the victim of a crime and do not want to pursue action within the criminal justice system, you may still want to consider making a confidential report. With your permission, a designee of the school can file a report on the details of the incident without revealing your identity. The purpose of a confidential report is to comply with your wish to keep the matter confidential, while taking steps to ensure the future safety of yourself and others. With such information, the school can keep an accurate record of the number of incidents involving students, faculty, and staff, determine where there is a pattern of crime with regards to a particular location, method, or assailant, and alert the campus community to potential danger. Reports filed in this manner are counted and disclosed in the annual crimes statistics for the institution.

Campus Security Authorities

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Security and Access to the Buildings

The school (Cincinnati, Dayton, Columbus & Cleveland) is open for student access during their class times from 8:00 am to 10:30 pm Tuesday through Thursday & from 8:00 am to 5:30 pm on Mondays. The front office is open weekdays from 9:00am to 5:00pm. The buildings are secured immediately following the completion of the last class. Students also have access to the clinic facilities during all times the clinic is in operation. The Dayton School of Medical Massage-Lima is open during the class times of 8:00 am to 5:30 pm (Mondays-Thursdays). The office is open weekdays from 9:00am to 5:00pm.

Students are only granted access to the facilities during times in which instructional or administrative personnel is available and present. No students are permitted possession of any facility keys or other equipment (key codes, key strips, etc.) necessary to obtain access to any of the facilities.

Maintenance crews tend to the facilities in the evenings and on weekends. Times and days vary according to campus. Students are not permitted to be present when maintenance crews are performing their functions unless instructional or administrative personnel are also present. Maintenance personnel have no access to any area in which private student information is contained, such as offices or rooms where files or computer servers are kept.

***There are no campus housing facilities affiliated with the school.**

Campus Law Enforcement

The school has identified Campus Security Authorities, but these individuals are not trained in security and are not able to make arrests. Their role is to identify potential threats to the students, faculty, and staff, and to take the appropriate safety procedures to minimize or eliminate any existing or potential threat. They are the primary point of contact for any individual wanting to report criminal activity on or around the campus. If there is a situation that is determined to warrant law enforcement intervention, the respective Police Department (Middleburg Heights, Kettering, Shawnee Township, Dublin, or Blue Ash Police Department) will be contacted. The Middleburg Heights, Kettering, Shawnee Township, Dublin, and Blue Ash Police Departments patrol the area of the campus on a frequent basis and alert the schools to any suspicious activity.

Counselors on Staff

The school has no counselors on staff. If individuals request services, the Student Services Manager has contact information for community resources that are available. He/She can be contacted through the front office. They are also designated as a member of the Emergency Response Team and a Campus Security Authority.

Security Awareness/Crime Prevention Programs

During orientation new students are provided with information to read this Annual Security Report for crime awareness and safety tips. Campus security measures are discussed in order

to make the students aware of the steps and precautions that need to be taken in order for them to protect themselves. New faculty and staff are provided this same information in their new hire packets. Prevention tips are also provided in this document, Annual Security Report.

We provide a variety of educational strategies and tips on how to protect yourself from sexual assault, theft and other crimes. Any information that is considered to be of importance for students, faculty, and staff to know in regards to potential threats to personal safety is disseminated via hand-outs in classes, in employee/instructor mailboxes, and on flyers posted on the school bulletin boards.

- **It is strongly encouraged that all students and employees take responsibility for paying attention to their surroundings at all times and be cautious in their interactions with others. Individuals should never go to their cars at night alone.**

Criminal Activity Off-Campus

The school does not have any off-campus student organizations. If an individual is a victim of or a witness to a crime off-campus, the proper local law enforcement authorities should be notified.

Controlled Substances Policy/Alcohol and Drug Abuse

The possession, sale, manufacture, or distribution of any controlled substance is illegal under both state and federal laws. Violators are subject to disciplinary action, criminal prosecution, fine, and imprisonment.

All students, faculty, and staff members are informed that the unlawful manufacture, distribution, dispersion, possession, or use of a controlled substance or alcohol within the premises of the school is strictly prohibited. Students, faculty, or staff members known to be using and/or abusing alcohol or drugs are subject to the Conduct Policies contained in the School Catalog, Faculty Manual, and Employee Manual.

All relevant federal, state, and local laws regarding the unauthorized use, possession, distribution, or sale of any alcoholic beverages and controlled substances are in effect on the grounds of the school.

The school is non-residential that mainly serves adult students. We take all precautions, including distributing information regarding our drug free school/workplace policy and relevant federal and state penalties for violations to all students and employees.

Federal, State, & Local Legal Sanctions

The following is a description of the applicable legal sanctions under Local, State, or Federal law for the unlawful possession or distribution of illicit drugs and alcohol:

Federal Law

Controlled Substances

Any person knowingly or intentionally manufacturing, distributing, dispensing, or possessing with an intent to distribute or dispense, a “controlled substance” (as defined in 21 U.S.C. Sections 802,812) is subject to sentencing under Federal law to a term of imprisonment of as much as ten (10) years to life and a fine of four million dollars (\$4,000,000). Although the sentences imposed under Federal law vary according to the specific controlled substance involved, all Federal sentencing requirements are stringent.

Alcohol

The illegal manufacture or sale of alcoholic beverages, without obtaining the necessary and proper permits from Federal alcohol authorities may subject a convicted individual to fines of up to one thousand dollars (\$1,000).

State Law

Criminal sanctions under Ohio law vary significantly depending upon the controlled substance and the act involved. All specific laws and relevant sections are written in the Ohio Revised Code (ORC).

Controlled Substances

ORC 2925.11 Prohibits any person from knowingly obtaining, possessing or using a controlled substance.

Penalty: A maximum of ten (10) years imprisonment and up to a \$20,000.00 fine.

Alcohol

ORC 4301.63 Provides that no person under the age of twenty one (21) shall purchase beer or intoxicating liquor.

Penalty: A fine of not less than \$25.00 nor more than \$100.

ORC 4301.69A Prohibits selling beer or intoxicating liquor to a person under the age of twenty one (21) years, or buying it for or furnishing it to such a person.

Penalty: Misdemeanor of the first degree. Maximum penalty is imprisonment for up to 6 months and a \$1000.00 fine.

