

# **SECURITY** **AND** **FIRE SAFETY** **REPORT**

2017

\*Statistics included are for period between 1-1-2014 to 12-31-2016



**Manchester**  
University

**NORTH MANCHESTER CAMPUS**  
**EMERGENCIES DIAL 260-982-5999**



# SECURITY AND FIRE SAFETY REPORT

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# SECURITY AND FIRE SAFETY REPORT

# SECURITY

Manchester University University Safety and Security is a shared responsibility. Clearly, the best protection against campus crime is an aware, informed and alert campus community; students, faculty and staff who use reason and caution; and a strong, visible University Safety presence.

The vast majority of our students, faculty, staff and visitors never experience crime at Manchester University. However, despite our best efforts, crimes do occur. The men and women of the Manchester University Safety Office are committed to maintaining a safe and secure campus, by providing a contemporary and professional public safety service, with a strong emphasis on customer service. The hallmark of our service is a commitment to the principles of honor, integrity, discipline, trust and dedication. Concerns, questions or comments about our department, federal or state law, or Manchester University's compliance with these laws, can be addressed to the Director of University Safety at (260) 982-5001.

The information contained in this Annual Security and Fire Safety Report is available to new and prospective students and employees, as well as their families, all current members of the campus community and to the public. We are committed to University Safety and security in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Statistics Act (The Clery Act).

In compliance with these requirements, Manchester University offers the following information to all current and prospective students, employees and applicants. The annual report containing crime statistics and policy statements can be obtained for either North Manchester campus, or Ft. Wayne campus by:

- MAIL REQUEST TO: Manchester University, University Safety Clery Compliance Administrator, 604 College Ave., North Manchester IN, 46962.
- PHONE: 260-982-5001
- E-MAIL: CampusSafety@manchester.edu
- ONLINE:
  - o North Manchester campus: <http://www.manchester.edu/OSD/Security/documents/NMSecurity&FireSafetyReport2014.pdf>
  - o Ft. Wayne campus: [http://www.manchester.edu/OSD/Security/documents/FWSecurityFireSafetyReport2014\(2\).pdf](http://www.manchester.edu/OSD/Security/documents/FWSecurityFireSafetyReport2014(2).pdf)

# SECURITY AND FIRE SAFETY REPORT

## INTRODUCTION

At Manchester University, you will never have to go it alone. This is a place where you will learn and grow together. You will be accepted for who you are and become who you want to be. You'll get support and draw inspiration from a tight-knit community of faculty, staff, and fellow students, and you will make friends for life.

We offer more than 60 areas of study to about 1,500 students, and although Manchester is set in an intimate, small town setting, you will have the opportunity to make friends from 21 states and 23 countries.

Manchester is a place of affordable excellence. We are included in U.S. News & World Report's "Great Schools, Great Prices" ranking because our students find success on campus and off – and 95 percent of our graduates are employed or in graduate school within six months of graduation!

## UNIVERSITY SAFETY AND SECURITY

The safety and security of the Manchester University community and their guests are a primary concern of the University and a principal responsibility of the University Safety Office. Staff consists of a Director, 7 full time Officers and an administrative assistant. A fully trained, uniformed officer is on duty 24 hours a day, 7 days a week, supplemented by Student Patrol.

Officers patrol the campus and are charged with the enforcement of University policies and regulations. Violations of local, State and federal laws also constitute violations of University policies. To this end, University officers work closely with local and State police agencies. Officers are also available to assist the campus community with medical emergencies, safety escorts, disabled vehicles, providing a lost and found repository and conducting safety training.

We also employ several student employees. Student Patrol workers wear a modified uniform, which identifies them as members of the University Safety Office, and work with the event sponsors at dances and other events, providing a security presence and maintaining radio contact with the on duty officer. Student Patrol workers also assist with traffic and parking enforcement, securing buildings, and assist with clerical duties within the University Safety Office.

## ENFORCEMENT AUTHORITY OF CAMPUS OFFICERS

University Safety is responsible for providing security services for the Manchester University, North Manchester campus. University Safety Officers are non-sworn officers for Manchester University and have no official powers of arrest. University Safety investigates reports of campus incidents for administrative purposes as it relates to campus student conduct processes, although University Safety reports may be shared with requesting law enforcement agencies, pertaining to their investigations. Campus crimes may be investigated for possible criminal prosecution by the North Manchester Police Dept., Wabash County Sheriff's Dept., Kosciusko County Sheriff's Dept., Indiana State Police, Indiana State Excise Police, Indiana State Fire Marshal, U.S. Alcohol, Tobacco and Firearms (ATF) and the Federal Bureau of Investigation (FBI).

## WORKING RELATIONSHIPS WITH OTHER LAW ENFORCEMENT AGENCIES

The Director of University Safety serves as Manchester University's liaison with local, state and federal law enforcement officials and emergency management agencies to include North Manchester Police Dept., Wabash City Police Dept., Wabash County Sheriff's Dept., Kosciusko County Sheriff's Dept., Allen County Sheriff's Dept., Fort Wayne Police Dept., Indiana State Police, Indiana State Excise Police, Indiana State Fire Marshal, U.S. Alcohol, Tobacco and Firearms (ATF) and the Federal Bureau of Investigation (FBI). While University Safety does not currently possess a Memorandum of Understanding (MOU) with local law enforcement agencies, regarding joint investigations; the Director of University Safety works with local law enforcement through formal and informal meetings.

## COLLECTION AND ANALYSIS OF CRIME INFORMATION

The Clery Compliance Administrator, who in turn, makes the final determination regarding Clery crime classification, reviews campus incident reports, including Residential Life incidents reports. A record of the classification process is maintained in the University Safety Office.

