



**YOUNGSTOWN
STATE
UNIVERSITY**

2018 Annual Security and Fire Safety Report
Statistics for 2017, 2016 and 2015



YSU Police Introduction

The mission of the YSU Police Department is to protect and defend the rights guaranteed in the Constitution of the United States, and the Constitution of the State of Ohio; to enforce the criminal laws of the State of Ohio in the spirit they were enacted; to protect life and property; to prevent crime, to apprehend suspected criminal violators, and to aid community members whenever possible. The YSU Police Department strives to accomplish these objectives without prejudice, with integrity and respect, and to support the people served within the YSU community in order to advance the achievement of the University's academic, research, and public service mission.

The YSU Police Department actively collaborates with the YSU community to help promote a safe and secure campus environment through education, problem solving and enforcement. The YSU Police Department uses innovative practices, technology, continuing training and partnerships to provide professional police services to prevent, prepare for, respond to and recover from all criminal activity, hazards and threats. In doing so, the YSU Police Department fosters and maintains an environment that supports the well-being of the YSU students, faculty, staff and visitors.

The Patrol division of the YSU Police Department is the largest part of the department. The primary responsibility of the YSU Police Department is to provide police services at the YSU Campus. The Patrol division is led by a Lieutenant and staffed with Sergeants, and patrol officers. The primary function of the Patrol Division is to provide a uniformed response to calls for service, enforce traffic laws, investigate criminal activity, provide safety presentations to the community, assist other divisions as needed, and to act as a visible deterrent to crime. Patrol officers patrol the campus using marked and unmarked patrol vehicles, bicycles, and on foot. A patrol officer's duties include protecting life and property, preventing crime, and keeping the peace. Patrol officers provide a wide variety of safety related services to the YSU Community. When a crime is reported to the YSU Police Department, a patrol officer will take the initial crime report, which will outline the circumstances of the incident reported. When possible, and as needed, the patrol officer will collect evidence, arrest offenders and testify in court.

The Communications unit operates 24 hours a day, 7 days a week and is led by a lieutenant and staffed with dispatchers. Dispatchers are responsible for answering business telephone lines, emergency and non-emergency calls for service on the YSU Campus. The dispatchers also are responsible for monitoring campus security alarms, surveillance security cameras, emergency phones and elevator phones.

The Investigations Division is led by a Detective Lieutenant and staffed with a Detective. The Detectives conduct criminal investigations of crimes occurring on the YSU campus, and are responsible for following up on criminal incidents, solving crimes, and conducting proactive investigations. The Investigations Division also works closely with the Title IX Officer/EEOC

and Division of Student Life/Conduct. The division also has a Sexual Response Officer who is trained on issues related to dating violence, domestic violence, sexual assaults and stalking. This training is trauma informed and promotes the safety of the victim.

The Administrative officer is designated as the Clery Compliance Officer and is responsible for maintaining records in regards to the Clery Act, maintaining the daily logs, CSA training, and statistics. In addition, the officer is responsible for the evidence room and evidence logging. The officer reports to the Chief of Police for the YSU Police Department.

The YSU Police Department also employs student Security Officers who provide safety escort services, general campus patrols, building lockups, and special details at scheduled YSU events. The Student Security Service also functions as a liaison between the YSU Police Department and the students, staff, faculty and other community members. The Student Security members can be identified by their red shirts and ID badges. The Student Security members also carry a campus police radio and are in direct contact with the police dispatchers.

The YSU Police Department continuously improves the resilience and readiness of the campus community and the ability to respond and recover from natural and human caused emergencies within the framework of the phases of emergency management: mitigation, preparedness, response and recovery.

Contents

| | | |
|------|---|----|
| 1.0 | Campus Safety and Security Policies | 5 |
| 1.1 | Overview of the Clery Act | 5 |
| 1.2 | Youngstown State University Police Jurisdiction and Authority..... | 6 |
| 1.3 | Reporting Criminal Activity | 8 |
| 1.4 | Voluntary Anonymous Reporting Options | 11 |
| 1.5 | Campus Security Authorities | 12 |
| 1.6 | Pastoral and Professional Counselors | 13 |
| 1.7 | Daily Crime and Fire Log | 14 |
| 1.8 | Missing Persons | 15 |
| 1.9 | Timely Warnings..... | 17 |
| 1.10 | Emergency Notification | 19 |
| 1.11 | Emergency Communications Procedures and Methods..... | 22 |
| 1.12 | Access and Security of Residential and University Buildings..... | 27 |
| 1.13 | Emergency Response and Evacuation Procedures..... | 30 |
| 1.14 | Alcohol and Drug Abuse Policies and Health Effects | 41 |
| 1.15 | Alcohol and Drug Abuse Education Programs | 59 |
| 1.16 | Campus Safety and Security Awareness Programs..... | 60 |
| 1.17 | Tests and Drills..... | 63 |
| 1.18 | Important Telephone Numbers..... | 65 |
| 1.19 | Campus Map | 67 |
| 2.0 | 2018 Annual Crime Report..... | 68 |
| 2.1 | Purpose, Notification and Preparation of the Annual Report..... | 68 |
| 2.2 | Crime Statistic Sources, and Unfounded Crime Reports | 69 |
| 2.3 | Clery Crime Definitions | 71 |
| 2.4 | VAWA Definitions | 76 |
| 2.5 | Ohio VAWA Definitions | 78 |
| 2.6 | Hierarchy Counting Rules..... | 90 |
| 2.7 | Clery Geography Definitions | 92 |
| 2.8 | Crime Statistics for 2017, 2016, and 2015 | 93 |
| 3.0 | Sexual Assault, Domestic Violence, Dating Violence and Stalking | 94 |

Youngstown State University Annual Security and Fire Safety Report

| | |
|--|-----|
| 3.1 General Information | 94 |
| 3.2 Definitions | 96 |
| 3.3 Education Programs and Campaigns..... | 101 |
| 3.4 Reporting Options and Resources for Victims of Sexual Assault, Domestic Violence, Dating Violence, and Stalking | 108 |
| 3.5 Interim Measures..... | 114 |
| 3.6 Confidentiality..... | 121 |
| 3.7 University Complaint and Disciplinary Proceedings | 122 |
| 3.8 Sanctions Imposed by YSU..... | 125 |
| 3.9 Sex Offender Registry Information..... | 127 |
| 2018 Annual Fire Safety Report..... | 128 |
| 1.0 The Annual Fire Safety Report | 131 |
| 1.1 Portable Electrical Appliances, Smoking and Open Flames in Student Housing | 131 |
| 1.2 Fire Safety Education and Training Programs | 133 |
| 1.3 Reporting Fires in On-Campus University Student Housing Facilities | 134 |
| 1.4 Fire Evacuation Procedures..... | 135 |
| 1.5 Fire Safety Report Definitions | 137 |
| 1.6 Fire Statistics for 2017, 2016, and 2015..... | 139 |

1.0 Campus Safety and Security Policies

1.1 Overview of the Clery Act

Selecting the right college or university to attend is an important and life decision for students and their families. Additionally, deciding where to work and build a career is also a big decision and one that needs to be made based on an assessment of a number of factors. The safety and security of a campus is an important factor that goes into the decisions of potential students and employees. Additionally, access to campus safety and security information for current students and employees is important for individuals who work and study at Youngstown State University. Responding to concerns regarding campus safety and security at colleges and universities, Congress enacted the Crime Awareness and Campus Security Act of 1990; this amended the Higher Education Act of 1965. The 1998 amendments to the Campus Security Act renamed it to the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act in memory of Jeanne Clery.

All public and private postsecondary institutions that participate in Title IV student financial assistance programs must comply with the Clery Act and institutionalize its mandates. Among the various requirements, colleges and universities are required to prepare, publish, and distribute a report concerning campus crime statistics, statements of safety and security policies and procedures on an annual basis through appropriate publications. The notice of availability must be distributed to all current students and employees as well as all prospective students and employees. YSU has embraced a culture of compliance surrounding the Clery Act with a focus on meeting the technical compliance requirements of the Clery Act, but also embracing the spirit of the law: knowledge is power. YSU has implemented a compliance program to manage and implement the various parts of the Clery Act. The University Clery Compliance Officer manages all aspects of the Clery Act coordinating all mandates and requirements. The Compliance Officer reports to the YSU Chief of Police to provide updates and information.

This report, known as the Annual Security and Fire Safety Report, is a comprehensive report for the calendar years of 2017, 2016, and 2015. This report contains specific Clery Act crime, arrest and disciplinary referral statistics data as well as information about safety, security policies and practices intended to promote awareness about security and safety at the YSU campus. This report is coordinated and updated by the Clery Compliance Officer in conjunction with various campus partners. The 2018 Annual Security and Fire Safety Report may be accessed by visiting www.ysu.edu/police. Copies of this report may be obtained at the YSU Police Department (Clingan-Waddell Hall) during normal business hours (generally Monday-Friday, 8:00 a.m. to 5:00 p.m., excluding weekends and holidays). The YSU Police Department is located at 266 West Wood Street, Youngstown Ohio, 44502. The Fire Safety Report contains specific statements of fire safety policies and procedures as well as the YSU annual fire safety statistics for the past three calendar years. YSU's Fire Safety Report is combined with the security report and distributed together as one document; "The Annual Security and Fire Safety Report".

1.2 Youngstown State University Police Jurisdiction and Authority

The YSU Police Department was established by resolution of The Board of Trustees on June 1, 1988. The current authority of The Board of Trustees to appoint University Police is set out in section 3345.04 of The Ohio Revised Code. Under section 3345.04(B) of the Revised Code, The Board of Trustees may designate one or more employees of the institution, as a state university law enforcement officer, in accordance with section 109.77 of the Revised Code, and, as state university law enforcement officers, those employees shall take an oath of office, wear the badge of office, serve as peace officers for the college of university, and give bond to the state for the proper and faithful discharge of their duties in the amount that the Board of Trustees requires.

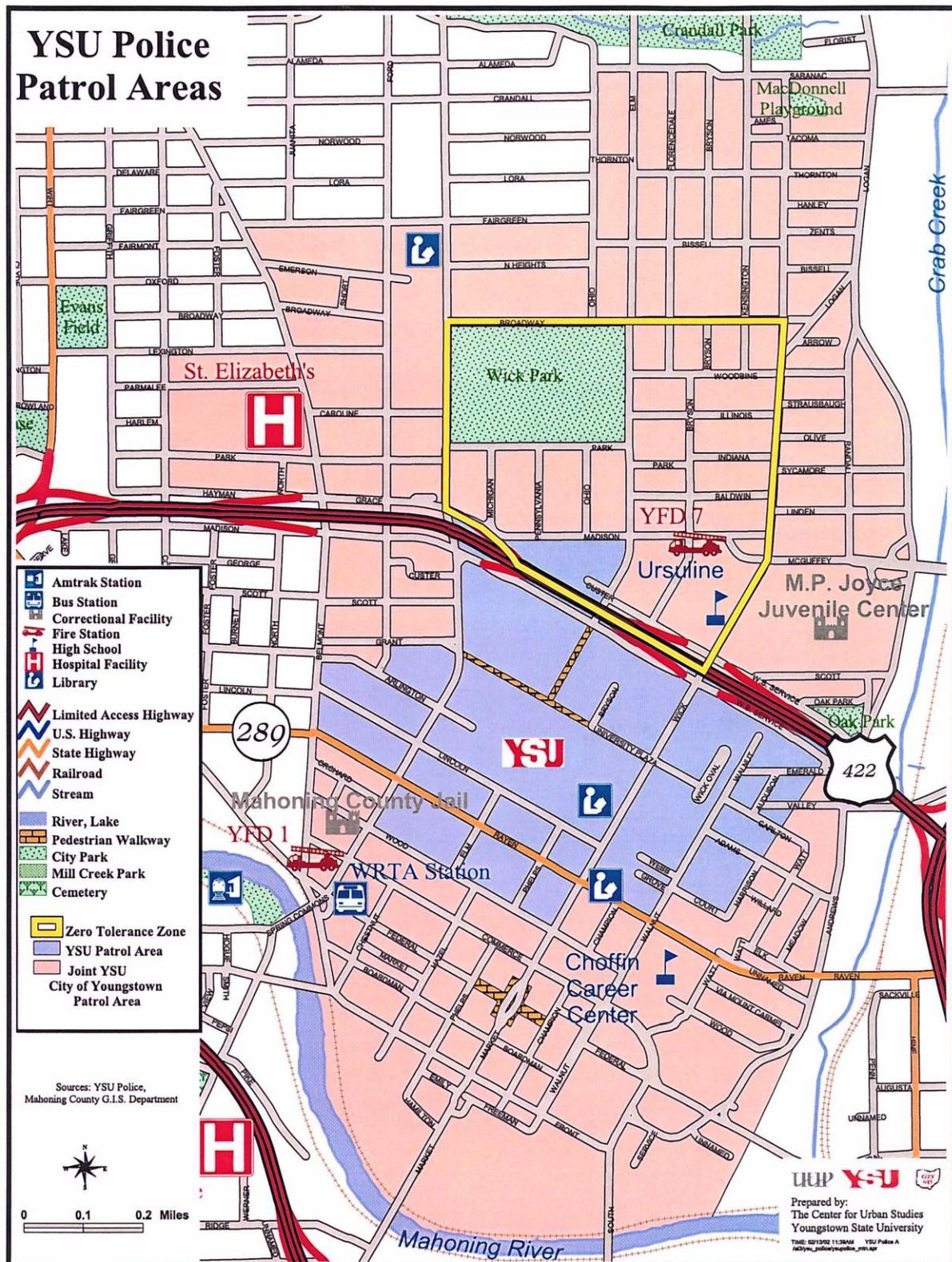
Pursuant to Section 3345.041(A) Youngstown State University entered into a Mutual Aid Agreement with the City of Youngstown on June 24, 2014. Pursuant to the agreement, YSU Police Officers designated under section 3345.04 of the Revised Code can perform any police function, exercise any police power, or render any police service on behalf of the contracting political subdivision, or state university or college, that it may perform, exercise, or render. The YSU Police receive reports regarding non-campus properties in the city.

YSU Police Officers are sworn peace officers under Ohio Revised Code section 109.71. The sworn police officers in the YSU Police Department are armed, have authority to make arrests and possess the same authority under the law as municipal (i.e. city) police officers. The YSU Police Department and officers subscribe to the standards of the Ohio Peace Officer Training Commission (“OPOTA”). YSU Police Officers receive the same basic training as municipal and county peace officers as well as additional training to meet the unique needs of the university campus community environment.

The YSU Police Department is the primary agency for responding to and investigating criminal activity occurring on the YSU Campus. Officers patrol the YSU campus 24 hours a day 7 days a week. The YSU Police Department provides immediate response to all police, fire and medical emergencies occurring on the YSU campus. Automobile accidents occurring on city streets are handled by the Youngstown City Police. The YSU Police Department and Youngstown City Police have concurrent legal jurisdiction and authority on the YSU campus, including properties leased by YSU that are located off-campus and within the City of Youngstown. Additionally, YSU Police Department officers are authorized to enforce the City of Youngstown’s Municipal Code on YSU’s campus and within the area defined by the Mutual Aid Agreement.

The Mahoning County Sheriff and Ohio State Highway patrol have concurrent jurisdiction on the YSU campus. The YSU Police Department cooperates and assists these two agencies upon request. The YSU Police Department restricts its patrol primarily on the campus unless YPD, MCSO or OSP request assistance.

Youngstown State University Police and Youngstown City Police Joint Patrol Map:



1.3 Reporting Criminal Activity

In order to make the YSU campus safe and secure as possible, all students, staff, faculty, other community members and visitors are strongly encouraged to immediately and accurately report all criminal activity and all suspicious persons and/or suspicious activities to the YSU Police Department. Report crimes by dialing 9-1-1 from an on-campus telephone; or by calling the YSU Police Dispatch Center 24 hours a day, 7 days a week at (330) 941-3527.

The YSU Police Department has primary jurisdiction and responsibility for investigating crimes and providing police protection services to the YSU campus and communities. The immediate and accurate reporting of all criminal activity also assists the YSU Police Department in assessing Clery crimes for a potential Timely Warning Notice (“Penguin Alert”) and for inclusion in the daily crime and fire log, as well as the Annual Security and Fire Safety Report.

For crimes that occur in the City of Youngstown, but not on the YSU Campus, YSU Police encourages accurate and prompt reporting of all crimes to the Youngstown City Police Department by calling (330) 742-8900, located at 116 West Boardman St., Youngstown Ohio 44503.

The YSU Police Department is located on the YSU campus at Clingan-Waddell Hall, 266 West Wood Street, Youngstown, Ohio 44502. (Building 60 on the YSU campus map). Free short term visitor parking is available in YSU Parking lot M52.

YSU Police Dispatchers are available 24 hours a day, 7 days a week at (330) 941-3527 to answer any calls. In response to a call for service, the YSU Police Department will take the required action, either dispatching an officer, or asking a victim to respond to the YSU Police Department to file a report with a police officer. All reported crimes may become a matter of public record. YSU Police Department reports may be forwarded to various departments, including but not limited to: The Office of Marketing and Communications, Title IX/EEOC Office, Student Health, Student Life, Counseling Services. The YSU Police Department Investigations Division will investigate a report when it is deemed appropriate. Additional information obtained during an investigation may be forwarded to other offices at YSU when deemed necessary and determined on a case-by-case basis. If assistance is needed from the Youngstown City Police Department, Youngstown City Fire Department, or other agency, YSU Police will contact the appropriate agencies for assistance.

If a sexual assault, dating violence, domestic violence, or stalking should occur, staff initially on scene, including the YSU Police Department responding officers, will offer a victim/survivor with written information on rights, options and resources, regardless of whether the crime occurred on or off the YSU campus.

Emergencies on the YSU Campus

Police, fire and medical emergencies on the YSU campus can be reported by dialing 9-1-1 from any phone connected to the campus network. 9-1-1 calls made from cell phones will be routed to the City of Youngstown Dispatch. All campus emergency calls received by Youngstown City will be immediately transferred back to YSU Police Dispatch. Emergencies can also be reported on the YSU campus by using any one of the emergency call boxes located throughout the YSU campus, or by using the emergency intercom system located in building elevators.

What to expect when calling 911 from a campus phone:

When calling to report a crime or incident, be ready to give information on the following:

- Where is the incident occurring?
- What is happening?
- When did the incident occur?
- Who is involved?
 - Where and when the suspect(s) were last seen.
 - Suspect(s) description (including gender, race, age, height, weight, hair color/length, clothing, facial hair, tattoos/scars).
- Weapon(s), if any, and a description.
- Other relevant information.

Non-Emergencies on the YSU Campus

Non-emergency incidents on the YSU campus can be reported to the YSU Police Department by dialing (330) 941-3527. Dispatchers are available 24 hours a day, 7 days a week to answer calls.

Monitoring and Recording Criminal Activity

Criminal activity that occurs on non-campus properties is recorded from the Youngstown Police Daily Hot Sheets and weekly crime mapping reports. The information is then put in tabular form using a spreadsheet, and placed online for public viewing. The “Joint Patrol Log” is available twenty-four hours a day, seven days a week; and updated during normal business days. The log covers the last 60 days; however previous months/years are available free of charge. The Lorain and Lakeland crime logs are obtained from the institutions and placed in the “YSU Police Crime Log” alongside the University’s log.

Remember

If you see something, say something! The YSU Police are available 24 hours a day 7 days a week at (330) 941-3527 or by dialing 911 from a campus telephone.

1.4 Voluntary Anonymous Reporting Options

In certain instances, a crime victim or witness may be reluctant to file an official police report fearing the criminal process and/or loss of his/her confidentiality. In such circumstances, YSU still encourages crime victims and witnesses to make a confidential report to the YSU Police Department. The YSU Police Department can file a report on the details of the incident without revealing a victim's identity. The purpose of a confidential report is to comply with a crime victim's or witness's desire to keep the matter confidential, while taking steps to ensure their safety and the safety of others. At a minimum, crime victims will receive important counseling and referral information as well as helpful written information on certain rights, options and resources. Confidential reports are important because they provide valuable information to help keep a more accurate record as to the actual crime occurring on the YSU campus and help determine where there is a pattern of crime with regard to a particular location, method, or perpetrator. Confidential reports of Clery Act crimes also assist with the potential issuance of crime alerts to the campus community to warn of serious or ongoing threats when deemed necessary by the YSU Police Department. Additionally, crime reports filed in this manner are classified and disclosed in the Annual Security and Fire Safety Report, without revealing any individual identifying information of the victim.

If a crime victim or witness wants to report a crime anonymously, an anonymous reporting form is available on the YSU Police Department website, located at www.ysu.edu/police. The YSU Police Department will use any information it receives via the anonymous form in an appropriate manner. Reports of Clery Act reportable crimes filed in this manner are classified, counted and disclosed in the Annual Security and Fire Safety Report, without revealing any personally identifying information about the victim.

1.5 Campus Security Authorities

YSU Police encourages the reporting of all criminal activity on the YSU campus directly to the YSU Police Department. The Clery Act specifically includes four groups of individuals and organizations associated with YSU that are designated as CSAs: (1.) a campus police department or a campus security department of an institution; (2.) any individual or individuals who have responsibility for campus security but who do not constitute a campus police department or a campus security department; (3.) any individual or organization to which students and employees should report criminal offenses. All crimes that occur on the YSU campus should be reported to the YSU Police Department. (4.) An official of the institution who has significant responsibility for student and campus activities. An “official” is defined as any person who has the authority and the duty to take action or respond to particular issues on behalf of the institution. The Clery Compliance Officer continuously identifies and trains new CSAs based on their function at YSU.

In addition to gathering Clery Act crime statistic information from YSU Police reports and YPD Police reports, Clery Act crime statistic data is collected and compiled from identified and designated CSAs using the CSA crime submission form. The form is located on the police website at www.ysu.edu/police. This form should only be used by CSAs to report a Clery crime.

CSAs are instructed that reports of Clery Act crimes made to them must immediately, or as soon as practicably possible, be submitted to the YSU Police Department via the CSA submission form. CSA reports may also be delivered in person during normal business hours, Monday through Friday, 8:00 a.m. to 5:00 p.m. at the YSU Police Department located at 266 West Wood Street, Youngstown, Ohio 44502.

Preferred Campus Security Authorities

| Campus Security Authority | Location | Contact |
|----------------------------------|------------------------|----------------|
| YSU Police | Climgan-Waddell Hall | (330) 941-3527 |
| Student Experience | Kilcawley Center 2071 | (330) 941-2018 |
| Housing Director | Kilcawley House 105 | (330) 941-3539 |
| Athletics Director | Stambaugh Stadium 2006 | (330) 941-1576 |
| Student Outreach | Kilcawley Center 2101 | (330) 941-4721 |
| Title IX | Tod Hall 301 | (330) 941-4629 |

1.6 Pastoral and Professional Counselors

Pastoral and professional counselors are exempt from Clery Act reporting requirements. Pastoral and Professional Counselors are encouraged to inform their clients about the criminal reporting procedures outlined in the Annual Security and Fire Safety Report, if and when they deem it appropriate. As previously noted, there are options available for voluntary and anonymous confidential reporting. Pastoral and professional counselors are encouraged to inform the persons they are counseling of any procedures to report crimes on a voluntary, confidential or anonymous basis for inclusion in the Annual Crime and Fire Safety Report and web-based report to the Department of Education. This practice is encouraged in an effort to prevent further victimization and to obtain a more accurate picture of crime reported on the YSU campus Clery Act reportable geographic locations.

1.7 Daily Crime and Fire Log

The YSU Police Department maintains combined daily crime logs and daily fire logs, which are titled the “Youngstown State University Crime Log” and “Youngstown State University Fire Log.” These documents are updated during normal business days and contain a record of all crimes reported to the YSU Police Department which (1.) have occurred on the reportable Clery geography, (2.) crimes reported to the Youngstown City Police in the YSU-YPD Joint Patrol District and (3.) any crime reports submitted by CSAs that occurred in the defined Clery geography. All entries or additions to the Daily Crime and Fire Logs are made within 2 business days of the report being received by the YSU Police Department, unless the disclosure of such crime is prohibited by law or would jeopardize the confidentiality of the victim.

Regarding criminal incidents, the Daily Crime log reflects the nature of the crime, the case number, the date and time the crime was reported and occurred, the location and the final disposition of the case. A crime is considered “reported” when it is brought to the attention of a Campus Security Authority (CSA) including YSU Police Officers, or a local law enforcement agency.

Regarding fire incidents, any fire that occurs in an on-campus housing facility on the YSU campus that is reported to any official at YSU is documented and reported in the daily fire log. Additionally, all reports of fire alarms are also included in the log. The Daily Fire Log reflects the location, the date and time it was reported, whether it was a fire or alarm, if the report is reportable in the Annual Security and Fire Safety Report, the cause and the report number. YSU goes beyond the Fire Log Clery Act requirements by including alarms and including information regarding all campus buildings.

In compliance with the Clery Act, YSU Police may withhold information from the Daily Logs if there is clear and convincing evidence that the release of such information would jeopardize and ongoing criminal investigation or the safety of an individual, cause a suspect to flee or evade detection, or result in the destruction of evidence. The YSU Police Department will disclose any information withheld from the Daily Crime and Fire Logs once the adverse effect is no longer likely to occur.

The YSU Police Department’s Daily Crime and Fire Logs for the YSU Campus include all crime and required on-campus student housing facility fire incidents from the most recent 60 day period. The logs are available online by visiting www.ysu.edu/police or by this link <https://ysu.edu/ysu-police/department-resources/campus-crime-reporting/annual-campus-safety-and-fire-report>.

Daily Crime and Fire Log information older than 60 days will be made available for public inspection within 2 business days of a request for such information.

1.8 Missing Persons

It is the policy of Youngstown State University, through the YSU Police Department, to accept all reports of missing persons without delay. A missing student often has a temporary residence on the YSU campus and a permanent family residence in another jurisdiction, yet may have last been seen or heard from another jurisdiction. When a person's disappearance is deemed to be suspicious, when foul play is suspected, and/or the person may be at-risk based on a number of factors, the YSU Police Department may request assistance from the Youngstown City Police or other law enforcement entity who has jurisdiction.

The purpose of this policy is to detail the proper procedure of investigating missing persons. Title 42, United States Code 5779(a) states that all persons under the age of 21 will be treated as a juvenile for purposes of NCIC requirements. Adults aged 18-20 will be entered into NCIC immediately upon receiving sufficient information from the preliminary investigation to do so. The NCIC entry must be completed within 12 hours of being reported.

When resident students move into their residence halls, they are given the opportunity to identify a person that the University shall notify within twenty-four hours of a determination by the Youngstown State University Police Department (YSUPD) that the student is missing. This registration is done during the on-campus housing move-in process. (Unless another law enforcement agency is the entity that determines that a student is missing, YSUPD will cooperate with that agency in their investigation as soon as the YSUPD is made aware that a student is missing)

Student contact information will be kept confidential. Unless otherwise required by law, contact information will only be accessible to authorized campus officials and law enforcement personnel as part of a missing person investigation. However, should an un-emancipated student under the age of eighteen be determined as missing, in addition to notifying the designated contact person, the University is required by law to notify the custodial parent or guardian within twenty-four (24) hours of such determination.

Should anyone believe that a student has been missing for more than twenty-four (24) hours, s/he immediately should contact the YSU Police at (330) 941-3527. YSUPD will investigate the missing student report, and or forward and cooperate with any law enforcement agency that is responsible for investigating the missing person's report. If the student is not located during the ensuing twenty-four (24) hours, or sooner as conditions may dictate, the University will notify the student's confidential contact person (and/or parent as necessary.) The University will notify local law enforcement within 24 hours of the determination that a student is missing.

A.) The Youngstown State University Police will utilize all resources at its disposal as well as requesting the assistance from any law enforcement agency University entity, or other organization to aid in the investigation and return of any persons reported missing to this department. Any report received by the Youngstown State University Police Department in reference to a missing person, will be investigated.

Youngstown State University Annual Security and Fire Safety Report

The officer who is dispatched to a call for a missing person shall do the following:

- Obtain a thorough description of the missing subject.
- Obtain information about possible whereabouts, suspicious activity, and known associates. Any special information concerning the missing person such as medical condition shall be obtained.
- The officer shall complete the uniform incident report promptly.

B.) The shift supervisor shall contact the Confidential Contact of the missing person-if such information is available. If the missing person is under the age of 18, and not legally emancipated, the shift supervisor shall also contact the missing persons parents/legal guardian, if such information is available.

C.) The shift supervisor will ensure that Youngstown State University Police Dispatch promptly enters the missing persons information into NCIC. In addition, The shift supervisor will inform the lieutenant on call of the situation. The lieutenant on call will notify the Chief of YSU Police.

D.) The investigating officer will contact the local law enforcement agency of the missing persons legal address to advise them of the person being missing.

E.) The assigned investigating officer shall conduct a prompt follow up investigation.

- The officer shall contact the person reporting the person being missing to determine if there is any additional information of use.
- The officer shall follow up on all relevant leads in the case.
- The officer shall coordinate with the department and other law enforcement agencies to conduct searches of locations on campus and adjacent to campus where the subject may be.
- The officer shall update the Confidential Contact and or the next of kin of the missing person as to the status of the investigation.

F.) In the event the missing person is located, YSU Police Dispatch shall immediately remove the entry from NCIC concerning the missing person.

The investigating officer shall notify any other agency or entity which was involved in the investigation of the missing persons return.

1.9 Timely Warnings

Scope: Narrow focus on *Clery Act* Crimes.

Why: Timely warnings are triggered by crimes that have already occurred, but represent an ongoing threat to the campus community. YSU Police may issue a timely warning for any Clery Act crime committed on its campus, which has been reported to a campus security authority or local law enforcement agency, and that is considered by YSU to represent a serious or continuing threat to students, staff, and/or faculty.

When: Issue a warning as soon as the pertinent information is available.

To enable people to protect themselves, YSU Police issues timely warnings in the form of Crime Alerts to the campus community to alert students, faculty, staff, and visitors of Clery Act crimes that present a serious or ongoing threat to the campus community and to heighten awareness. The alert is intended to aid in preventing similar crimes, enable people to protect themselves, and may seek information that may lead to an arrest or conviction of an offender.

The YSU Police Department is responsible for determining if a timely warning will be issued once notified a Clery Act crime has been reported to a campus security authority, local law enforcement, or directly to the YSU Police Department. Crime Alerts are disseminated using a variety of methods to include, but not limited to:

- Penguin Alert emergency text messages and emails
- YSU campus-wide mass communications and alarm voice broadcast system
- YSU homepage
- Campus Announcements channel of the MyYSU portal
- YSU Emergency Information Line (330-941-2222)
- University Facebook and Twitter pages.
- WYSU 88.5 FM, the official radio source of YSU.