ORC 4301.69E Provides that no underage person shall knowingly order, pay for, share the cost of, attempt to purchase, possess, or consume any beer or intoxicating

liquor, in any public or private place, unless he is accompanied by a parent, spouse, or legal guardian, who is not an underage person, unless it is for medical or religious reasons.

Penalty: Maximum penalty is imprisonment for not more than six months and a \$1,000.00 fine.

Local Ordinances

The cities of Middleburg Heights, Kettering, Shawnee Township, Dublin and Blue Ash enforce all the state criminal statutes cited above and all others cited in the ORC.

Health Risks

The following is a description of the health risks associated with the use of illicit drugs and the abuse of alcohol.

The American Medical Association defines drug abuse as the “self-administration of drugs, either for non-medical reasons or in quantities and frequencies beyond those specified for proper medication,” and it points out that millions of people today are abusing a wide variety of drugs, from aspirin to heroin and now to alcohol.

The medical profession and others in scientific fields agree that more research needs to be done on the long-range effects of alcohol and other drugs. However, they warn that there is already considerable evidence that alcohol and drug abuse does have serious deleterious effects, and no one should be deluded into believing that the abuse of marijuana or any other intoxicating or hallucinogenic drug is a safe thing to do. This includes alcohol, which is a drug.

Rehabilitation programs (the following agencies provide assistance, information, and/or referral):

National Council on Alcoholism & Dependence

<http://ncadd.org/>

1-800-NCA-CALL (622-2255)

National Institute on Drug Abuse

<http://www.drugabuse.gov/>

RID-USA (Remove Intoxicated Drivers)

<http://www.rid-usa.org/rid-usa-inc/>

1-888-283-5144

Substance Abuse and Mental Health Services Administration (SAMHSA)

<http://findtreatment.samhsa.gov/>

1-800-662-HELP (4357); 1-800-487-4889 (TTY)

Persons distributing drugs to employees or students are referred to the authorities. Charges of

drug distribution will be pressed by the school.

Each student is required to read, understand, and abide by this policy. The student's continued enrollment in and the employee's continued employment by the School is subject to:

1. Abiding by the terms of this statement, and
2. Abiding by all policies regarding substance abuse that are contained in the School Catalog, Employee Manual, and Faculty Manual.

Legal Requirements for Alcohol Consumption

A. Under state laws and local ordinances pertaining to alcohol, it generally is a crime to:

1. **Underage Drinking**

- purchase, order, pay for, or share the cost of alcohol if you are under 21.
- possess alcohol if you are under 21.
- consume alcohol if you are under 21.
- sell alcohol to, buy alcohol for, or furnish alcohol to anyone under 21-even in your own home, apartment, or residence hall room.
- allow anyone under 21 to remain in your home, or residence hall room, or in other property that you own , apartment or occupy, while possessing or consuming alcohol.

2. **False Identification**

- show or give false information about your name, age, or other identification to purchase or obtain alcohol if you are under 21.
- provide false information about the name, age or other identification of another person under 21 to purchase or obtain alcohol for that person.

3. **Open Containers**

- have an open container of alcohol in your possession in any unlicensed public place.
- have an open container of alcohol in your possession while driving or riding in or on a motor vehicle.
- have an open container of alcohol in your possession while in or on a motor vehicle that is parked in or on a highway, street, or other place open to the public for parking.
- An "open container" is any holder or receptacle that allows open access to alcohol, including any bottle, can, or similar container on which the original seal has been broken. A bottle, can, or similar container that has been recapped or re-corked is still considered to be "open" for purposes of these statutes.

4. **Transportation**

- consume alcohol while in a motor vehicle.
- drive while under the influence of alcohol. If you are under 21, you are considered to be driving under the influence if your blood alcohol level is .02 or higher.

5. **Disorderly Conduct**

- engage in conduct that offends, inconveniences, annoys, or alarms others or that poses a risk of physical harm to yourself, to others, or to property while you are voluntarily intoxicated.

Sexual Assault Policy

Acts of sexual assault are prohibited and are not tolerated by the schools.

All reported instances of sexual assault are investigated. Appropriate disciplinary, criminal, and/or legal action is taken with the consent of the victim(s). The investigation will be fair, impartial, and equitable. There are grievance procedures in the school Catalog. All parties are able to file a grievance. Administration endeavors to assist any student who has been sexually assaulted on campus.

All personnel are directed to immediately notify the School Director of any reported instances of sexual assault, following any necessary and appropriate emergency steps to aid the victim(s), but only upon obtaining consent of the victim(s) (i.e., providing first aid, calling 911, etc.)

Upon receiving the consent of the victim(s), Administration proceeds as follows:

1. Administration makes immediate contact with the person(s) involved.
2. Administration contacts 911 as needed. The victim is advised to seek medical attention in order to be tested and treated for sexually transmitted diseases and pregnancy.
3. If the victim prefers private transportation to the hospital, this is arranged through the student's emergency contact person.
4. Administration completes a Student Incident Report, following outlined procedures for processing the form. The forms can be accessed in the Business Office.
5. The victim(s) are provided information via the Sexual Assault Policy outlining the options of the victim(s) for civil or criminal prosecution or availability of mediation, and the disciplinary process. The School Director or designee makes available to the victim(s) current civil and criminal prosecution information obtained through the local police and district attorney's offices.
6. Administration does not allow other students or unauthorized personnel access to the victim(s), nor will it allow the press to contact the victim(s) without express consent of the victim(s). Administration must contact the spouse(s) or parent(s) of the victim(s) based on consent.
7. The School Director or Administration is available to students to provide assistance in obtaining services off-campus as may be required. Sexual Assault Referral Listings are available through Administration as well as in the annual security report.

8. As investigative or disciplinary proceedings commence, the victim(s) and the accused may have other support persons present. Under all circumstances, however, confidentiality of the incident must be maintained for the victim(s). All involved parties are immediately notified of the outcome of these proceedings.
9. All parties are notified in writing by the School Director of the disciplinary action taken by the School, if the student was assaulted by another student or employee of the School.
10. A meeting is held to discuss the return of the victim(s) to school and any assistance that may be needed due to academic, working, transportation, and living, difficulties encountered as the result of the victimization.

Important Facts about Sexual Assault

What is Sexual Assault?