The University formally solicits crime report information from appropriate external agencies for the North Manchester Campus, to include: North Manchester Police Dept., Wabash County Sheriff's Dept., Kosciusko County Sheriff's Dept. and the Indiana

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State Police. The external agencies for the Ft. Wayne Campus, to include: Parkview Health Police Dept., Ft. Wayne City Police Dept., Allen County Sheriff's Dept. and Indiana State Police. The Director of University Safety and the Clery Compliance Administrator contacts local law enforcement throughout the year to obtain timely updates that may assist in campus investigations and prevention programming.

**University Security Authorities** are required to immediately report any information related to potential criminal activity to University Safety. The University Safety Office surveys University Security Authorities at least once a year, to collect unreported data.

## CRIME REPORTING

Students, faculty, staff and guests of the University are encouraged to report emergencies and criminal activities to the University Safety Office. Telephones are available in most campus buildings, or you may call from your cell phone. To report an emergency or criminal activity, dial 260-982-5999, and an officer will take a report and follow up on your information. You may also leave information on the confidential tip line, 260-982-5995. You do not have to leave your name unless you want to be contacted.

Officers work closely with Residential Life and Athletic Department staff members, as well as pastoral and professional counselors, to assist victims in reporting crimes, and to ensure the accurate disclosure of all crime statistics. At Manchester University, we prefer all criminal activity to be immediately reported to the University Safety Office, 260-982-5999, and not through any indirect means. For this reason, we do not have a confidential reporting process; however, pastoral and professional counselors work closely with clients who have self-disclosed being victimized, encouraging them to promptly report all crimes to the University Safety Office. Victims desiring criminal prosecution are encouraged and assisted by University Safety personnel. From the filing of the initial report, through the follow-up investigation, University Safety personnel work closely with local police agencies and the Prosecutor's Office.

- Prior to any major campus event, including May Day celebrations, University Safety works in concert with the North Manchester Police Department to coordinate the scheduling of patrols of the campus and the surrounding community.
- University Safety Student Patrol working events and/or patrolling the campus are trained to summon the assistance of the on duty officer for issues that arise during their assigned shifts, including problems with intoxicated students.
- In 2012, the University purchased the Report Exec software program from Competitive Edge Software Inc. Through the tracking capabilities of this software, we are able to identify any problem areas on campus, and to provide greater patrols and awareness education.
- The Intoxicated Student Guidelines provides for a concentrated effort and joint response to all drug and alcohol cases, where a student's well-being is in question. On duty personnel, including the hall director, officer, and student health assistant, respond to assess and evaluate the condition of the student. If needed, off campus EMS personnel are summoned.

## UNIVERSITY SECURITY AUTHORITIES RESPONSIBLE FOR REPORTING CRIMINAL ACTIVITY (CSA)

As required by the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, or Clery Act, colleges and universities must annually compile and publish crime, fire and security information about their campuses. Under this law, "Campus Security Authorities" are mandated to report crimes brought to their attention for inclusion in Manchester University's Annual Security and Fire Safety Report. Campus Security Authorities include, but are not limited to, Manchester University employees with significant responsibility for students or campus activities, to include Resident Assistants.

## OFF CAMPUS CRIME

If any off campus police departments are contacted about criminal activity off-campus involving Manchester University students, the police may notify University Safety. Students in these cases may be subject to arrest by the local police and University disciplinary proceedings through the University Conduct System.

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## DISPOSITIONS OF DISCIPLINARY PROCEEDINGS

The Department of University Safety works collaboratively with Residential Life and the Conduct System to uphold the Universities policy and procedures found in *The Source*. University jurisdiction relative to the enforcement of the policies and procedures includes: (1) incidents that occur on college premises and at locations leased or controlled by the University; (2) at University sponsored or University-supervised programs and events regardless of location including but not limited to internships, field study, community-based learning or service, athletic events, and study abroad; (3) at off campus premises when the behavior may adversely affect the Manchester University community or its reputation, including but not limited to violations of *The Source*; (4) which relate to any facet of the relationship between Manchester University and the student. The University may pursue disciplinary action against a student at the same time the student is facing criminal charges even if the criminal prosecution is pending, has been dismissed, or the charges have been reduced. The policy and procedures shall apply where conduct occurs before classes begin, during breaks and when student conduct is discovered after the degree is awarded.

The University may release publicly the name, nature of the violation and the sanction for any student, faculty or staff who is found in violation of a University policy that is a “crime of violence”, including: arson, burglary, robbery, criminal homicide, sex offenses, assault, destruction/damage/vandalism of property and kidnapping/abduction or a non-forcible sex offense. Upon request, the University will release this information to the alleged complainant, or next of kin if the victim is deceased, in any of these offenses regardless of the outcome.

## ACCESS TO AND SECURITY OF CAMPUS FACILITIES/RESIDENCE HALLS

The Manchester University campus is open to the public. The majority of academic and administrative buildings are open during normal business hours (typically Monday through Friday, from 8:00am to 5:00pm, except holidays), and are typically secured during the late evening hours, depending upon special event scheduling and community usage. Designated 24-hour academic buildings are typically secured from 11:00pm to 7am each night, by a card access system, and access is gained to these buildings using a valid student identification card, with access permissions, or via University Safety.

Currently residence hall buildings are secured by key or by card access systems and are secured 24 hours a day/7 days a week (except for four times, established by the Admissions Office). Access is granted into card access systems using a valid identification card with specific building permissions. Keys are issued to students that are assigned in the traditional key locked residential facilities. Access to residence halls is restricted to Manchester University students assigned to that residential facility, their guest and authorized staff, with 24/7 access. University Safety officers regularly patrol the interiors and exteriors of all campus facilities, buildings, and residence halls. Doors should not be propped open.