When deciding whether to issue a Crime Alert, the primary considerations are (1) the nature of the crime and (2) whether there is a continuing danger that members of the campus community may become victims of a similar or related crime.

These Crime Alerts advise the community about violent crimes against persons, a series of crimes against property, or threats to persons or property in an effort to inform the community about potential risks and allow individuals to protect themselves against such risks. Crime Alerts may also provide details of the crime or threat, a description of the suspect (if known), information on who to contact about the investigation, and crime prevention tips.

YSU Police work closely with individuals reporting serious crimes to ensure the victim's privacy, while also ensuring the community has adequate information regarding potential risks. The names and identifying information of victims will not be released in a Crime Alert.

Youngstown State University Annual Security and Fire Safety Report

YSU Police have requested cooperation from local law enforcement by asking to be kept apprised of crimes that warrant a timely warning or an emergency notification. As a result, information for Crime Alerts can also come from other law enforcement agencies.

Likewise, YSU Police have requested cooperation from local law enforcement by asking to be kept apprised of crimes that warrant a timely warning or an emergency notification. YSU Police will release important Crime Alerts electronically to other YSU departments for internal distribution and will distribute bulletins and flyers to the YSU community using the methods listed. The variety of distribution methods used depends on the nature of the crime and the threat to the community.

1.10 Emergency Notification

Scope: Wide focus on any significant emergency or dangerous situation (may include Clery Act crimes)

Why: An emergency notification is triggered by an event that is currently occurring on or imminently threatening the campus. YSU Police will initiate emergency notification procedures for any significant emergency or dangerous situation occurring on or near the campus involving an immediate threat to the health or safety of students, staff, or faculty.

When: Initiate procedures immediately upon confirmation that a dangerous situation or emergency exists or threatens.

It is the University's policy to immediately notify the campus community, without delay, of any confirmed significant emergency or dangerous situation which poses a threat to the health or safety of individuals including, but not limited to, an armed intruder, an outbreak of serious illness, a fire or a chemical spill on or near campus. An emergency can be confirmed by any university official (i.e. University Housing staff, a faculty member, or building coordinator) using first-hand information which may include, but is not limited to, the presence of flames, sound of gunshots, noxious odors, video feeds of the area, activation of alarms, or the presence of several injured persons. The YSU Police Chief or designee will confirm that a significant emergency or dangerous situation exists, determine the emergency notification content, identify the segments of the campus community to receive the notification, and initiate the notification system, unless doing so will, based on the Chief or the designee's professional judgement, compromise efforts to assist a victim or to contain, respond to or otherwise mitigate the emergency. YSU Police has the authority to issue emergency notifications, as it deems necessary, to maximize public safety.

For an emergency response to fires and ill or injured persons, YSU relies upon the municipal Fire Department emergency services in the city. Therefore, the Incident Commander may be a member of the local fire department. They will utilize the Incident Command System but follow their own agency's policies and procedures while responding to the emergency. An Incident Commander has the authority on scene and should be consulted to determine the content of the notification. There are other local, county, state and federal agencies which may be consulted during an emergency, such as FEMA during a dangerous weather event, or the Public Health Department to confirm a serious virus outbreak.

A determination regarding what segment of the campus community will receive the notification shall be based on the nature, severity, and location of the emergency. The same procedures will be used to notify the larger campus community.

Given the severe consequences that could result, every member of the community is encouraged to report emergencies immediately. Dial 911 to reach police. The police department answering the call will notify the police department with jurisdiction so emergency services can be dispatched. Your first priority is to get to safety; your second priority is to call 911.

Notification Methods:

Depending on the nature of the emergency, methods that may be used include:

- Penguin Alert emergency text messages and emails
- YSU campus-wide mass communications and alarm voice broadcast system
- YSU homepage
- Campus Announcements channel of the MyYSU portal
- YSU Emergency Information Line (330-941-2222)
- University Facebook and Twitter pages.
- WYSU 88.5 FM, the official radio source of YSU.

All YSU email addresses are automatically subscribed to receive emailed emergency notifications, MyYSU webpage alerts, and digital bulletin board posts. Because each situation will present individual challenges, some or all of these communication methods will be used in an emergency. Follow-up messages to the university and broader audiences such as parents and alumni will be sent as needed.

Procedure:

Depending on the severity of the incident, YSU Police has the authority to send an emergency notification without prior approval. If the incident is a large-scale emergency, as determined by the incident commander – typically the top fire or police official at the scene – the incident commander will be responsible for making these decisions. The entire campus community will be notified when there is at least the potential that a very large segment of the community will be affected by a situation, or when a situation threatens the operation of the campus as a whole. There will be a continual assessment of the situation, and if it is warranted, additional segments of the campus community may be notified.

For messages, other than those sent by YSU Police, it is the responsibility of the Vice President of University Relations or designee to determine the content of the notification. The Office of University Relations will coordinate with the university's webmasters, Dean of Students personnel, Student Life personnel, or other responsible parties as needed to ensure proper implementation of the methods determined to be appropriate for the incident at hand. While YSU Police are the primary agency confirming significant emergencies on campus via notifications from 911 calls or personal observations by its officers or other security personnel, other departments at YSU such as Risk and Emergency Management or Environmental Health and Safety may also confirm a significant emergency.

The notification system's purpose is to provide brief and immediate instructions to the campus community and to provide other resources where additional information can be obtained.

Youngstown State University Annual Security and Fire Safety Report

YSU Police work closely with surrounding police agencies to help facilitate the sharing of incidents reported to them that might constitute the issuance of an emergency notification.

Each year, the YSU Police creates and schedules an exercise designed to drill procedural operations, and exercise the coordination of efforts between first responders. Once the exercise is completed, first responders, observers, controllers, and evaluators participate in a debriefing, which is designed to capture immediate feedback of strengths and areas for improvement before leaving the site. An After Action meeting is generally held within two to four weeks of exercise completion where feedback, After Action results, controller/evaluator comments and observations are reviewed. The After Action report and “Areas for Improvement” documents are created utilizing all of the data collected.

1.11 Emergency Communications Procedures and Methods

Before or while YSUPD personnel confirm the existence of an emergency or dangerous situation, the Communications Center personnel will notify first responders and will request their assistance at the scene. First responders called to a scene typically are the University Police. Depending on the nature of the incident, other Ohio State departments or other local, state, or federal agencies could be involved in responding to the incident. Youngstown State University Police will work in cooperation with these agencies to manage the incident.

In all communications during a crisis, the university strives to be accessible, prompt, compassionate, honest and informative. While such tenets may seem to be self-evident, it can be difficult to adhere to a clear style of communication when in crisis mode. One of the most important requirements for effective communications during an urgent situation is gathering and understanding the facts and implications of a given situation and then providing accurate and consistent information to all parties concerned. Communications from the university must be honest and forthright. It is crucial in a crisis to tell it all, tell it fast and tell the truth. Crisis defined:

A significant emergency, dangerous situation or disturbance in the university's activities which has the potential to have a significant impact on the university's operations and public image and which results in extensive news coverage and public scrutiny.

A crisis includes serious threats to life, limb and/or property, significant threats to the university's reputation, or serious threats of interruption to university business. A crisis may include, but is not limited to hostage situations, weather, disease or other health threat, fire, natural disaster, violent crime, civil disturbance, sexual or physical assault, homicide and the threat of danger. (The federal Clery Act provides the following examples of significant emergencies or dangerous situations: fire, outbreak of a serious illness, earthquake, gas leak, terrorist incident, armed intruder, bomb threat, civil unrest or rioting, explosion, nearby chemical or hazardous waste spill.). There is bound to be a degree of judgment required to determine whether any one or more of such threats are serious enough as to constitute a crisis.

Crisis Communications Team

In the event of a crisis, a core group of people will constitute the university's Crisis Communications Team:

Associate Vice President, University Relations – The Associate Vice President, University Relations will serve as the liaison between the team and the President or her/his designee.

Director of University Communications/Public Information Officer – The Director of University Communications/Public Information Officer will serve as the direct contact and liaison between the CCT and the Incident Command Center and will provide the CCT with the most up-to-date information on the crisis.

Media Relations:

Often the only information the public receives about an emergency is through the news media; therefore, media relations is an essential component of any crisis plan. Timing is critical. Responses to a crisis must be issued as soon as possible and along as many communications channels as possible. Remember that the news media is borderless and operates 24 hours a day, 7 days a week.

In consultation with and the approval of the Crisis Communications Team, the Office of Marketing and Communications will develop appropriate statements and other communications for the news media. The Office will also arrange and lead news conferences and media briefings. Keeping the news media informed gives the university a certain amount of control over the message. The media's job is to report the latest information available. If reporters don't get that information directly from the organization in crisis, they will look elsewhere and be more likely to report inaccurate facts and even rumors. The location of news conferences and briefings may largely depend on the location and nature of the crisis. One location could be the Board of Trustees Meeting Room in Tod Hall. Ideally, however, the location should be away from the University's administrative offices, including the President's office. Other suitable locations could be the Chestnut Room or Ohio Room in Kilcawley Center or in larger areas in either Beeghly Center or Stambaugh Stadium.

Communication Methods:

In the event of an emergency, the YSUPD or University Relations will determine the appropriate emergency notification systems to be used to deliver the emergency notification message to the campus community. YSU may use any or all communication resources to disseminate information, depending on the nature of the emergency and the surrounding circumstances. Information pertaining to incidents and emergencies on campus will be disseminated to the larger public via media organizations through Marketing and Communications or individuals involved in emergency response on campus, as designated by the Chief of Police. Emergency notifications may be sent to the entire campus community when a situation has the potential to affect a large portion of the campus, or they may be sent to specific buildings or areas of the campus in circumstances where the impact of the situation may be limited. YSUPD will evaluate the information known about the situation and will determine the appropriate areas of campus to be notified. As the situation progresses, YSUPD will continue to assess the circumstances and may notify additional segments of the campus community if it is warranted. Based on the circumstances involved in the emergency or dangerous situation, YSUPD will develop a notification designed to aid in protecting individuals from harm, in preventing an incident from escalating into a larger or more complex emergency, and in preserving and maintaining law enforcement and other public safety operations.

Effective university crisis communications programs employ multiple and layered methods of communication with its constituencies, including students, employees, parents, alumni, trustees and community members. In the event of a crisis, the Crisis Communications Team can deploy one or all of these communications vehicles:

- **PenguinAlert:** Allows the university to notify students and employees via text message and email. (Responsibility: YSU Police and Office of Marketing and Communications)
- **Campus-wide mass communications and alarm system:** Broadcasts emergency voice notifications targeted to specific buildings via loudspeaker. (Responsibility: YSU Police)
- **YSU homepage:** (Responsibility: Marketing and Communications)
- **Campus Alert website:** In the event of a major campus crisis, the university has the capability of activating a pre-designed webpage that will provide up-to-the-minute details of the crisis as it unfolds. (Responsibility: Marketing and Communications)
- **Emergency Information Line (330 941-2222):** Will include updated information. (Responsibility: Marketing and Communications)
- **MyYSUPortal through the portal:** The University will post “campus announcements”, providing faculty, staff, students and the entire campus community with updates in the event of an emergency. (Responsibility: Office of Marketing and Communications)
- **Campus Marquees:** (Responsibility: Office and Marketing and Communications)
- **Social Media:** Regular updates will be posted on the YSU Facebook, Twitter and other social media venues. (Responsibility: Marketing and Communications)

- **WYSU-FM WYSU 88.5 (Ashtabula 90.1, New Wilmington 97.5)** is the official radio source regarding information about university operations. In addition, WYSU can provide information on its website, www.wysu.org. WYSU has an extensive Disaster Response and Recovery Plan that includes a backup generator and a backup transmitter and studio at Stambaugh Stadium. With these capabilities, WYSU could be 24/7, real time, interactive critical source of information to the campus community in the event of a major crisis.
- **News Media:** The University has a detailed news media call list that would be activated in the event of an emergency. (Responsibility: Marketing and Communications)

PenguinAlert

Penguin Alert is the emergency notification system for Youngstown State University. It is used by YSU as a way to instantly reach mobile devices when an urgent situation needs to be communicated. In the event of an emergency, a message will be sent to the mobile number and/or email registered with the system. This service is provided by YSU at no cost; however, message and data rates may apply.

- To sign up for the PenguinAlert, visit <http://alert.ysu.edu>.

Cancellation and Closing Procedures:

Youngstown State University is open year round except for designated holidays. The university will remain open and classes held unless there is clear and substantiated evidence to warrant otherwise, i.e., extreme weather. Generally, such actions fall under two categories – University Closings and Cancellation of Classes.

- **University Closings:** The University is closed. Classes are cancelled. Employees should not report to work, except for essential emergency personnel. All buildings, except residence halls and the dining facilities that support those halls will be closed.
- **Cancellation of Classes:** Classes are cancelled, but the university remains open. Employees should report to work.

While the goal is to have as many people as possible on campus when the university is open, the university realizes that some students and employees live a significant distance from campus. Consequently, individuals are not expected to place themselves in a dangerous situation to get to campus. Employees and students are encouraged to use their best judgment in deciding whether it is safe to drive when confronted with severe weather.

1.12 Access and Security of Residential and University Buildings

Academic Buildings:

During normal business hours, University buildings and facilities are open to students, parents, employees, contractors, guests and invitees. During non-business hours, access to University campus buildings and facilities may be limited and may only be accessible with proper identification. Some University buildings may have individual hours, which could vary throughout the year. In these cases, the YSU campus buildings and facilities will be secured according to schedules developed by the department responsible for the building or facility.

The YSU campus utilizes multiple systems to maintain access control to campus buildings. These include physical keys, electronic locks, and proximity keys. The campus is also protected by camera systems, and alarm systems that are directly linked to the YSU Police Department Communication Center. The YSU Police Department officers respond to alarmed areas and conduct routine patrols to monitor security related matters at campus buildings and other facilities.

In order to ensure that only authorized individuals have access to YSU buildings and facilities, it is essential that students, staff and faculty work together to keep doors of all buildings and other facilities closed and locked after hours. Do not leave doors propped open or unlocked after hours. Do not open the door for individuals you do not know. If your campus keys or other access cards are lost or stolen, report this information immediately to the issuing party and also to the YSU Police Department at (330) 941-3527.

Emergency situations may require changes or alterations to posted building and other facility schedules. Buildings, facilities and other areas at YSU that are reported or determined to be problematic in certain ways may have security surveys and assessments conducted, including lighting, landscaping, access control, alarm monitoring, security camera coverage and other assessments. Members of the YSU Police Department, Facilities Management, and others may conduct security assessments for new construction, remodeling projects, and other areas conducted on an ongoing basis or when requested.

Residential Facilities:

YSU is like a small city providing residential housing to YSU students and in some cases staff and faculty. YSU student housing facilities range from apartment style living to dormitory style living. On-Campus housing is comprised of nine different communities; 7 of which are owned and operated by YSU student housing and 2 that are owned and operated by a third party company. Specifically, YSU student housing is comprised of the following housing communities: Kilcawley House, Wick House, Weller House, Lyden House, and Cafaro House. Security in residential areas is supplemented by Resident Advisors (RA's) or Community Assistants (CA's).

University owned and operated housing also utilizes Housing Coordinators. The University operated facilities are staffed 24 hours a day; after hours, the facilities are staffed by YSUPD officers. Everyone in the community has a responsibility to maintain the safety and well-being of the individuals in the community. Students must report any violation of the YSU student housing policies and or Student Code of Conduct to an RA, housing office, or management staff. Students who are not actively involved in an YSU policy violation, but who accede to them, may be subject to the YSU student conduct process. Be aware of what is happening in living areas and take responsibility for developing a positive environment. Any dangerous behavior must be reported to the housing office and or to the YSU Police Department at (330) 941-3527.

Access control to YSU on-campus student housing facilities is limited to building residents, their authorized guests, and other approved members of the University community. Over extended breaks or during emergency situations, changes and alterations to any access control schedule may occur. Access or attempted access to a room or facility without authorization is not permitted. Also, access or attempted access through a window is not permitted. Students, staff and faculty may not reproduce YSU state keys or access cards. Loaning keys to another party, manipulating locks or door handles to gain entry without a key, or misusing a key or key card is prohibited. These are violations of the YSU student conduct code, housing contracts, and in some instances Ohio Law. Residents are cautioned against permitting strangers to enter the buildings and are urged to require individuals seeking entry to use their approved access method to the building.

Occasionally, residents may wish to have family members or friends visit or stay with them overnight. Each resident is responsible for the behavior of their guests while on campus and in the housing communities. Guests may not sleep in public common areas and must have identification on them at all times. Guests who cause a disruption or violate state or federal laws or University policy are the responsibility of their host. YSU Student Housing has the right to restrict specific guests if they have been disruptive, or have violated the law or University Policy. All residents are expected to respect the rights of people with whom they live. Residents and their guests must cooperate with and act respectfully toward YSU personnel who are acting in the performance of their duties. Residents and guests must show identification when requested. This includes but not limited to, interactions with all YSU Housing Staff, and the YSU Police Department.

Theft is the most prevalent crime that occurs in the residential areas. Residents are encouraged to exercise prudence and caution with respect to their personal safety and security within the housing facilities. The YSU Police encourages all residents, guests and other visitors at YSU to be aware of their surroundings and the presence of unknown persons in your communities. All residents and visitors are encouraged not to leave their belongings unattended. All residents in housing facilities are reminded to lock all doors and windows, and to keep their property secure.

Parking Lots and Structures:

YSU Parking Services manages all parking-related services on the YSU campus. YSU maintains specific parking lots with dedicated parking for those students living on campus who have a valid parking permit. For more information on parking structures, surfaces, permits or fines, visit the parking services website or call (330) 941-3546.

In order to reduce the chance of property loss while your vehicle is parked at YSU, never leave your vehicle running, unlocked, keys in the ignition or the windows rolled down. Keep all valuables out of sight. Use security devices such as a car alarm, steering wheel lock or cut off switch. When approaching your vehicle, have the keys in your hand and remember to look inside your vehicle before you get in. For emergencies, each parking structure has emergency call boxes located on each level. The boxes are usually near the stairs/elevators; and they connect directly to the YSU Police Department Communications Center.

Security Considerations in Maintenance of Campus Facilities:

YSU Facilities Management are responsible for providing campus buildings and grounds that meet the University's requirements, have an environmentally acceptable atmosphere for students, faculty and staff, and ensure the health and safety of all personnel. Facilities and landscaping are maintained in a manner that minimizes hazardous conditions.

Additionally, the YSU Police Department works in conjunction with facilities management to perform lighting checks of the entire YSU campus. YSU Police Officers regularly patrol the YSU campus and residential facilities and report malfunctioning lights, poorly lit areas, security deficiencies and other unsafe physical conditions. This information is forwarded to facilities management. Additionally, checks of the emergency phones across campus are performed to ensure they are functioning properly. YSU Parking Services make regular checks of the lots and decks enforcing parking and to locate and address anything that may be of concern.

YSU staff, faculty, students and visitors are encouraged to report building, facility and equipment problems or unsafe conditions by either contacting the YSU Police Department at (330) 941-3527 or YSU Facilities at (330) 941-3239.

1.13 Emergency Response and Evacuation Procedures

University Housing staff members receive training each fall. Training includes a review of fire safety components to their building, expectations of the staff, evacuation procedures and their role, fire safety policies, and emergency assistance procedures. Staff members are also advised of what to expect during the annual fire safety inspection process. At the start of the fall semester, housing staff review evacuation procedures with residents during floor meetings. Fire drills are conducted quarterly to test evacuation procedures; they may be announced or unannounced.

Emergencies, disasters, accidents, injuries, and crimes can occur without warning. Being prepared to handle unexpected emergencies is an individual as well as an organizational responsibility. Academic Departments are provided Emergency Operation Plans that were created to assist with preparation for an emergency. Departments should review this guide thoroughly before an emergency occurs. Acquaint yourself with the contents and keep it handy. Preparedness is often defined by how well you respond to and recover from an incident; be prepared. To request a copy of an academic department's Emergency Operation Plan; you can contact the YSU Police Department at (330) 941-3527.

Once an emergency has been confirmed, YSU Police will utilize the National Incident Management System to respond to the situation. NIMS is a program of the Federal Emergency Management Agency, which is a comprehensive approach to incident management and applies to emergencies of all types and sizes. The NIMS approach is intended to be both scalable and standardized to provide a coordinated, efficient response to each incident. Within NIMS, the Incident Command System provides a consistent chain of command which has an Incident Commander as its leader. It may also have a multi-agency team which is called Unified Command. This standardized system allows responding organizations to work effectively because they are using the same terminology to communicate and coordinate their response.

In the event of an emergency, YSU Police would activate in-house resources to include, but not limited to, a CARE Team, a campus-specific Emergency Response Team, and an executive team. To support these groups, a command post, bridge line, or the emergency operations center will be activated.

YSU regularly communicates with many of the non-governmental agencies such as local power companies, water access and control agencies, hospitals, etc. Interaction with local, state and federal law enforcement agencies occurs on a regular basis. For example, the Federal Bureau of Investigations, the Ohio State Highway Patrol, the City of Youngstown Police Department, and several other agencies participate in planning meetings for and on-site operations during large scale events such as concerts.

In the event of an emergency:

1. When a university official confirms an incident, they contact YSU Police.
2. YSU Police evacuate the affected area or direct people to shelter-in-place; students, employees, and visitors will be directed to a safe place.

3. YSU Police set up perimeters to ensure students and employees are not entering an unsafe area and to allow for emergency response vehicles and personnel to handle the situation.
4. Police or ERT member activates a call-out of the ERT.
5. ERT will activate the Executive Team to provide guidance to the ERT.
6. Conference call for ERT and/or the Executive Team; information is shared, scale of and resources for mitigation and recovery is determined.
7. ERT collects in a central location and uses ICS to form the planning, logistics, operations, and finance sections.
8. Departments activate continuity of operation plan as needed.
9. Situation contained by police and/or fire.
10. Police give all clear message sent to community and recovery begins.

The University relies upon the Youngstown Fire Department. Therefore, during a fire, hazardous materials situation, or medical emergency the Incident Commander may be a member of the local fire department. They will use the Incident Command System but will follow their own agency's policies and procedures while responding to the emergency. There are other local, county, state and federal agencies which may be consulted during an emergency, such as the Public Health Department being asked to confirm a serious virus outbreak.

Emergency Resource Team

The Emergency Resource Team (ERT) is a group of university officials with responsibilities involving the preparation and mitigation phases of emergency management. The ERT is a key factor in formulating, and leading the campus response to preparation for an emergency.

The ERT is composed of:

- AVP University Relations
- AVP University Facilities
- YSU Police Chief
- University Public Information Officer
- Environmental and Occupational Health and Safety Director
- Assistant Director Marketing and Communications
- YSU Police Administrative Officer

Campus Emergency Management Plan

The primary focus of the CEMP is on the responsibilities, processes, and activities necessary for the University, as an institution, to manage an emergency and its effects.

The Four Phases of Emergency Management illustrate that the functions and responsibilities associated with emergency management are ongoing and extend beyond the actual response to an emergency. Successful and effective emergency management begins before an emergency occurs, prevents it if possible, and continues after an emergency. The Four Phases are:

- Preparation
- Mitigation
- Response
- Recovery

The Preparedness Phase involves the activities undertaken to provide the University with the operational capability to effectively respond to an emergency before it occurs.

The Mitigation Phase involves activities that may either prevent an emergency from occurring or reduce the campus' vulnerability in ways that minimize the adverse effects of an emergency

The Response Phase involves recognition that an emergency is either imminent or occurring and the immediate action taken to save lives and protect property.

The Recovery Phase involves activities taken to restore the campus to normalcy after actual emergency conditions have ended. This Phase may be short-term with the prompt restoration of critical services, support systems, research, and classroom activity. Other conditions may require long-term activities designed to recover costs and fully restore infrastructure systems to pre-emergency conditions.

Departmental Emergency Operation Plans

Departmental Emergency Operation Plans are the internal, department-level plans that prescribe the changes in the functional responsibilities and operations of a department during an emergency. The purpose of the plan is to give clarification and guidance, with some degree of predictability, to department employees and to coordinate activities in times of crisis. The plan includes:

- The succession of authority which identifies positions in absence of the chair or director.
- The transition from normal to emergency operation for those departments reasonably expected to remain operational during an emergency.
- An emergency contact list of essential employees.
- The process for protecting informational, educational or physical assets.
- The protection and continuity of critical research.

- The identification of individual roles and responsibilities relating to an emergency.

While some academic and support departments may curtail, or suspend operations during an emergency, others may be required to continue their operations and adapt accordingly. Therefore, some plans may be abbreviated while others are extensive.

Cooperation and Mutual Assistance:

Evacuation places an extraordinary demand on limited police resources under emergency conditions and requires extraordinary sacrifice, patience and cooperation on the part of the students, faculty, staff and visitors being evacuated. Individuals may need to assist others not able to care for themselves, personal property may need to be left behind, personal vehicles may be inaccessible, individuals and groups may become separated, and persons may be required to egress by routes not of their choosing. Persons evacuating by vehicle are encouraged to provide transportation to as many others as possible. Above all, persons will be called upon to remain calm under tumultuous conditions and to cooperate with and follow directions given by Police, YSU Parking Service, YSU Grounds, YSU Facilities and others assisting with traffic control.

Situation Response

Workplace Violence:

- Avoid or discretely remove yourself from the area where the confrontation is occurring
- Call YSU Police at (330) 941-3527 or 911 from a campus phone.
- Report the incident to a Supervisor

Active Shooter:

An active shooter is an individual actively engaged in killing or attempting to kill people in a confined and populated area, typically through the use of firearms.

Characteristics of an active shooter:

- Victims are selected at random
- The event is unpredictable and evolves quickly
- Law enforcement is usually required to end an active shooter situation

Planning for an active shooter situation:

- Be aware of your environment and any possible dangers
- Take note of the two nearest exits in any facility you visit

In the event of an active shooter situation:

Remember A.L.I.C.E.:

- **ALERT:** Alert is your first notification of danger. The sooner you understand that you are in danger, the sooner you can save yourself. A speedy response is critical.
- **LOCKDOWN:** If evacuation is not a safe option, barricade entry points into your room in an effort to create a semi-secure starting point.
- **INFORM:** Continue to communicate information in real time as possible, if safe to do so. Armed intruder situations are unpredictable and evolve quickly, which means that ongoing, real time information is key to making effective survival decisions.
- **COUNTER:** Actively confronting a violent intruder isn't the best method for ensuring the safety of those involved. Counter focuses on actions that create noise, movement, distance and distraction with the intent of reducing the shooter's ability to shoot accurately. Creating a dynamic environment decreases the shooters chance of hitting a target and can provide precious seconds needed in order to evacuate.

Youngstown State University Annual Security and Fire Safety Report

- **EVACUATE:** Evacuating to a safe place takes people out of harm's way and hopefully prevents occupants having to come into contact with the shooter.

- The Fire alarm system should **NOT** be activated for an active shooter emergency; pulling the fire alarm facilitates evacuation but does not facilitate the proper tactics.

- Report any unusual blocked, barricaded or chained doors to the YSU Police Department at once.

The threat of an active shooter attack is rare but very real. We aim to eradicate the “It can’t happen to me” mentality and change the way people respond to armed intruders. We believe that individuals should be authorized and empowered to make their own life-saving decisions. Once empowered to make their own life-saving decisions, individuals must be trained in proactive response options, rather than a passive, mandated, one size fits all response. We want the entire campus community to have the knowledge and skills to survive when shots are fired. We can achieve this by training as many people as possible and implementing training in drill form. We have seen the successful results of fire drills. It’s time to start anticipating manmade disasters. The YSU Police Department urges departments to participate in the ALICE training.

If you are interested in scheduling ALICE training or simply want more information, contact Officer Don Cox (330) 941-3527; email; dlcox@ysu.edu.

Campus Evacuation:

An emergency of the magnitude and seriousness requiring the evacuation of the campus will likely and similarly affect surrounding communities. When the emergency is confined to the local community, evacuation to neighboring communities and routes leaving the immediate area are used. When an emergency is regional or larger scale, evacuation routes direct traffic to interstate highways for mass evacuation and relocation. A person evacuated from the campus may have few options regarding the direction of travel and should immediately follow the directions they are given.

Madison Avenue expressway located North of Stambaugh Stadium has been identified as the major traffic artery toward which evacuating traffic will be directed if possible. From there, evacuees can be integrated into the larger regional evacuation plan if necessary. However, the main surface roads around campus, Belmont Ave, Fifth Ave, Wick Ave, and Rayen Ave will also be used to allow for the maximum number of vehicles to evacuate campus in the shortest time possible. Listed below are the primary egress routes to be utilized:

Areas West of Fifth Avenue (M-70 Lot, Edge Apartments)

All parking lots and areas west of Fifth Avenue will evacuate west to Belmont Avenue.

North to Madison Avenue Expressway then west to I680, or;

South to Rayen Avenue then west towards US 422.

Areas East of Fifth and West of Elm Street (Lincoln Avenue Deck, M-53 Lot)

All Lots between Fifth Ave and Elm St. Proceed North on Fifth to West bound Service Road then Madison Ave Expressway to I680, or;

North on Fifth Avenue to Gypsy Lane, then west to 711, or;

Southbound on Fifth Avenue to Mahoning Avenue. Mahoning Avenue to I680.

Areas North of the Madison Avenue Expressway (Lyden and Cafaro House, Flats at Wick)

All parking lots north of the Madison Avenue Expressway should go North on Elm Street to Gypsy Lane. Then west to 711 or east to Logan Avenue and then North on Logan Avenue.