- Any sexual act attempted or committed against a person's will
- Manipulation or coercion, as well as physical force, used to cause sexual contact

If someone forces sexual activity on another person against his/her will, it is sexual assault. Acts of sexual assault are punishable by imprisonment. Any person sexually assaulting a person on school premises is subject to any or all of the following:

- Disciplinary Action – Student, Faculty, or Staff
- Civil Lawsuit
- Criminal Charges

If YOU are the victim of Sexual Assault:

1. Go to a safe place.
2. Immediately contact a staff or faculty member. If you are physically unable to do so, have someone else make the contact for you.
3. Seek medical attention immediately.

Getting help from the police does not mean you have to press charges; however, it is important that you get medical attention to be tested and/or treated for sexually transmitted diseases or pregnancy.

Victims of sexual assault have legal rights. You have the right to file a police report and to pursue civil or criminal charges.

The following information is provided to help you avoid sexual assault. The more you know about rape prevention, the better your chances of not becoming a victim. First, know the facts about rape. Become aware of locations and situations where rape might occur, and avoid

them.

1. Consider your alternatives if confronted by a rapist. Practice possible responses so that you can recall them even under the stress of a real encounter.
2. Avoid walking alone on or off campus.
3. Don't give out any information about other classmates or employees to strangers.
4. Report all suspicious activity to a staff/faculty member.
5. Let a friend or family member know when you expect to be home.
6. Be alert and aware of your surroundings.

Sexual Harassment

The school is committed to maintaining a working and learning environment in which students, faculty, and staff can develop intellectually, professionally, personally and socially. Such an environment must be free of intimidation, fear, coercion, and reprisal.

The school prohibits sexual harassment. Sexual harassment may cause others anxiety or injury. Sexual harassment threatens the legitimate expectation of all members of the campus community, that academic or employment progress is determined by the publicly stated requirements of job and classroom performance, and that the School environment will not unreasonably impede work or study.

Sexual harassment by school faculty, staff, and students is prohibited. Sexual harassment may also constitute violations of criminal and civil laws of the state and the United States. For the purpose of this school policy, sexual harassment is defined as: 1) unwelcome sexual advances; or, 2) unwelcome requests for sexual favors; and 3) other behavior of a sexual nature where:

- a. Submission to such conduct is made either explicitly or implicitly as a term or condition of an individual's employment or participation in a School-sponsored educational program or activity; or,
- b. Submission to or rejection of such conduct by an individual is used as the basis for academic or employment decisions affecting that individual; or,
- c. Such conduct has the purpose or effect of unreasonably interfering with an individual's academic or work performance, or of creating an intimidating, hostile, or offensive educational or working environment.

In assessing whether a particular act constitutes sexual harassment forbidden under this policy, the standard shall be the perspective of the School Director or designee. The rules of common sense and reason shall prevail. Allegations of sexual harassment shall be judged with attention to the facts particular to the case and the context in which the alleged incident(s) occurred.

Conduct prohibited under this policy may manifest itself in many different ways. Sexual harassment may, for example, be as undisguised as a direct solicitation of sexual favors, or solicitation accompanied by overt threats. Harassment may also arise from behavior which has the effect of creating an intimidating, hostile, or offensive educational or working environment. In this regard, the following types of acts, pervasive and continuous, are more likely-than-not to result in allegations of sexual harassment: unwelcome physical contact, sexual remarks about a person's clothing, body, or sexual relations, conversation of a sexual nature or similar jokes and stories, and the display of sexually explicit materials in the workplace or used in the classroom which are without defensible educational purpose.

Sexual harassment may occur within a variety of relationships. It may occur among peers, or it may occur where no relationship exists between the parties other than being co-employees or co-students.

Especially injurious is harassment in relationships characterized by inequality of power, where one party has institutional authority over the other. Inherent in these relationships is the power and fear of reprisal. Sexual harassment may occur between persons of the same or different genders.

Education and awareness are the best tools for the elimination of sexual harassment. The school is committed to taking appropriate action against those who violate the provisions of the policy. The School is also committed to protecting targets of harassment from retaliation.

Individuals who believe themselves subjected to an incident of sexual harassment should contact the School Director or Administration. The School has made prohibition of sexual harassment a priority, but ultimately, no satisfactory investigation or resolution of a complaint can occur without the initiative and continuous cooperation of the person(s) who feel injured. Similarly, allegations of sexual harassment are extremely serious, with potential for great harm to all persons if ill-conceived or without foundation. Procedures which implement campus policy recognize the potential; the School is committed to protecting the rights of the alleged offender as well as the offended.

The School Director responds to and investigates any allegations of sexual harassment, and ensures consideration is given to the situation and wishes of the complainant(s).

The investigation of such a complaint includes discussing the matter with the person accused of sexual harassment. The findings of the investigation are confidentially reported to the School representatives as deemed appropriate by the School Director. Sanctions for sexual harassment may range from reprimand to termination, depending upon the circumstances of the case.

Facts on Acquaintance Rape

The most common type of rape is committed by someone the victim knows, typically a date or acquaintance. To minimize one's risk of being sexually assaulted by an acquaintance, the following points should be kept in mind:

- Alcohol and/or drug use is frequently associated with acquaintance rape, as these

increase vulnerability.

- Avoid being in secluded places with someone you do not know well.
- Always trust your instincts! If you feel uneasy or sense something is wrong, get out of that situation immediately. Do not worry about being polite!
- Be clear about your own sexual intentions and communicate your limitations clearly. Say, "Yes," when you mean, "yes", and, "No," when you mean, "no"!
- Avoid attending or staying late at parties where men greatly outnumber women.
- Have a safe means of transportation home.

Registered Sex Offenders

The Federal Campus Sex Crimes Prevention Act, (CSCPA), 42 U.S.C. 14071(j), requires institutions of higher education to advise the members of their campus communities of the location of information concerning individuals employed by, enrolled in, and/or serving at the institution who are registered sex offenders. Individuals who are required to register with the appropriate state office as sex offenders must also inform the state office in which they are registered whenever they enroll in, become employed by, or undertake a vocation at an institution of higher education. The CSCPA requires the state Sex Offender Registry offices to notify an institution of higher education whenever a sex offender on its registry provides notice that he or she is enrolled in, employed by, or has undertaken a vocation at that institution and to provide information concerning that individual. The CSCPA does not require institutions of higher education to request information from state sex offender registries.