## UNIVERSITY GUESTS AND VISITORS

Residents may have guests 24 hours a day, seven days a week. These times and days are subject to change during the Residents may have guests 24 hours a day, seven days a week. These times and days are subject to change during the academic year. Residents must be with their guests at all times and are responsible for preserving the security of the building. Residents should not admit people other than their own guests.

All residents and their guests are expected to follow the established community hours of the hall in which they are visiting. Residents are allowed to have overnight guests for a maximum of two consecutive nights. Residents are responsible for the actions of their guests. Guest restrooms are located in the lobby area of each residence hall. Guests of opposite sex should use the designated restrooms in the lobby/basement and should not use the community bathroom on the floor.

During special event weekends, children under 10 years of age will be permitted to stay with their host/hostess with prior special permission from the hall director. Any guest under the age of 18 must complete a waiver including the signature of the parent or guardian.

Guest rooms are available for a fee and may be reserved 24 hours in advance by calling Conference Services at 260-982-5551. All guests are subject to the same policies as residents. Guests who violate University regulations may be asked to leave the campus and their host/hostess will be held responsible for their actions. The following is the Guest Conduct, located in *The Source*.

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*Guest Conduct:* Members of the University community who bring guests/visitors to the campus assume responsibility for the behavior of those persons and are expected to make them aware of University policies, including vehicle rules and regulations.

*Clarification:* Students hosting guests on campus who violate University policy will be held accountable for the actions of their guests. Conduct review boards have latitude in assigning sanctions based on the policy violated and the extent of individual involvement and accountability. Guests who violate policy repeatedly or whose violations are of an extremely serious nature are subject to eviction from University property and may be barred from future visits.

*Note:* their student host must accompany Guests attending University-sponsored events and activities. Guests 16 years or older must be prepared to provide a picture ID (i.e., driver's license) when requested.

When a group of guests stays in residence hall rooms, they must have a Manchester university community member act as host/hostess. The University representative explains the University policies and assumes responsibility for the behavior of the group. The host/hostess may be asked to room with the guest or in an adjacent room. Only the residence hall director involved may grant exceptions to this policy.

## MAINTENANCE AND SECURITY OF CAMPUS FACILITIES

Facilities and landscaping are maintained in a manner that minimizes hazardous conditions. University Safety regularly patrols the campus and reports malfunctioning lights and other unsafe physical conditions to the Facility Plant. University Safety regularly collaborates with the Universities Safety Committee in conducting lighting and security audits of the campus.

## SECURITY AWARENESS PROGRAMS

Members of the Manchester University campus community are encouraged to be responsible for their own personal safety and security, and the personal safety and security of other members of the community. At new student orientation, the Director of University Safety discusses campus security, fire safety, crime prevention and enforcement procedures. Members of the University Safety conduct crime prevention and general security and safety awareness presentations when requested.

Manchester University sponsors a variety of educational programs that seek to raise awareness of personal safety and crime prevention strategies.

- **S.A.F.E.** University Safety offers S.A.F.E. (Self-defense Awareness & Familiarization Exchange). This is an unparalleled 2-hour educational awareness, crime-victim prevention program. Training sessions are available upon request. This program is restricted to female participants

### 2016 Prevention/Education

- First Year Parent Orientation – distributed “What Parents Need to know About College Drinking” pamphlet
- Encourage parents to talk openly with students about drugs and alcohol
- Resident Assistant (RA) Training
  - o Information provided to RA staff to assist in recognizing and addressing symptoms of alcohol use and abuse. Information provided regarding college and community consequences for violation of University rules and/or community laws. Information regarding available University and community services also provided.
- Parent Letter
- “To Drink or Not to Drink” panel for all First Year Students
  - o Purpose of the panel is to provide information to all incoming students about the choices students face at the University, how to respond to those choices, potential consequences of such choices, and to convey University and community rules/expectations. All first-year incoming students attend this
- Student Health Assistants receive annual training on signs and symptoms of alcohol intoxication, appropriate medical care for intoxicated students, BAC levels, Manchester University alcohol guideline training, and hands on training with the “Behind Closed Doors” simulated alcohol scenario.



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- September Annual Drug & Alcohol Prevention Education program
  - o Jake Byczkowski, “Solo Cup Culture” – attended by 659 students (some coaches, faculty, staff, and community individuals also attended in addition to the 659 students). Jake’s program opened up the conversation surrounding the alcohol culture on college campuses through which he discussed with students the problems they experience as a result of alcohol, and he created a platform where students won’t fear being labeled or condemned by their peers.
- The Intoxicated Student Guidelines provides for a concentrated effort and joint response to all drug and alcohol cases, where a student’s well-being is in question. On duty personnel, including the hall director, University Safety officers, and student health assistant, respond to assess and evaluate the condition of the student. If needed, off campus EMS personnel are summoned.
- First Year e-CHECKUP TO GO course via the San Diego State University Research Foundation.
  - o First Year students were encouraged to complete this personalized, evidence-based online program as a prevention measure.
- Fall, Manchester University Medical Amnesty Policy reminder email sent to all students
- 2015-2016 CHOICES Prevention Activities/Programs
  - o Spartan CHOICES collaborated with other entities on campus, including student groups and residence life staff to host events and offer Extended PERC hours
    - ◆ 9 events offered as of December 30, 2015
    - ◆ Approximately 560 students attended
    - ◆ Extended Fitness Center hours each Tuesday and Thursday in the PERC a total of 8 evenings with approximately 160 students being served as of December 30, 2015
- Ongoing
  - o Educational and awareness information included in “Toilet Talk”
  - o 21st Birthday
    - ◆ Birthday e-mail sent to all students who turn 21
    - ◆ Student Development staff and Athletic Liaison notified of students upcoming 21st birthdays monthly
- “The Chet” social networking site available to all admitted first year students from the point of admission through mid-semester. The site has resources available to students including a Blood Alcohol Calculator and links to various sites for alcohol-related material including the signs of alcohol poisoning and the Indiana Lifeline Law.
- Resident Assistant Community Responsibility meetings at the first floor meetings each September