Areas East of Elm Street and West of Walnut Street (Wick Avenue Deck, Enclave)

All parking areas East of Elm Street and West of Walnut Street will proceed northbound on Wick Avenue to Madison Avenue Expressway to either I680 or Himrod Expressway, or;

Northbound on Wick Avenue to McGuffey Road, or;

Youngstown State University Annual Security and Fire Safety Report

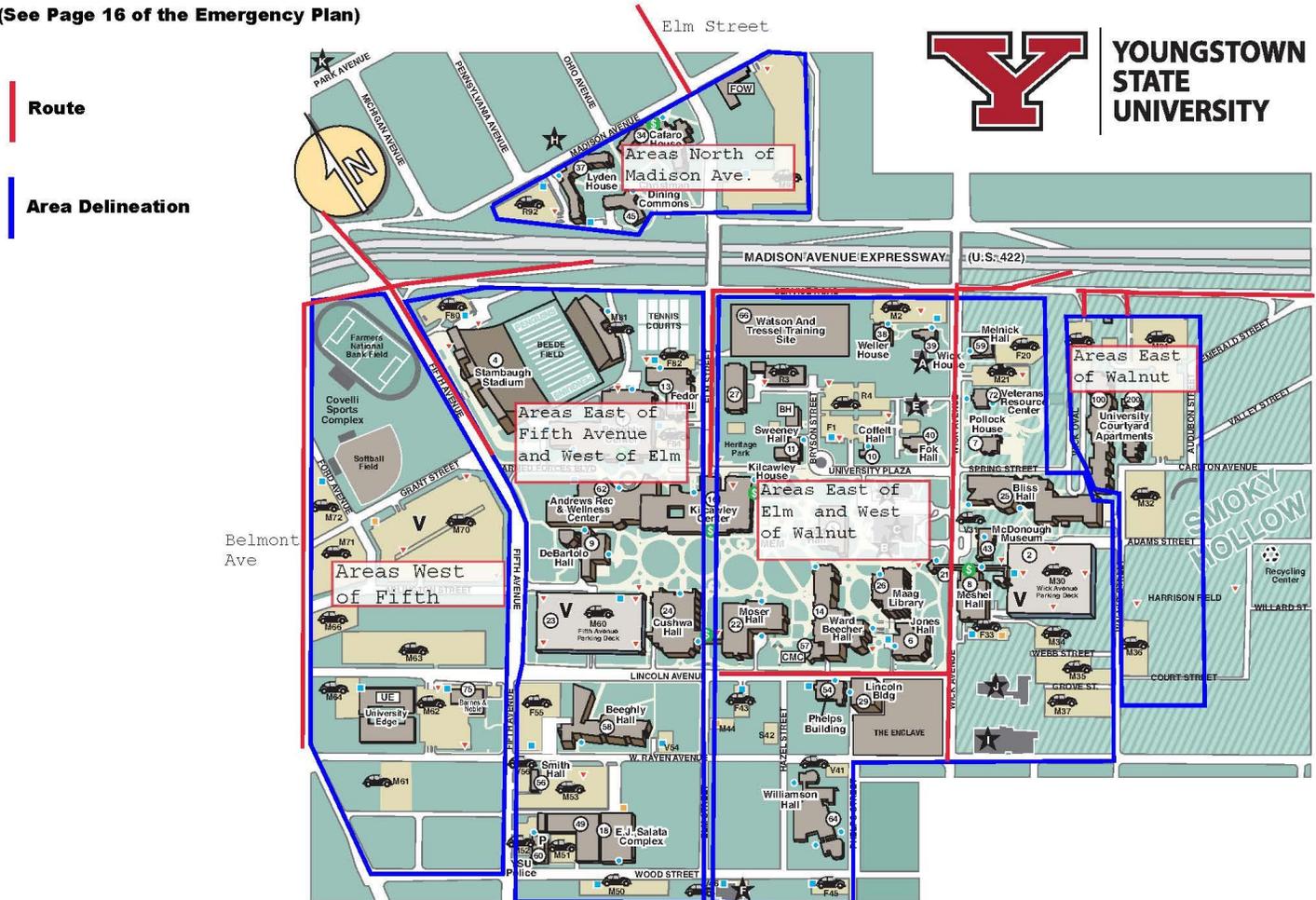
Northbound on Wick to Logan Avenue, or
Southbound to Rayen Avenue (US 422) then east.

Areas East of Walnut Streets (Courtyard Apartments)

All parking East of Walnut will proceed East to Andrews Avenue then north on Andrews Avenue to Logan Avenue, then North on Logan.

Evacuation Map

(See Page 16 of the Emergency Plan)



Building Evacuation:

The purpose of evacuating a building is to remove persons from dangerous and life-threatening conditions presented by a fire, an explosion, a suspected explosive device, a hazardous material release, air contamination or other similar emergency. Usually, such conditions and the need to evacuate are readily apparent and occupants are expected to leave the building immediately. Activating the building fire alarm is the most expedient and safest method to facilitate the evacuation (whether or not the emergency involves fire).

In some situations, such as bomb threats, the presence of life-threatening conditions may be unknown or non-existent. In these cases, the responsibility for assessing available information and the decision of whether or not to evacuate rests with the police. When time and circumstances permit, this decision will be made after consultation with other university officials present.

At the sound of a fire alarm, or other notification to evacuate, all persons are required to leave the building immediately by law. Unless conditions prevent it, the best evacuation route is the nearest stairway leading to the nearest exit. Elevators should not be used as they become inoperable during a loss of electrical power and can increase the risk of smoke inhalation during a fire. Firefighters routinely check stairways for persons needing assistance.

Actions will be taken to ensure persons remain at least two hundred feet from the building to be clear of any danger and to avoid impeding the movement of emergency responders and equipment. This distance may be increased by police or firefighters according to the circumstances of the emergency. Persons should not return to the building unless specific approval to do so has been given by police or firefighters.

Persons with disabilities are responsible for requesting assistance. In a classroom, the instructor should coordinate, and/or assist, disabled persons in the classroom to evacuate. If this is not possible, the instructor should help the persons move to the nearest enclosed stairway and remain there with them while another person advises emergency responders of their location.

Professors and Instructors should preplan for evacuations at the beginning of the semester and identify those who may need assistance in an evacuation.

Shelter-in-Place

What it means to “Shelter-in-Place”

If an incident occurs and the building(s) or areas around you become unstable or unsafe, or if the air outdoors becomes dangerous due to toxic or irritating substances, it may be safer to stay indoors. Leaving the area may expose you to that danger caused by high winds, limited visibility, and respiratory-related issues, to name a few. Thus, to “shelter-in-place” means to “make a shelter” using the building that you are in, and with a few adjustments, this location can be made even safer and more comfortable until it is safe to go outside.

Basic “Shelter-in-Place” Guidance

During an incident, if the building you are in is not damaged and still affords protection, stay inside. If possible, move to an interior room and away from glass or items that might become dangerous flying objects. Stay inside until you are told the area is safe by designated staff or it is obvious the incident has passed and no longer affords protection from the incident. Take your belongings needed for personal care (purse, wallet, medications) as long as it does not slow your exit. Follow the evacuation protocols for your building (close your door, proceed to the nearest exit, and use the stairs instead of the elevators, etc.). Do not remove personal items (e.g., pictures, computer, etc.) Once evacuated, seek shelter at the nearest safe building. Follow all instructions given by first responders if they are already on scene.

How You Will Know to “Shelter-in-Place”

A shelter-in-place notification may come from several sources, including YSU Police, Housing staff members, university officials, or other authorities utilizing the university’s emergency communications tools such as the PenguinAlert.

How to “Shelter-in-Place”

No matter where you are, these basic steps should assist and should be considered unless instructed otherwise by emergency personnel.

1. If you are inside, stay where you are. Collect any emergency shelter-in-place supplies you may need if you must evacuate immediately. Supplies will also include any items you may need if utilities are severed, and you must remain inside for a prolonged period. (e.g., a flashlight, extra batteries, etc.).
2. If you are caught outdoors, move quickly to the nearest undamaged building and take shelter.
3. If possible, your shelter area should be:
 - a. an interior room.
 - b. above ground level.
 - c. without windows or with the least number of windows possible.
4. Shut and lock all windows (tighter seal) and close exterior doors.

5. Turn off air conditioners, heaters, and fans.
6. Close ventilation system vents if able. Facilities will turn off the ventilation as quickly as possible.
7. Turn on a radio or TV (if power is still available) and listen for more information about the incident.

Lockdown:

A lock-down will be used to protect building occupants in the case of an emergency. This requires the residents of a building to stay safely sheltered where they are located once an emergency is identified by the YSU Police, unless there is a specific threat within the building that requires them to exit.

A lock-down will be communicated to the campus via Penguin Alert and the Simplex Mass Communication System.

During a lock-down police and other emergency personnel would be responding to the emergency somewhere on campus. This does not necessarily mean that there is immediate danger in the building a person is located, however precautions should be taken immediately.

1.14 Alcohol and Drug Abuse Policies and Health Effects

Under federal legislation entitled the Drug-Free Schools and Communities Act Amendments of 1989, no institution of higher education is eligible to receive funds or any other form of financial assistance under any federal program, including any federally funded or guaranteed student loan program, unless it has adopted and has implemented a program to prevent the use of illicit drugs and the abuse of alcohol by students and employees.

To achieve this goal, YSU prohibits the unlawful use, possession, production, manufacture, and distribution of alcohol, controlled substances, and other drugs. This includes, but is not limited to, a prohibition on the possession and consumption of alcohol in university housing.

YSU Police enforce all state alcohol laws as provided in 3356-5-10 Alcoholic beverages on campus.

YSU Police enforce all state and federal drug laws provided in 3356-7-20 Drug-free environment.

Policy and Enforcement of Ohio underage drinking laws

(A) Policy statement. The associate vice president of university relations, or his/her designee, shall be responsible for the development, implementation, and enforcement of procedures pertaining to the control, sale, consumption, and use of alcoholic beverages on property or in facilities owned or controlled by the university and at off-campus events sponsored by the university. The use of alcoholic beverages on university premises is only allowed if consistent with state laws and university regulations and only when it will not interfere with the decorum and academic atmosphere of the campus.

(B) Parameters.

(1) The university may permit the sale and/or consumption of beer, liquor and/or wine at events that are sponsored by recognized university entities, including but not limited to divisions, colleges, departments, administrative units, and educational/professional groups and by non-university groups appropriate to the university's mission. Any student organization wishing to sell or consume beer, liquor and/or wine at an event must receive prior approval from the director of student activities.

(2) On-campus advertising, promotion, or marketing of alcoholic beverages is prohibited except as authorized by the associate vice president of university relations or his/her designee.

(3) A staff member and at least one university police officer must be present at university events where alcohol is sold or served.

Youngstown State University Annual Security and Fire Safety Report

- (4) All events selling or serving alcoholic beverages must be supervised by a qualified bartender. A qualified bartender is an individual who is at least twenty-one years of age and has knowledge and experience regarding the sale of alcoholic beverages and appropriate legal responsibilities.
- (5) Annually, the university's food service vendor will purchase an alcoholic beverage permit from the Ohio division of liquor control. The area covered by the permit is the campus core, defined as south of the Madison avenue expressway, north of Lincoln avenue, west of Wick avenue, and east of Fifth avenue, with the exception of Stambaugh stadium, the Watson and Tressel training center, and Beeghly center.
- (6) If the event is within the area covered by the permit, all alcohol served must be purchased by the sponsoring organization from the university's food service vendor.
- (7) If the event is held on university property outside the permit premise:
 - (a) Liquor, beer and/or wine must be delivered to the location of the event and removed after the event. Exceptions to the requirement must be submitted in writing prior to the event to the office of university events and approved by the associate vice president of university relations.
 - (b) Alcoholic beverages cannot be sold and the cost of the alcoholic beverages may not be included in the cost of the event ticket or in any meal costs unless the individual or group holding the event ("sponsor") obtains a temporary Ohio division of liquor control F2 permit, which must be approved in writing by the university chief of police prior to the event.
 - (c) The sponsor of an event in Stambaugh stadium, the Watson and Tressel training center, or Beeghly center must employ a qualified bartender. The bartender must supervise the sale and/or dispensing of alcoholic beverages.
 - (d) Events outside the permit area must comply with all requirements of this policy unless specifically excepted pursuant to this policy.
- (8) All servers of alcoholic beverages must be at least twenty-one years of age.
- (9) Bartenders and other servers may not consume alcoholic beverages at any time during the scheduled event and are not permitted to sell or dispense alcoholic beverages if intoxicated.
- (10) The service of alcoholic beverage on property owned or controlled by the university will be in compliance with applicable state and local laws and university policies and procedures.
- (11) Any organization or group that sponsors an event in which alcoholic beverages are served on campus is responsible for compliance with all laws, policies, procedures and regulations, and for administering and supervising the event.
- (12) All on-campus events at which alcoholic beverages are served are subject to university oversight. Violations of state/local laws or university policy/rules will be grounds to cancel the event and may result in additional sanctions.

Youngstown State University Annual Security and Fire Safety Report

- (13) Non-alcoholic beverages and a variety of foods must be available in quantities sufficient for all guests whenever alcoholic beverages are served. Such beverages and food must be visible and available and not contingent on the purchase of alcohol.
 - (14) Alcoholic beverages may not be brought into an event by an individual or group when alcoholic beverages are being served, except for private use in Stambaugh stadium, the Watson and Tressel training center, and Beeghly center.
 - (15) Intoxicated individuals will not be served, nor may they possess or consume alcoholic beverages at any on-campus event.
 - (16) Alcoholic beverages may not be served to anyone unable to provide proof of being twenty-one years of age or older.
 - (17) Under no circumstances may any alcoholic beverages be permitted to leave the approved area of the event.
 - (18) Gambling and gambling devices are not permitted at any on-campus event where alcoholic beverages are served.
 - (19) Alcoholic beverages may not be purchased with state funds.
 - (20) University police must be present at all times during an event in which alcohol is served.
 - (21) Events at which alcoholic beverages are available may not exceed six hours in length, unless a written request for exception has been approved by the associate vice president of university affairs at least two weeks prior to the scheduled date of the event. Sale or service of alcoholic beverages must be discontinued at least one hour prior to the conclusion of any event that is scheduled to last four or more hours.
 - (22) Activities that serve to promote the sale or use of alcoholic beverages shall not be associated with university-sponsored events or programs.
 - (23) Events where alcoholic beverages are used, served, or sold will not be sponsored in any manner by any manufacturer, distributor, or retailer of alcoholic beverages. This prohibition does not include acknowledgment of a donor to an event.
 - (24) Events at which alcoholic beverages are sold or served may not have the presence of these beverages or their consumption as an event theme. At no time during the event may any manner of consumption of these beverages be encouraged.
 - (25) The possession or use of alcoholic beverages in any of the university student residence houses is prohibited. (See university policy 3356-8-01.1, “The Student Code of Conduct” and “University Housing – Resident Handbook.”)
- (C) University events outside the Ohio division of liquor control permitted area must follow the following additional procedures.

Youngstown State University Annual Security and Fire Safety Report

- (1) All university groups or non-university groups wishing to sponsor an event on the campus involving the use of alcoholic beverages must complete an appropriate application and submit it at least two weeks prior to the event to the office of university events or to Kilcawley center.
 - (2) If the planned event is scheduled for Kilcawley center, the completed application should be submitted for first review to the vice president for student experience. If the event is scheduled elsewhere on the campus, the completed application should be submitted to the director of university events to determine the nature of the event, if those projected to attend satisfy appropriate age criteria and the source of funds of payment of alcoholic beverages. All student organization events must be approved by the director of student activities.
 - (3) If it is determined by the vice president of student experience and the director of university events that the use of alcoholic beverages at the event is appropriate, the application will be forwarded to the vice president for finance and business operations for final approval.
 - (4) Once a decision has been reached, the vice president of finance and business operations will notify either the vice president for student success or the director of university events of the status of the application.
 - (5) The associate vice president of student success or the director of university events will notify the event sponsor of the decision. If the use of alcoholic beverages is approved for the event, notification is also forwarded to the Youngstown state university police and to other departments as needed.
- (D) The following additional procedures apply to those university events outside the area covered by the permit obtained from the Ohio division of liquor control as noted in paragraph (B)(5) of this policy.
- (1) All university groups or non-university groups wishing to sponsor an event on the campus involving the sale of alcoholic beverages must complete an appropriate application and submit it at least thirty days prior to the event for the sale of beer and at least forty-five days for any other alcoholic beverages. Application forms are available in the office of university events.
 - (2) Final approval for the sale of alcoholic beverages at the event is contingent upon the sponsor having or obtaining an appropriate permit from the Ohio division of liquor control to sell such beverages. The sponsor is responsible for contacting the office of university events to obtain the permit application. Once completed, the application and required payment must be returned to university events for required signatures and submittal to the state. If the approved permit is forwarded directly to the sponsor from the state of Ohio, the approved permit must be presented to the office of university events at least seven days prior to the event.
 - (3) An event which does not obtain a permit may proceed without the service of alcoholic beverages.

State of Ohio criminal sanctions for alcohol violations

Youngstown State University Annual Security and Fire Safety Report

A. Underage Drinking: Ohio Revised Code section 4301.63 provides that no person under the age of 21 shall purchase/possess/consume beer or intoxicating liquor.

a. Penalty for Violation: A fine of not less than \$25.00 but not more than \$100.00 may be imposed. The court may order that the fine be paid by the performance of public work at a reasonable hourly rate established by the court, and may specify the designated time in which the public work shall be completed.

B. False identification used to purchase alcohol for someone under 21: Ohio Revised Code section 4301.633 provides that no person shall knowingly furnish any false information as to the name, age or other identification of any other person under 21 years of age for the purpose of obtaining or with the intent to obtain, beer or intoxicating liquor for a person under 21 years of age, by purchase or as a gift.

a. Penalty for Violation: Misdemeanor of the first degree. The maximum penalty is imprisonment for not more than 6 months and a fine not more than \$1000.00.

C. False identification used to purchase alcohol by someone under 21: Ohio Revised Code section 4301.634 provides that no person under the age of 21 years shall knowingly show or give false information concerning the person's name, age or other identification for the purpose of purchasing or otherwise obtaining beer or intoxicating liquor in any place in this state where beer or intoxicating liquor is sold under a permit issued by the division of liquor control or sold by the division.

a. Penalty for Violation: Misdemeanor of the first degree. Punishable by up to 6 months imprisonment and fines up to \$1000.00. If a false or altered identification card was used in commission of a violation of O.R.C section 4301.634, the punishment is a first degree misdemeanor with a fine of at least \$250.00 to \$1000.00 and up to six months imprisonment.

D. Open container in a motor vehicle: Ohio Revised Code section 4301.64 prohibits the consumption of beer or intoxicating liquor in a motor vehicle.

a. Penalty for Violation: Misdemeanor of the fourth degree punishable by up to 30 days imprisonment and a fine up to \$250.00.

E. Furnishing or selling alcohol to someone under 21: Ohio Revised Code section 4301.69(A) prohibits any person from selling or furnishing beer or intoxicating liquor to any person under 21 years of age, or buying it for any person under the age of 21.

a. Penalty for Violation: Misdemeanor punishable by a fine of at least \$500.00 but not more than \$1000.00, and in addition imprisoned for up to six months.

F. Underage purchase, possession or consumption of alcohol: Ohio Revised Code section 4301.69(E) 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 or knowingly be under the influence of any beer or intoxicating liquor unless he or she is accompanied by a parent or legal guardian who is not an underage person, or unless the beer or intoxicating liquor is given for religious purposes or by a physician for medical purposes.

a. Penalty for Violation: Misdemeanor of the first degree. The maximum penalty is imprisonment for not more than six months and a fine up to \$1000.00.

G. Driving while intoxicated: Ohio Revised Code section 4511.19 prohibits any person from driving a motor vehicle while under the influence of alcohol or drugs.

a. Penalty for Violation: Misdemeanor of the first degree, the maximum penalty for which is a jail term of up to 6 months and a fine up to \$1000.00. In addition, the court may impose additional fines, community rehabilitation or intervention programs, and suspend or revoke the offender's driver's license. Additional penalties exist for repeat offenders.

Policy and Enforcement of State and Federal Drug Laws

(A) Policy statement. Youngstown state university ("university") is committed to creating a safe and healthy environment for its employees, students, and visitors. The university prohibits the unlawful manufacture, distribution, dispensation, possession, sale or use of illegal drugs, controlled substances, intoxicants, and alcohol by any student, employee, organization (including student organizations), volunteer or visitor on university premises, at any location where university business is being conducted, as part of any university activity, in a university vehicle, or in the workplace. Employees are prohibited from working and from operating any university vehicle or equipment while under the influence of alcohol or non-prescribed controlled substances. Employees using prescribed or over-the-counter medication are prohibited from operating university vehicles or equipment at any time when their ability to do so might be impaired by the medication. No passenger in a university vehicle may consume alcoholic beverages or use non-prescribed controlled substances while in the vehicle

(B) Purpose. This policy is designed to create and maintain an environment which sustains the general health and well-being of students, employees, and visitors and to comply with the Drug-Free Workplace Act of 1988 and the Drug-Free Schools and Communities Act Amendments of 1989. The authorized use of alcohol on university premises is governed by university policy 3356-5-10, "Alcoholic beverages on campus."

(C) Scope. This policy applies to all students, interns, faculty, employees (including student employees), volunteers, university visitors, third parties, (unless otherwise noted) and any individual or organization using university premises or engaged in a university activity or program whether on or off campus.

(1) As a recipient of federal funding, such as student financial aid and federal grants and contracts for research, the university is required to follow federal law, including the Controlled Substances Act ("CSA") (21 U.S.C. 13). The CSA prohibits the manufacture, dispensation, possession, use, or distribution of marijuana in any form on any university-owned property, in the conduct of university business, or as part of any university activity.

On September 8, 2016, Ohio law allowed certain activities related to the possession and use of medical marijuana. However, using and possessing marijuana, including medically prescribed marijuana, continues to be prohibited by and a violation of the CSA and university policy. This prohibition applies even when the possession and use would be legal under the laws of Ohio. As a result, those with medical marijuana prescriptions/cards are not permitted to use medical marijuana on campus, in the conduct of university business, or as part of any university activity. Sanctions for students and employees who are found to be in possession of or using marijuana include suspension, expulsion and/or termination of employment.

- (2) This prohibition does not extend to research related to marijuana that is approved by:
 - (a) The agency for health care research and quality;
 - (b) The national institutes of health;
 - (c) The national academy of sciences;
 - (d) The centers for medicare and medicaid services;
 - (e) The United States department of defense;
 - (f) The centers for disease control and prevention;
 - (g) The United States department of veteran's affairs;
 - (h) The drug enforcement administration;
 - (i) The food and drug administration; and
 - (j) Any board recognized by the national institutes of health for the purpose of evaluating the medical value of healthcare services.
 - (3) Students who are legally authorized Ohio medical marijuana users and are living in university-owned or managed housing, may submit a letter with supporting documentation to the associate vice president for student experience asking to be released from their university housing and dining obligations.
 - (4) Students who are legally authorized Ohio medical marijuana users and are living in university-owned or managed housing, may not possess or use marijuana in these facilities. Any questions regarding medical marijuana and on-campus living may be directed to the associate vice president for student experience in Kilcawley center, room 2071 or email ejhoward01@ysu.edu.
- (D) Definitions.
- (1) "University premise." Any building or land (including parking lots) owned, leased or used by the university including any site at which an employee is to perform work for the university.
 - (2) "University vehicle or equipment." Any vehicle or equipment owned, leased, or operated by the university.

(3) “Controlled substances.” Include and are not limited to narcotics, depressants, stimulants, hallucinogens, cannabis, and any chemical compound added to federal or state regulations and denoted as a controlled substance.

(4) “Illegal drugs.” A substance whose use or possession is controlled by federal or state law but is not being used or possessed under the supervision of a licensed health care professional.

(5) “Intoxicant.” Any substance which can induce a condition of diminished mental and/or physical ability, excitement, irrational behavior or other physiological effects.

(6) “Random testing.” Drug or alcohol testing that is conducted on employees chosen by random selection.

(7) “Reasonable suspicion testing.” Testing based on specific, objective observations concerning the appearance, behavior, speech, or body odors of an employee including but not limited to slurred speech; dilated or pinpoint pupils; drowsiness or sleepiness; unusual or rapid changes in mood; unexplained work errors; impaired manual dexterity, coordination, or ability to reason; diversion of medications or upon verification of a drug or alcohol-related conviction; and self-disclosure of selling or taking drugs or alcohol.

(8) “Refusal to consent.” Obstructing the collection or testing process; submitting an altered, adulterated, or substitute sample; failing to appear for a scheduled test; refusing to complete the requested testing forms; failing to promptly provide specimen(s) for testing when directed to do so and without a valid medical basis for the failure.

(E) Guidelines.

(1) All faculty, staff, volunteers, and student employees are required to report known or suspected violations of this policy to their supervisor, manager, or an appropriate administrator.

(2) This policy is subject to all applicable collective bargaining agreements and state law; however, no employee or bargaining unit may be exempted from application of this policy.

(3) Information and records relating to positive test results, drug and alcohol dependencies, and legitimate medical explanations provided by an employee or volunteer shall be kept confidential to the extent required by law and maintained in files separate from personnel files. Such records and information may only be disclosed among managers and supervisors on a need-to-know basis and may also be disclosed where relevant to a grievance, charge, claim or other legal proceeding.

(4) Voluntary submission for treatment of substance abuse problems will not subject employees or volunteers to disciplinary action or sanctions; however, submission for treatment shall not serve as a substitute for disciplinary action or sanction under this or any other university policy.

(5) Any employee, volunteer, or visitor who observes an individual unlawfully manufacturing, distributing, dispensing, using or possessing alcohol or possessing controlled substances on

university premises shall be reported immediately to the university police. Off-site university programs or activities should contact campus police, security and/or local law enforcement.

(F) Procedures.

(1) Consistent with this policy, the office of human resources shall:

(a) Develop procedures for the implementation and monitoring of drug and alcohol testing program which may include contracting with outside entities to provide testing services;

(b) Inform all employees of the drug-free environment policy upon employment and ensure that the policy is accessible to all employees on the human resources website;

(c) Provide access to training for supervisors and managers; and

(d) Provide information on resources available through the university's employee assistance program ("EAP").

(2) Consistent with this policy, the office of student experience shall:

(a) Annually inform students of the university's drug-free environment policy;

(b) Provide alcohol and drug abuse awareness programming for students.

(3) Drug/alcohol testing.

(a) Pre-employment testing. Applicants for specific safety-related and other designated positions at the university will be drug/alcohol tested after receiving a final offer of employment and prior to beginning work. Applicants will be notified at the time of application that testing for drugs is a requirement of the employment process. Offers of employment are contingent on successfully passing a drug/alcohol test.

(b) Random testing. Performed for safety-related and other designated positions as required by law and pursuant to individual agreements. Employees in this group are subject to random testing as a condition of continued employment.

(c) Ordered testing. With the approval of the office of human resources, departments or units within the university can establish testing standards that are more rigorous than outlined in this policy (such testing is typically required by federal regulations, licensure boards, and other legal or regulatory entities).

(d) Reasonable suspicion testing.

(i) Reasonable suspicion testing may be ordered by a supervisor, chair, or other university administration only in consultation with the office of human resources employee and labor relations officer.

(ii) If the supervisor or manager is unclear that testing is merited, they should consult with the office of human resources employee and labor relations officer.

(iii) Where reasonable suspicion exists, the employee or volunteer shall be immediately relieved of duty pending the outcome of the testing. After an employee is sent for testing, the employee should be placed on administrative leave until further actions are taken.

(iv) Failure of a manager or supervisor to receive training on this policy shall not invalidate otherwise proper reasonable suspicion testing.

(v) Individuals testing positive should be referred to the university employee assistance program (EAP) for evaluation. The evaluation will determine and recommend if substance abuse treatment or education is appropriate and/or necessary. Employee and labor relations will review the recommendation and may determine that treatment is a requirement for any current employee who has an alcohol or drug problem that affects job performance.

(e) Post-rehabilitation testing. When an employee has had a confirmed positive test result or has been sent to a drug dependency program at the request of the university and will remain as a university employee, then as a condition of continued employment, the employee will be required to take and pass a follow-up drug test or tests during a period of up to two years after the employee's return to work.

(G) Self-disclosure of conviction by employee.

(1) Consistent with this policy and as required by the Drug Free Workplace Act of 1988, all employees, faculty, staff and volunteers are required to notify their immediate supervisor within five calendar days after any alcohol or drug-related conviction or finding of guilt, including a plea of nolo contendere occurring in the workplace. When a supervisor is so notified by an employee, the supervisor shall immediately notify the chief human resources officer.

(2) Within thirty days of such notice, the university will take appropriate personnel action against the employee, which may include corrective action, random testing requirements, notification of an appropriate licensing authority, and required participation in a drug abuse assistance or rehabilitation program.

(3) If the self-disclosure is from an employee engaged in the performance of work under a federal grant or contract the supervisor shall notify the associate vice president for research. The associate vice president for research shall notify the federal agency sponsoring the grant or contract within ten days after notification of the employee's conviction.

(H) Sanctions for violation or noncompliance.

(1) A refusal to consent to testing shall be considered as a violation of this policy.

(2) Corrective action may include discipline up to and including termination, required participation in an evaluation by EAP and/or follow-through with an education/treatment program. If an employee refuses to participate or does not satisfactorily complete a required education/treatment program, the employee may be subject to corrective action up to and including termination.

(3) Students violating this policy will be subject to disciplinary action in accordance with “The Code of Student Rights, Responsibilities, and Conduct (The Code).” Sanctions may include warning, probation, suspension, expulsion, or referral for prosecution.

(4) Employees violating this policy will be subject to disciplinary action in accordance with applicable collective bargaining agreements and/or other university policies and procedures. Sanctions may include warning, reprimand, suspension, removal or termination, or referral for prosecution. Employees violating this policy may also be required to participate in a drug or alcohol abuse assistance or rehabilitation program.

(5) Employees, students, volunteers, and visitors who violate this policy may be prohibited from accessing university premises, services, programs or events (see university policy 3356-7-45, “Persona non grata”).

State of Ohio criminal sanctions for drug violations

A. Selling or distributing illicit drugs: Ohio Revised Code section 2925.03 prohibits any person from selling or offering to sell any controlled substance, preparing or packaging any controlled substance for sale, or distributing any controlled substances.

a. Penalty for Violation: Anyone who violates this statute is guilty of drug trafficking. Violation of this statute is a felony, the level of which depends on the specific criteria set forth in section 2925.03(C), including type and weight of the drug. The minimum penalty for a fifth degree felony can include 12 months in jail and/or a fine up to \$2,500.00. The maximum penalty for a first degree felony can include imprisonment up to 10 years and a fine up to \$20,000.00.

B. Possessing or using illicit drugs: Ohio Revised Code section 2925.11 prohibits any person from knowingly obtaining, possessing or using a controlled substance.

a. Penalty for Violation: Violation of this statute is drug abuse, which may be a misdemeanor or felony depending on the specific criteria set forth in section 2925.11. The minimum penalty is punishable by imprisonment of up to 30 days and a fine up to \$250.00. The maximum penalty, a first degree felony, is punishable by up to 10 years in prison and a fine up to \$20,000.00.

Federal Drug Laws

Federal law prohibits the trafficking and illegal possession of controlled substances as outlined in Title 21 of the United States Code, Sections 841 and 844. Depending on the amount possessed the first offense maximum penalties for trafficking marijuana range from five years imprisonment with a \$250,000.00 fine; to imprisonment for life with a \$4 million fine for an individual, and from five years’ imprisonment with a \$1 million fine to imprisonment for life with a \$20 million fine for more than one offender.