The following website contains a database for registered sex offenders in the State of Ohio, as well as a federal database that contains information on registered sex offenders in all states.

http://sheriffalerts.com/cap_main.php?office=55149

National Sex Offender Public Website maintained by the U.S. Department of Justice:

<http://www.nsopw.gov/en-US>

Domestic Violence

Domestic violence is prohibited and not tolerated by the schools. Domestic violence" means a "felony or misdemeanor crime of violence committed by—

- a current or former spouse or intimate partner of the victim,
- a person with whom the victim shares a child in common,
- a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner,
- a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies [under VAWA], or
- any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction".

Dating Violence

Dating violence is prohibited and not tolerated by the schools. "Dating violence" means "violence committed by a person—

- who is or has been in a social relationship of a romantic or intimate nature with the victim; and
- where the existence of such a relationship shall be determined based on a consideration of the following factors:
- the length of the relationship; the type of relationship; and the frequency of interaction between the persons involved in the relationship.

Stalking

Stalking is prohibited and not tolerated by the schools. "Stalking" means "engaging in a course of conduct directed at a specific person that would cause a reasonable person to—

- fear for his or her safety or the safety of others; or
- suffer substantial emotional distress

Dating Violence, Domestic Violence, and Stalking Policies

All reported instances of domestic violence, stalking, dating violence are investigated immediately, to effectively prevent any reoccurrences. Appropriate disciplinary, criminal, and/or legal action is taken with the consent of the victim(s). The investigation will be fair, impartial, and equitable. There are grievance procedures in the school Catalog. All parties are able to file a grievance. Administration endeavors to assist any student who has been victimized on campus.

All personnel are directed to immediately notify the School Director of any reported instances of dating violence, stalking, and domestic violence, following any necessary and appropriate emergency steps to aid the victim(s), but only upon obtaining consent of the victim(s) (i.e., providing first aid, calling 911, etc.)

Upon receiving the consent of the victim(s), Administration proceeds as follows:

1. Administration makes immediate contact with the person(s) involved.
2. Administration contacts 911 as needed. The victim is advised to seek medical attention.
3. If the victim prefers private transportation to the hospital, this is arranged through the student's emergency contact person.
4. Administration completes a Student Incident Report, following outlined procedures for processing the form. The forms can be accessed in the Business Office.
5. The victim(s) are provided information outlining the options of the victim(s) for civil or criminal prosecution or availability of mediation, and the disciplinary process. The School Director or designee makes available to the victim(s) current civil and criminal prosecution

information obtained through the local police and district attorney's offices.

6. Administration does not allow other students or unauthorized personnel access to the victim(s), nor will it allow the press to contact the victim(s) without express consent of the victim(s). Administration must contact the spouse(s) or parent(s) of the victim(s) based on consent.
7. The School Director or Administration is available to students to provide assistance in obtaining services off-campus as may be required. Referral Listings are available through Administration as well as in the annual security report.
8. As investigative or disciplinary proceedings commence, the victim(s) and the accused may have other support persons present. Under all circumstances, however, confidentiality of the incident must be maintained for the victim(s). All involved parties are immediately notified of the outcome of these proceedings.
9. All parties are notified in writing by the School Director of the disciplinary action taken by the School, if the student was assaulted by another student or employee of the School.
10. A meeting is held to discuss the return of the victim(s) to school and any assistance that may be needed due to academic, working, transportation, and living difficulties encountered as the result of the victimization.

If you have been a victim of a crime, there are resources available to assist you. Prevention programs are also included on the list. The following is a list of National, State, and Local victim resource organizations:

National Organizations:

- National Organization for Victim Assistance
www.trynova.org
1-800-879-6682; 1-800-TRY-NOVA
- National Center for Victims of Crime
www.victimsofcrime.org
1-202-467-8700
- National Coalition Against Domestic Violence
<http://www.ncadv.org/>
1-303-839-1852
1-800-799-SAFE (7233); 1-800-787-3224 (TTY)
- National Sexual Assault Hotline (Rape, Abuse, & Incest National Network)
<https://www.rainn.org/about-national-sexual-assault-telephone-hotline>
1-800-656-HOPE (4673)
- National Crime Victims Research and Treatment Center
<https://academicdepartments.musc.edu/ncvc>
1-843-792-2945
- National Coalition Against Sexual Violence Resource Center
<http://www.nsvrc.org/>

1-717-909-0710

1-877-739-3895; 1-717-909-0715 (TTY)

Local/State Organizations:

- Ohio Department of Rehabilitation and Correction Office of Victim Services
<http://www.drc.state.oh.us/web/VICTIM.HTM>
1-888-VICTIM4 (1-888-842-8464)
- Ohio Attorney General Crime Victim Services
<http://www.ohioattorneygeneral.gov/Victim>
1- 800-282-0515
- Ohio Attorney General Crime Victim Compensation Program
<http://www.ohioattorneygeneral.gov/victimcompensation>
Attorney General's Office at 1-800-582-2877
- Ohio Alliance to End Sexual Violence
www.oaesv.org
1-888-886-8388

Cincinnati School of Medical Massage

- Women Helping Women
<http://www.womenhelpingwomen.org/>
1-877-889-5610; 24-hour hotline 1-513-381-5610
- YWCA Greater Cincinnati
<http://www.ywcacincinnati.org/site/c.biINIZNKKjKOF/b.8108237/k.BE91/Home.htm>
1-513-241-7090

Cleveland Institute of Medical Massage

- Cuyahoga County Public Safety & Justice Services- Witness/Victim Services Center
<http://ja.cuyahogacounty.us/en-US/wvsc-new.aspx>
1-216-443-7345
- Cleveland Rape Crisis Center
www.clevelandrapecrisis.org
1-216-619-6194 or 1-440-354-7364; 24-hour hotline 1-216-619-6192
- Beacon Health
<http://www.beaconhealth.us/>
1-440-354-9924; Crisis Hotline 1-440-953-TALK (8255)

Dayton School of Medical Massage

- Montgomery County Children Services
<http://www.mcoho.org/childrenservices/>
1-937-224-5437 (KIDS)
- Montgomery County Victim/Witness
http://www.mcoho.org/government/elected_officials/prosecutor/office_divisions/victim_witness_division.php
1-937-225-5623
- Artemis Center for Alternatives to Domestic Violence
www.artemiscenter.org