## **Survey and Grant:**

- AACTION award of \$5,000 for Education and Intervention (including Peer Education) and Treatment
- ICAN (Indiana Collegiate Action Network) Grant of \$4000 for substance abuse education and prevention materials, primarily programming needs

## **Counseling/Intervention Services:**

It is the goal of the University to offer education and awareness information for those students who have been found to be in violation of the University’s drug and alcohol policies. For those students who have more than one offense or whose initial offense involves drugs, students are offered an additional intervention which has the goal of helping a student become aware of a serious abuse or addiction problem and become motivated for treatment services. The University recognizes our limitations in terms of services and/or the ability to inspire a student to acknowledge drug or alcohol abuse or addiction problems; however, we do seek to make students aware and assist those who desire additional services.

- First Level of intervention:
  - o Students meet one to one with a member of the counseling staff for a structured interview. A contract is signed which explains expectations and consequences if expectations are not fulfilled. The student also talks about the situation which generated the referral and are instructed how to access and complete an on-line intervention course. This course is purchased through 3rd Millennium Classrooms and was created for college students and recommended through NASPA. After completion of the on-line course and Personal Reflection questions, the student meets again with the staff person to process reactions to the course and responses to the questions. Motivational interviewing is the style of interviewing

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technique utilized to engage the student. 2014-2015 Academic year: 27 students; 2015-2016 Academic year: 17 students (as of December 31st, 2015)

- Second Level of intervention:
  - o Student attends a seminar, approximately 6 hours in length, with a contracted provider with credentials in drug and alcohol treatment (Dr. Wyatt Mullinax, LCSW, LMFT, MAC, LMHT, LCAS, NCAC II). The goal is to explore, at a more therapeutic level, the depth of the drug and/or alcohol problem and connect the student with resources beyond the seminar if the student recognizes the need for additional services. A follow up, ideally 30 days after the seminar, occurs with the Director of Counseling Services to reflect on the process of what occurred in the seminar. 2014-2015 Academic Year: 10 Students attended the seminar; 2015-2016 Academic Year: 7 Students attended the seminar, 5 Students referred for outside treatment at a local community mental health center (as of December 31, 2015)

Students at any time may self-refer to counseling services to receive counseling and/or referral to community counseling services to address drug and/or alcohol services. Information is available to students, faculty and staff regarding local AA meetings and Al-Anon meetings.

## SAFETY TIPS

There are a number of simple and effective actions that everyone can take to minimize their risk of becoming a victim. These include:

- Don't walk alone at night and avoid shortcuts or remote areas.
- Have your keys ready as you approach your car or residence.
- If you believe you are being followed, call University Safety at 260-982-5999 or 911.
- Use the buddy system at parties and events.
- Always be aware of your surroundings and follow your instincts.

## CRIME ALERTS

As required by the Clery Act, the Department of University Safety posts crime alerts following the reporting of all serious crimes, when there exists a continued threat to students, employees or others. These alerts may be posted in prominent locations campus-wide and/or distributed to students, staff and faculty via e-mail announcements. This is done in a manner that is both timely and informative, to aid in the prevention of similar crimes. Information may be temporarily withheld if the release of such information would jeopardize an ongoing investigation or a person's safety, cause a suspect to flee or evade detection, or result in the destruction of evidence.

## DAILY CRIME AND FIRE LOG

University Safety maintains a combined Daily Crime Log and Fire Log of all incidents reported to University Safety. The logs include all crimes that occur on campus, including non-campus buildings or properties, on public property or within the Universities jurisdiction of crimes reported to Manchester University by area police. The daily crime log includes the date and time the report was received, the date and time the incident occurred, the nature of the offense, the location of the offense and the disposition. In order to protect the confidentiality of victims, the Daily Crime and Fire log will not contain any information that may disclose the identity of a crime victim. The log can be viewed at the University Safety Office during regular business hours (8am-5pm Monday through Friday, except Holidays) at 604 E. College Ave., Clark Building (located behind the Library).

## TIMELY WARNINGS AND EMERGENCY NOTIFICATIONS

### NOTIFYING THE University community OF CRIMES AND EMERGENCIES - RAVE



RAVE is Manchester University's communication system for sharing important information about situations that affect the safety of our university community

Rave messages may be sent to campus e-mail addresses, external e-mail addresses, and text-enabled devices. If you have any concerns about the validity of a Rave alert message, call University Safety, 5999 from any campus phone, or (260) 982-5999 from any other phone.

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This contact information, students' mobile phone numbers and contact information for their emergency contacts, will be collected by students' going to: <https://www.getrave.com/login/manchester>. This is also found on the faculty/staff and student Gateway, under applications, Emergency Mass Notification Contact Information. University Safety will also hold student sign-up sessions in the Jo Young Switzer Center, during the beginning of each semester. Students are responsible for updating this contact information as necessary throughout the semester.