For more information on drug scheduling and sanctions, visit www.dea.gov.

Alcohol is a central nervous system depressant that is rapidly absorbed from the stomach and small intestine into the bloodstream. A standard drink equals 0.6 ounces of pure ethanol, or 12 ounces of beer; 8 ounces of malt liquor; 5 ounces of wine; or 1.5 ounces (a “shot”) of 80 proof distilled spirits or liquor (e.g., gin, rum, vodka or whiskey).

| Risks | Possible Health Effects |
|-----------------------|--|
| Intoxication | Intoxication can impair the brain function and motor skills. Intoxication increases the risk of death from car accidents, the leading cause of death of college-aged people. |
| Heavy Drinking | Heavy drinkers have a greater risk of liver disease, heart disease, sleep disorders, depression, stroke, bleeding from the stomach, STDs, and several types of cancer. They may have problems managing diabetes, high blood pressure, and other conditions. |
| Injuries | Drinking too much increases your chances of being injured or even killed. Alcohol is a factor, for example, in about 60% of fatal burn injuries, drowning and homicides; 50% of severe trauma injuries and sexual assaults; and 40% of fatal motor vehicle crashes, suicides and fatal falls. |
| Birth Defects | Drinking during pregnancy can cause brain damage and other serious problems in the baby. Because it is not yet known whether any amount of alcohol is safe for a developing baby, women who are pregnant or may become pregnant should not drink. |
| Alcohol use Disorders | Alcoholism or alcohol dependence is a diagnosable disease characterized by a strong craving for alcohol, and/or continued use despite harm or personal injury. Alcohol abuse, which can lead to alcoholism, is a pattern of drinking that results in harm to one's health, relationships or ability to work. |

Health effects of commonly abused drugs (illegal or not used as prescribed):

| Category | Name | Possible Health Effects |
|--------------|-----------------------|---|
| Cannabinoids | Hashish; Marijuana | Cough; frequent respiratory infections; impaired memory and learning; increased heart rate; anxiety; panic attacks; tolerance; addiction. |

| | | |
|---------------------------------|---|---|
| <p>Depressants</p> | <p>Barbiturates; Benzodiazepines (Ativan, Valium); Flunitrazepam (Rohypnol); GHB; Methaqualone (Quaalude)</p> | <p>Fatigue; confusion; impaired coordination, memory, judgment; addiction; respiratory depression and arrest; death. <u>Barbiturates-</u> depression; unusual excitement; fever; irritability; poor judgment; slurred speech; dizziness; life-threatening withdrawal. <u>Benzodiazepines-</u> dizziness. <u>Flunitrazepam-</u> visual and gastrointestinal disturbances; urinary retention; memory loss for the time under the drug's effects. <u>GHB-</u> drowsiness; nausea/vomiting, headache; loss of consciousness; loss of reflexes; seizures; coma; death. <u>Methaqualone-</u> depression; poor reflexes; slurred speech; coma.</p> |
| <p>Dissociative Anesthetics</p> | <p>Ketamine; PCP and analogs</p> | <p>Memory loss; numbness; nausea/vomiting. <u>Ketamine-</u> at high doses; delirium; depression; respiratory depression and arrest. <u>PCP-</u> possible decrease in blood pressure and heart rate; panic; aggression; violence/loss of appetite; depression.</p> |
| <p>Hallucinogens</p> | <p>LSD; Mescaline; Psilocybin;</p> | <p>Altered states of perception and feeling; nausea; persisting perception disorder (flashbacks). <u>LSD and Mescaline-</u> increased body temperature, heart rate, blood pressure; loss of appetite; sleeplessness; numbness; weakness; tremors. <u>LSD-</u> persistent mental disorders. <u>Psilocybin-</u> nervousness, paranoia.</p> |

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|---|---|--|
| <p>Opioids and Morphine Derivatives</p> | <p>Codeine (Robitussin); Fentanyl (Duragesic); Heroin; Morphine; Opium; Oxycodone HCL; Hydrocodone; Bitartrate; Acetaminophen</p> | <p>Nausea; constipation; confusion; sedation; respiratory depression and arrest; tolerance; addiction; unconsciousness; coma; death. <u>Codeine</u>- less analgesia, sedation, and respiratory depression than morphine. <u>Heroin</u>- Staggering gait.</p> |
| <p>Stimulants</p> | <p>Amphetamine; Cocaine; MDMA; Methamphetamine; Methylphenidate; Nicotine</p> | <p>Rapid or irregular heart beat; reduced appetite; weight loss; heart failure; nervousness; insomnia. <u>Amphetamine</u>- rapid breathing/tremor; loss of coordination; irritability; anxiousness, restlessness; delirium; panic, paranoia; impulsive behavior; aggressiveness tolerance; addiction; psychosis. <u>Cocaine</u>- increased temperature/chest pain; respiratory failure; nausea; abdominal pain; strokes; seizures; headaches; malnutrition; panic attacks. <u>MDMA</u>- Mild hallucinogenic effects; increased tactile sensitivity; empathetic feelings/impaired memory and learning. <u>Methamphetamine</u>- aggression; violence; psychotic behavior/memory loss; cardiac and neurological damage; impaired memory and learning; tolerance; addiction. <u>Nicotine</u>- additional effects attributable to tobacco exposure; adverse pregnancy outcomes; chronic lung disease; cardiovascular disease; stroke; cancer; tolerance; addiction.</p> |

| | | |
|--------------------|--|--|
| Other Compounds | Anabolic Steroids; Dextromethorphan; Inhalants | <p><u>Steroids</u>- Hypertension; blood clotting and cholesterol changes; liver cysts and cancer; hostility and aggression; acne; prostate cancer and other reproductive abnormalities.</p> <p><u>Dextromethorphan</u>- Memory loss; numbness; nausea and vomiting.</p> <p><u>Inhalants</u>- Unconsciousness; cramps; weight loss; muscle weakness; depression; memory impairment; damage to cardiovascular and nervous systems; sudden death.</p> |
|--------------------|--|--|

For more information visit <http://www.drugabuse.gov/DrugPages/DrugsofAbuse.html>.

Youngstown State University and Campus Recreation have collaborated to create a Drug & Alcohol Prevention Program that strives to create a safe, healthy and learning-conducive environment through the promotion of healthy choices concerning the use of alcohol, tobacco and other drugs. The program emphasizes the elimination of harmful use, high-risk behavior and related violence. Various campus-wide presentations and events will be held to promote an increase in health and wellness. For more information, contact **Ryan McNicholas at 330-941-2207**.

Sanctions for Violation or Non-Compliance

Employees:

- A refusal to consent to testing shall be considered as a violation of this policy.
- Corrective action may include discipline up to and including termination, required participation in an evaluation by EAP and/or follow-through with an education/treatment program. If an employee refuses to participate or does not satisfactorily complete a required education/treatment program, the employee may be subject to corrective action up to and including termination.
- Employees violating this policy will be subject to disciplinary action in accordance with applicable collective bargaining agreements and/or other university policies and procedures. Sanctions may include warning, reprimand, suspension, removal or termination, or referral for prosecution. Employees violating this policy may also be required to participate in a drug or alcohol abuse assistance or rehabilitation program.
- Employees, students, volunteers, and visitors who violate this policy may be prohibited from accessing university premises, services, programs or events (see university policy 3356-7-45, “Persona non grata”)

Students:

For a first time violation of Article III. 2. (a) (illegal use or possession of alcohol) or Article III. 2. (b) (public intoxication) of the Student Conduct Standards, a student should expect the following sanctions at minimum:

- 6 to 9 months conduct probation
- 6 to 9 months residential probation (if the student lives in University housing)
- \$75 fine (may be deferred for one year)
- Educational sanction, including community service or an online intervention program

A second violation of Article III. 2. (a) or Article III. 2. (b) will minimally result in the following sanctions:

- 9 to 12 months deferred University suspension
- 9 to 12 months deferred residential suspension (if the student lives in University housing)
- \$125 fine, plus any active deferred fines
- Educational sanction, including community services or an online intervention program

For a first time violation of Article III. 2. (c) (distribution of alcohol to others) of the Student Conduct Standards, a student should expect the following sanctions at minimum:

- 12 months deferred University suspension
- 12 months deferred residential suspension (if the student lives in University housing)

Youngstown State University Annual Security and Fire Safety Report

- \$75 fine (may be deferred for one year)
- Educational sanction, including community service or an online intervention program

A second violation of Article III. 2. (c) will minimally result in the following sanctions:

- 1 semester University suspension
- 2 semesters residential suspension (if the student lives in University housing)
- \$125 fine, plus any active deferred fines
- Educational sanction, including community service or an online intervention program

For a first time violation of Article III. 7. (drug policy- marijuana only, and not including charges for distribution) of the Student Conduct Standards, a student should expect the following sanctions at minimum:

- 6 to 9 months conduct probation
- 6 to 9 months residential probation (if the student lives in University housing)
- \$100 fine (may be deferred for one year)
- Educational sanction, including community service or an online intervention program

A second violation of Article III. 7. (drug policy- marijuana only, and not including charges for distribution) will minimally result in the following sanctions:

- 9 to 12 months deferred University suspension
- 9 to 12 months deferred residential suspension (if the student lives in University housing)
- \$125 fine, plus any active deferred fines
- Educational sanction, including community services or an online intervention program

For a first time violation of Article III. 7. (drug policy- use of any other illegal drugs) of the Student Conduct Standards, a student should expect the following sanctions at minimum:

- 12 months deferred University suspension
- 12 months deferred residential suspension (if the student lives in University housing)
- \$100 fine
- Educational sanction, including community services or an online intervention program

A second violation of Article III. 7. (drug policy- use of any other illegal drugs) will minimally result in the following sanctions:

- 1 semester University suspension
- 2 semesters residential suspension (if the student lives in University housing)
- \$150 fine, plus any active deferred fines
- Educational sanction, including community service or an online intervention program

For a first time violation of Article III. 7. (drug policy- charges for distribution) of the Student Conduct Standards, a student should expect the following sanctions at minimum:

Youngstown State University Annual Security and Fire Safety Report

- 1 semester suspension
- \$250 fine
- Educational sanction, including community service or an online intervention program

A second violation of Article III. 7. (drug policy- charges for distribution) will likely result in the following sanctions:

University expulsion.

1.15 Alcohol and Drug Abuse Education Programs

YSU students and employees with substance abuse issues (including alcohol) create a health and safety risk for themselves and for others. Such abuses can also result in a wide range of serious emotional and behavioral problems. The University has a wide variety of programs and options available for students and employees struggling with substance abuse issues. These programs are designed to discourage the use of illegal substances and to educate students and others as to the merits of legal and responsible alcohol consumption.

YSU Counseling Services and Campus Rec provide counseling and referral services to students who suffer from a substance abuse program. Group and individual counseling sessions are available to students at no cost. All information regarding any contact or counseling is confidential and will be treated in accordance with YSU Policies and state/federal laws. A student's decision to seek assistance will not be used in connection with any academic determination or as a basis for disciplinary action.

In compliance with the *Drug-Free Schools and Communities Act of 1989*, YSU offers various drug and alcohol abuse prevention and education programs that are made available to students and faculty. Below is a list and brief description of the programs that are offered throughout the year:

Intervention/Strategy

YSU for Recovery: Weekly meetings held in Kilcawley Center that focuses on addiction and recovery. The meetings were established to help the YSU community deal with the many aspects of addiction. The meetings are open to the entire YSU community.

Prescription Drug Drop Off: The drug drop box is located in the YSU Police Department in Clingan-Waddell Hall. The drop box provides a safe and secure location for YSU students, faculty and Youngstown community members to dispose of any old and outdated prescriptions.

Project Purple 3 on 3 Basketball Tournament: Held in conjunction with Men's Health Week. The tournament helps raise awareness for Project Purple and give information on how YSU students can help others who may have substance abuse issues.

Sober Thoughts Program: Campus Recreation in collaboration with Housing and Residence Life, host this week long program. The program is fun and entertaining, while focusing on positive life choices instead of bad decisions. Campus Recreation received \$500.00 in funding from SAMHSA for the program.

Wellfest: This event is a health fair that promotes wellness in many different aspects. The YSU community was exposed to valuable knowledge, tips and handouts regarding health information, education, and resources.

For more information about these and other drug and alcohol education programs, contact Ryan McNicholas at (330) 941-2207.

1.16 Campus Safety and Security Awareness Programs

Community Policing

Community-based policing is a collaborative effort between a police department and community that identifies problems of crime and disorder and involves all elements of the community in the search for solutions to these problems. It is founded on close, mutually beneficial ties between police and community members.

The YSU Police use a neighborhood approach as a community policing strategy. YSU Police offer and aide residence hall and associated department staff, as well as community members to address public safety issues. The YSU Police believe crime prevention is a shared responsibility. For every crime committed, there must be a desire, an opportunity, and the ability to commit the crime. You cannot control another's desire or ability to commit a crime, you can control the opportunity by:

- Remaining alert and aware of your surroundings.
- Securing valuables.
- Not walking alone at night.
- Recording the make, model and serial numbers of valuables.
- Reporting any unusual or suspicious activity to the YSU Police by calling (330) 941-3527.

Safety Escort Services

The YSU Student Security Service, sponsored and trained by the YSU Police Department, safely escorts students and employees from one campus location to another, or to the near North Side. This is a free service provided by the YSU Police Department. The Student Security Services Aides [SSSA] are linked by radio to the YSU Police Department Communications Center and make regular reports during their rounds. Members of the campus community with disabilities, athletes with sport injuries, or anyone who just wants accompanied to their car are encouraged to make special arrangements to be safely escorted to any campus location—day or night.

To schedule an escort, call (330) 941-1515

Kilcawley Office Fall & Spring Terms

Monday – Friday: 8:00am until 5:00pm

Weekends: closed

Main Office Fall & Spring Terms

Monday – Thursday: 7:00am until 11:00pm

Friday: 7:00am until 8:00pm

Weekends: closed

Academic Breaks and Summer Sessions

C.A.R.E. Team

The C.A.R.E. Team was created to address behavioral concerns that may negatively affect the campus-learning environment or potentially harm the health, welfare and safety of members of the University community or the individual(s) exhibiting such behaviors. C.A.R.E is a group of University personnel committed to a proactive, collaborative and planned approach to the management of threatening, disruptive, disturbing or otherwise problematic behaviors at YSU.

CARE Team Members:

Nicole Kent-Strollo
Director, Student Outreach and Support
(330) 941-4721
nkentstrollo@ysu.edu

Stephanie Reed
Assoc. Director Housing
(330) 941-7444
sjreed02@ysu.edu

Ann Jaronski
Director, The Counseling Center
(330) 941-3737
atjaronski@ysu.edu

Becky Varian
Director CSP
(330) 941-1450
blvarian@ysu.edu

William Rogner
Administrative Officer, YSU Police
(330) 941-7496 Office
(330) 941-3527 Dispatch Center
(330) 314-8889 University Cellphone
whrogner@ysu.edu

Security Awareness Programs

| Program Title and Description | Frequency | Target Audience |
|---|----------------------------|--------------------|
| <p>Active Shooter The ALICE Program provides information on what to do and expect during an active shooter incident. Contact Officer Don Cox at (330) 941-3527 or dlcox@ysu.edu.</p> | By Request | Students/Employees |
| <p>Drug Recognition Presentation The presentation provides drug awareness to residence hall staff to assist in drug identification.</p> | Orientation/ By Request | Employees |
| <p>Crime Prevention and Emergency Survey The YSU Police visit different campus buildings to evaluate possible threats and identify improvements to enhance safety and security.</p> | By Request | Employees |
| <p>Penguin Preview Orientation Resource fair for new and potential students. An information table is set up by the YSU Police to answer any questions.</p> | Orientation | Students |
| <p>International Student Safety This presentation provides information on Ohio laws, the Downtown area, driving laws, personal safety, and crime prevention tips.</p> | Orientation | Students |
| <p>Self Defense Classes These classes are taught by the YSU PD Defensive Tactics Instructor. They teach basic defense techniques, and different escape options.</p> | By Request | Students/Employees |
| <p>Personal Safety This presentation provides information on personal safety and securing your property.</p> | Orientation/By Request | Students/Employees |

1.17 Tests and Drills

Youngstown State University completed a test of its Emergency Response and Campus Emergency Management Plan. The exercise was held April 21, 2017, at 7:30 AM and was announced to the campus community. The exercise included the Mahoning County District Board of Health and the YSU Student Health Services and Nursing Department. This drill assisted the health department and YSU test the Closed Point of Dispensing plans. A closed point of dispensing agency is one that is designated in an emergency that will be able to prophylaxis or vaccinate its internal population. A closed point of dispensing allows an agency to keep operating during a public health emergency. The CEMP (Campus Emergency Management Plan) activated and was tested during the dispensary exercise. This included a test of the PenguinAlert notification system. The test messages went to the entire campus community registered in the system, and all messages were received by the recipients. If you did not receive the alert, go to alert.ysu.edu and register to receive these important alerts.

Tests and drills are coordinated by the YSU Police Department along with various other campus departments at least once per year. The purpose of drills is to familiarize the campus community with emergency procedures. These tests, drills or scenarios may be either unannounced or announced.

Exercises

All University departments tasked with emergency management response and recovery responsibilities under this plan will participate in exercises conducted under direction of the YSU Police Department. Exercises are given at least annually, and more frequent exercises may be held at the discretion of YSU Police. Non-governmental, not-for-profit and other outside agencies with responsibilities under this plan will be encouraged to attend and participate in such exercises. The majority of the exercises involve multiple agencies and organizations.

Collaboration and Cooperation with Emergency Management Partners

First Responders

At the onset of an emergency, first responders (police, firefighters, and emergency medical technicians) are likely to be the first “emergency managers” on the scene. Their immediate objectives are to protect life and assess the nature and scope of the threat posed by the emergency. Their initial response represents the beginning of a continuing flow of people, equipment and supplies necessary to protect persons and property from the harmful effects of the emergency. This flow, or mobilization, continues until the challenges presented by the emergency are met and remain until the emergency has ended.

Youngstown State University has access to local, state, and federal emergency resources. This access comes with the responsibility to plan, coordinate and collaborate in the spirit of cooperation with the larger emergency management community. Doing so facilitates the response, reduces confusion and conflict and ultimately saves lives.

The Mahoning County Emergency Management Agency

This agency serves as the single point of contact through which most emergency and support resources are summoned and coordinated from local Public Safety Agencies in Mahoning County to Agencies of the State of Ohio and United States Government. Effective planning requires building and maintaining relationships with the Mahoning County Emergency Management Agency.

Other Emergency Management Partners

In addition to the Mahoning County Emergency Management Agency, a host of other emergency management and support organizations are available to render assistance in times of emergency. These include:

- The Youngstown Police Department by mutual aid agreement.
- The Youngstown Fire Department
- Mahoning County Sherriff's Office
- Ohio State Highway Patrol
- Mahoning County Hazmat Team
- Other Police and Fire Departments in Mahoning and Trumbull County through county wide mutual aid agreement.
- Ohio Public University campus police departments through state wide mutual aid agreement with State Universities Law Enforcement Administrators Group (SULEA).
- The Red Cross
- The Mahoning County Health Department
- Mercy Health Saint Elizabeth Health Center
- Other support and service agencies

Procedures for publicizing Evacuation Procedures and Documentation

In conjunction with the exercises, evacuation procedures will be included in an email regardless if the test is announced or unannounced. The email will include how to evacuate from the campus and will include the campus evacuation map. This information is also included in the Departmental Emergency Operation Plans. The Exercise is documented recording the date, time, description, people/departments involved, and whether the exercise was announced or un-announced.

1.18 Important Telephone Numbers

Campus Contact Information

| | |
|--|----------------|
| Youngstown State University Police Department <i>266 West Wood Street, Youngstown, Ohio 44502</i> | (330) 941-3527 |
| Emergency (from a campus phone) | 9-1-1 |
| Environmental and Occupational Health and Safety <i>Room 2303 Cushwa Hall</i> | (330) 941-3700 |
| Community Counseling Clinic <i>Room 3101 Beeghly Hall</i> | (330) 941-3056 |
| Student Counseling Services <i>Room 3009 Jones Hall</i> | (330) 941-3737 |
| Student Health Clinic <i>First Floor Kilcawley House</i> | (330) 941-3489 |
| Title IX Coordinator <i>Tod Hall 301</i> | (330) 941-4629 |
| Student Security Service | (330) 941-1515 |
| Recorded Campus Information Line | (330) 941-2222 |
| Parking Services <i>275 Fifth Avenue Smith Hall</i> | (330) 941-3546 |
| YSU Human Resources <i>Room 359 Tod Hall</i> | (330) 941-1508 |
| Student Conduct/Student Experience <i>Kilcawley Center Division for Student Experience Office</i> | (330) 941-7285 |
| Housing & Residence Life <i>First Floor Kilcawley House</i> | (330) 941-3547 |

Youngstown State University Annual Security and Fire Safety Report

City of Youngstown

Youngstown Police Department (330) 747-7911
116 West Boardman Street, Youngstown, Ohio 44503

Youngstown Fire Department (330) 747-7403
420 Martin Luther King Jr. Blvd, Youngstown, Ohio 44502

Mahoning County Sheriff/Justice Center (330) 480-5020
110 5th Ave., Youngstown, Ohio 44503

State of Ohio

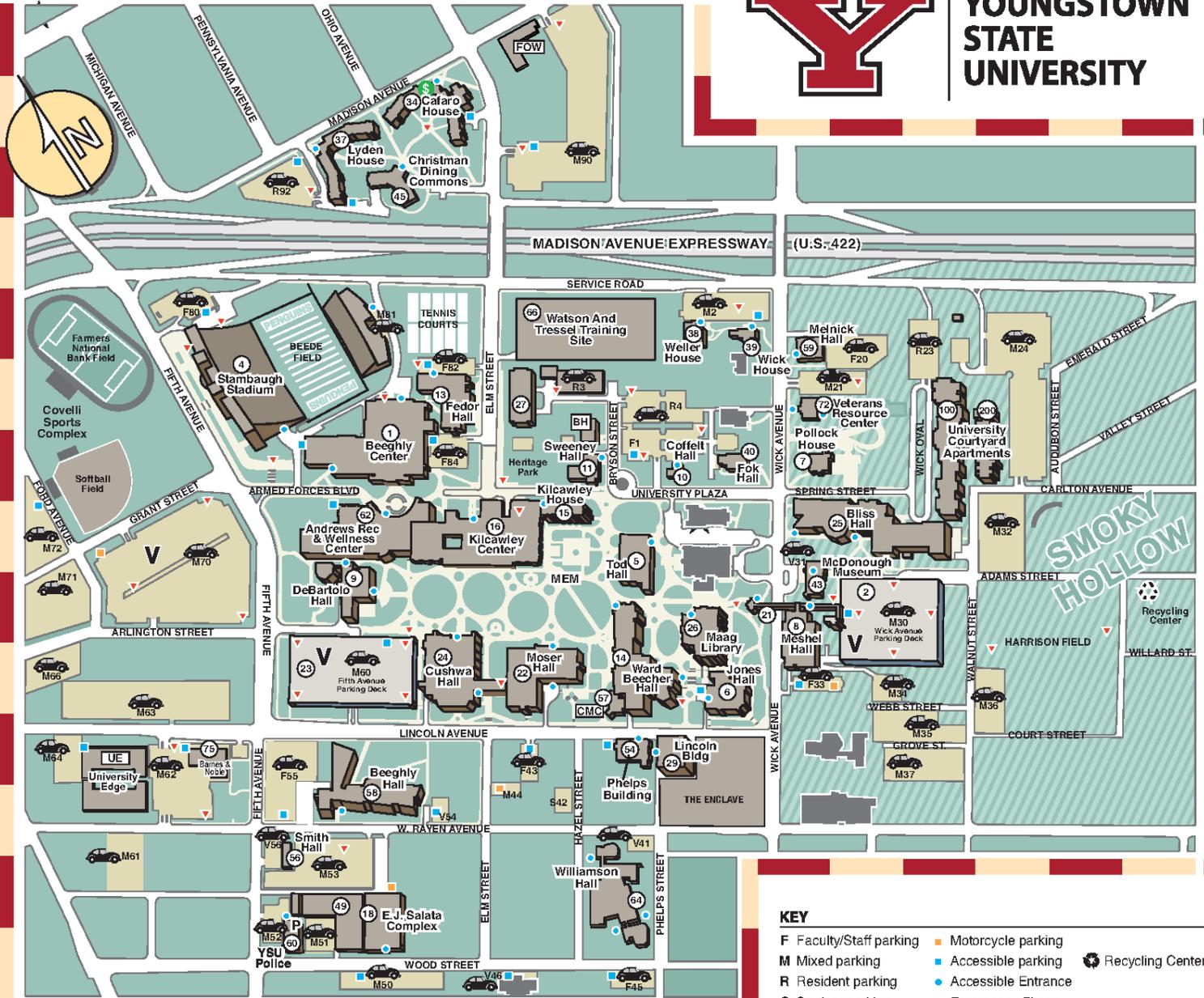
Ohio State Highway Patrol Mahoning District (330) 533-6866
Canfield Post- 500 South Broad St., Canfield, Ohio 44406

Ohio Mental Health and Addiction Services (614) 466-2596
www.mha.ohio.gov
30 East Broad Street, 36th Floor, Columbus, Ohio 43215

1.19 Campus Map



**YOUNGSTOWN
STATE
UNIVERSITY**



- KEY**
- F Faculty/Staff parking
 - M Mixed parking
 - R Resident parking
 - S Student parking
 - V Visitor parking
 - P YSU Police
 - Motorcycle parking
 - Accessible parking
 - Accessible Entrance
 - Emergency Phone
 - Recycling Center

2.0 2018 Annual Crime Report

2.1 Purpose, Notification and Preparation of the Annual Report

Purpose

Under the Clery Act, YSU has immediate, on-going, and annual requirements. This Annual Security Report is updated and published annually and contains safety and security related policy statements, procedures and crime statistics (for the three previous calendar years). YSU distributes the Annual Security Report and Annual Fire Safety Report to all current students, staff and faculty by October 1st each year. YSU also informs prospective students, staff and faculty about the availability of these reports.

Notification

The YSU Police Department along with Marketing and Communications, distributes an individual notice about the ASFR to each student and employee by October 1st of each year via YMES (Youngstown Mass Email System). The Report availability notice is sent out at the beginning of each semester. The notice generally includes a statement of the reports' availability, a brief description of the information contained within the reports, a direct link to the report itself, a link to where the report is located on the YSU Police homepage, and information regarding where paper copies of the reports may be obtained upon request.

The Annual Security Report and the Annual Fire Safety Report are distributed as a single document. The report may be directly accessed by visiting the YSU Police website www.yсу.edu/police or by visiting the University website at www.yсу.edu.

Preparation

The YSU Police Department has primary responsibility for coordinating and compiling the information contained within the report by working with various individuals and departments from around the YSU campus. Input from a variety of individuals is important in order to convey the latest and most updated information. In addition to reviewing all YSU Police Department reports, the YSU Police Department coordinates with the YSU office of student conduct, and YSU Student Housing, to collect and reconcile statistical data related to liquor law violations, drug law violations, and weapon law violations that involve Clery reportable data. The YSU Police Department also coordinates the collection and classification of all YSU CSA (Campus Security Authority) reports to ensure proper reporting of crime statistics for Clery purposes.

2.2 Crime Statistic Sources, and Unfounded Crime Reports

Pursuant to Clery Act requirements, the YSU Police Department is charged with the responsibility to collect, classify, and report crime statistics to the U.S. Department of Education and to current and prospective students, faculty and staff. Clery crimes are reported to the Department of Education via a web based online reporting tool and to the campus community in the Annual Security and Fire Safety Report by October 1st of each year. Statistical crime reporting requirements vary depending upon the governmental recipient. Mandated reporting requirements regarding crime statistic data to the FBI is different from the mandated federal U.S. Department of Education Clery crime reporting requirements. For example, Clery crime reporting requires the reporting of disciplinary referral data for drug, weapon and liquor law violations that is not required by either state or federal law enforcement entities that also mandate certain reporting requirements. Clery crime statistic data is also collected from non-law enforcement personnel called Campus Security Authorities (CSA's), as well as outside law enforcement agencies that may have jurisdiction over certain YSU property and locations classified as "non-campus buildings and property".

This section of the Annual Security Report contains Clery crime statistic data that has been compiled from the years 2017, 2016, and 2015. Crime statistic data under the Clery Act is disclosed based on where a crime occurs, the types of crimes that were reported, and the year in which the crimes were reported.

Some crimes are not directly reported to the YSU Police Department. As such, by collecting Clery Act crime statistic data through other established channels, the YSUPD is able to obtain a more accurate picture of crimes occurring on the YSU campus, public property, and non-campus building and property locations.

A crime is deemed to have been "reported" for Clery Act purposes when a witness, a victim, a third party or an offender (regardless of that person's affiliation with YSU) brings such allegation of crime to the attention of law enforcement or a Campus Security Authority, including the YSU Police Department. In turn, YSU discloses Clery Act reportable crimes in the statistical portion of this Annual Security and Fire Safety Report regardless of whether the crimes have been investigated by the police, and regardless of whether a finding of guilt or responsibility has been assigned or any case has been forwarded or assigned to the prosecutor.

Clery Act crime statistic data has been compiled from YSU Police Department reports, reports from CSA's, and from the daily and weekly crime reports and statistics from the Youngstown City Police Department. The reports from YPD that fall under the reporting parameters for Clery reporting will be included in the statistics in this Annual Security and Fire Safety Report.

Clery Act Crimes

YSU reports to the U.S. Department of Education, and discloses in the Annual Security and Fire Safety Report to the campus community, Clery Act crime statistic data for the 3 most recent calendar years concerning the number of each of the following crimes that occurred on or within the YSU Clery Act geography, reported to local police agencies that have jurisdiction, and CSA's:

- Primary Crimes: (1) Murder and Non-Negligent Manslaughter; (2) Negligent Manslaughter; (3) Rape; (4) Fondling; (5) Incest; (6) Statutory Rape; (7) Robbery; (8) Aggravated Assault; (9) Burglary; (10) Motor Vehicle Theft; (11) Arson.
- Hate Crimes: Any of the above mentioned primary crimes, and any incidents of (1) Larceny-Theft; (2) Simple Assault; (3) Intimidation; (4) Destruction/Damage/Vandalism of property that was motivated by one of the categories of bias.
- VAWA Offenses: Any incidents of (1) Domestic Violence; (2) Dating Violence; (3) Stalking.
- Arrests and Referrals for Disciplinary Action: (1) Arrests for liquor law violations, drug abuse violations, and weapon law violations; (2) Students who are referred for campus disciplinary action for liquor law violations, drug abuse violations, and weapon law violations.