1-937-222-7233 (SAFE)

- Crisis Care
1-800-838-1752; 1-937-224-4646
- YWCA
<http://www.ymcaonline.org/>
1-937-223-5201

Dayton School of Medical Massage-Lima

- Crossroads Crisis Center, Inc.
www.crossroadscrisiscenter.com
1-877-228-4357; 1-419-228-4357
- Lima Samaritan House
<http://samaritanhouselima.com/>
1-419-222-HOME (4663)

Columbus School of Medical Massage-Lima

- Crisis Care
<https://www.nationwidechildrens.org/specialties/behavioral-health> or <https://wexnermedical.osu.edu/mental-behavioral>.
1-614-293-9600
- YWCA Columbus
1-614-224-9121
<http://www.ymcaonline.org/>

Firearms and Weapons

Firearms and weapons of any sort are prohibited on campus property.

As required by the Clery Act, the schools provide all required campus crime data to the Department of Education annually. The United States Department of Education Office of Postsecondary Education provides a rapid customized report for public inquires relating to all campus crime data, called the Campus Safety and Security Data Analysis Cutting Tool. The crime data for the schools can be found on the Campus Safety and Security Data Analysis Cutting tool website at <http://ope.ed.gov/security/>.

***Reported crimes may involve individuals not associated with the institution.**

ON-CAMPUS	Cleveland Institute of Medical		
	2017	2018	2019
Murder/non-negligent manslaughter	0	0	0
Manslaughter by Negligence	0	0	0
Sex offenses (overall)	0	0	0
Rape	0	0	0
Fondling	0	0	0
Incest	0	0	0
Statutory Rape	0	0	0
Robbery	0	0	0
Aggravated assault	0	0	0
Burglary	0	0	0
Motor vehicle theft	0	0	0
Arson	0	0	0
Dating Violence	0	0	0
Domestic Violence	0	0	0
Stalking	0	0	0
PUBLIC PROPERTY*	2017	2018	2019
Murder/non-negligent manslaughter	0	0	0
Manslaughter by Negligence	0	0	0
Sex offenses (overall)	0	0	0

Rape	0	0	0
Fondling	0	0	0
Incest	0	0	0
Statutory Rape	0	0	0
Arson	0	0	0
Dating Violence	0	0	0
Domestic Violence	0	0	0
Stalking	0	0	0
HATE CRIMES ON-CAMPUS	2017	2018	2019
Murder/non-negligent manslaughter	0	0	0
Manslaughter by Negligence	0	0	0
Sex offenses (overall)	0	0	0
Rape	0	0	0
Fondling	0	0	0
Incest	0	0	0
Statutory Rape	0	0	0
Arson	0	0	0
Dating Violence	0	0	0
Domestic Violence	0	0	0
Stalking	0	0	0
HATE CRIMES PUBLIC PROPERTY*	2017	2018	2019
Murder/non-negligent manslaughter	0	0	0
Manslaughter by Negligence	0	0	0
Sex offenses (overall)	0	0	0

Rape	0	0	0
Fondling	0	0	0
Incest	0	0	0
Statutory Rape	0	0	0
Arson	0	0	0
Dating Violence	0	0	0
Domestic Violence	0	0	0
Stalking	0	0	0
ARRESTS ON CAMPUS	2017	2018	2019
Weapons: Carrying, Possessing, etc.	0	0	0
Drug Abuse violations	0	0	0
Liquor law violations	0	0	0
DISCIPLINARY ACTIONS ON CAMPUS	2017	2018	2019
Weapons: Carrying, Possessing, etc.	0	0	0
Drug Abuse violations	0	0	0
Liquor law violations	0	0	0
ARRESTS PUBLIC PROPERTY*	2017	2018	2019
Weapons: Carrying, Possessing, etc.	0	0	0
Drug Abuse violations	1	0	0
Liquor law violations	0	0	0
DISCIPLINARY ACTIONS PUBLIC PROPERTY*	2017	2018	2019
Weapons: Carrying, Possessing, etc.	0	0	0
Drug Abuse violations	0	0	0
Liquor law violations	0	0	0

* Reported crimes may involve individuals who are not affiliated with the school.

Cincinnati School of Medical Massage			
ON-CAMPUS	2017	2018	2019
Murder/non-negligent manslaughter	0	0	0
Manslaughter by Negligence	0	0	0
Sex offenses (overall)	0	0	0
Rape	0	0	0
Fondling	0	0	0
Incest	0	0	0
Statutory Rape	0	0	0
Arson	0	0	0
Dating Violence	0	0	0
Domestic Violence	0	0	0
Stalking	0	0	0
PUBLIC PROPERTY*	2017	2018	2019
Murder/non-negligent manslaughter	0	0	0
Manslaughter by Negligence	0	0	0
Sex offenses (overall)	0	0	0
Rape	0	0	0
Fondling	0	0	0
Incest	0	0	0
Statutory Rape	0	0	0
Arson	0	0	0
Dating Violence	0	0	0

Domestic Violence	0	0	0
Stalking	0	0	0
HATE CRIMES ON-CAMPUS	2017	2018	2019
Murder/non-negligent manslaughter	0	0	0
Manslaughter by Negligence	0	0	0
Sex offenses (overall)	0	0	0
Rape	0	0	0
Fondling	0	0	0
Incest	0	0	0
Statutory Rape	0	0	0
Arson	0	0	0
Dating Violence	0	0	0
Domestic Violence	0	0	0
Stalking	0	0	0
HATE CRIMES PUBLIC PROPERTY*	2017	2018	2019
Murder/non-negligent manslaughter	0	0	0
Manslaughter by Negligence	0	0	0
Sex offenses (overall)	0	0	0
Rape	0	0	0
Fondling	0	0	0
Incest	0	0	0
Statutory Rape	0	0	0
Arson	0	0	0

Dating Violence	0	0	0
Domestic Violence	0	0	0
Stalking	0	0	0
ARRESTS ON CAMPUS	2017	2018	2019
Weapons: Carrying, Possessing, etc.	0	0	0
Drug Abuse violations	0	0	0
Liquor law violations	0	0	0
DISCIPLINARY ACTIONS ON CAMPUS	2017	2018	2019
Weapons: Carrying, Possessing, etc.	0	0	0
Drug Abuse violations	0	0	0
Liquor law violations	0	0	0
ARRESTS PUBLIC PROPERTY*	2017	2018	2019
Weapons: Carrying, Possessing, etc.	0	0	0
Drug Abuse violations	0	0	0
Liquor law violations	0	0	0
DISCIPLINARY ACTIONS PUBLIC PROPERTY*	2017	2018	2019
Weapons: Carrying, Possessing, etc.	0	0	0
Drug Abuse violations	0	0	0
Liquor law violations	0	0	0

* Reported crimes may involve individuals who are not affiliated with the school.