In accordance with the Higher Education Opportunity Act, on an annual basis, the Crisis Management Team will coordinate, plan, and conduct at least one test of the emergency response and evacuation procedures, including a test of the mass emergency notification system. The test may involve all portions of the campus or a segment thereof. The intent of the drill is to assess and evaluate the effectiveness of the University's emergency plans and capabilities. Some drills will be announced and well-publicized to the campus community prior to the event, while others may be unannounced.

## 1. Emergency Notification (using Rave alert system)

### **Scope:**

An emergency notification will be issued in the event of a significant emergency or dangerous situation currently occurring on campus which poses an immediate threat to the health or safety of students or employees. The University will immediately notify the campus community.

### **Examples may possibly include:**

- Outbreak of infectious disease such as meningitis, norovirus or other serious illness
- Tornado Warning, or other extreme weather conditions
- Earthquake
- Significant gas leak or chemical spill
- Terrorist incident
- Armed intruder/Active shooter
- Bomb threat
- Civil unrest, rioting or campus protest
- Explosion or campus wide/residential fire
- Homicide/Rape/Sexual Assault/Assault-when perpetrator is not apprehended

### **When:**

Emergency notification is issued without delay and immediately upon confirmation by University Safety, local police, local fire, or other first responder agency that a dangerous situation or emergency exists or threatens.

### **How:**

- **Rave alert system** – use of message templates which are populated with incident specific information. Email, and text messages are automatically generated
- Website Updates – information will be posted to the University's website

### **Who:**

The Crisis Management Team, Incident Command or University Safety is responsible for determining the deployment of the Rave alert system for use in disseminating emergency notification/information.

## 2. Timely Warning

### **Scope:**

A timely warning is triggered when certain crimes have occurred and represent an ongoing threat. The timely warning is issued in an effort to aid in the prevention of similar crimes. As the timely warning is meant to increase awareness of criminal activity, the names of victims will not be disclosed in a timely warning message, but a known perpetrator's name may be used.

The Clery Act specifies that "an institution that issues an emergency notification is NOT required to issue a timely warning based on the same circumstance; however, the institution must provide adequate follow-up information to the campus community as needed."

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## **Examples:**

- Clery Act defined crime such as rape, sexual assault, burglary, homicide, and other violent crimes that impact people or assets (buildings, cars, personal possessions) where the perpetrator no longer remains at large and for which an immediate dangerous condition no longer exists for students or employees. (For example, the University notifies the community about a rash of motor vehicle thefts which occurred in the Red lot on the previous day.)

## **When:**

A timely warning will be issued as soon as the pertinent information is available.

## **How:**

Text messages and email, using RAVE with information template as required by the Clery Act.

## **Who:**

The Director of University Safety (in consultation with local law enforcement), Clery Compliance Administrator are responsible for determining if a timely warning is to be issued.

## **Tracking the Communication Process**

The incident will be tracked, from initial reporting to full conclusion, inclusive of time-stamped phone calls and electronic communications in order to assess the timeliness of decision-making and communication for post-event evaluation.

## **Closing the Communication Loop**

In both the Emergency Alert and Timely Warning scenarios outlined above, the University will issue a “wrap-up” communication, which will serve to close the communication loop for each incident. The campus community deserves the reassurance that law enforcement, university safety and/or residence life have investigated and concluded the incident.

## **CRISIS COMMUNICATION PLAN**

The Director of University Safety, or in his absence, the on-duty University Safety Officer will activate the Crisis Communication Plan and activate the University Incident Command Center, if warranted.

The University will follow these guidelines to respond quickly to handle any crisis or emergency, as well as to inform the public about the crisis.

### **Anticipating a Crisis**

University officials will periodically assess crisis risks and know possible crises are looming. They will anticipate worst-case scenarios of possible crises, and be prepared for how the media and the public will react to news of the crisis.

### Preparing for a Crisis

- **Crisis Communication Team**  
The team meets at least annually to ensure that all members of the Crisis Communication Team and the Incident Command Center are aware of their responsibilities.
- **University Safety maintains a list of emergency contact information for the Crisis Communication Team & members of the Incident Command Center**
- **Identify on-campus shelters**  
Shelters have been determined for each building. Shelter locations are evaluated with any building additions or remodels to ensure they are the safest location in the building. Shelter locations are available on the University Safety website or at:  
<http://www.manchester.edu/OSD/Security/documents/EmergencyEvacuationplan1.pdf>

### Identifying a Crisis

Different types of crises call for different responses. It is important to identify a crisis while it is still in its early stages. Some may be minor; others severe. The University’s response will depend upon the circumstances. Types of crises include:

- **Sudden – an immediate, unforeseen crisis.** This type of crisis occurs unexpectedly and requires immediate

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action. If lives are at risk, the first action will be to move swiftly to save lives and prevent injury.

- o Massive lives at risk/lost (tornado, large fire, riot, chemical spill,) or
- o Individual lives at risk/lost (murder, small fire, meningitis outbreak)

- **Smoldering – an ongoing crisis that begins small and grows larger as more information becomes known.**  
This type of crisis can drag out and result in bad press for weeks, months or even years. These crises should be resolved as quickly as possible. Officials should try to anticipate future developments and mitigate them.
- **Bizarre – an unusual, unexpected crisis that does not fit into the above categories.** (extremists meetings, serial killer in area, lockdown of neighboring institutions)

*\*Some crises may fit into more than one category*

## Handling a Crisis

When crisis strikes, it is essential that the University take immediate action. The key to success is to obtain the information, confirm its accuracy, disseminate the information as quickly as possible and prepare to address the situation as it unfolds. The following steps should be taken as soon as the crisis is identified:

### Action:

- Gather the facts

Having accurate information will enable University officials to respond to the crisis properly. University Safety is responsible for gathering all the necessary and pertinent facts. In most events, this will occur after the authorities have been notified.