Unfounded Crime Reports

A reported Clery crime to the YSU Police Department may not be withheld or subsequently removed from the Clery crime statistics data based on a decision by a court, coroner, jury, prosecutor, or other similar non-campus official. However, a reported crime may be withheld or subsequently removed from the crime statistics in the rare situation where sworn or commissioned law enforcement personnel have fully investigated the reported crime and, based on the results of a 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 may “un-find” a crime report. It is important to note that the recovery of stolen property, the low value of stolen property, the refusal of the victim to cooperate with the prosecution, or the failure to make an arrest **do not** “unfound” a crime report. For Clery Act purposes, the determination to un-find a crime can be made only when the totality of available information specifically indicates that the report was false or baseless.

2.3 Clery Crime Definitions

The Clery Act applies the crime definitions from the FBI's Uniform Crime Reporting (UCR) Program when classifying and counting Clery crimes. The definitions for *murder/non-negligent manslaughter, manslaughter by negligence, rape, robbery, aggravated assault, burglary, motor vehicle theft, weapon law violations, drug law violations, and liquor law violations* are derived from the FBI's UCR manual. The definitions of *fondling, incest, and statutory rape* are from the "National Incident-Based Reporting System" user manual (NIBRS). The definitions of *larceny-theft (except motor vehicle theft), simple assault, intimidation, destruction/damage/vandalism of property* are from the "Hate Crime Data Collection Guidelines and Training Manual" from the FBI's UCR program. The definitions of *dating violence, domestic violence, and stalking* (for purposes of Clery Act crime statistics reporting) are from the Code of Federal Regulations¹. It should be noted that Clery Crime definitions used in the compiling of Clery crime statistics are different than the State of Ohio crime definitions that may be used by law enforcement authorities and prosecutorial agencies as well as YSU administrative policy definitions for certain crimes.

The Clery crime definitions and counting rules are as follows:

- **Murder/Non-Negligent Manslaughter:** The willful (non-negligent) killing of one human being by another. Any death caused by injuries received in a fight, argument, quarrel, assault or the commission of a crime is also counted as murder/non-negligent manslaughter. One offense per victim is counted.
- **Manslaughter by Negligence:** The killing of another person through gross negligence. Any death caused by the gross negligence of another is also counted as Murder/Non-Negligent Manslaughter. One offense per victim is counted.
- **Sexual Assault:** Any sexual act directed against another person, without consent of the victim, including instances where the victim is incapable of giving consent. Attempted sexual assaults of the following types are counted as statistics of crime. This definition includes male and female victims.
 - **Rape:** Penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim. This includes any gender of victim or perpetrator. This definition of rape now includes Sexual Assault with an Object. One offense per victim is counted.
 - **Fondling:** The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity. One offense per victim is counted.

¹ Clery Act Regulations 34 CFR 668.46.

- **Incest:** Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law. One offense per victim is counted.
- **Statutory Rape:** Sexual intercourse with a person who is under the statutory age of consent. One offense per victim is counted.
- **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. In any instance of robbery, one offense for each distinct operation. The number of victims robbed, the number of those present at the robbery, and the number of offenders are not counted.
- **Aggravated Assault:** An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury (includes attempts and whether or not an injury has occurred). This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm. One offense per victim is counted. If a number of persons are involved in a dispute or disturbance, and the aggressors cannot be distinguished from the victims, the number of persons assaulted is counted as the number of offenses. Assaults or attempts to kill or murder, poisoning (including the use of date rape drugs), assault with a dangerous or deadly weapon, maiming, mayhem, assault with explosives, and assault with disease are counted as aggravated assaults.
- **Burglary:** The unlawful entry of a structure to commit a felony or a theft. An incident must meet three conditions to be classified as burglary: (1) there must be evidence of unlawful entry (trespass). Both forcible entry and unlawful entry no force is counted. This means that the person did not have the right to be in the structure at the time the incident occurred; (2) the unlawful entry must occur within a structure (a structure is defined as having four walls, a roof and a door); and (3) the structure was unlawfully entered to commit a felony or theft. One offense per each distinct operation is counted. Burglaries in individual student rooms are considered a separate offense. For burglaries in suites, each bedroom and the common area in a student housing suite is considered a separate dwelling. The burglary of an academic structure is counted as one offense, regardless of the number of interior rooms entered or items stolen if the rooms were all burglarized during the same time frame. Burglary of a number of patient rooms during the same time frame is counted as a single offense.
- **Motor Vehicle Theft:** The theft or attempted theft of a motor vehicle. This applies to any self-propelled vehicle that runs on land surface and not on rails. One offense for each stolen vehicle is counted.
- **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 or personal property of another. Only one offense for each distinct incident of arson is counted. All of the evidence for any fire not known to be accidental must be considered by the institutional official designated to make such determinations.
- **Domestic Violence:** The term “domestic violence” is defined as a felony or misdemeanor crime of violence committed (a) by a current or former spouse or intimate partner of the victim, (b) by a person with whom the victim shares a child in common, (c) by a person

who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, (d) by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred (e) 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:** The term “dating violence” is defined as violence committed by a person: (a) who is or has been in a social relationship of a romantic or intimate nature with the victim; and (b) where the existence of such a relationship shall be determined based on the reporting party's statement and with consideration for: the length of the relationship, the type of relationship, and 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:** The term “stalking” means engaging in a course of conduct (two or more acts) directed at a specific person that would cause a reasonable person to: (a) fear for the person's safety of others, or (b) suffer substantial emotional distress. (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.
- **Hate Crime:** A hate crime is a criminal offense committed against a person or property (any part 1 crime and additional crime below) which is motivated, in whole or in part, by the offenders bias. Bias is a preformed negative opinion or attitude toward a group of persons based on their race, gender, gender identity, religion, sexual orientation, ethnicity, national origin, or disability based upon the perception that the person or group has one or more of those characteristics. Hate crimes must be collected and reported according to the category of bias for all Clery part 1 crimes as well as the additional crimes listed below. Hate crimes are not reported for arrests/disciplinary referrals for liquor, drug, and weapon law violations, for dating violence, domestic violence and stalking.
 - **Clery Part 1 Crimes:** Murder, Manslaughter, Sex Offenses (Rape, Fondling, Incest, Statutory Rape), Robbery, Aggravated Assault, Burglary, Motor Vehicle Theft, and Arson.
 - **Additional Crimes:** Apply to Clery statistics IF there is a finding of a hate crime bias based on investigation.
 - **Larceny-Theft:** The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another.
 - **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:** To willfully or maliciously destroy, injure, disfigure, or deface any public or private property, real or personal, without the consent of the owner or person having custody or control by cutting, tearing, breaking, marking, painting, drawing, covering with filth, or any other such means as may be specified by local law.
- **Drug Abuse Law 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. All drugs, without exception, that are illegal under local or state law where the institution is located is considered a drug law violation. All illegally obtained prescription drugs are considered drug law violations as well.
 - **Alcohol 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 are counted as alcohol law violations.
 - **Weapon 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.
 - **Campus:** (i) 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 (ii) Any building or property that is within or reasonably contiguous to the area identified in paragraph (i) 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).
 - **Campus Security Authority ("CSA"):** This term encompasses the following four groups of people: (i) a campus police department or a campus security department of an institution. (ii) Any individual or individuals who have responsibility for campus security but who do not constitute a campus police department or a campus security department under paragraph (i) of this definition, such as an individual who is responsible for monitoring entrance into institutional property. (iii) Any individual or organization specified in an institution's statement of campus security policy as an individual or organization to which students and employees should report criminal offenses. (iv) an official of an institution

who has significant responsibility for student and campus activities including, but not limited to, student housing, student discipline, and campus judicial proceedings. If such an official is a pastoral or professional counselor as defined below, the official is not considered a campus security authority when acting as a pastoral or professional counselor.

- **YSU Clery Act Geography:** (i) For the purpose of collecting statistics on the crimes listed in paragraph (c) of this section for submission to the Department and inclusion in an institution's annual security report, Clery geography includes (A) Buildings and property that are part of the institution's campus; (B) The institution's non-campus buildings and property; and (C) Public property within or immediately adjacent to and accessible from the campus. (ii) For the purposes of the crime log required in paragraph (f) of this section, Clery geography includes, in addition to the locations in paragraph (i) of this definition, areas within the patrol jurisdiction of the campus police or the campus security department.
- **Federal Bureau of Investigation's ("FBI") Uniform Crime Reporting ("UCR") Program:** Nationwide, cooperative statistical effort in which city, university and college, county, State, Tribal, and federal law enforcement agencies voluntarily report data on crimes brought to their attention. The UCR program also serves as the basis for the definitions of crimes in the Clery Act and the requirements for classifying Clery Act crimes.
- **Hierarchy Rule:** A requirement in the FBI's UCR program that, for purposes of reporting crimes in that system, when more than one criminal offense was committed during a single incident, only the most serious offense be counted.
- **Non-Campus Building or Property:** (i) any building or property owned or controlled by a student organization that is officially recognized by the institution; or (ii) 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.
- **Pastoral Counselor:** A person who is associated with a religious order or denomination, is recognized by that religious order or denomination as someone who provides confidential counseling, and is functioning within the scope of that recognition as a pastoral counselor.
- **Professional Counselor:** A person whose official responsibilities include providing mental health counseling to members of the institution's community and who is functioning within the scope of the counselor's license or certification.
- **Programs to Prevent Dating Violence, Domestic Violence, Sexual Assault, and Stalking:** (i) Comprehensive, intentional, and integrated programming, initiatives, strategies, and campaigns intended to end dating violence, domestic violence, sexual assault, and stalking that— (A) 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 (B) Consider environmental risk and protective factors as they occur on the individual, relationship, institutional, community, and societal levels. (ii) 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, as defined in paragraph (j)(2) of this section.

- **Public Property:** All public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus, or immediately adjacent to and accessible from the campus.
- **Referred for Campus Disciplinary Action:** The referral of any person to any campus official who initiates a disciplinary action of which a record is kept and which may result in the imposition of a sanction.
- **Test:** Regularly scheduled drills, exercises, and appropriate follow through activities, designed for assessment and evaluation of emergency plans and capabilities.
- **Awareness Programs:** Community-wide 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 intervening, identifying safe and effective intervention options, and taking action 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 directions.
- **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.

2.4 VAWA Definitions

- **Domestic Violence (Clery Act Definition under Section 668.46(a)):** The term “domestic violence” includes felony or misdemeanor crimes of violence committed by (a) a current or former spouse or intimate partner of the victim, (b) by a person with whom the victim shares a child in common, (c) by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, (d) by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred (e) 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 (Clery Act Definition under Section 668.46(a)):** Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. (i) The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. (ii) For the purposes of this definition— (A) Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. (B) Dating violence does not include acts covered under the definition of domestic violence. (iii) For the purposes of complying with the requirements of this section and § 668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.
- **Stalking (Clery Act Definition under Section 668.46(a)):** (i) 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.
- **Sexual Assault (Clery Act Definition under Section 668.46(a)):** An offense that meets the definition of Rape, Fondling, Incest, or Statutory Rape as used in the FBI's Uniform Crime Report program.

2.5 Ohio VAWA Definitions

- **Domestic Violence (ORC 2919.25):** (A) No person shall knowingly cause or attempt to cause physical harm to a family or household member.

(B) No person shall recklessly cause serious physical harm to a family or household member.

(C) No person, by threat of force, shall knowingly cause a family or household member to believe that the offender will cause imminent physical harm to the family or household member.

(D) (1) Whoever violates this section is guilty of domestic violence, and the court shall sentence the offender as provided in divisions (D)(2) to (6) of this section.

(2) Except as otherwise provided in divisions (D)(3) to (5) of this section, a violation of division (C) of this section is a misdemeanor of the fourth degree, and a violation of division (A) or (B) of this section is a misdemeanor of the first degree.

(3) Except as otherwise provided in division (D)(4) of this section, if the offender previously has pleaded guilty to or been convicted of domestic violence, a violation of an existing or former municipal ordinance or law of this or any other state or the United States that is substantially similar to domestic violence, a violation of section 2903.14, 2909.06, 2909.07, 2911.12, 2911.211, or 2919.22 of the Revised Code if the victim of the violation was a family or household member at the time of the violation, a violation of an existing or former municipal ordinance or law of this or any other state or the United States that is substantially similar to any of those sections if the victim of the violation was a family or household member at the time of the commission of the violation, or any offense of violence if the victim of the offense was a family or household member at the time of the commission of the offense, a violation of division (A) or (B) of this section is a felony of the fourth degree, and, if the offender knew that the victim of the violation was pregnant at the time of the violation, the court shall impose a mandatory prison term on the offender pursuant to division (D)(6) of this section, and a violation of division (C) of this section is a misdemeanor of the second degree.

(4) If the offender previously has pleaded guilty to or been convicted of two or more offenses of domestic violence or two or more violations or offenses of the type described in division (D)(3) of this section involving a person who was a family or household member at the time of the violations or offenses, a violation of division (A) or (B) of this section is a felony of the third degree, and, if the offender knew that the victim of the violation was pregnant at the time of the violation, the court shall impose a mandatory prison term on the offender pursuant to division (D)(6) of this section, and a violation of division (C) of this section is a misdemeanor of the first degree.

(5) Except as otherwise provided in division (D)(3) or (4) of this section, if the offender knew that the victim of the violation was pregnant at the time of the violation, a violation of division (A) or (B) of this section is a felony of the fifth degree, and the court shall impose a mandatory prison term on the offender pursuant to division (D)(6) of this section, and a violation of division (C) of this section is a misdemeanor of the third degree.

(6) If division (D)(3), (4), or (5) of this section requires the court that sentences an offender for a violation of division (A) or (B) of this section to impose a mandatory prison term on the offender pursuant to this division, the court shall impose the mandatory prison term as follows:

(a) If the violation of division (A) or (B) of this section is a felony of the fourth or fifth degree, except as otherwise provided in division (D)(6)(b) or (c) of this section, the court shall impose a mandatory prison term on the offender of at least six months.

(b) If the violation of division (A) or (B) of this section is a felony of the fifth degree and the offender, in committing the violation, caused serious physical harm to the pregnant woman's unborn or caused the termination of the pregnant woman's pregnancy, the court shall impose a mandatory prison term on the offender of twelve months.

(c) If the violation of division (A) or (B) of this section is a felony of the fourth degree and the offender, in committing the violation, caused serious physical harm to the pregnant woman's unborn or caused the termination of the pregnant woman's pregnancy, the court shall impose a mandatory prison term on the offender of at least twelve months.

(d) If the violation of division (A) or (B) of this section is a felony of the third degree, except as otherwise provided in division (D)(6)(e) of this section and notwithstanding the range of prison terms prescribed in section 2929.14 of the Revised Code for a felony of the third degree, the court shall impose a mandatory prison term on the offender of either a definite term of six months or one of the prison terms prescribed in section 2929.14 of the Revised Code for felonies of the third degree.

(e) If the violation of division (A) or (B) of this section is a felony of the third degree and the offender, in committing the violation, caused serious physical harm to the pregnant woman's unborn or caused the termination of the pregnant woman's pregnancy, notwithstanding the range of prison terms prescribed in section 2929.14 of the Revised Code for a felony of the third degree, the court shall impose a mandatory prison term on the offender of either a definite term of one year or one of the prison terms prescribed in section 2929.14 of the Revised Code for felonies of the third degree.

(E) Notwithstanding any provision of law to the contrary, no court or unit of state or local government shall charge any fee, cost, deposit, or money in connection with the filing of charges against a person alleging that the person violated this section or a municipal ordinance substantially similar to this section or in connection with the prosecution of any charges so filed.

(F) As used in this section and sections 2919.251 and 2919.26 of the Revised Code:

(1) "Family or household member" means any of the following:

(a) Any of the following who is residing or has resided with the offender:

(i) A spouse, a person living as a spouse, or a former spouse of the offender;

(ii) A parent, a foster parent, or a child of the offender, or another person related by consanguinity or affinity to the offender;

(iii) A parent or a child of a spouse, person living as a spouse, or former spouse of the offender, or another person related by consanguinity or affinity to a spouse, person living as a spouse, or former spouse of the offender.

(b) The natural parent of any child of whom the offender is the other natural parent or is the putative other natural parent.

(2) "Person living as a spouse" means a person who is living or has lived with the offender in a common law marital relationship, who otherwise is cohabiting with the offender, or who otherwise has cohabited with the offender within five years prior to the date of the alleged commission of the act in question.

(3) "Pregnant woman's unborn" has the same meaning as "such other person's unborn," as set forth in section 2903.09 of the Revised Code, as it relates to the pregnant woman. Division (C) of that section applies regarding the use of the term in this section, except that the second and third sentences of division (C)(1) of that section shall be construed for purposes of this section as if they included a reference to this section in the listing of Revised Code sections they contain.

(4) "Termination of the pregnant woman's pregnancy" has the same meaning as "unlawful termination of another's pregnancy," as set forth in section 2903.09 of the Revised Code, as it relates to the pregnant woman. Division (C) of that section applies regarding the use of the term in this section, except that the second and third sentences of division (C)(1) of that section shall be construed for purposes of this section as if they included a reference to this section in the listing of Revised Code sections they contain.

➤ **Menacing by Stalking (ORC 2903.211):** (1) No person by engaging in a pattern of conduct shall knowingly cause another person to believe that the offender will cause physical harm to the other person or a family or household member of the other person or cause mental distress to the other person or a family or household member of the other person. In addition to any other basis for the other person's belief that the offender will cause physical harm to the other person or the other person's family or household member or mental distress to the other person or the other person's family or household member, the other person's belief or mental distress may be based on words or conduct of the offender that are directed at or identify a corporation, association, or other organization that employs the other person or to which the other person belongs.

(2) No person, through the use of any form of written communication or any electronic method of remotely transferring information, including, but not limited to, any computer, computer network, computer program, r-computer system, or telecommunication device shall post a message or use any intentionally written or verbal graphic gesture with purpose to do either of the following:

(a) Violate division (A)(1) of this section:

(b) Urge or incite another to commit a violation of division (A)(1) of this section.

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

(B) Whoever violates this section is guilty of menacing by stalking.

(1) Except as otherwise provided in divisions (B)(2) and (3) of this section, menacing by stalking is a misdemeanor of the first degree.

(2) Menacing by stalking is a felony of the fourth degree if any of the following applies:

(a) The offender previously has been convicted of or pleaded guilty to a violation of this section or a violation of section 2911.211 of the Revised Code.

(b) In committing the offense under division (A)(1), (2), or (3) of this section, the offender made a threat of physical harm to or against the victim, or as a result of an offense committed under division (A)(2) or (3) of this section, a third person induced by the offender's posted message made a threat of physical harm to or against the victim.

(c) In committing the offense under division (A)(1), (2), or (3) of this section, the offender trespassed on the land or premises where the victim lives, is employed, or attends school, or as a result of an offense committed under division (A)(2) or (3) of this section, a third person induced by the offender's posted message trespassed on the land or premises where the victim lives, is employed, or attends school.

(d) The victim of the offense is a minor.

(e) The offender has a history of violence toward the victim or any other person or a history of other violent acts toward the victim or any other person.

(f) While committing the offense under division (A)(1) of this section or a violation of division (A)(3) of this section based on conduct in violation of division (A)(1) of this section, the offender had a deadly weapon on or about the offender's person or under the offender's control. Division (B)(2)(f) of this section does not apply in determining the penalty for a violation of division (A)(2) of this section or a violation of division (A)(3) of this section based on conduct in violation of division (A)(2) of this section.

(g) At the time of the commission of the offense, the offender was the subject of a protection order issued under section 2903.213 or 2903.214 of the Revised Code, regardless of whether the person to be protected under the order is the victim of the offense or another person.

(h) In committing the offense under division (A)(1), (2), or (3) of this section, the offender caused serious physical harm to the premises at which the victim resides, to the real property on which that premises is located, or to any personal property located on that premises, or, as a result of an offense committed under division (A)(2) of this section or an offense committed under division (A)(3) of this section based on a violation of division (A)(2) of this section, a third person induced by the offender's posted message caused serious physical harm to that premises, that real property, or any personal property on that premises.

(i) Prior to committing the offense, the offender had been determined to represent a substantial risk of physical harm to others as manifested by evidence of then-recent homicidal or other violent behavior, evidence of then-recent threats that placed another in reasonable fear of violent behavior and serious physical harm, or other evidence of then-present dangerousness.

(3) If the victim of the offense is an officer or employee of a public children services agency or a private child placing agency and the offense relates to the officer's or employee's performance or anticipated performance of official responsibilities or duties, menacing by stalking is either a felony of the fifth degree or, if the offender previously has been convicted of or pleaded guilty to an offense of violence, the victim of that prior offense was an officer or employee of a public children services agency or private child placing agency, and that prior offense related to the officer's or employee's performance or anticipated performance of official responsibilities or duties, a felony of the fourth degree.

(C) Section 2919.271 of the Revised Code applies in relation to a defendant charged with a violation of this section.

(D) As used in this section:

(1) "Pattern of conduct" means two or more actions or incidents closely related in time, whether or not there has been a prior conviction based on any of those actions or incidents, or two or more actions or incidents closely related in time, whether or not there has been a prior conviction based on any of those actions or incidents, directed at one or more persons employed by or belonging to the same corporation, association, or other organization. Actions or incidents that prevent, obstruct, or delay the performance by a public official, firefighter, rescuer, emergency medical services person, or emergency facility person of any authorized act within the public official's, firefighter's, rescuer's, emergency medical services person's, or emergency facility person's official capacity, or the posting of messages, use of intentionally written or verbal graphic gestures, or receipt of information or data through the use of any form of written communication or an electronic method of remotely transferring information, including, but not limited to, a computer, computer network, computer program, computer system, or telecommunications device, may constitute a "pattern of conduct."

(2) "Mental distress" means any of the following:

(a) Any mental illness or condition that involves some temporary substantial incapacity;

(b) Any mental illness or condition that would normally require psychiatric treatment, psychological treatment, or other mental health services, whether or not any person requested or received psychiatric treatment, psychological treatment, or other mental health services.

(3) "Emergency medical services person" is the singular of "emergency medical services personnel" as defined in section 2133.21 of the Revised Code.

(4) "Emergency facility person" is the singular of "emergency facility personnel" as defined in section 2909.04 of the Revised Code.

(5) "Public official" has the same meaning as in section 2921.01 of the Revised Code.

(6) "Computer," "computer network," "computer program," "computer system," and "telecommunications device" have the same meanings as in section 2913.01 of the Revised Code.

(7) "Post a message" means transferring, sending, posting, publishing, disseminating, or otherwise communicating, or attempting to transfer, send, post, publish, disseminate, or otherwise communicate, any message or information, whether truthful or untruthful, about an individual, and whether done under one's own name, under the name of another, or while impersonating another.

(8) "Third person" means, in relation to conduct as described in division (A)(2) of this section, an individual who is neither the offender nor the victim of the conduct.

(9) "Sexual motivation" has the same meaning as in section 2971.01 of the Revised Code.

(10) "Organization" includes an entity that is a governmental employer.

(11) "Family or household member" means any of the following:

(a) Any of the following who is residing or has resided with the person against whom the act prohibited in division (A)(1) of this section is committed:

(i) A spouse, a person living as a spouse, or a former spouse of the person;

(ii) A parent, a foster parent, or a child of the person, or another person related by consanguinity or affinity to the person;

(iii) A parent or a child of a spouse, person living as a spouse, or former spouse of the person, or another person related by consanguinity or affinity to a spouse, person living as a spouse, or former spouse of the person.

(b) The natural parent of any child of whom the person against whom the act prohibited in division (A)(1) of this section is committed is the other natural parent or is the putative other natural parent.

(12) "Person living as a spouse" means a person who is living or has lived with the person against whom the act prohibited in division (A)(1) of this section is committed in a common law marital relationship, who otherwise is cohabiting with that person, or who otherwise has cohabited with the person within five years prior to the date of the alleged commission of the act in question.

(E) The state does not need to prove in a prosecution under this section that a person requested or received psychiatric treatment, psychological treatment, or other mental health services in order to show that the person was caused mental distress as described in division (D)(2)(b) of this section.

(F)

(1) This section does not apply to a person solely because the person provided access or connection to or from an electronic method of remotely transferring information not under that person's control, including having provided capabilities that are incidental to providing access or connection to or from the electronic method of remotely transferring the information, and that do not include the creation of the content of the material that is the subject of the access or connection. In addition, any person providing access or connection to or from an electronic method of remotely transferring information not under that person's control shall not be liable for any action voluntarily taken in good faith to block the receipt or transmission through its service of any information that it believes is, or will be sent, in violation of this section.

(2) Division (F)(1) of this section does not create an affirmative duty for any person providing access or connection to or from an electronic method of remotely transferring information not under that person's control to block the receipt or transmission through its service of any information that it believes is, or will be sent, in violation of this section except as otherwise provided by law.

(3) Division (F)(1) of this section does not apply to a person who conspires with a person actively involved in the creation or knowing distribution of material in violation of this section or who knowingly advertises the availability of material of that nature.

- **Rape (ORC 2907.02):** (A)(1) No person shall engage in sexual conduct with another who is not the spouse of the offender or who is the spouse of the offender but is living separate and apart from the offender, when any of the following applies:

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

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

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

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

(B) Whoever violates this section is guilty of rape, a felony of the first degree. If the offender under division (A)(1)(a) of this section substantially impairs the other person's judgment or control by administering any controlled substance described in section 3719.41 of the Revised Code to the other person surreptitiously or by force, threat of force, or deception, the prison term imposed upon the offender shall be one of the prison terms prescribed for a felony of the first degree in section 2929.14 of the Revised Code that is not less than five years. Except as otherwise provided in this division, notwithstanding sections 2929.11 to 2929.14 of the Revised Code, an offender under division (A)(1)(b) of this section shall be sentenced to a prison term or term of life imprisonment pursuant to section 2971.03 of the Revised Code. If an offender is convicted of or pleads guilty to a violation of division (A)(1)(b) of this section, if the offender was less than sixteen years of age at the time the offender committed the violation of that division, and if the offender during or immediately after the commission of the offense did not cause serious physical harm to the victim, the victim was ten years of age or older at the time of the commission of the violation, and the offender has not previously been convicted of or pleaded guilty to a violation of this section or a substantially similar existing or former law of this state, another state, or the United States, the court shall not sentence the offender to a prison term or term of life imprisonment pursuant to section 2971.03 of the Revised Code, and instead the court shall sentence the offender as otherwise

provided in this division. If an offender under division (A)(1)(b) of this section previously has been convicted of or pleaded guilty to violating division (A)(1)(b) of this section or to violating an existing or former law of this state, another state, or the United States that is substantially similar to division (A)(1)(b) of this section, if the offender during or immediately after the commission of the offense caused serious physical harm to the victim, or if the victim under division (A)(1)(b) of this section is less than ten years of age, in lieu of sentencing the offender to a prison term or term of life imprisonment pursuant to section 2971.03 of the Revised Code, the court may impose upon the offender a term of life without parole. If the court imposes a term of life without parole pursuant to this division, division (F) of section 2971.03 of the Revised Code applies, and the offender automatically is classified a tier III sex offender/child-victim offender, as described in that division.

(C) A victim need not prove physical resistance to the offender in prosecutions under this section.

(D) Evidence of specific instances of the victim's sexual activity, opinion evidence of the victim's sexual activity, and reputation evidence of the victim's sexual activity shall not be admitted under this section unless it involves evidence of the origin of semen, pregnancy, or disease, or the victim's past sexual activity with the offender, and only to the extent that the court finds that the evidence is material to a fact at issue in the case and that its inflammatory or prejudicial nature does not outweigh its probative value.

Evidence of specific instances of the defendant's sexual activity, opinion evidence of the defendant's sexual activity, and reputation evidence of the defendant's sexual activity shall not be admitted under this section unless it involves evidence of the origin of semen, pregnancy, or disease, the defendant's past sexual activity with the victim, or is admissible against the defendant under section 2945.59 of the Revised Code, and only to the extent that the court finds that the evidence is material to a fact at issue in the case and that its inflammatory or prejudicial nature does not outweigh its probative value.

(E) Prior to taking testimony or receiving evidence of any sexual activity of the victim or the defendant in a proceeding under this section, the court shall resolve the admissibility of the proposed evidence in a hearing in chambers, which shall be held at or before preliminary hearing and not less than three days before trial, or for good cause shown during the trial.

(F) Upon approval by the court, the victim may be represented by counsel in any hearing in chambers or other proceeding to resolve the admissibility of evidence. If the victim is indigent or otherwise is unable to obtain the services of counsel, the court, upon request, may appoint counsel to represent the victim without cost to the victim.

(G) It is not a defense to a charge under division (A)(2) of this section that the offender and the victim were married or were cohabiting at the time of the commission of the offense.

➤ **Sexual Battery (ORC 2907.03):** (A) No person shall engage in sexual conduct with another, not the spouse of the offender, when any of the following apply:

(1) The offender knowingly coerces the other person to submit by any means that would prevent resistance by a person of ordinary resolution.

(2) The offender knows that the other person's ability to appraise the nature of or control the other person's own conduct is substantially impaired.

(3) The offender knows that the other person submits because the other person is unaware that the act is being committed.

(4) The offender knows that the other person submits because the other person mistakenly identifies the offender as the other person's spouse.

(5) The offender is the other person's natural or adoptive parent, or a stepparent, or guardian, custodian, or person in loco parentis of the other person.

(6) The other person is in custody of law or a patient in a hospital or other institution, and the offender has supervisory or disciplinary authority over the other person.

(7) The offender is a teacher, administrator, coach, or other person in authority employed by or serving in a school for which the state board of education prescribes minimum standards pursuant to division (D) of section 3301.07 of the Revised Code, the other person is enrolled in or attends that school, and the offender is not enrolled in and does not attend that school.

(8) The other person is a minor, the offender is a teacher, administrator, coach, or other person in authority employed by or serving in an institution of higher education, and the other person is enrolled in or attends that institution.

(9) The other person is a minor, and the offender is the other person's athletic or other type of coach, is the other person's instructor, is the leader of a scouting troop of which the other person is a member, or is a person with temporary or occasional disciplinary control over the other person.

(10) The offender is a mental health professional, the other person is a mental health client or patient of the offender, and the offender induces the other person to submit by falsely representing to the other person that the sexual conduct is necessary for mental health treatment purposes.

(11) The other person is confined in a detention facility, and the offender is an employee of that detention facility.