Dayton School of Medical Massage			
ON-CAMPUS	2017	2018	2019
Murder/non-negligent manslaughter	0	0	0
Manslaughter by Negligence	0	0	0

Sex offenses (overall)	0	0	0
Rape	0	0	0
Fondling	0	0	0
Incest	0	0	0
Statutory Rape	0	0	0
Arson	0	0	0
Dating Violence	0	0	0
Domestic Violence	0	0	0
Stalking	0	0	0
PUBLIC PROPERTY*	2017	2018	2019
Murder/non-negligent manslaughter	0	0	0
Manslaughter by Negligence	0	0	0
Sex offenses (overall)	0	0	0
Rape	0	0	0
Fondling	0	0	0
Incest	0	0	0
Statutory Rape	0	0	0
Arson	0	0	0
Dating Violence	0	0	0
Domestic Violence	0	0	1
Stalking	0	0	0
HATE CRIMES ON-CAMPUS	2017	2018	2019
Murder/non-negligent manslaughter	0	0	0
Manslaughter by Negligence	0	0	0

Sex offenses (overall)	0	0	0
Rape	0	0	0
Fondling	0	0	0
Incest	0	0	0
Statutory Rape	0	0	0
Arson	0	0	0
Dating Violence	0	0	0
Domestic Violence	0	0	0
Stalking	0	0	0
HATE CRIMES PUBLIC PROPERTY*	2017	2018	2019
Murder/non-negligent manslaughter	0	0	0
Manslaughter by Negligence	0	0	0
Sex offenses (overall)	0	0	0
Rape	0	0	0
Fondling	0	0	0
Incest	0	0	0
Statutory Rape	0	0	0
Arson	0	0	0
Dating Violence	0	0	0
Domestic Violence	0	0	0
Stalking	0	0	0
ARRESTS ON CAMPUS	2017	2018	2019
Weapons: Carrying, Possessing, etc.	0	0	0
Drug Abuse violations	0	0	0

Liquor law violations	0	0	0
DISCIPLINARY ACTIONS ON CAMPUS	2017	2018	2019
Weapons: Carrying, Possessing, etc.	0	0	0
Drug Abuse violations	0	0	0
Liquor law violations	0	0	0
ARRESTS PUBLIC PROPERTY*	2017	2018	2019
Weapons: Carrying, Possessing, etc.	0	0	0
Drug Abuse violations	0	0	4
Liquor law violations	0	0	0
DISCIPLINARY ACTIONS PUBLIC PROPERTY*	2017	2018	2019
Weapons: Carrying, Possessing, etc.	0	0	0
Drug Abuse violations	0	0	0
Liquor law violations	0	0	0

* Reported crimes may involve individuals who are not affiliated with the school.

Columbus School of Medical Massage			
ON-CAMPUS	2017	2018	2019
Murder/non-negligent manslaughter	N/A	N/A	0
Manslaughter by Negligence	N/A	N/A	0
Sex offenses (overall)	N/A	N/A	0
Rape	N/A	N/A	0
Fondling	N/A	N/A	0
Incest	N/A	N/A	0
Statutory Rape	N/A	N/A	0
Arson	N/A	N/A	0

Dating Violence	N/A	N/A	0
Domestic Violence	N/A	N/A	0
Stalking	N/A	N/A	0
PUBLIC PROPERTY*	2017	2018	2019
Murder/non-negligent manslaughter	N/A	N/A	0
Manslaughter by Negligence	N/A	N/A	0
Sex offenses (overall)	N/A	N/A	0
Rape	N/A	N/A	0
Fondling	N/A	N/A	0
Incest	N/A	N/A	0
Statutory Rape	N/A	N/A	0
Arson	N/A	N/A	0
Dating Violence	N/A	N/A	0
Domestic Violence	N/A	N/A	0
Stalking	N/A	N/A	0
HATE CRIMES ON-CAMPUS	2017	2018	2019
Murder/non-negligent manslaughter	N/A	N/A	0
Manslaughter by Negligence	N/A	N/A	0
Sex offenses (overall)	N/A	N/A	0
Rape	N/A	N/A	0
Fondling	N/A	N/A	0
Incest	N/A	N/A	0

Statutory Rape	N/A	N/A	0
Arson	N/A	N/A	0
Dating Violence	N/A	N/A	0
Domestic Violence	N/A	N/A	0
Stalking	N/A	N/A	0
HATE CRIMES PUBLIC PROPERTY*	2017	2018	2019
Murder/non-negligent manslaughter	N/A	N/A	0
Manslaughter by Negligence	N/A	N/A	0
Sex offenses (overall)	N/A	N/A	0
Rape	N/A	N/A	0
Fondling	N/A	N/A	0
Incest	N/A	N/A	0
Statutory Rape	N/A	N/A	0
Arson	N/A	N/A	0
Dating Violence	N/A	N/A	0
Domestic Violence	N/A	N/A	0
Stalking	N/A	N/A	0
ARRESTS ON CAMPUS	2017	2018	2019
Weapons: Carrying, Possessing, etc.	N/A	N/A	0
Drug Abuse violations	N/A	N/A	0
Liquor law violations	N/A	N/A	0
DISCIPLINARY ACTIONS ON CAMPUS	2017	2018	2019
Weapons: Carrying, Possessing, etc.	N/A	N/A	0

Drug Abuse violations	N/A	N/A	0
Liquor law violations	N/A	N/A	0
ARRESTS PUBLIC PROPERTY*	2017	2018	2019
Weapons: Carrying, Possessing, etc.	N/A	N/A	0
Drug Abuse violations	N/A	N/A	0
Liquor law violations	N/A	N/A	0
DISCIPLINARY ACTIONS PUBLIC PROPERTY*	2017	2018	2019
Weapons: Carrying, Possessing, etc.	N/A	N/A	0
Drug Abuse violations	N/A	N/A	0
Liquor law violations	N/A	N/A	0