- Activate all relevant University Safety plans

University Safety officers will ensure that all applicable safety plans and safety measures are carried out immediately.

- Activate the Command Center

The University command center will be set up at one of several pre-planned locations. The location is not disclosed to prevent interference of assisting those in need by constant media interference.

- Meet with city, State officials, if necessary

If the Crisis is town wide or statewide, University officials have pre-planned a joint command center. University officials will be in direct contact with all local, state and federal authorities during the crisis. University public relations will distribute any information that the officials deem necessary for dissemination. Information will only be withheld to prevent further loss of life or property, or to prevent possible further incident.

- Develop a plan to assist those who have been affected

The University will establish and provide help for affected University community members including alternative housing, meals, grief counseling, mental health services, support groups, memorial services, safety seminars, posters and brochures that offer safety tips, hotline numbers that provide information to family members, etc. These will depend on the nature of the crisis.

## Incident Preparedness Drills and Tabletop Exercises

University Safety and other University officials undergo crisis training, including drills and tabletop exercises, to ensure plans are properly followed. In conjunction with this plan, students and employees can access the Manchester University Campus Emergency Guidelines, which is located in each building on campus, as flip charts on the wall of common areas. The guide is also available for viewing online at [www.manchester.edu/OHR/documents/emergencyguidelines.pdf](http://www.manchester.edu/OHR/documents/emergencyguidelines.pdf)

The guide consists of the following:

- Crisis Communication
- Blood Borne Pathogens
- Weather Emergencies
- Fire
- Medical Emergencies
- Utilities
- Violent or Criminal Behavior
- Lock Down Shelter in Place

# SECURITY AND FIRE SAFETY REPORT

- Bomb Threat
- Chemical Spill or Radiation Release
- Earthquake
- Suspicious Package/Mail

## ALCOHOL AND DRUG POLICY

While the position to use or not use alcohol and other drugs is a matter of personal choice, the position of an institution to prohibit such possession and use and to enforce that decision is a right of the institution. Manchester University believes that use of alcohol and other drugs is detrimental to the educational environment and objectives of the University, and is prohibited.

Manchester University is committed to providing a drug-free environment. It is widely recognized by health professionals that alcoholic beverages, tobacco and other drugs have a profound effect on the health and behavior, both social and personal, of users. On a college campus, alcohol and other drugs invariably interfere with the student's academic work. In addition, a student's behavior while under the influence can lead to interpersonal conflicts, violations of civil laws, and actions endangering health, life, safety and property.

NOTE: If a student's health, academic performance, or continuation at the University appears to be jeopardized by use/abuse of alcohol or other drugs, the University may require an assessment, with the results being made a matter of confidential record. Continued abuse of alcohol or other drugs could result in the University requiring treatment as a condition of enrollment.

### Education

The University takes seriously its responsibility to educate students regarding the effects, uses, and abuses of alcohol or other drugs. The University offers programs and services intended to help students make healthy decisions.

### Alcoholic Beverages

Clarification: The University reserves the right to use a breathalyzer to determine if alcohol has been consumed.

Clarification: Consumption of alcoholic beverages off campus that influences behavior on campus is subject to disciplinary action under this policy.

**Policy 14a. Known Presence:** If a student is present when others violate an alcohol policy, it is a violation of this policy, unless the student avoids involvement by following the procedures outlined in The Source.

**Policy 14b. Possession/Consumption:** Possession, consumption, sale, or transfer of alcoholic beverages, their containers, or alcohol paraphernalia (including but not limited to cartons, bottle caps, labels, etc.) on University property or in University-owned vehicles.

Note: While involved in any University-related activity away from campus, students are expected to exhibit behavior related to alcohol use that is legally, socially and culturally responsible.

Clarification: Possession, consumption or distribution of beverages labeled "nonalcoholic" (such as, but not limited to, O'Douls and Sharps) will be viewed as a violation of this policy.

**Policy 14c. Minor in Possession/Consumption:** It is a violation of Indiana State law and this policy for a person under the age of 21 to consume and/or be in possession of alcohol or alcohol paraphernalia (including but not limited to cartons, bottle caps, labels, etc.) on University property or in University-owned vehicles. For more information, and for the full text of Indiana code, check the following website: [www.in.gov/legislative/ic/code/title7.1/ar5/ch7.html](http://www.in.gov/legislative/ic/code/title7.1/ar5/ch7.html)

**Policy 14d. Distribution to Minors:** It is illegal to provide alcohol to a person under the age of 21, and/or to induce the minor to consume/possess alcohol.

**Policy 14e. Public Intoxication:** It is a violation of State of Indiana law for a person to be in a public place or a place of public resort in a state of intoxication caused by the person's use of alcohol or a controlled substance.

Clarifications: "Intoxicated" means under the influence of alcohol or other drugs so that there is an impaired condition

# SECURITY AND FIRE SAFETY REPORT

of thought and action and the loss of normal control of a person's faculties. In the absence of detection devices, such as breathalyzer, etc., observation of behavior by those bringing the charges will be considered grounds for charges.

## DRUGS

**Policy 15a. Known Presence:** If a student is present when others violate a drug policy, it is a violation of this policy, unless the student avoids involvement by following the procedures outlined in The Source.

**Policy 15b. Drugs:** The use or possession of any narcotic, hallucinogen, or other drug, except as permitted by law.  
Clarification: This ban includes the use on campus of any simulated substance, including but not limited to K2 (also known as synthetic marijuana).