(12) The other person is a minor, the offender is a cleric, and the other person is a member of, or attends, the church or congregation served by the cleric.

(13) The other person is a minor, the offender is a peace officer, and the offender is more than two years older than the other person.

(B) Whoever violates this section is guilty of sexual battery. Except as otherwise provided in this division, sexual battery is a felony of the third degree. If the other person is less than thirteen years of age, sexual battery is a felony of the second degree, and the court shall impose upon the offender a mandatory prison term equal to one of the prison terms prescribed in section 2929.14 of the Revised Code for a felony of the second degree.

(C) As used in this section:

(1) "Cleric" has the same meaning as in section 2317.02 of the Revised Code.

(2) "Detention facility" has the same meaning as in section 2921.01 of the Revised Code.

(3) "Institution of higher education" means a state institution of higher education defined in section 3345.011 of the Revised Code, a private nonprofit college or university located in this state that possesses a certificate of authorization issued by the Ohio board of regents pursuant to Chapter 1713. of the Revised Code, or a school certified under Chapter 3332. of the Revised Code.

(4) "Peace officer" has the same meaning as in section 2935.01 of the Revised Code.

- **Unlawful Sexual Conduct with a Minor (ORC 2907.04):** (A) No person who is eighteen years of age or older shall engage in sexual conduct with another, who is not the spouse of the offender, when the offender knows the other person is thirteen years of age or older but less than sixteen years of age, or the offender is reckless in that regard.

(B) Whoever violates this section is guilty of unlawful sexual conduct with a minor.

(1) Except as otherwise provided in divisions (B)(2), (3), and (4) of this section, unlawful sexual conduct with a minor is a felony of the fourth degree.

(2) Except as otherwise provided in division (B)(4) of this section, if the offender is less than four years older than the other person, unlawful sexual conduct with a minor is a misdemeanor of the first degree.

(3) Except as otherwise provided in division (B)(4) of this section, if the offender is ten or more years older than the other person, unlawful sexual conduct with a minor is a felony of the third degree.

(4) If the offender previously has been convicted of or pleaded guilty to a violation of section 2907.02, 2907.03, or 2907.04 of the Revised Code or a violation of former section 2907.12 of the Revised Code, unlawful sexual conduct with a minor is a felony of the second degree.

- **Gross Sexual Imposition (ORC 2907.05):** (A) No person shall have sexual contact with another, not the spouse of the offender; cause another, not the spouse of the offender, to have sexual contact with the offender; or cause two or more other persons to have sexual contact when any of the following applies:

(1) The offender purposely compels the other person, or one of the other persons, to submit by force or threat of force.

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

(3) The offender knows that the judgment or control of the other person or of one of the other persons is substantially impaired as a result of the influence of any drug or intoxicant administered to the other person with the other person's consent for the purpose of any kind of medical or dental examination, treatment, or surgery.

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

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

(B) No person shall knowingly touch the genitalia of another, when the touching is not through clothing, the other person is less than twelve years of age, whether or not the offender knows the age of that person, and the touching is done with an intent to abuse, humiliate, harass, degrade, or arouse or gratify the sexual desire of any person.

(C) Whoever violates this section is guilty of gross sexual imposition.

(1) Except as otherwise provided in this section, gross sexual imposition committed in violation of division (A)(1), (2), (3), or (5) of this section is a felony of the fourth degree. If the offender under division (A)(2) of this section substantially impairs the judgment or control of the other person or one of the other persons by administering any controlled substance described in section 3719.41 of the Revised Code to the person surreptitiously or by force, threat of force, or deception, gross sexual imposition committed in violation of division (A)(2) of this section is a felony of the third degree.

(2) Gross sexual imposition committed in violation of division (A)(4) or (B) of this section is a felony of the third degree. Except as otherwise provided in this division, for gross sexual imposition committed in violation of division (A)(4) or (B) of this section there is a presumption that a prison term shall be imposed for the offense. The court shall impose on an offender convicted of gross sexual imposition in violation of division (A)(4) or (B) of this section a mandatory prison term equal to one of the prison terms prescribed in section 2929.14 of the Revised Code for a felony of the third degree if either of the following applies:

(a) Evidence other than the testimony of the victim was admitted in the case corroborating the violation;

(b) The offender previously was convicted of or pleaded guilty to a violation of this section, rape, the former offense of felonious sexual penetration, or sexual battery, and the victim of the previous offense was less than thirteen years of age.

(D) A victim need not prove physical resistance to the offender in prosecutions under this section.

(E) Evidence of specific instances of the victim's sexual activity, opinion evidence of the victim's sexual activity, and reputation evidence of the victim's sexual activity shall not be admitted under this section unless it involves evidence of the origin of semen, pregnancy, or disease, or the victim's past sexual activity with the offender, and only to the extent that the court finds that the evidence is material to a fact at issue in the case and that its inflammatory or prejudicial nature does not outweigh its probative value.

Evidence of specific instances of the defendant's sexual activity, opinion evidence of the defendant's sexual activity, and reputation evidence of the defendant's sexual activity shall not be admitted under this section unless it involves evidence of the origin of semen, pregnancy, or disease, the defendant's past sexual activity with the victim, or is admissible against the defendant under section 2945.59 of the Revised Code, and only to the extent that the court finds that the evidence is material to a fact at issue in the case and that its inflammatory or prejudicial nature does not outweigh its probative value.

(F) Prior to taking testimony or receiving evidence of any sexual activity of the victim or the defendant in a proceeding under this section, the court shall resolve the admissibility of the proposed evidence in a hearing in chambers, which shall be held at or before preliminary hearing and not less than three days before trial, or for good cause shown during the trial.

(G) Upon approval by the court, the victim may be represented by counsel in any hearing in chambers or other proceeding to resolve the admissibility of evidence. If the victim is indigent or otherwise is unable to obtain the services of counsel, the court, upon request, may appoint counsel to represent the victim without cost to the victim.

- **Dating Violence** is not defined in the Ohio Revised Code.

- **Consent** is positive unambiguous, voluntary and ongoing agreement to engage in a specific activity. Consent must be freely and affirmatively given. Consent cannot be obtained from someone through coercion or from someone who is unconscious, asleep, or whose judgment is impaired by the use of a drug or alcohol or diminished by an intellectual, mental, or physical condition or disability. Consent can be withdrawn at any time.

2.6 Hierarchy Counting Rules

When counting multiple offenses, the FBI's Uniform Crime Report Hierarchy Rule is used. Under this rule, when more than one criminal offense is committed during a single incident, only the most serious offense is counted. A single incident means that the offenses were committed at the same time and place. That is, the time interval between the offenses and the distance between the locations where they occurred were insignificant. Beginning with the most serious offense, the following list shows the hierarchy for Clery Act reporting:

- The Clery crimes Hierarchy Rule is:
 - (1) Criminal Homicide
 - (1)(a) Murder and Non-Negligent Manslaughter
 - (1)(b) Manslaughter by Negligence
 - (2) Sexual Assault (Sex Offenses)
 - (2)(a) Rape
 - (2)(b) Fondling
 - (2)(c) Incest
 - (2)(d) Statutory Rape
 - (3) Robbery
 - (4) Aggravated Assault
 - (5) Burglary
 - (6) Motor Vehicle Theft

Exceptions to the Hierarchy Rule: There are exceptions to using the Hierarchy Rule when counting offenses. These exceptions apply to Arson, Sexual Assaults, Hate Crimes, and VAWA offenses.

Clery crime statistic data is reported based on the calendar year in which a crime report is received. The collection process of Clery crimes is facilitated by the YSU Police Department Clery Officer. YSU Campus Security Authorities report allegations of Clery Act crimes that have been reported in good faith. Any crime reported to a CSA must be immediately sent to the YSU Police Department via a CSA submission form that can be found at www.ysu.edu/police. CSA's can also call the police department at (330) 941 3527 to report crimes that have been reported to them. YSU Police encourages all crimes to be reported directly to the YSU Police Department, 24 hours a day, 7 days a week at (330) 941 3527. In an emergency, always dial 9-1-1.

All crime reports received by the YSU Police Department are reviewed, classified, and analyzed by the Clery Officer. Each crime report is then organized by crime offense according to the crime definitions and elements contained in the latest FBI UCR manual. Additionally, each crime report is organized by geographic location, according to the Clery Act geographic reporting definitions. Once classified, crimes are then tallied and placed in the appropriate Clery Act geographic section by year in which the crime was reported. Clery Act geographic locations include: on-campus property (with a subset location of on-campus student housing facilities), non-campus property, public property, as defined.

Stalking offenses include a statistic for each year in which the stalking course of conduct is reported. Stalking reports are recorded as occurring either at the first location within the Clery Act geography where the stalking course of conduct occurred or the location where the victim first became aware of the stalking course of conduct. It is not necessary for all activities in the course of conduct to occur on Clery Act geography in order to count the incident.

Under the Clery Act, hate crime statistics are reported for Clery Act crimes, including: larceny-theft, simple assault, intimidation and damage/destruction/vandalism of property. To be classified as a hate crime, these crimes had to be committed based on the victim's actual or perceived race, gender, gender identity, religion, sexual orientation, ethnicity, national origin, or disability. A hate or bias related crime is not a separate, distinct crime; rather, it is the commission of a criminal offense which is proven through investigation to be motivated by the offender's bias. A crime is considered a hate crime if sufficient objective facts are present to conclude that the offender's actions in whole or part were motivated by bias.

2.7 Clery Geography Definitions

The Clery Act mandates the collection, classification and reporting of crime reports that are then translated into Clery Act crime statistic data organized into specific geographic categories known as Clery Act Geography. Below is a description of each Clery Act geographic location as it appears in the crime statistic tables.

- **On Campus:** (i) any building or property owned or controlled by Youngstown State University 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 (ii) any buildings or property that is within or reasonably contiguous to the area identified in (i) 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).
- **On-Campus Student Housing Facilities:** Any student housing facility that is owned or controlled by YSU, or is located on property that is owned or controlled by YSU, and is within the reasonably contiguous geographic area that makes up the campus, is considered an on-campus student housing facility.
- **Non-Campus Building or Property:** (i) any building or property owned or controlled by a student organization that is OFFICIALLY RECOGNIZED by the institution; or (ii) any building or property owned or controlled by an institution that is used in direct support of, or in relation to, the institution's educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution. The Youngstown City Police will share crime statistic information with YSU Police for inclusion in the Annual Security and Fire Report for properties/ areas within the Clery Geography Area.
- **Public Property:** All public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus, or immediately adjacent to and accessible from the campus.

2.8 Crime Statistics for 2017, 2016, and 2015

| 2018 Youngstown State University Campus Crime Statistics | | | | | | | | | | | | | | | |
|---|----------------------|--|-------------|----------------|-------------|-------------|-------------|-------------|-------------|-----------------|-------------|-------------|-------------|-------------|-------------|
| | On-Campus + Res Hall | | | Residence Hall | | | Non-Campus | | | Public Property | | | Unfounded | | |
| Classification | 2017 | 2016 | 2015 | 2017 | 2016 | 2015 | 2017 | 2016 | 2015 | 2017 | 2016 | 2015 | 2017 | 2016 | 2015 |
| Murder Non-Neg Manslaughter | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Manslaughter by Negligence | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Rape | 2 | 2 | 3 | 2 | 2 | 3 | 0 | 2 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Fondling | 2 | 0 | 1 | 1 | 0 | 1 | 0 | 1 | 0 | 0 | 1 | 0 | 0 | 0 | 0 |
| Incest | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Statutory Rape | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Robbery | 0 | 0 | 2 | 0 | 0 | 0 | 0 | 1 | 0 | 1 | 0 | 1 | 0 | 0 | 0 |
| Aggravated Assault | 0 | 0 | 3 | 0 | 0 | 3 | 0 | 2 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Burglary | 7 | 2 | 1 | 5 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Motor Vehicle Theft | 4 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 3 | 1 | 0 |
| Arson | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Domestic Violence | 1 | 1 | 0 | 1 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Dating Violence | 0 | 3 | 1 | 0 | 3 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Stalking | 8 | 7 | 3 | 5 | 1 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Arrests and Referrals | On-Campus + Res Hall | | | Residence Hall | | | Non-Campus | | | Public Property | | | Unfounded | | |
| | 2017 | 2016 | 2015 | 2017 | 2016 | 2015 | 2017 | 2016 | 2015 | 2017 | 2016 | 2015 | 2017 | 2016 | 2015 |
| Liquor Law Arrests | 0 | 11 | 29 | 0 | 7 | 27 | 0 | 1 | 1 | 0 | 0 | 0 | 0 | 0 | 0 |
| Drug Law Arrests | 2 | 2 | 2 | 2 | 1 | 1 | 0 | 1 | 0 | 2 | 2 | 7 | 0 | 0 | 0 |
| Weapon Law Arrests | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 4 | 0 | 0 | 0 | 0 |
| Liquor Law Referrals | 30 | 25 | 35 | 28 | 22 | 34 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Drug Law Referrals | 8 | 11 | 10 | 6 | 10 | 9 | 0 | 2 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Weapon Law Referrals | 0 | 7 | 1 | 0 | 2 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Hate Crimes | On-Campus + Res Hall | | | Residence Hall | | | Non-Campus | | | Public Property | | | Unfounded | | |
| | 2017 | 2016 | 2015 | 2017 | 2016 | 2015 | 2017 | 2016 | 2015 | 2017 | 2016 | 2015 | 2017 | 2016 | 2015 |
| Reported | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 0 |
| Breakdown | 2017 | Non-Campus: Intimidation: Race | | | | | | | | | | | | | |
| | 2016 | No Hate Crimes Reported | | | | | | | | | | | | | |
| | 2015 | Public Property: Simple Assault: Sexual Orientation. | | | | | | | | | | | | | |

Note: Lakeland Community College and Lorain Community College statistics are included in the “Non-Campus” statistics. This is due to YSU and these institutions having a written agreement (or “lease”) for use of space in direct support of YSU’s educational purposes.

3.0 Sexual Assault, Domestic Violence, Dating Violence and Stalking

3.1 General Information

Youngstown State University prohibits sexual and relationship violence including sexual assault, dating and domestic violence, stalking, and other forms of prohibited sexual misconduct through the University policies on sexual misconduct and sexual harassment (“policy”) as implemented in the University guidelines for reporting and responding to reports of sex offenses (“guidelines”).

Youngstown State University is committed to creating and maintaining a community dedicated to the advancement, application and transmission of knowledge and creative endeavors through academic excellence, where all individuals who participate in University programs and activities can work and learn together in an atmosphere free of harassment, exploitation, or intimidation. Every member of the YSU community should be aware that the University prohibits sexual and relationship violence that violates law and/or University policy. The University will respond promptly and effectively to reports of sexual and relationship violence and will take appropriate action to prevent, correct, and when necessary, discipline behavior that violates University policy.

For purposes of the YSU Annual Security and Fire Report, the term “sexual and relationship violence” includes incidents of sexual assault (rape, statutory rape, incest, fondling), dating violence, domestic violence, and stalking. The terms “respondent” and “complainant” are used in this document when referring to administrative proceedings, the policy and the guidelines. The term “suspect” and “victim” are used in this document when referring to criminal proceedings.

In compliance with state and federal laws, YSU has adopted policies and procedures to prevent and respond to incidents of sexual and relationship violence involving members of the YSU community. The policy and guidelines are available online at www.yzu.edu/title-ix. Additionally, written information about complainants’ rights, options, and resources as well as policies, procedures, education and training, risk reduction, and reporting information are available at www.yzu.edu/title-ix.

YSU’s Title IX Director is Kelly Beers; she coordinates Title IX, and is responsible for the University’s compliance with Title IX and administrative investigations of sexual violence. Kelly Beers is located in Tod Hall 301, One University Plaza, Youngstown Ohio, 44555. Telephone: (330) 941-4629. Email: kbeers@ysu.edu.

- ❖ **Safety:** Victims of sexual violence are strongly encouraged to immediately contact the YSU Police Department to ensure immediate safety. YSUPD is located in Clingan-Waddell Hall, 266 West Wood Street, Youngstown Ohio, 44502. The YSUPD is available 24 hours a day 7 days a week by calling 9-1-1 from a campus telephone or (330) 941-3527 from a landline.

- ❖ **Confidential Support Services:** The YSU Counseling Center offers a confidential advocate during normal business hours. The Counseling center is available from 8:00-5:00 Monday-Friday and can be reached at (330) 941-3737.

- ❖ **Preserve Evidence:** It is important to preserve evidence, which may assist in proving that the alleged criminal offense occurred or which may be helpful in obtaining a protective order. Try to preserve evidence even if you are unsure at the time whether you will pursue pressing criminal charges.

The following is a list of tips for preserving evidence:

- **Sexual Assault:**

Victims of sexual assault should not shower, douche, urinate, brush their teeth, or change or discard their clothing and/or bedding until evidence can be collected.

Even if you are not sure that you want to file a police report, it can be helpful to have any available evidence collected in case you decide to file a report with law enforcement later. Collection of DNA is most successful when collected within 120 hours (5 days) after the assault.
- **Domestic and Dating Violence:**

Not all experiences of domestic or dating violence cause visible injuries. If visible injuries are present, it can be helpful to document them with photographs, if it is safe to do so. It is also important to seek medical attention if possible and safe to do so.
- **Stalking:**

If you have experienced stalking, it can be helpful to an investigation to retain any evidence of that behavior, including documentation of any unwanted communication (written, oral, electronic), posts (such as on social media), gifts, etc.
- ❖ **Medical Attention:** Health providers can examine and treat physical injuries and provide pregnancy tests and testing for sexually transmitted diseases.
 - The State of Ohio Attorney General's Sexual Assault Forensic Examination (SAFE) program pays for the cost of the exam and antibiotics to prevent sexually transmitted infections. For related expenses not covered under the SAFE program, applications can be made to the Ohio Victims of Crime Compensation Program. For more information, contact the Ohio Attorney General's Crime Victim Services at (614) 446-4797.
 - The closest health facilities to campus are:
 - Mercy Health-St. Elizabeth's Hospital Youngstown: (330) 746-7211.
 - The YSU Police Department will assist victims with transportation and facilitation of exams for sexual assaults and domestic related assaults.

3.2 Definitions

❖ State of Ohio definitions can be found in section 2.5.

Rape is defined as 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. This definition includes any gender of victim or perpetrator.

Unlawful Sexual Conduct with a minor states no person who is eighteen years of age or older shall engage in sexual conduct with another, who is not the spouse of the offender, when the offender knows the other person is thirteen years of age or older but less than sixteen years of age, or the offender is reckless in that regard.

Statutory Rape is defined as sexual conduct with a person who is under the statutory age of consent.

Incest is defined as sexual conduct between persons who are related to each other within the degrees wherein marriage is prohibited by law.

Fondling is defined as sexual contact of the erogenous zone of another for the purpose of sexual gratification, without consent of the victim, including instances where the victim is incapable of giving consent due to age or temporary or permanent mental incapacity.

Dating Violence is defined as violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim.

- 1.) The existence of such relationship shall be determined based on the reporting party's statement and by the victim with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.
- 2.) For purpose of this definition:
 - a. Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
 - b. Dating violence does not include acts covered under the definition of domestic violence.

Domestic Violence is defined as violence or threatened violence against a family or household member. Someone commits domestic violence when he or she knowingly or recklessly caused physical harm to the victim, or threatens a family or household member with physical force, causing that person to fear an imminent physical attack. This includes:

- 1.) By a current or former spouse or intimate partner of the victim;
- 2.) By a person with whom the victim shares a child in common;
- 3.) By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;
- 4.) By a person similarly situated to a spouse of the victim of violence occurred; or

- 5.) 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.

Stalking is defined as repeated behaviors or activities whether in person, online, or through any other means which threaten or endanger the safety, physical or mental health, life or property of another or creates a reasonable fear of such threat or action.

This means engaging in a pattern of conduct that the stalker knows will cause another person mental distress or cause that person to believe the stalker will cause physical harm to her or himself. For purposes of this definition:

- 1.) 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.
- 2.) Reasonable person means a person under similar circumstances and with similar identities to the victim.
- 3.) Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily require medical or other professional treatment.

Retaliation: Retaliation includes threats, intimidation, reprisals, and/or adverse employment or educational actions against a person based on their report of sexual or relational violence or participation in the investigation, report, remedial, or disciplinary processes.

In addition to the University's prohibition against retaliation, the Clery Act also prohibits retaliation. An institution, or an officer, employee, or agent of an institution, may not retaliate, intimidate, threaten, coerce, or otherwise discriminate against any individual for exercising their rights or responsibilities under the Clery Act.

Consent is positive, unambiguous, voluntary and ongoing agreement to engage in a specific activity. Consent must be freely and affirmatively given. Consent cannot be obtained from someone through coercion or from someone who is unconscious, asleep, or whose judgment is impaired by the use of a drug or alcohol or diminished by an intellectual, mental, or physical condition or disability. Consent can be withdrawn at any time.

Lack of protest, lack of resistance, or silence, DO NOT alone constitute consent.

Affirmative consent must be ongoing and can be revoked at any time during sexual activity. The existence of a dating relationship or past sexual relations between the persons involved should never by itself be assumed to be an indicator of consent (nor will subsequent sexual relations or dating relationship alone suffice as evidence of consent to prior conduct).

The respondent's belief that the complainant consented shall not provide a valid excuse where:

- 1.) The respondent's belief arose from the respondent's own intoxication or recklessness;
- 2.) The respondent did not take responsible steps, in the circumstances known to the respondent at the time, to ascertain whether the complainant affirmatively consented; or

- 3.) The respondent knew or reasonable person should have known that the complainant was unable to consent because the complainant was incapacitated, in that the complainant was:
 - a. Asleep or unconscious;
 - b. Under the influence of drugs, alcohol, or medication, unable to understand the fact, nature, or extent of the sexual activity; or
 - c. Unable to communicate due to a mental or physical condition.

Sexual activity, of any kind, requires consent prior to and during the sexual activity. Obtaining consent from all sexual partners is crucial in order to prevent sexualized violence.

Keys to understanding Consent:

- Consent is active and given by words and/or obvious acts.
- Consent is not silence; communication is necessary.
- Consent is freely given; if you tell someone that he/she has to have sex with you or you bully them into having sex with you that is coercion and you don't have consent.
- Consent is right now; it doesn't matter if the two of you had sex yesterday or last week, or if you are dating or were dating; prior consent does not equal present consent.
- Consent is for a particular act: If someone agrees to cuddling and kissing it does not mean he/she consents to anything else. You have to make sure you have consent for every sexual act that takes place.

What if someone is drunk, high, or out of it?

Drugs and alcohol can affect people's ability to make decisions, including whether or not they want to be sexual with someone else. This means that if someone is really out of it, they cannot give consent. Being with them in a sexual way when they don't know what is going on is the same as sexual assault.

How can you tell if someone isn't into it?

The best way is to ASK:

- Is there anything you don't want to do?
- Are you comfortable?
- Do you want to stop?
- Do you want to go further?

Also be aware of body language that can let you know if the person you're with is not comfortable with what is happening:

- Not responding to you
- Pushing you away
- Holding their arms tightly around their bodies
- Turning away from you or hiding their face

Is it Coercion?

Sexual coercion is intimidation, physical or psychological threat, or pressure used to force another to engage in sexual acts. If someone does any of the following to get you to engage in sex, he or she could be pressuring or coercing you:

- Lying
- Blackmailing
- Threatening
- Holding you down
- Yelling
- Badgering
- Name-calling
- Guilt trips
- Getting you drunk or high

Am I Being Sexually Coerced?

If something like this has been said to you to get you to have sex, you may be experiencing sexual coercion:

- “We’ve had sex before, so you can’t say no now.”
- "If you LOVE me, you'll have sex with me."
- "You know you want it."
- "Don't make me stop now."
- “You’re a tease.”

Sometimes, it's really hard to identify if you've been, or are being, sexually coerced but if you can answer yes to any of these questions you may be experiencing sexual coercion:

- Are there times you don’t want to have sex but you feel like you can’t say no?
- Do you feel that you don’t have a choice to have sex?
- Are you being pressured constantly to have sex, even after you say “no.”?
- Have you ever had a sexual experience that left you angry, scared or feeling guilty?
- Has someone used their authority or power to get you to engage in sexual behaviors?

How to Fight Sexual Coercion:

If you feel uncomfortable trust your feelings and know your limits.

Speak your mind and respect yourself. If someone is using sexual pressure on you say no. You could say:

- "I like you, but I'm not ready to have sex with you."
- "If you care for me, you'll respect that I don't want to have sex now."
- “I don't owe you an explanation or anything."
- "Dinner doesn't mean sex - what are we, in the 1950's?"

Leave immediately and get help if you need it.

Avoid alcohol and other drugs because they can:

- Mess up your judgment
- Make it harder to resist both physically and emotionally
- Make the other person more aggressive

3.3 Education Programs and Campaigns

YSU is committed to the prevention of sexual assault, domestic violence, dating violence, and stalking through regular and ongoing education and awareness programs. Incoming students and new employees receive primary prevention education as part of their orientation, and returning students and current employees receive ongoing training and related programs. YSU's education and prevention programs reflect comprehensive, intentional and integrated programming, initiatives, strategies and campaigns intended to end sexual assault, domestic violence, dating violence, and stalking. These programs are also designed to consider environmental risk and protective factors as they affect individuals, relationships, institutions, communities and society. Prevention education focuses on the elimination sexual assault, domestic violence, dating violence, and stalking on the campus, emphasizing the role of respect and communication in relationships and the absence of violence, abuse and manipulation.

Prevention education is consistent with CDC endorsed social-ecological model, addressing factors at individual, relationship, community and societal levels. Additionally, prevention programs span the range of primary, secondary and tertiary levels throughout the year. The model is based upon lessons learned from effective prevention strategies, and an understanding of complex sociocultural dynamics and lessons learned from the fields of marketing and advertising, stressing repeated messaging.

All YSU students and employees are provided with programming, initiatives, strategies, and campaigns intended to prevent and end sexual assault, domestic violence, dating violence, and stalking and to train individuals on how to best respond to disclosures. These programs are tailored to YSU's community and the needs of students and employees. Additionally, these programs are culturally relevant, inclusive and responsive to the entire community, and are informed by research. YSU makes a good faith effort to reach all incoming students and new employees and provide active notification about these programs. Online and in person training opportunities are provided utilizing a multi-pronged approach, including interactive workshops, presentations, online modules, and more. Prevention efforts consist of online and in-person training, response protocol for students and staff, bystander trainings, educational workshops, guest lectures, resource fairs, passive displays and information and large campus wide events.

The YSU system wide curriculum, tailored to each audience, educates our community about sexual and relationship violence, how to prevent it, and the role of intervention and available local resources. While ongoing trainings review and expand on initial programming content, programs for new students and employees include the following information:

- A clear statement that Youngstown State University identifies all sexual and relationship violence as prohibited conduct.
- Definitions of sexual assault, dating violence, domestic violence and stalking as defined in the local jurisdiction and in University policy/guidelines as well as examples of behaviors that constitute such offenses.

- Definition of consent, in reference to sexual activity, as that term is defined in YSU's jurisdiction and policy.
- Social norms, including the attitudes and beliefs that normalize violence.
- Safe and positive options for bystander intervention that may be carried out by an individual to prevent harm or intervene when there is a risk of sexual or relationship violence against a person other than the bystander.
- Information on risk reduction so that students and employees may recognize warning signs of abusive behavior and how to avoid potential attacks.
- How to respond to sexual assault, domestic violence, dating violence, and stalking using methods that acknowledge the impact of violence and trauma on survivors' lives.
- Information about the procedure utilized when a crime is reported and the subsequent investigatory and disciplinary proceedings involved.
- Local resources, including confidential support for survivors of sexual assault, domestic violence, dating violence, and stalking and appropriate services for those accused of sexual assault, domestic violence, dating violence, and stalking.
- Rights and options about reporting sexual assault, domestic violence, dating violence, and stalking.

Primary Prevention and Awareness Programs

Youngstown State University seeks to foster and promote healthy, positive, and mutually respectful relationships. YSU's new students and new employees are introduced to the University's primary prevention and awareness programs during orientations. Primary prevention programs are initiatives and strategies intended to stop dating violence, domestic violence, sexual assault, and stalking before they occur.

Ongoing Prevention and Awareness Programs

In addition to primary prevention and awareness programs, YSU provides ongoing prevention and awareness for all current students and current employees. These programs increase understanding of the topics and skills necessary to address dating violence, domestic violence, sexual assault, and stalking.

The online training program facilitated by LawRoom; Alcohol, Consent, Student Conduct and Criminal Issues and Sexual Misconduct and Awareness Training; is an online training program that addresses dating and domestic violence, stalking and sexual assault as well as mitigating risk and understanding consent.

Primary and Ongoing Awareness Campaigns to end sexual assault, domestic violence, dating violence, and stalking

| Program Title | Program Description | Type |
|---|---|-------------|
| Campus Clarity | Facilitated through Everfi online education services; is an online training module that aims to reduce risky student behavior and prevent sexual assault on campus. | N |
| One Love | This film based workshop is meant to educate people on the warning signs of relationship abuse. | O |
| Intersections | Facilitated through Everfi online education services; all employees go through modules that present information on sexual harassment, sexual assault, and reporting procedures. | N |
| Students Fight Back | The event hosted by Housing and Residence Life, empowers the campus community to fight back against violence. | O |
| Clothesline Project | Co-Sponsored by the Title IX office, this project displays shirts that YSU students create to honor family and friends who are survivors of sexual assault. | O |
| Take Back the Night | Take Back the Night is dedicated to everyone affected by sexual assault, from survivors to family and friends. The event addresses rape, sexual assault, child abuse, domestic violence, sexual harassment and stalking. The march honors the survivors of sexual assault and focuses on educating the campus about issues related to rape and sexual violence. | O |
| Walk a Mile in Her Shoes | The Inter-Fraternity Council at Youngstown State University and The Walk a Mile in Her Shoes Foundation are working to stop and fight these assaults. The way in which we are doing this is through a march to stop and raise awareness and the impact it has on so many families and communities and the victim themselves. | O |
| The Hunting Ground | An award-winning documentary about sexual assault on college campuses and what its creators say is a failure of college administrations to deal with it adequately. | O |
| Denim Day | Wearing jeans on International Denim Day is a call to action for all people to come together by wearing denim as a visible sign of protest against sexual violence. | O |
| Sexual Misconduct Awareness Training | Facilitated through Everfi online education services, this training provides information on harassment laws, reporting, and responding to instances of sexual misconduct. | N |
| Alcohol, Consent, Student Conduct and Criminal Issues | Students receive information at orientation about underage drinking laws and effects, drug law and effects, student conduct procedures and processes. | N |
| Athletics Presentation | All athletes receive information and presentation regarding drinking, drug use, and sexual and relationship violence. | N |
| Bystander Intervention/Risk Reduction | Students receive information at orientation about safe bystander options and reducing the risk of committing assaults and being a victim. | N |

(N) Indicates new students/employees receive this training.