Dayton School of Medical Massage-Lima			
ON-CAMPUS	2017	2018	2019
Murder/non-negligent manslaughter	0	0	0
Manslaughter by Negligence	0	0	0
Sex offenses (overall)	0	0	0
Rape	0	0	0
Fondling	0	0	0
Incest	0	0	0
Statutory Rape	0	0	0
Arson	0	0	0
Dating Violence	0	0	0
Domestic Violence	0	0	0
Stalking	0	0	0

PUBLIC PROPERTY*	2017	2018	2019
Murder/non-negligent manslaughter	0	0	0
Manslaughter by Negligence	0	0	0
Sex offenses (overall)	0	0	0
Rape	0	0	0
Fondling	0	0	0
Incest	0	0	0
Statutory Rape	0	0	0
Arson	0	0	0
Dating Violence	0	0	0
Domestic Violence	0	0	0
Stalking	0	0	0
HATE CRIMES ON-CAMPUS	2017	2018	2019
Murder/non-negligent manslaughter	0	0	0
Manslaughter by Negligence	0	0	0
Sex offenses (overall)	0	0	0
Rape	0	0	0
Fondling	0	0	0
Incest	0	0	0
Statutory Rape	0	0	0
Arson	0	0	0
Dating Violence	0	0	0

Domestic Violence	0	0	0
Stalking	0	0	0
HATE CRIMES PUBLIC PROPERTY*	2017	2018	2019
Murder/non-negligent manslaughter	0	0	0
Manslaughter by Negligence	0	0	0
Sex offenses (overall)	0	0	0
Rape	0	0	0
Fondling	0	0	0
Incest	0	0	0
Statutory Rape	0	0	0
Arson	0	0	0
Dating Violence	0	0	0
Domestic Violence	0	0	0
Stalking	0	0	0
ARRESTS ON CAMPUS	2017	2018	2019
Weapons: Carrying, Possessing, etc.	0	0	0
Drug Abuse violations	0	0	0
Liquor law violations	0	0	0
DISCIPLINARY ACTIONS ON CAMPUS	2017	2018	2019
Weapons: Carrying, Possessing, etc.	0	0	0
Drug Abuse violations	0	0	0
Liquor law violations	0	0	0
ARRESTS PUBLIC PROPERTY*	2017	2018	2019
Weapons: Carrying, Possessing, etc.	0	0	0

Drug Abuse violations	1	0	0
Liquor law violations	0	0	0
DISCIPLINARY ACTIONS PUBLIC PROPERTY*	2017	2018	2019
Weapons: Carrying, Possessing, etc.	0	0	0
Drug Abuse violations	0	0	0
Liquor law violations	0	0	0

* Reported crimes may involve individuals who are not affiliated with the school.

Definitions of Reportable Crimes and Other Associated Terms

Murder and Manslaughter by Negligence: The willful (non-negligent) killing of one human being by another.

Negligent Manslaughter: The killing of another person through gross negligence.

Sexual Assault: Any nonconsensual sexual act proscribed by federal or State law, including when the victim lacks capacity to consent. An offense that meets the definition of rape, fondling, incest or statutory rape as used in the FBI's UCR program (42 U.S. Code Section 13925 (a)(29)).

Sex Offenses: Any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.

- **Rape**—The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.
- **Fondling**—The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of their age or because of their temporary or permanent mental incapacity.
- **Incest**—Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- **Statutory Rape**—Sexual intercourse with a person who is under the statutory age of consent.

Domestic Violence:

1. 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 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; 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; or,

2. Physical abuse, harassment, intimidation of a dependent, interference with personal liberty or willful deprivation of a family or household member, which includes spouses, former spouses, parents, children, stepchildren and other persons related by blood or by present or prior marriage, persons

who share or formerly shared a common dwelling, persons who have or allegedly have a child in common, and persons who share or allegedly share a blood relationship through a child.

Dating Violence:

1. Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. For the purposes of this definition, 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. Any incident meeting this definition is considered a crime for the purposes of Clery Act reporting; or,

2. Threatening to use physical, mental or emotional abuse to control another person who is in a dating relationship with the person.

3. The existence of a dating relationship in 1 or 2 above shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship and the frequency of interaction between the persons involved in the relationship.

Stalking: 1. Engaging in a course of conduct directed at a specific person that would cause a reasonable person to (A) fear for the person's safety or the safety of others; or (B) suffer substantial emotional distress. For the purposes of this definition: (i) 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; (ii) Reasonable person means a reasonable person under similar circumstances and with similar identities to the victim; (iii) Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling; (iv) Any incident meeting this definition is considered a crime for the purposes of Clery Act reporting; or,

2. (A) Knowingly and without lawful justification, on at least two separate occasions, following another person or placing the person under surveillance or any combination thereof and (i) at any time transmitting a threat of immediate or future bodily harm, sexual assault, confinement or restraint and the threat is directed toward that person or a family member of that person, or (ii) places that person in reasonable apprehension of immediate or future bodily harm, sexual assault, confinement or restraint to or of that person or a family member of that person; or, (B) when, having been previously convicted of stalking another person, knowingly and without lawful justification on one occasion, (i) follows that same person or places that same person under surveillance; 39 and (ii) transmits a threat of immediate or future bodily harm, sexual assault, confinement or restraint to that person or a family member of that person. 3. Stalking may be accomplished by physical act or electronic means, such as computer or cell phone.

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, violence and/or causing the victim 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 or probably would result in a serious potential 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 a 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. (All cases are classified as motor vehicle theft where automobiles are taken by persons not having lawful access even though the vehicles are later abandoned, including joy riding.)

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, etc.

Liquor Law Violations: The violation of laws or ordinances prohibiting: the manufacture, sale, transporting, furnishing, possessing of intoxicating liquor; maintaining unlawful drinking places; bootlegging; operating a still; furnishing liquor to a minor or intemperate person; using a vehicle for illegal transportation of liquor; drinking on a train or public conveyance; all attempts to commit any of the aforementioned. (Drunkenness and driving under the influence are not included in this definition.)