**Policy 15c. Drug Paraphernalia:** The use or possession of any drug paraphernalia, except as permitted by law.  
Clarification: Bongs, hookahs, and other similar devices are not permitted.

**Policy 15d. Dealing Drugs:** The manufacture, sale, delivery, or transfer of any narcotic, hallucinogen, or other drug, or financing the above, except as permitted by law.

**Policy 15e. Dealing Drug Paraphernalia:** The manufacture, sale, delivery or transfer of any drug paraphernalia, or financing the above, except as permitted by law.

Clarification: Because of the wide range of differing opinions regarding the accuracy of reliability of drug tests, they are not taken into consideration at conduct hearings.

**Policy 15f. Public Intoxication:** It is a violation of State of Indiana law for a person to be in a public place or a place of public resort in a state of intoxication caused by the person's use of alcohol or a controlled substance.

## Education

### Regulation Statement

"The Drug-Free Schools and Campuses Regulation require an Institution of Higher Education (IHE) to certify it has adopted and implemented a program to prevent the unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees. Failure to comply with the Drug-Free Schools and Campuses Regulations may forfeit an institution's eligibility for federal funding." –[The U.S. Department of Education High Education Center for Alcohol and Other Drug Abuse and Violence Prevention.](#)

### Report Created and Reviewed by the following:

This Review is completed by Alcohol and Drug Prevention Coordinator at Manchester University and reviewed with the help of the VP of Student Development, University Safety, Residential Life, Counseling Services, and Health Services.

### Alcohol and Drug Prevention efforts

Manchester University communicates expectations regarding drug and alcohol use through our MU Source for students, education for staff and students, and programming throughout the academic year.

The "Alcohol and Drug Prevention Committee" was formed in 2006 after first applying for (and not receiving) the NCAA CHOICES grant. The University sought to have a common message on the campus regarding drug and alcohol use and prevention of abuse. In addition, the goal was to assure that the efforts for the prevention were broader than one particular department. The committee currently has representation from Student Development and Athletics. The following specific areas are represented: Counseling Services, Academic Support, Student Development leadership, Judicial Affairs staff, University Safety, an athletic liaison, and students. The chair of this committee is the Alcohol and Drug Prevention Coordinator.

The committee meets monthly during the academic year and discusses drug and alcohol issues such as current trends, specific concerns at Manchester University, and effective intervention to assure the safety and success of Manchester University students.

# SECURITY AND FIRE SAFETY REPORT

In 2009, Manchester University was awarded the NCAA CHOICES grant, which extended over a 3-year period. The goals of the grant focused on prevention efforts for the University and the immediate community. The NCAA provided a speaker grant, which the University utilized as well. The University also applies annually for a grant from Wabash County's Local Coordinating Council (AACTION – Against Alcohol, Controlled Substances, and Tobacco in Our Neighborhoods).

## 2014 Prevention/Education

- First Year Parent Orientation – distributed “What Parents Need to know About College Drinking” pamphlet
- Encourage parents to talk openly with students about drugs and alcohol
- Resident Assistant (RA) Training
  - o Provide information to RA staff to assist in recognizing and addressing symptoms of alcohol use and abuse. Information provided regarding college and community consequences for violation of University rules and/or community laws. Information regarding available University and community services are also provided.
- Parent Letter
- “To Drink or Not to Drink” panel for all First Year Students
  - o Purpose of the panel is to provide information to all incoming students about the choices students face at the University, how to respond to those choices, potential consequences of such choices, and to convey University and community rules/expectations. All first-year incoming students attend this.
- Student Health Assistants receive annual training on signs and symptoms of alcohol intoxication, appropriate medical care for intoxicated students, BAC levels, Manchester University alcohol guideline training, and hands on training with the “Behind Closed Doors” simulated alcohol scenario.
- September Annual Drug & Alcohol Prevention Education program
  - o Ross Szabo, “Mixed Drinks, Mixed Emotions” – attended by 759 students (some coaches, faculty, staff, and community individuals also attended). Ross’s program addressed the ties between substance abuse and mental health with the goal of breaking down the stereotypes and stigma surrounding expression of emotion in order to help individuals function at their highest level.
- The Intoxicated Student Guidelines provides for a concentrated effort and joint response to all drug and alcohol cases, where a student’s well-being is in question. On duty personnel, including the hall director, University Safety officers, and student health assistant, respond to assess and evaluate the condition of the student. If needed, off campus EMS personnel are summoned.
- First Year pilot program of e-CHECKUP TO GO course via the San Diego State University Research Foundation.
  - o First Year students were encouraged to complete this personalized, evidence-based online program as a prevention measure.
- Spring and Fall, Manchester University Medical Amnesty Policy reminder email sent to all students
- 2013-2014 CHOICES Prevention Activities/Programs
  - o NCAA Grant funding ended in June 2013. In the fall of 2013 Spartan CHOICES hired 3 Peer Educators and collaborates with the Spartan Sport Management Club to put on events and offer Extended PERC hours
    - ◆ 16 events offered
    - ◆ Approximately 710 students attended
- 2014-2015 Academic Year – Spartan CHOICES maintained the partnership with the Spartan Sport Management Club to facilitate late night alternative events
  - o 6 events offered (as of December 31, 2014)
  - o Approximately 338 students attended
- Ongoing
  - o Educational and awareness information included in “Toilet Talk”
  - o 21st Birthday
    - ◆ Birthday e-mail sent to all students who turn 21
    - ◆ Student Development staff and Athletic Liaison notified of students upcoming 21st birthdays monthly
- 2015-2016 Academic Year – Spartan CHOICES maintained the partnership with the Spartan Sport Management Club to facilitate late night alternative events
  - o 6 events offered (as of December 31, 2014)