(O) Indicates an Ongoing Prevention/Awareness Program.

Bystander Intervention

As a community, it is each of our responsibility to step up to prevent sexual or dating violence and assist those affected by these behaviors before, during, or after an incident. If you witness these situations unfolding, or if someone comes to you for help, there are many ways that you can have a positive impact.

In order to intervene, first someone has to:

- Notice the incident
 - Bystanders must first notice an incident is taking place. It's important to become familiar with what situations may be risky; i.e., if you're at a party, and you see someone stumbling as they're being led into a different room, this is a risky situation.
- Interpret the incident as emergency
 - By "emergency," we mean a situation where there is a risk of sexual or domestic or dating violence occurring in the near future.
- Assume responsibility for intervening
 - It has been found that often, people believe that someone else will help in a situation where there are many people around. However, it is important to realize that others may also be thinking the same thing. If you're unsure if you should do something, ask a friend what they think -- it might be the case that they've been thinking the same thing.
- Have the bystander intervention skills to help
 - There are a number of different techniques that someone can use to intervene in a risky situation, some of which we've listed below.

How Do I Intervene?

- First and foremost, your safety is of the utmost concern. When a situation threatens physical harm to you or someone else, ask for help or contact the YSU Police Department at 330-941-3527 or dial 911.
- Direct: Step in and address the situation directly. This might look like saying, "That's not cool. Please stop." or "Hey, leave them alone." This technique tends to work better when the person that you're trying to stop is someone that knows and trusts you. It does not work well when drugs or alcohol are being used because someone's ability to have a conversation with you about what is going on may be impaired, and they are more likely to become defensive.
- Distract: Distract either person in the situation. This might look like saying, "Hey, aren't you in my Spanish class?" or "Who wants to go get pizza at UPie?" This technique is especially useful when drugs or alcohol are being used because people under the influence are more easily distracted than those that are sober.
- Delegate: Find others who can help you to intervene in the situation. This might look like asking a friend to distract one person in the situation while you distract the other ("splitting"

or "defensive split"), asking someone to go sit with them and talk, or going and starting a dance party right in the middle of their conversation. If you don't know either person you could also ask around to see if someone else knows them, or one of them, and see if they will check in with them. See if they can go talk to their friend, text their friend to check in, or intervene.

(Adapted from Vassar College Sexual Assault & Violence Prevention)

- When you intervene, it's important to remember that you don't have to do so alone. Research has shown that 70% of YSU students would be willing to intervene (Haven Online Prevention Program, Fall 2014). Additionally, if you are in doubt, there is no harm in asking the person "Are you okay?" so you can get more information and see how you're best able to help them.

Helping a Survivor of Sexual Assault:

It can be a very challenging experience when someone discloses a sexual assault; however, knowing how to be supportive can be crucial in a survivor's healing process. There are two things you need to think about: how you can support the survivor, and how you can take care of yourself.

How You Can Support the Survivor:

- Believe the survivor: Know that revealing this experience takes a great deal of strength and courage. Remember that **NO ONE DESERVES TO BE ASSAULTED**. Remind the survivor that the assault was not their fault. Let the survivor know that you believe them.
- Be respectful of privacy and confidentiality: Don't tell anyone about the assault without the survivor's permission. The survivor has chosen to tell you and it may be hurtful or dangerous to tell others.
- Provide options: There are several things a survivor may want to think about: seeking counseling, obtaining medical attention, preserving evidence, or reporting to the police. You can provide information and options for the survivor, but always let the survivor make their own decisions. Many survivors feel a deep sense of disempowerment as a result of being violated. Therefore, it is important to help the survivor feel empowered. Instead of taking charge, ask how you can help. Offer to accompany the survivor to seek medical attention or to go the police if they want to do so. Support the decisions the survivor makes, even if you might not agree with them. This may include physical space. Some may want a hug, and for others this may be invasive. Follow their lead.
- Be aware of your desire to provide reassurance: Saying things like "everything is going to be all right" or "it could have been worse," may seem supportive, however, the survivor may interpret these reassurances to mean that you don't understand their feelings, or that you are trivializing the magnitude of what they have experienced. Instead you might say, "I'm sorry this happened," or "How can I be helpful?"
- Be a good listener: Recovering from a sexual assault can take a long time. The survivor may need your support now and in the future. Let the survivor choose when they want to talk and how much they want to share. Sometimes the survivor may not want to talk at all. When the survivor does choose to talk to you, these are things to keep in mind:

DO concentrate on understanding the survivor's feelings.

DO allow silences.

DO let the survivor know you are glad they disclosed to you.

DON'T interrogate or ask for specific details about the sexual assault.

DON'T ask "why" questions such as "why did you go there?" or "why didn't you scream?"

DON'T tell them what you would have done or what they should have done.

How You Can Take Care of Yourself

- Learn as much as you can about sexual assault: Be as familiar as you can with community resources and common reactions to sexual assault. This will help you better understand the survivor's experiences and the process of recovery.
- Be aware of your own reactions to sexual assault: You may feel a sense of violation when someone you care about has been assaulted. You may experience feelings of confusion, hurt or anger. You may wish you could make the survivor's pain go away. No matter how helpful you are, you can't make the sexual assault disappear. The best you can do is help the survivor find ways to help themselves. Your support is much more helpful to the survivor than your anger and frustration.
- Recognize the difference between what you want and what the survivor wants: Try to distinguish between what you are doing to make yourself feel better from what you are doing to help the survivor. You may be tempted to do things that make you feel better which are not helpful to the survivor, such as beating up the assailant or trying to get the survivor to just "forget about it." Instead, ask the survivor what would be most helpful.
- Know your limitations: Every individual has a limit to how much they can give. This does not make you a failure. It is important to know your own limitations of support and to share these clearly with the survivor. Provide the survivor with other support options; for example, provide them with SAPAC phone numbers. Let the survivor know you will not feel hurt if they choose to talk with someone else.
- Seek support for yourself: Your support plays a critical role in the survivor's recovery. Talking with someone who can help you work through your own feelings will better enable you to support the survivor. Remember to respect the survivor's privacy when seeking support from others. Counseling support is available for you at University Counseling Services call 330-941-3737 to schedule an appointment.

Risk Reduction Strategies for Men and Women

More than 90% of sexual assaults that occur among college students involve people who know each other, and the majority of these assaults involve the use of alcohol or other drugs.

There are no sure means to prevent sexual assault. However, you can lessen the likelihood that you or your friends will be assaulted or will assault someone. Here are some tips to consider when you go out:

- Know where you are going and speak up if you are uncomfortable with the plans.

- Know that drinking and drug use can impair your judgment. You might not be able to make the same decision you would make if you were sober.
- If you drink, drink responsibly: eat a full meal before going out, have a glass of water between each drink, stick to one type of alcoholic beverage, know your limits and don't go beyond them.
- Only drink something that you have poured yourself or that comes in a pre-sealed container. Premixed drinks or a punch can have more alcohol than you might want to drink.
- Drugs like Rohypnol and GHB ("date rape drugs") are being dissolved in drinks; don't drink something that has been left unattended.
- Don't go anywhere with someone you don't know well. If you do leave a party with a new friend, tell the friends you came with where you are going and when you are returning.
- If someone is in a risky situation let them know; let someone know.

Reduce the Risk of Committing Sexual Assault

- Listen carefully. Take time to hear what the other person has to say. If you feel s/he is not being direct or is giving you a "mixed message," ask for clarification.
- Don't fall for the bogus slogan "if they say no, they really mean yes." If your partner says "no" believe them and stop.
- Remember that sexual assault is a crime. It is never acceptable to force sexual activity, no matter what the circumstances.
- Be aware that having sex with someone who is mentally or physically incapable of giving consent is sexual assault. If you have sex with someone who is drugged, intoxicated, passed out, or who is mentally or physically unable of saying no or knowing what is going on, you could be committing a crime such as rape.
- Don't make assumptions:
 - Don't assume that someone wants to have sex because of the way they are dressed. Don't assume someone want to have sex because they drink (or drink too much).
 - Don't assume someone wants to have sex because they agree to go to your room.
 - Don't assume that if someone has had sex with you before that they are willing to have sex with you again.
 - Don't assume that if your partner consents to kissing or other sexual activities, they are consenting to all sexual activities.

Reduce the Risk of Being Sexually Assaulted

- You have the right to say "NO" to any unwanted sexual contact. If you are uncertain of what you want, communicate your feelings firmly and directly: NO MEANS NO.
- Don't be afraid to "make waves" if you feel threatened. If you feel you are being pressured or coerced into sexual activity, don't hesitate to state your feelings and leave the situation.
- Attend large parties with friends you trust. Agree to "look out" for one another. Leave with the group, not alone. Avoid leaving with people that you don't know very well.

3.4 Reporting Options and Resources for Victims of Sexual Assault, Domestic Violence, Dating Violence, and Stalking

- ❖ The reporting options, interim measures and confidentiality information will be provided in writing to the victim/witness (regardless if they are a student, faculty member or staff member) to a crime of Sexual Assault, Domestic Violence, Dating Violence, and Stalking. The information is provided even if a victim/witness does not want to make a formal report with the YSU Police.

Reporting to the YSU Police Department:

The YSU Police Department is located in Clingan-Waddell Hall, at 266 West Wood Street, Youngstown Ohio, 44502, and is available 24 hours a day, 7 days a week. Call 9-1-1 from any campus phone, or (330) 941-3527 from your cellphone.

The YSU Police Department provides a timely response for staff, students, faculty, and members of the community who have experienced sexual or relationship violence. In addition to emergency response, YSUPD conducts trauma informed investigations of sexual and relationship violence. For cases that occur off campus, local police of that jurisdiction should be contacted. The preservation of evidence is essential to the successful investigation and prosecution of sexual assault, domestic violence, dating violence and stalking. YSUPD personnel have been specially trained in the proper handling, identification, collection and preservation of such evidence. YSUPD can assist victims by arranging for medical evidentiary examinations in order to provide admissible evidence when the person reporting the act of sexual violence desires prosecution through the criminal justice system.

Although it is never too late to file a police report, it is highly recommended to report sexual assault, domestic violence, dating violence and stalking as soon as possible in order to allow the collection of evidence. When a report is made to the YSUPD, an investigation officer trained in sexual assault, domestic violence, dating violence and stalking cases will be dispatched to the scene and will explain the police procedures. The officer will inform the victim that he or she has the right to have a support person present during the investigative interview. Detectives will assist with the investigation and proper evidence collection. Victim advocates are also available to accompany and assist victims.

At the conclusion of the police investigation, the case may be forwarded to the Mahoning County Prosecutors office for review. The Prosecutor's office makes the final decision whether to criminally prosecute the suspect. A Victim may make a police report or participate in court proceedings at his or her discretion.

YSUPD encourages the YSU community, including students, to immediately contact them by dialing 9-1-1 from a campus phone, or (330) 941-3527 to report instances of sexual assault,

domestic violence, dating violence and stalking. The YSU Police Department is located in Clingan-Waddell Hall, located at 266 West Wood Street, Youngstown Ohio, 44502, and is available 24 hours a day, 7 days a week.

To encourage reporting by victims, the YSU Police Department is committed to the following investigation procedures:

- YSUPD will meet with victims privately at a location where they are comfortable when feasible.
- YSUPD will only notify victim's parents, spouse, or significant other if the victim asks us to do so. (If victims are under 18, parents/guardians may be contacted).
- YSUPD will treat victims and their concerns with courtesy, sensitivity, dignity, understanding, and professionalism.
- YSUPD will openly listen with no prejudgment, and victims will not be blamed for what occurred.
- YSUPD will absolutely consider all cases regardless of victim's gender, gender identity, gender expression, sexual orientation, or the gender or status of the suspect.
- YSUPD will assist victims in coordinating advocacy support, privately contacting confidential counseling, and/or other available resources.
- YSUPD will investigate cases while keeping victims regularly updated.
- YSUPD will discuss and explain the criminal justice court process. Ultimately, it is the victim's choice to participate in criminal prosecution.

Reporting to Local Law Enforcement:

Reports can be made to the Youngstown City Police by calling (330) 747-7911 or by visiting 116 West Boardman Street Youngstown, Ohio 44503.

Reporting to the Title IX Coordinator:

Located in Tod Hall 301; One University Plaza, Youngstown Ohio, 44555. Telephone: (330) 941-4629. Email Kelly Beers at kbeers@ysu.edu. YSU encourages all complaints to report acts of sexual assault, domestic violence, dating violence, and stalking to the Title IX Office as soon as possible after it occurred, regardless of whether it occurred on or off campus, in order for appropriate and timely action to be taken. Complainants may request an administrative investigation from the Title IX Office whether or not a report has been filed with the police. The

Office of Equal Opportunity and Policy Development is the office responsible for conducting neutral, administrative investigations of all reports of sexual violence to determine if the policy or guidelines have been violated. Visit www.yсу.edu/title-ix for information about the investigative procedures.

The Title IX Officer will meet with complainants to discuss their rights, options, and any interim and protective measures appropriate. If a complainant wishes to file a complaint, the Officer will perform an investigation and produce an investigative report with a determination of whether the *preponderance of the evidence*² supports that the policies were violated. The investigative report will be submitted to the appropriate University official to adjudicate.

Any complainant, who reports sexual assault, domestic violence, dating violence, or stalking regardless of whether the offense occurred on or off campus, will be provided with a written explanation of their rights, options, and resources. The Title IX Officer, in coordination with the Office of Student Life and Housing will make an immediate assessment concerning the health and safety of the complainant, other affected parties, and the campus community, implement interim measures or protective measures immediately necessary including but not limited to changes to housing or course assignments, and safety escorts.

Many campus offices can assist complainants with obtaining interim measures and protective measures, and notifying law enforcement authorities; such as YSUPD, Student Outreach, Student Housing, Student Life, Disability Services, Center for Student Progress, and Human Resources. Interim and protective measures can include protection orders (through the court where you reside) escorts, counseling and advocacy sources, referrals to legal services, physical and mental health services, academic accommodations, employment accommodation, and changes to academic, living, transportation and/or working situations. Complainants with questions, concerns, or complaints about their ability to obtain requested interim measures or protective measures should contact the Title IX Office. Factors that might be considered during this process include, but are not limited to:

- The specific need expressed by the complainant;
- The age of the students involved;
- The severity or pervasiveness of the allegations;
- Any continuing effects on the complainant;
- Whether the complainant and alleged respondent share the same residence hall, class, transportation or job location; and
- Whether other judicial measures have been taken to protect the complainant.

² Preponderance of the Evidence is the standard of evidence used; meaning “more likely than not”.

Option to decline all reporting:

Although YSU encourages the timely reporting of all crimes, complainants of sexual assaults, domestic violence, dating violence, or stalking are not required to report to police, Title IX Office, or any other campus office.

Resources:

Regardless whether a complainant chooses to report sexual assault, domestic violence, dating violence, or stalking on and off campus support resources are available to help.

| Campus Resources | Contact |
|------------------------------------|----------------|
| YSU Counseling Center | (330) 941-3737 |
| YSU Student Health Clinic | (330) 941-3489 |
| Student Outreach and Support | (330) 941-4721 |
| Title IX Director | (330) 941-4629 |
| Youngstown State University Police | (330) 941-3527 |
| YSU Human Resources | (330) 941-1508 |

| National Resources | Contact |
|---|------------------|
| Employee Assistance Program | 1 (800) 227-6007 |
| Rape, Abuse and Incest National Network | 1 (800) 656-HOPE |

| City of Youngstown Resources | Contact |
|---------------------------------------|----------------|
| Compass Family and Community Services | (330) 782-5664 |
| Valley Care/Northside Medical Center | (330) 884-1000 |
| Youngstown City Police | (330) 747-7911 |

| State of Ohio Resources | Contact |
|---|------------------|
| Ohio Attorney General Crime Victim Services | 1 (800) 582-2877 |
| Ohio Department of Health Sexual Assault and Domestic Violence Prevention Program | (614) 466-2144 |
| Ohio Domestic Violence Network | 1 (800) 934-9840 |
| Action Ohio Coalition for Battered Women | 1 (888) 622-9315 |

YSU Health Clinic:

Youngstown State University Student Health Clinic is available for illness, injury, and routine health maintenance during Fall and Spring academic semesters and on a limited basis during summer and break weeks.

Although the Student Health Clinic has a clinical nurse specialist as well as limited physician time, you may be referred to an immediate care facility, your family physician, or to an Emergency Center to receive medical care. The Student Health Clinic strives to provide quality care to students, but is limited in available appointment times and on-hand medical diagnostic equipment.

The Student Health Clinic is located on the first floor of Kilcawley House, which is adjacent to Kilcawley Center. The entrance to the Health Clinic is located off of University Plaza.

Hours: 8:00-4:00 Monday-Friday

Phone: 330-941-3489

E-Mail: japavalko@ysu.edu

Confidentiality: Student records are kept strictly confidential. Information cannot be released to anyone (family, faculty, or administration) without the written consent of the student. Note: Certain public health diseases must be reported to the Department of Health by law.

Eligibility: All students with a current valid YSU ID are eligible to use the Student Health Clinic and may schedule an appointment with a CNS or physician. Staff and faculty are welcome to use the clinic for routine health checks, but physician appointments are limited to students.

University Counseling:

Location: Kilcawley Center

Phone: (330) 941-3737

Hours: Monday through Friday - 8:00 A.M. - 5:00 P.M. The Mission of Student Counseling Services is to provide high quality, short-term, confidential mental health counseling, consultation, outreach (educational training), and referral services to currently enrolled YSU students.

Common issues that we address include:

- Anxiety
- Depression
- Stress
- Relationship concerns
- Difficulty managing multiple roles and their impact on being a successful college student

Juggling life's responsibilities is a challenge that causes many individuals to feel anxious, confused, or overwhelmed at times. We are here to help.

Educational Programs, also known as "Outreach," is the method of extending the *care and expertise* of Student Counseling Services staff and trainees to the broader YSU community through prevention and intervention services. In our preventive efforts, we strive to promote feelings of connectedness and a sense of belonging to our campus community to further the development of well-rounded individuals who better understand and are ready to assume their place in our diverse society.

Reaching out to the campus community is an integral component of clinical service delivery and essential to meeting the diverse needs of YSU students. We are committed to bringing prevention and workshops to students who might not otherwise utilize Student Counseling Services.

The Student Counseling Services staff is dedicated to fostering connectedness and belonging to YSU students through the offering of didactic and interactive experiences. Each presentation is designed for a 45-60-minute period with an audience of at least 10 people. Requests for presentations need to be made at least two weeks in advance and should incorporate one of the following three learning objectives.

1. Relate

- Improve your ability to communicate with others.
- Improve the health of your relationships.
- Enhance your connection to community.
- Know where to go for help.

2. Engage

- Adopt healthy habits for emotional wellness.
- Reduce tension, anxiety and fear.

3. Manage

- Overcome obstacles to success.
- Enhance your ability to cope.

Student Counseling Services staff will review the request and do our best to accommodate it. However, during times of heavier clinical demand we reserve the right to modify or decline requests.

To learn more or schedule an Educational Program for your group or class, please contact us at 330-941-3737 to discuss your needs.

Crisis Text Line: Text "Start" to 741741 to get help now.

National Suicide Prevention Number 1-800-273-8255

Help Hotline 1-800-427-3606; (330) 747-2696.

3.5 Interim Measures

Regardless of whether a victim/complainant of sexual violence pursues an investigation, upon request, YSUPD, Title IX Office, will help victims/complainants obtain interim measures. Victims with questions, concerns, or complaints about their ability to obtain requested interim measures should contact the Title IX Office at (330) 941-4704. In addition to the Title IX Office these contacts may also be of some assistance.

- Interim measures for students; contact The Director of Student Outreach and Support Nicole Kent-Strollo at (330) 941-4721 for assistance in obtaining academic support including tutoring, extra time, extension, and withdrawals, and class or schedule changes. Physical and mental health services, counseling, disability accommodation services and victim advocacy. Campus accommodations such as, housing relocation and assistance, safety escorts, Visa assistance, and financial aid assistance.
- Interim measures for employees; contact Human Resources at (330) 941-1508 for assistance in obtaining changes to schedule, work location, parking, department, as well as physical and mental health services, disability accommodation services, victim advocacy and leave time.
- Administrative stay-away order or no contact orders may **be imposed and enforced** by the Office of Student Conduct, applicable management and Human Resources, and the YSU Police.
- Victims may contact a court directly to obtain a civil protection order. For complete information about civil protective orders and court location, visit the Mahoning County Court’s website at www.mahoningdrcourt.org or call (330) 740-2208.

Academic Accommodation Requests:

YSU is obligated to comply with a victim/student’s reasonable request for an academic situation change. The available options include, but are not limited to:

- Allowing the victim/student to complete a class without being physically present in the same room as the accused.
- Allowing the victim/student to change classes if the same class is held at another time, another location, and/or via another venue during the same semester.
- YSU will comply with a victim/student’s reasonable requests to make an academic situation change.

To make an academic situation change contact:

| | |
|------------------------------|----------------|
| Student Outreach and Support | (330) 941-4721 |
| Student Experience | (330) 941-3533 |
| Student Success | (330) 941-4703 |

Living Accommodation Requests:

YSU is obligated to comply with a victim/student’s reasonable request for a living situation change or protective measures. The available options include, but are not limited to:

- Breaking an YSU University Housing agreement so the victim/student may seek housing off campus.
- Moving the victim/student to another residential facility on a temporary or long-term basis, if space is available.
- YSU will comply with a victim/student’s other reasonable requests to make a living situation change.

To make a living situation change contact:

| | |
|------------------------------|----------------|
| Student Outreach and Support | (330) 941-4721 |
| Student Experience | (330) 941-3533 |
| Housing and Residence Life | (330) 941-3547 |

Transportation Accommodation Requests:

YSU is obligated to comply with a victim/student’s reasonable request for a transportation situation change or protective measures. The available options include, but are not limited to:

- Allowing the victim to make a parking permit change so the student or employee can park in a different YSU parking lot.
- Assisting the victim in obtaining information and making arrangements to use alternate public transportation.
- YSU will comply with the victim’s other reasonable requests to make a transportation situation change.

To make a transportation situation change contact:

| | |
|---|----------------|
| Title IX/Office of Equal Opportunity and Policy Development (employees) | (330) 941-2216 |
| Student Outreach and Support | (330) 941-4721 |

Work Accommodation Requests

YSU is obligated to comply with a victim/student’s reasonable request for a working situation change. The available options include, but are not limited to:

- Allowing the victim, who is an YSU student worker or employee, to move to another work location or shift, if available.
- Assisting the victim, who is an YSU student worker or employee, to find another work opportunity.
- If the victim/student works off campus for a non-YSU employer, assisting the student in identifying student worker opportunities on campus.
- YSU will comply with a victim’s other reasonable requests to make a working situation change.

To make a working situation change contact:

| | |
|---------------------------------|----------------|
| YSU Human Resources (employees) | (330) 941-1508 |
| Student Experience | (330) 941-3533 |

YSU will provide written notification to a victim about the options mentioned above. YSU will maintain as confidential any accommodations or protective measures provided to the victim, to the extent that maintaining such confidentiality will not impair YSU’s ability to provide the accommodation or protective measures as stated in the section on Reporting Crimes and Incidents, Institutional Reporting. If an individual requests anonymity after a report is filed, the Title IX Coordinator will consider the request, the due process rights of all parties involved, the severity of any alleged harassment, and the potential risk of a hostile environment for others in the community in order to determine whether the request can be honored. The requesting party will be advised of the determination.

YSU also provides written notification to students and employees about existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available for victims both within the university and in the community.

Additionally, when a student or employee reports that he or she has been a victim of sexual assault, dating violence, domestic violence, or stalking, whether the offense occurred on or off campus, YSU will provide the student or employee with a written explanation of the student or employee’s rights and options.

Court Ordered Civil Protection Orders

The Mahoning County Domestic Relations Court gives high priority to allegations of domestic violence which the Court recognizes is one of the most difficult social problems of our time.

VALU: The Court works cooperatively with the Volunteer Advocate Legal Unit (VALU), a special project of Community Legal Aid that is independent of the Court. VALU is staffed by a coordinator and volunteers who receive special training to assist victims by walking them through the legal process of filing Petitions for Civil Protection Orders, filing them with the Clerk of Courts and accompanying them through hearings.

The hours of operation for VALU are Monday through Friday from 9:00 a.m. to 3:00 p.m. depending on availability of volunteers. The VALU office can be reached at 330-742-5856 or 330-742-5857.

DOMESTIC VIOLENCE COORINATOR: In 2016, the Court secured a grant from the Department of Justice under the Violence Against Women Act (VAWA) that enabled it to hire a Domestic Violence Coordinator whose responsibility is to provide safety planning, community referrals and supportive services to persons seeking protection orders. The Coordinator also facilitates support groups for survivors of domestic violence

The Coordinator can be reached at 330-740-2208.

Visit the following links for helpful information and resources:

www.sojournerhouse.com: Mahoning County's Domestic Violence Hotline and Shelter (330-747-4040)

www.thehotline.org: The National Domestic Violence Hotline (800-799-7233) TTY: 800-787-3224

www.helphotline.org: Mahoning County Community Resource Database (211)

www.childhelp.org: The National Child Abuse Hotline (1-800-4-A-Child) (1-800-422-4453)

Filing Civil Protection Orders

Petition for Domestic Violence Civil Protection Order ("CPO"): is the document a domestic violence victim, the victim's parent, or an adult household member of the victim must file with the domestic relations court to obtain a civil protection order against an alleged offender.

Domestic Violence Civil Protection Order ("CPO") *Ex Parte*: is an emergency order the Court issues in response to the Petition for a Civil Protection Order after an ex parte hearing.

Domestic Violence Civil Protection Order ("CPO") Full Hearing: is the final order the Court issues after a full hearing. The full hearing is described in this form on page 3. The full hearing CPO

replaces the ex parte CPO. Sometimes the final order issued by the Court is a Consent Agreement and Domestic Violence Civil Protection Order upon terms agreed to by the parties.

Petitioner is the person asking or “petitioning” the Court for protection. By filing the Petition for a CPO, YOU are the Petitioner.

Respondent is the alleged domestic violence offender. Petitioner seeks protection from the Respondent by filing for a CPO.

Domestic Violence Cases

Motion for a Criminal Domestic Violence Temporary Protection Order (“DVTPO”): is the document that must be filed in a criminal case if a victim of domestic violence or victim of a sexually oriented offense wishes to obtain a protection order against an alleged offender, who is a family or household member.

The criminal case must allege the offender committed negligent assault, criminal damaging or endangering, criminal mischief, burglary, aggravated trespass, endangering children, any offense of violence, or any sexually oriented offense against a family or household member. The prosecutor has a form for this purpose.

Domestic Violence Temporary Protection Order (“DVTPO”): is the order the Court issues in response to the Motion for Temporary Protection Order. The DVTPO requires the offender to stop abusing and to stay away from the victims named in the Motion for Temporary Protection Order. A DVTPO expires when the alleged offender’s criminal case ends or when a new CPO is issued based on the same facts.

Alleged Victim is the person asking the Court for protection in the Motion for a DVTPO.

Defendant is the person the Motion for a DVTPO is filed against. The Defendant is the person accused of the crimes of negligent assault, criminal damaging or endangering, criminal mischief, burglary, aggravated trespass, endangering children, any sexually oriented offense, or any offense of violence against a family or household member.

What is a Domestic Violence Civil Protection Order (“CPO”)?

A CPO is issued by a domestic relations court to protect a victim of domestic violence. A CPO is intended to prevent further domestic violence. It orders someone who has been abusive to do or not do certain things in the future. You may want to consider getting a CPO even if you have a DVTPO from a criminal court because a CPO lasts longer and provides more benefits – such as child custody and support orders. Domestic violence includes the commission of sexually oriented offenses.

Violating a CPO is a crime. If the Respondent violates the CPO, he or she may be arrested, jailed, and fined for disobeying the CPO. A CPO can remain in effect for up to 5 years. If the Respondent violates the CPO, you can call the police, go back to the domestic relations court to file a contempt charge, and go the prosecutor's office to Respondent charged with the crime of violating the CPO.

Why get a Domestic Violence Civil Protection Order?

If you are a victim of domestic violence, a CPO may help you. Once domestic violence starts, the violence often happens more often and gets increasingly severe. A CPO may stop this cycle of violence because the Court orders the Respondent to stop hurting or threatening you and your family or household members.

The Court can use a CPO to order the Respondent to stay away from you for up to five years. A CPO can give you time to "sort things out" and decide what you want to do next without having to be afraid all of the time. If your children have seen domestic violence, a CPO may give all of you a chance to get some help so that you and your children are safe.

Domestic violence is a crime. A CPO tells the Respondent you and the Court are serious about requiring the Respondent to stop his or her abusive behavior and not to hurt or threaten you again.

A CPO sets some "rules" that the Respondent must obey while the CPO is in effect. These rules may require the Respondent to pay child or spousal support; give up possession of a home or car; and/or obey the Court's orders about visitation.

A CPO issued by a domestic relations court may last longer than a DVTPO issued by a criminal court and can provide more kinds of help. You should know that if you get a CPO based upon the same facts as the DVTPO, the DVTPO from the criminal court will automatically end, even if the criminal case continues.

Who can get a Domestic Violence Civil Protection Order?

You can apply for a CPO if you are related to the Respondent by blood or marriage AND have lived with Respondent at any time; OR you are living with or have lived with the Respondent during the past five years; OR you used to be married to the Respondent; OR you have a child with the Respondent, whether or not you ever married or lived together.

You can also get a CPO for any member of your household.

You may be able to get a CPO if you have been dating the Respondent; if you share family or financial responsibilities with the Respondent; AND you have an intimate relationship with the Respondent.

Remember that a CPO has limits. If you suspect that the Respondent will not obey the terms of a CPO, contact your local domestic violence program or the Ohio Domestic Violence Network at 800-934-9840.

Do I need an attorney for me to obtain a Domestic Violence Civil Protection Order?

No, but you are often better off having legal representation in your CPO proceeding. Neither the Clerk of Court nor other Court employees can give you legal advice. Having an attorney represent you is especially helpful when your case involves contested custody and visitation and/or when an attorney represents the Respondent. If you cannot afford an attorney, contact your local legal aid office at 866-LAWOHIO (toll free), bar association, or Ohio State Legal Services (800-589-5888) for information on low cost or free legal representation.