Drug Abuse Violations: Violations of state and local laws relating to the unlawful possession, sale, use, growing, manufacturing and making of narcotic drugs. The relevant substances include: opium or cocaine and their derivatives (morphine, heroin, codeine), marijuana, synthetic narcotics (Demerol, methadone) and dangerous non-narcotic drugs (barbiturates, Benzedrine).

Illegal Weapons Law Possession: The violation of laws or ordinances dealing with weapon offenses, regulatory in nature, such as: manufacture, sale, or possession of deadly weapons; carrying deadly weapons, concealed or openly; furnishing deadly weapons to minors; aliens possessing deadly weapons; all attempts to commit any of the aforementioned.

Clery Reportable Offense Crime Definitions (taken from the FBI Uniform Crime Reporting Handbook):

Awareness programs: Communitywide or audience specific programming, initiatives and strategies that increase audience knowledge and share information and resources to prevent violence, promote safety and reduce perpetration.

Bystander intervention: Safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is a risk of dating violence, domestic violence, sexual assault or stalking. Bystander intervention includes:

- Recognizing situations of potential harm.
- Understanding institutional structures and cultural conditions that facilitate violence, overcoming barriers to intervene, identifying safe and effective intervention options, and taking actions to intervene. Ongoing prevention and awareness campaigns: Programming, initiatives and strategies that are sustained over time and focus on increasing understanding of topics relevant to and skills for addressing dating violence, domestic violence, sexual assault and stalking, using a range of strategies with audiences throughout the institution.

Primary prevention programs: Programming, initiatives and strategies informed by research or assessed for value, effectiveness or outcome that are intended to stop dating violence, domestic violence, sexual assault and stalking before they occur through the promotion of positive and healthy behaviors that foster healthy, mutually respectful relationships and sexuality, encourage safe bystander intervention, and seek to change behavior and social norms in healthy and safe direction.

Risk reduction: Options designed to decrease perpetration and bystander inaction and to increase empowerment for victims in order to promote safety and to help individuals and communities address conditions that facilitate violence.

Prompt, fair and impartial proceeding: A proceeding that is completed within reasonably prompt timeframes designated by an institution's policy, including a process that allows for the extension of timeframes for good cause and with written notice to the accuser and the accused of the delay and the reason for the delay; Conducted in a manner that:

- Is consistent with the institution's policies and transparent to the accuser and accused.
- Includes timely notice of meetings at which the accuser or accused, or both, may be present.
- Provides timely and equal access to the accuser, the accused and appropriate officials to any information that will be used during informal and formal disciplinary meetings and hearings. 40
- Contains no conflict of interest or bias on behalf of the officials toward either the accuser or the accused.
- Ensures the conducting officials have, at a minimum, received annual training on the issues relating to dating violence, domestic violence, sexual assault and stalking and how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability.

Advisor: Any individual who provides the accuser or accused support, guidance or advice.

Programs to prevent dating violence, domestic violence, sexual assault and stalking: Comprehensive, intentional and integrated programming, initiatives, strategies and campaigns intended to end dating violence, domestic violence, sexual assault and stalking that:

Are culturally relevant, inclusive of diverse communities and identities, sustainable, responsive to community needs, and informed by research or assessed for value, effectiveness, or outcome; and consider environmental risk and protective factors as they occur on the individual, relationship, institutional, community and societal levels. Programs to prevent dating violence, domestic violence, sexual assault and stalking include both primary prevention and awareness programs directed at incoming students and new employees and ongoing prevention and awareness campaigns directed at students and employees.

Proceeding: All activities related to a noncriminal resolution of an institutional disciplinary complaint, including, but not limited to, fact-finding investigations, formal or informal meetings and hearings. Proceeding does not include communications and meetings between officials and victims concerning accommodations or protective measures to be provided to a victim.

Result: Any initial, interim and final decision by any official or entity authorized to resolve disciplinary matters within the institution. The result must include any sanctions imposed by the institution.

Unfounded Crimes: An institution may withhold, or subsequently remove, a reported crime from its crime statistics in the 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 for purposes of reporting under this section. 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.

Consent: a clear, unambiguous, informed, voluntary and freely given agreement between all participants to knowingly engage in sexual activity. Consent must be mutually understandable by words or actions (i.e., a reasonable person would consider the words or actions to indicate mutual agreement to engage in the sexual activity). Consent is active and cannot be based on the absence of an affirmative statement or act of denial. Silence or lack of resistance does not constitute consent. Seeking and receiving consent is the responsibility of the person(s) initiating the sexual act or acts regardless of whether the person initiating the act is under the influence of drugs and/or alcohol. Consent to any sexual act or prior consensual sexual activity between or with any party does not in

and of itself constitute consent to any other sexual act. Consent to engage in sexual activity with one person does not constitute consent to engage in sexual activity with another. Consent may be initially given but withdrawn at any time. Consent cannot be given when a person is incapacitated (including, but not limited to, a person or someone with a physical or mental disability and/or level of intoxication that causes impairment resulting in incapacitation), asleep or unconscious, or under age. Consent cannot be given when it is the result of coercion, intimidation, force or threat of harm. The university prohibits any sexual activity that does not involve the consent of each individual. Consent must be given to engage in the act of sexual activity, and consent should also be given to any person who records or photographs any aspect of the sexual encounter as well as third parties who wish to view the sexual activity either in person or via any electronic equipment, methods or devices. Any of these acts will be deemed to be sexual exploitation. Sexual exploitation includes, but is not limited to, the following acts:

- Sexual voyeurism or allowing others to witness or observe the sexual or intimate activity of another person without that person's full knowledge and consent.
- Indecent or lewd exposure or inducing another person to expose themselves when consent is not present.
- Recording any person engaged in sexual or intimate activity in a private space without that person's full knowledge and consent, even if the person recording the sexual or intimate activity is also engaged in the consented to sexual activity.
- Distributing sexual or intimate information, images or recordings about another person without that person's full knowledge and consent.
- Recruiting, harboring, transporting, providing or obtaining another person for the purpose of sexual exploitation.
- Inducing incapacitation of another person with the intent to engage in sexual conduct, regardless of whether prohibited sexual conduct actually occurs. The definition of consent does not vary based upon a participant's sex, sexual orientation, gender identity or gender expression.