Must there be a court hearing for me to obtain a Domestic Violence Civil Protection Order?

Yes. There are two hearings involved in a CPO case: the ex parte hearing and the full hearing.

Ex Parte Hearing: At this hearing, only you are present. The Respondent is not present.

An ex parte hearing is held on the same day a Petition for Civil Protection Order is filed. If a Petition for a CPO is filed early enough in the day, an ex parte hearing is held that same day. At the ex parte hearing, you take an oath to tell the truth and a judge or magistrate hears your statement of what happened. If the judge or magistrate finds that the events you described meet the requirements of the law, the Court will issue an Ex Parte CPO and schedule a full hearing. If the Respondent is asked to vacate the home in which you live, there will be a full hearing within 7 business days. Otherwise, a full hearing will be set within 10 business days. The Court can hold a full hearing only after the Respondent has been served with the Ex Parte CPO. You may need to fill out forms for the Clerk of Court to cause service.

Full Hearing: The full hearing is the final hearing.

At this hearing, both you and the Respondent can testify. You must be present at the full hearing. You should bring any witnesses and other evidence to support your case. If the Court issues a Full Hearing CPO, it remains in force until the date indicated in the CPO, with 5 years being the maximum.

If the Respondent does not show up for the full hearing, you can still obtain a final CPO. However, if the Respondent is not served with the Ex Parte CPO before the full hearing, the Court postpones the full hearing until the Respondent is served. If the full hearing is postponed, the Ex Parte CPO remains in effect until the full hearing is held.

You may bring an advocate with you to the ex parte and full hearings for support. Some domestic violence shelters and victim assistance programs can provide advocates to go with you to these hearings. Contact your local domestic violence program or the Ohio Domestic Violence Network, 800-934-9840, for program and shelter information. You can find information about Domestic Violence Civil Protection Orders in R.C. 3113.31 and information about Domestic Violence Temporary Protection Orders in R.C. 2919.26.

You may be able to find additional information about domestic violence at the following web sites:

Ohio Domestic Violence Network: www.odvn.org

Ohio State Legal Services Association's DV Resource Center: www.ohiodvresources.org

National Resource Center on Domestic Violence: www.nrcdv.org

Supreme Court of Ohio – Domestic Violence Program: www.supremecourt.ohio.gov/domviol

3.6 Confidentiality

YSU recognizes the sensitive nature of sexual assault, domestic violence, dating violence, and stalking incidents. YSU is committed to protecting the privacy of any individual who makes a report. Personally identifiable information about the victim and other necessary parties will be treated as confidential and only shared with persons who have a specific need to know.

- Reports made to confidential on campus resources may talk to complainants without revealing any identifying information about them to anyone else at the University, including the YSUPD without the complainant's consent. Except under certain limited circumstances (risk of imminent harm to the complainant or others) complainants can seek assistance from counselors and advocates without triggering an administrative or police investigation.
- When reports are made to the Title IX Office, every reasonable effort is made to protect the privacy of all individuals throughout all phases of the complaint resolution process. Disclosure of facts to parties and witnesses is limited to what is reasonably necessary to conduct a fair and thorough investigation or to deliver resources or support services to the parties. Any Title IX report or YSUPD report is redacted to protect the confidential information.
- YSU will maintain as confidential any interim or protective measures provided to parties, to the extent such confidentiality does not impair YSU's ability to provide the interim measure. In some cases, YSU may need to disclose some information about a complainant to a third party to provide necessary accommodations.
- The Office of Student Conduct and Human Resources disclosures are limited to what is reasonably necessary to conduct the fair and complaint adjudication of cases to deliver resources or support services to the parties. Any disclosures will be made consistent with University Policy and state and federal law.
- If a Timely Warning (PenguinAlert) is issued on the basis of a report of sexual assault, domestic violence, dating violence, stalking or other Clery Act crime, the name of the complainant/victim and other personally identifiable information will be withheld.
- Publicly available record keeping for purposes of Clery Act reporting and disclosures will be made without including personally identifying information about the complainant/victim. Also, YSU does not publish the name of crime victims as part of its Clery Act mandated reporting (including annual crime statistics that are disclosed in compliance with the Clery Act), nor does it contain identifiable information regarding victims in the YSUPD's daily crime and fire logs. In addition, YSU policy regarding access to public records may require disclosure of certain information concerning the report of sexual violence. In such cases, every effort is made to redact or limit the record as appropriate to protect the privacy of all parties and witnesses.

3.7 University Complaint and Disciplinary Proceedings

- ❖ The processes described apply to students, faculty and staff.

In cases of sexual assault, domestic violence, dating violence and stalking, YSU shall provide prompt, fair, and impartial proceedings, which will include a fact-finding investigation, meetings, and may include an administrative hearing. A written explanation of rights and options is provided as part of the administrative process. The process for filing a disciplinary complaint against a student and the various steps in the complaint review process are found in the Student Code of Conduct.

Filing an allegation of misconduct against a student or employee can be done by completing the sexual violence anonymous reporting form at <https://ysu.edu/title-ix/anonymous-reporting-form>. Additionally, a report can be filled out in person at the Title IX office located in Tod Hall room 301.

Administrative proceedings shall be conducted by officials who do not have a conflict of interest or bias for or against the accuser or the accused and will be prompt, fair, and impartial from the initial investigation to the final result. Proceedings also shall be conducted by officials who receive annual training on issues related to sexual assault, domestic violence, dating violence, and stalking. YSU staff who conduct proceedings receive training on how to investigate and a hearing process that protects the safety of victims, promotes accountability, and is just. This training includes, but is not limited to, determining relevant evidence and how it should be used during a proceeding; proper techniques for questioning witnesses; basic procedural rules for conducting a proceeding; avoiding actual and perceived conflicts of interest; understanding sexual misconduct; overview of Title IX; overview of the Clery Act as amended by VAWA; neurobiology of trauma; victimology and predation; alcohol; incapacitation and consent; trauma-informed Title IX investigations and report writing; and adjudications. Investigators received Forensic Experiential Trauma Investigation training, which is aimed at providing skills for interviewing victims without making victims relive the assault.

In these proceedings, the accuser and accused are both entitled to the same opportunities to have others present during an institutional disciplinary proceeding, including the opportunity to be accompanied to any related meeting or proceeding by an advisor of their choice. If proper notification of meeting date, time and place have been given, YSU is not required to cancel or delay meetings simply because an advisor could not be present. Neither the complainant nor the accused may have their advisor attend any meeting or proceeding without being present themselves. During the investigation process, the advisor can provide support, guidance, and advice but the advisor is not an active participant in the meeting. YSU reserves the right to remove or dismiss any advisor who becomes disruptive or who does not abide by the restrictions on their participation. Both the accuser and the accused shall be simultaneously informed, in writing, of the outcome of the disciplinary proceeding, the university's procedures for the accused and the accuser to appeal the results of the disciplinary proceeding (if an appeal process applies), any change to the results that occurs before the time the results become final, and when the results

become final, the rationale for the decision. A preponderance of evidence standard, which means more likely than not, will apply to all university proceedings.

The parties will be given timely and equal access to any information that will be used during informal and formal disciplinary meetings and hearings. Proceedings will be completed within a reasonably prompt timeframe, within 60 days for VAWA crimes, which includes a process for extension of timeframes for good cause with written notice to the accuser and accused with reasons for the delay.

To provide a transparent and just process, the investigator will provide the rationale for the result and sanctions stating how the evidence supports those findings. If an accused student is suspended or expelled, either that student or the victim/student may appeal to the University. A hearing will be scheduled within 90 calendar days.

YSU will, upon written request, disclose to the alleged victim of a crime of violence (as that term is defined in 18 U.S.C. § 16), or an incident of incest or statutory rape, the report on the results of any disciplinary proceeding conducted against a student who is alleged perpetrator of such crime or offense. If the alleged victim is deceased as a result of such crime or offense, the next of kin of such victim shall be treated as the alleged victim.

Timelines

Disciplinary hearings for allegations of sexual assaults, domestic violence, dating violence, and stalking:

- Once an allegation of sexual misconduct has been reported to the university, the Title IX Coordinator meets with the complainant to explain the options available to them, which includes reporting to the University police department, instituting a No Contact Order, and beginning an investigation through the Title IX office.
 - If a student chooses to pursue a Title IX investigation, the Title IX Coordinator and Conduct Officer undertake the investigation together to limit the number of times that the complainant, respondent(s), and witness(es) have to recount their testimony.
 - Upon completion of a Title IX investigation, the Title IX Coordinator completes a report on the complaint, and determines by the preponderance of the evidence whether the respondent(s) have violated the University sexual misconduct policy. The Conduct Officer then meets with the complainant and respondent(s) to discuss the findings and potential next steps.
- If the investigation determines that a violation of the sexual misconduct policy did occur, the complainant may choose to pursue the case through the Office of Student Conduct (for students) or Office of Human Resources (for employees). Once appropriate charges have been assigned, and possible sanctions have been determined, the case may proceed in one of two ways, which is the same way that all University proceedings proceed:
 - If the Conduct Officer determines that appropriate sanctions should not include any residential suspension or expulsion, or University suspension or expulsion, the

Conduct Officer will meet with the respondent to offer a Conduct Agreement. By signing a Conduct Agreement, the respondent acknowledges responsibility for the charge(s) and accepts the sanction(s) offered. The case is then considered closed, other than completion of any assigned sanction(s).

- The respondent may choose to decline to sign the Conduct Agreement, which will then result in the case being forwarded for a hearing before the Student Conduct Board.
- If the Conduct Officer determines that appropriate sanctions should include a residential suspension or expulsion, or a University suspension or expulsion, the case is forwarded for a hearing before the Student Conduct Board. Such a proceeding follows the normal guidelines for any student conduct hearing (per Article IV. D. of *The Student Code of Conduct*).
 - Per standard practice, the complainant may choose to be present at the hearing in person, may choose to be in a separate room from the respondent(s), may choose to be available via phone or skype, may choose to submit a written statement only, or may choose not to be present and to be represented by the Conduct Officer.
- The complainant may also choose an informal resolution. This informal resolution would only be used in cases where the reported behavior does not rise to the level of denying an individual participation in or access to a program or activity, and when both parties are interested in a cooperative resolution. This informal resolution may include counseling, mediation, advising, training, or informal discussion, and will be documented by the Title IX Coordinator.

3.8 Sanctions Imposed by YSU

Sexual assault, domestic violence, dating violence, and stalking are criminal acts that carry criminal and civil penalties under state and/or federal law. Such conduct is also contrary to YSU policy and can lead to administrative and/or disciplinary action. YSU-imposed sanctions will vary from case to case and may include a single sanction or a combination of sanctions dependent upon the individual facts and circumstances of the case. University students found responsible for committing such conduct may be subject to the following university sanctions: expulsion, suspension (one semester to two years), degree revocation, academic probation, warnings, administrative hold, restricted access to university property, organizational sanctions, educational response, programs/support termination, interim action, restitution, notation on transcript, or other sanctions permissible under university policy.

Before readmission to YSU is granted, the suspended student must meet with the AVP of Student Experience. At that point, conditions for readmission and additional requirements may be set, e.g., counseling and/or training. YSU will not grant readmission to an expelled student.

YSU employees, including student workers, found responsible for committing such conduct may face sanctions including, but not limited to, written reprimand, demotion, suspension (up to 30 days), termination of employment, or other action permissible under university policy.

Student Conduct Sanction Matrix

Sanctions for allegations of sexual crimes:

- The Office of Student Conduct uses a sanctioning rubric to maintain consistency across cases with similar violations. For cases involving allegations of sexual misconduct, the following portion of the rubric applies:

| | | |
|---------------------------------------|---|---|
| Article III. 18. Sexual Misconduct | Sexual harassment or stalking Single incident, single victim, single respondent Recklessness or unintentional behavior | Sexual harassment or stalking Pattern of behavior, multiple victims, multiple respondents Intentional behavior |
| | <ul style="list-style-type: none"> • 12 month conduct probation to 2 semester suspension • 12 month residential probation to 2 semester residential suspension • <i>Residence hall relocation</i> • <i>Think About It or other online training</i> • <i>Other appropriate educational sanction</i> • <i>Any appropriate restrictions</i> • <i>No contact order, if requested</i> | <ul style="list-style-type: none"> • 12 month deferred suspension to expulsion • 12 month deferred residential suspension to residential expulsion • <i>Residence hall relocation</i> • <i>Think About It or other online training</i> • <i>Other appropriate educational sanction</i> • <i>Any appropriate restrictions</i> • <i>No contact order, if requested</i> |
| Article III. 18. Sexual Misconduct | Dating or domestic violence Single incident Recklessness or unintentional behavior | Dating or domestic violence Pattern of behavior Intentional behavior |
| | <ul style="list-style-type: none"> • 12 month deferred suspension to 2 semester suspension | <ul style="list-style-type: none"> • 1 semester suspension to expulsion |

Youngstown State University Annual Security and Fire Safety Report

| | | |
|---------------------------------------|--|---|
| | <ul style="list-style-type: none"> • 12 month deferred residential suspension to 2 semester residential suspension • <i>Residence hall relocation</i> • <i>Think About It or other online training</i> • <i>Other appropriate educational sanction</i> • <i>Any appropriate restrictions</i> • <i>No contact order, if requested</i> | <ul style="list-style-type: none"> • 1 semester residential suspension to residential expulsion • <i>Residence hall relocation</i> • <i>Think About It or other online training</i> • <i>Other appropriate educational sanction</i> • <i>Any appropriate restrictions</i> • <i>No contact order, if requested</i> |
| Article III. 18. Sexual Misconduct | Sexual assault First offense, <u>no</u> penetration, force, or coercion | Sexual assault First offense <u>with any</u> penetration, <u>any</u> force or coercion; second offense, no penetration, force or coercion |
| | <ul style="list-style-type: none"> ➤ 2 semester suspension to expulsion ➤ 2 semester residential suspension* to residential expulsion ➤ <i>No contact order, if requested</i> ➤ <i>Any appropriate restrictions</i> | <ul style="list-style-type: none"> ➤ 1 year suspension to expulsion ➤ Residential expulsion ➤ <i>No contact order, if requested</i> ➤ <i>Any appropriate restrictions</i> |

- Per the information provided on our website (<http://cms.yzu.edu/administrative-offices/student-conduct/sanctions>)

Retaliation:

YSU prohibits retaliation by its officers, employees, students, representatives, or agents against a person who exercises his or her rights or responsibilities under any provision of the Campus SAVE Act. No one may retaliate, intimidate, threaten, coerce, or otherwise discriminate against any individual for exercising his or her rights or responsibilities under the Act.

Sanctions for faculty and staff:

Per bargaining contracts, employees can face:

- Suspension
- Termination

3.9 Sex Offender Registry Information

This section describes where law enforcement agency information provided by a State under section 121 of the Adam Walsh Child protection and Safety Act of 2006 (42 U.S.C. 16921) concerning registered sex offenders may be obtained by the YSU community.

The State of Ohio, as well as the Mahoning County Sheriff maintains an internet website with information concerning designated registered sex offenders in the State and Mahoning County. You can find this information:

- State of Ohio: Ohio Department of Rehab & Correction
<http://odrc.drc.ohio.gov/OffenderSearch>
- Mahoning County: Mahoning County Sheriff: <http://Mahoningsheriff.com>

The databases may be searched by a sex offender's specific name, obtain zip code and city/county listings, obtain detailed personal profile information on each registrant, and use the map application to search the neighborhood to determine the specific location of any sex offender registrants. A collection of sex offender information for Mahoning County is also available in the YSU Police Communication Center, 266 West Wood Street, Youngstown, Ohio 44502.



2018 Annual Fire Safety Report
Statistics for 2017, 2016 and 2015



Youngstown State University Annual Security and Fire Safety Report

Youngstown State University recognizes its responsibility to protect the health and assure the safety of the students, employees and visitors to the campus. As a community leader, the university also realizes its role in preserving and protecting the environment. In its efforts to meet these obligations, the university established the Department of Environmental and Occupational Health and Safety in July of 1989. It is the responsibility of this department to assure that the university meets all of its legal obligations as they pertain to health, safety and the environment, and to assist faculty, staff and students in their efforts to comply with all regulatory agencies.

The primary goal is the elimination of hazards that may result in injury, illness to students, employees, and visitors to campus or the destruction of university property. EOHS is administratively responsible for assuring that the university is in compliance with all federal, state and locally mandated programs dealing with safety or environmental issues. The department acts as the university's liaison with regulatory bodies such as: The Environmental Protection Agency, the Ohio Department of Health, the Nuclear Regulatory Commission, and the Occupational Safety and Health Administration.

For more information about Fire and Life Safety at Youngstown State University call (330) 941-3700 or visit the EOHS website.

Other Fire Safety Contact Information

Youngstown City Fire Department

9-1-1 Emergency

(330) 747-7403 Non-Emergency

420 MLK Jr. Blvd.

Youngstown, Ohio 44502

State of Ohio-Division of the State Fire Marshal

(614) 645-8308

Fire Alarm Activation: What to Do

When the fire alarm is activated, all residents and guests must immediately leave the building using the nearest stairs and exits. **DO NOT USE THE ELEVATORS.** Follow directions of the residence hall staff, police, health and safety, or fire department personnel. Rooms may be checked in order to confirm evacuation of all occupants.

Anyone who intentionally activates the fire alarm system when there is no emergency is subject to prosecution through the criminal court system and/or disciplinary action through the university judicial system. The expected sanction for such a violation is suspension from the University for Reimbursement of costs incurred.

Youngstown State University Annual Security and Fire Safety Report

Anyone who tampers with fire safety equipment or removes it from its proper location, other than for proper use, is subject to disciplinary action. Report Intentional Fires and False Alarms to the YSU Police Department.

In the event of a fire, remember to *R.A.C.E.* and *P.A.S.S.*

If you are involved in a fire, the R.A.C.E. acronym will help you remember to:

R=Rescue

Rescue anyone in immediate danger from the fire, if it does not endanger your life.

A=Alarm

Sound the fire alarm at a pull station.

C=Confine

Confine the fire by closing all doors and windows.

E=Extinguish

Use a fire extinguisher, or EVACUATE the area if the fire is too large.

To properly use a fire extinguisher, remember P.A.S.S.

P=Pull

Pull the silver pin on the extinguisher.

A=Aim

Aim the nozzle at the base of the fire.

S=Squeeze

Press the handle on the extinguisher to discharge the contents.

S=Sweep

Sweep from side to side until the fire appears to be out.

1.0 The Annual Fire Safety Report

The Campus Fire Safety Right-to-Know Act is an amendment to the Higher Education Opportunity Act. This amendment serves to increase campus fire safety awareness across the nation, providing students and their families with the fire safety records of colleges and universities. Signed into law on August 14, 2008, this amendment requires institutions to publish fire safety information and statistics. Additionally, institutions that maintain on-campus student housing facilities are required to publish an annual fire safety report that contains information about campus fire safety practices and standards of the institution. The statistics include the number, cause, related injuries and deaths, and property damages associated with each fire. In addition, each institution is required to report fire information to the U.S. Department of Education. Collectively, this information provides prospective and current students information regarding the policies, concerns, and fire safety conditions that are present at Youngstown State University.

1.1 Portable Electrical Appliances, Smoking and Open Flames in Student Housing

YSU regulates portable electric appliances, smoking and open flames in on-campus housing; and fire safety policies and procedures. Please see the Youngstown State University Residence Handbook for more information. The university further reserves the right to direct residents to remove from their room any hazardous materials. The final decision regarding removal of such materials will be made by the director of housing after review by the assistant directors. Items may be confiscated and held if they violate residence hall fire safety and/or jeopardize security and community living.

Portable Electrical Appliances

The following appliances are PROHIBITED: coffee pots (exception being Keurig brewers), microwaves, toasters/toaster ovens, hotpot/hotplates, all other cooking devices, air conditioners, extension cords, halogen lamps, medusa lamps with plastic shades. The following appliances, which must be UL-approved and in good condition, are permitted: refrigerators (2' by 3' maximum), clocks, desk lamps, hair dryers, curling irons, PC equipment, radios, TVs, razors, fans, heating pads, and stereo equipment. No more than two electrical appliances can be plugged into any double outlet; however, multiple outlet power strips that are UL-approved and fused are permitted with a limit of one per outlet.

Open Flames and Flammable Storage

Candles used for decorative purposes are prohibited. Candles and other devices with open flames, as well as incense and hookahs are prohibited. The use of e-cigarettes is also prohibited in the residence halls. Additionally, flammable liquids, such as propane, gasoline, petroleum-based solvents, paint thinners, and similar flammable materials, MAY NOT be stored in residence halls.

Smoking

Youngstown State University is a tobacco-free campus. Smoking or use of tobacco is not permitted on university property. Tobacco use includes the possession of any lighted tobacco product, or the use of any oral tobacco product.

1.2 Fire Safety Education and Training Programs

YSU promotes campus fire safety on an ongoing basis through various safety education and training programs. Residence hall staff receives orientation to the operations and locations of the fire alarm system, as well as a review of their roles during a fire or fire drill. The residence hall life staff receives general fire safety and fire extinguisher training. Students receive a general orientation to the fire systems present in the building during arrival orientation. Staff also reviews evacuation and emergency procedures with residents. Residence hall students participate in fire drills during the fall and spring semesters.

A Fire Safety Communications Bulletin is distributed the campus community detailing compliance with state fire codes, university fire codes, minimizing risk of fire, and general fire safety. A week in October is designated as “Fire Prevention Week”. Graduate students in the Chemistry program are trained in the use of fire extinguishers, and general fire safety provided by Dow Chemical. Warren Fire Equipment also provides free classroom training.

Fire Safety and Prevention

- Know every regular and emergency exit from the building you are in. Know how to activate the alarm system and what it sounds like. Know the location of fire extinguishers and how to operate them.
- Arrange room contents with fire safety in mind. Maintain clear and unobstructed access to your room door, from both the outside and the inside, at all times.
- Do not overload electrical outlets.
- Do not use broken, frayed, or cracked electrical cords. Do not suspend lamps or lights by their cords.
- Do not allow clutter to accumulate.

1.3 Reporting Fires in On-Campus University Student Housing Facilities

Individuals discovering a fire in progress or one that had previously occurred at an YSU on-campus student housing facility (or any university facility) should notify the **YSU Police Department by dialing 9-1-1 from a campus phone, or (330) 941-3527**. The fire alarm system in buildings on campus are supervised and monitored by the dispatcher in the YSUPD communications center.

Fire Drills

Four fire drills are conducted each semester; these are either announced or unannounced. The announced fire drill is designed to give students an opportunity to evacuate the residence hall in a non-emergency situation. All residents must leave the building when the fire alarm sounds. Failure to do so will result in disciplinary action.

Fire Alarm System

Each residence hall is equipped with a building fire alarm system, and each student room has a smoke detector. In accordance with Ohio state law, when the building alarm sounds, all residents are required to leave the building. Residents cannot re-enter a building until the all-clear signal is given by the YSUPD, YFD or residence hall staff. The interference with the operation of the smoke detector or any other part of the fire safety equipment will result in criminal and disciplinary sanctions, as well as monetary reimbursement for damages.

Suppression System

A sprinkler system is provided for additional safety in the event of a fire. Residents must be careful not to damage, tamper with, cover or hang items from the sprinkler heads or an accidental discharge of water may result. In addition, residents may not store personal items within 18 inches of any sprinkler head. The interference with the operation of the suppression system will result in criminal and disciplinary sanctions, as well as monetary reimbursement for damages.

1.4 Fire Evacuation Procedures

Students in On-Campus Housing/University Buildings:

In the event of a continuous sounding of the fire alarm in the unit, students should proceed as follows:

- All persons inside a residential or dining facility are required to leave the building immediately.
- University staff may assist with the evacuation of the building as availability and safety permit.
- It is the responsibility of all students to familiarize themselves with the proper fire and emergency evacuation procedures.
- Failure to respond to a fire alarm or to staff requests during an evacuation may result in university disciplinary action in addition to criminal penalties.
- When an alarm sounds, follow these guidelines:
 - Close room doors and windows.
 - If possible, wear shoes and carry or wear a coat.
 - Leave via the nearest, safest exit, path or route.
 - Don't panic, move quickly outside the building to at least 50 feet away from the structure and to the designated assembly point.
- **DO NOT USE ELEVATORS** as exit routes. Use the closest stairwells.
- Do not re-enter the building until the alarm is silenced and the all-clear announcement is given by emergency personnel.
- If you are on an upper floor, and are hearing impaired, have mobility issues, or are unable to escape from your room:
 - Close your door and seal it off with a towel or blanket.
 - Dial 9-1-1 and relay all information pertaining to the fire (location, floor, room, and building), don't hang up until directed to do so.
 - Hang a bright colored sheet or towel from your window to alert emergency crews to your location.
 - Open your upper window for fresh air if necessary. If smoke enters the room from the outside, **CLOSE** your window immediately.
 - Wait for rescue. Don't panic, open the door, or prematurely jump from your window.

It is important for employees to familiarize yourself with the procedures of fire reporting.

- **Safety of the people.** Evacuate people as readily as possible. Close doors to isolate the fire. A person with an ambulatory disability should move to the opposite end of the building near a stairway, away from a fire and wait for firefighters to arrive. Exit strategies should be discussed with supervisors.

Youngstown State University Annual Security and Fire Safety Report

- Send the alarm. Call 9-1-1 immediately, and relay all information pertaining to the fire (location, floor, room, building, etc.). Activate the fire alarm at the nearest pull station.
- Notify others in the area. Move out to a safe area to give firefighters a clear field.
- Assist University Police or Firefighters; relate to them what is burning (chemicals, radiation hazards, etc.), or any other pertinent information.

1.5 Fire Safety Report Definitions

On-Campus housing facility: Any student housing facility that is owned or controlled by the institution, or is located on property that is owned or controlled by the institution, and is within the reasonably contiguous geographic area that makes up the campus.

Cause of Fire: The factor or factors that give rise to a fire. The causal factor may be, but is not limited to, the result of an intentional or unintentional action, mechanical failure, or act of nature.

Fire: Any instance of open flame or other burning in a place not intended to contain the burning or in an uncontrolled manner.

Fire Drill: A supervised practice of a mandatory evacuation of a building for a fire.

Fire-Related Injury: Any instance in which a person is injured as a result of fire, including an injury sustained from a natural or accidental cause, which involved fire control, attempting to rescue, or escaping from the dangers of the fire. The term “person” may include students, employees, visitors, firefighters, police officers or any other individuals.

Fire-Related Death: Any instance in which a person is killed as a result of fire, including an injury sustained from a natural or accidental cause, which involved fire control, attempting to rescue, or escaping from the dangers of the fire. The term “person” may include students, employees, visitors, firefighters, police officers or any other individuals.

Fire Safety System: Any mechanism or system related to the detection of a fire, the warning resulting from a fire or the control of a fire. This may include sprinkler systems or other fire extinguishing systems, fire detection devices, stand-alone smoke alarms, devices that alert one to the presence of a fire, such as horns, bells or strobe lights; smoke-control and reduction mechanisms; and fire doors and walls.

Value of Property Damage: The estimated value of the loss of the structure and contents, in terms of the cost of replacement in the like kind and quantity. This estimate should include contents damaged by fire, and related damages caused by smoke, water and overhaul; however, it does not include indirect loss, such as business interruption.

Fire Log

YSUPD maintains, and makes available for public inspection upon request, a fire log that includes a listing of all fires (and alarms) that occur on campus. The report includes the nature, date, time and general location of each entry. The log may be viewed anytime online by visiting the police department website at www.ysu.edu/police.

Plans for Future Improvements in Fire Safety

Youngstown State University evaluates the fire protection systems on campus. Upgrades to the current systems occur through replacements or building renovations. At this time, there is no need for improvements for fire safety.

1.6 Fire Statistics for 2017, 2016, and 2015

| Facility | # Fire Drills | Fire Suppress. | Fire Detection | Year | Fire Incident | Cause | Injuries | Deaths | Value of Damage \$ |
|---|---------------|----------------|----------------|------|---------------|---------|----------|--------|--------------------|
| Cafaro House 205 Madison Ave. | 4 | Yes | Yes | 2017 | 0 | | 0 | 0 | |
| | 4 | | | 2016 | 0 | | 0 | | |
| | 4 | | | 2015 | 0 | | 0 | | |
| Flats at Wick 139 Madison Ave. | 0 | Yes | Yes | 2017 | 0 | Cooking | 0 | 0 | 100-199 |
| | 0 | | | 2016 | 0 | | 0 | | |
| | 0 | | | 2015 | 1 | | 0 | | |
| Kilcawley House 111 University Plaza | 4 | Yes | Yes | 2017 | 0 | | 0 | 0 | |
| | 4 | | | 2016 | 0 | | 0 | | |
| | 4 | | | 2015 | 0 | | 0 | | |
| Lyden House 251 Madison Ave. | 4 | Yes | Yes | 2017 | 0 | | 0 | 0 | |
| | 4 | | | 2016 | 0 | | 0 | | |
| | 4 | | | 2015 | 0 | | 0 | | |
| University Courtyard 100 Building | 2 | Yes | Yes | 2017 | 1 | Cooking | 1 | 0 | 100-199 |
| | 2 | | | 2016 | 0 | | 0 | | |
| | 2 | | | 2015 | 1 | Cooking | 0 | 0 | 100-199 |
| University Courtyard 200 Building 93 Wick Oval | 2 | Yes | Yes | 2017 | 0 | | 0 | 0 | |
| | 2 | | | 2016 | 0 | | 0 | | |
| | 2 | | | 2015 | 0 | | 0 | | |
| University Edge Phase A 348 West Rayen | 0 | Yes | Yes | 2017 | 0 | | 0 | 0 | |
| | 0 | | | 2016 | 0 | | 0 | | |
| | 0 | | | 2015 | 0 | | 0 | | |
| University Edge Phase B 351 Lincoln Ave. | 0 | Yes | Yes | 2017 | 0 | | 0 | 0 | |
| | 0 | | | 2016 | 0 | | 0 | | |
| | 0 | | | 2015 | 0 | | 0 | | |
| Weller House 656 Wick Ave. | 4 | Yes | Yes | 2017 | 0 | | 0 | 0 | |
| | 4 | | | 2016 | 0 | | 0 | | |
| | 4 | | | 2015 | 0 | | 0 | | |
| Wick House 656 Wick Ave. | 4 | Yes | Yes | 2017 | 0 | | 0 | 0 | |
| | 4 | | | 2016 | 0 | | 0 | | |
| | 4 | | | 2015 | 0 | | 0 | | |
| | | | | | | | | | |