# SECURITY AND FIRE SAFETY REPORT

- o Approximately 338 students attended
  - ◆ Ongoing
- o Educational and awareness information included in “Toilet Talk”
- o 21st Birthday
  - ◆ Birthday e-mail sent to all students who turn 21
  - ◆ Student Development staff and Athletic Liaison notified of students upcoming 21st birthdays monthly

## Survey and Grant:

- AACTION award of \$5,200 for Education-(Peer Education, First Year online course, and Fall alcohol speaker) and Treatment (Online sanction course)
- ICAN (Indiana Collegiate Action Network) Grant of \$3,000 for substance abuse prevention and education materials, including programming

## Counseling/Intervention Services:

It is the goal of the University to offer education and awareness information for those students who have been found to be in violation of the University’s drug and alcohol policies. For those students who have more than one offense or whose initial offense involves drugs, students are offered an additional intervention which has the goal of helping a student become aware of a serious abuse or addiction problem and become motivated for treatment services. The University recognizes our limitations in terms of services and/or the ability to inspire a student to acknowledge drug or alcohol abuse or addiction problems; however, we do seek to make students aware and assist those who desire additional services.

- First Level of intervention:
  - o Students meet one to one with a member of the counseling staff for a structured interview. A contract is signed which explains expectations and consequences if expectations are not fulfilled. The student also talks about the situation which generated the referral and are instructed how to access and complete the on-line course. This course is purchased through 3rd Millennium Classrooms and was created for college students and recommended through NASPA. After completion of the on-line course and Personal Reflection questions, the student meets again with the staff person to process reactions to the course and responses to the questions. Motivational interviewing is the style of interviewing technique utilized to engage the student.
- Second Level of intervention:
  - o Student attends a seminar, approximately 6 hours in length, with a contracted provider with credentials in drug and alcohol treatment (Dr. Wyatt Mullinax, LCSW, LMFT, MAC, LMHT, LCAS, NCAC II). The goal is to explore, at a more therapeutic level, the depth of the drug and/or alcohol problem and connect the student with resources beyond the seminar if the student recognizes the need for additional services. A follow up, ideally 30 days after the seminar, occurs with the Director of Counseling Services to reflect on the process what occurred in the seminar.

Students at any time may self-refer to counseling services to receive counseling and/or referral to community counseling services to address drug and/or alcohol services. Information is available to students, faculty and staff regarding local AA meetings and Al-Anon meetings.

Staff, faculty and/or coaches participated in alcohol education training to further understand how our students are supported through the substance abuse seminar. The training, facilitated by the same provider as utilized for the seminar (Dr. Wyatt Mullinax), provided participants with knowledge/understanding to have a common language for supporting Manchester University students with alcohol/drug concerns.

## Conduct Review System

In order to create and maintain a positive community, central principles or characteristics of that environment must be described. University policies help to describe the campus community we are seeking. They offer a rationale for community guidelines, identify the limits of acceptable behavior, and call community members to be accountable to each other.

- There are three principles that form the framework of the policy statement: respect for others, safety and security, and community expectations. As responsible members of the community, students, staff and faculty are expected to support and practice these principles, and the specific policies based on them, and to hold others accountable as well.

# SECURITY AND FIRE SAFETY REPORT

- These policies apply on University property, including University-owned vehicles, Koinonia Environmental and Retreat Center, and to all students, faculty and staff, as well as guests of the University.
- Normally, The Source policies apply only when school is in session. If school is not in session, but an individual is on University-owned property when an incident occurs, policies will still apply.
- While the policies are designed to respond to behavior on campus, students' behavior off campus is a concern to the University. The University will take action when behavior has a direct impact on the University environment or on the reputation of the University, or when the behavior is of such gravity that the University would be remiss not to do so.

Violations of University policies in residence hall rooms are the responsibility of the resident(s) of that room unless other students' responsibility can be clearly established. Students should keep their rooms locked when they are away to prevent theft or other violations of policy in their rooms.

Resident students have the right to privacy and to sufficient quiet for study and rest. An individual's right to personal use of his/her room takes precedence over the right of a roommate to have a guest at any time.

Consistent with the mission of Manchester University, members of the University community are expected to demonstrate respect for others and an appreciation for the worth of every person.

All members of the University community share responsibility for maintaining a quality campus environment. Ignoring actions or activities that disrupt or violate community guidelines damages our environment and infringes upon the rights of individuals. All students share responsibility for upholding these University guidelines and policies. Students are in violation if they are present during the violation of the University policy, but choose not to act. If a student is present when others violate a specific policy, all students present share responsibility for that policy-violating behavior. Students present during a University policy violation have several options:

- To be actively involved in the incident, which is a violation of the policy.
- To choose to remain in the presence of the violation and take no action, which is a violation of the policy.

Alternatively, to avoid involvement in the violation by:

- Stopping the violation or eliminating the cause,
- Immediately leaving the premises upon realizing a violation has occurred or is about to occur,
- Alternatively, seek the help of a third party (a resident assistant, hall director, safety officer) to help resolve the violation.

Policies in *The Source* are designed to create a community in which individuals are treated with respect and in which all share in the responsibility for creating a positive community.

The Conduct Review System is a developmental, accountability system designed to emphasize citizenship responsibilities, and privileges, assist in solving problems and conflicts, and advance the best interests of all members within the University community. The Conduct Review System represents the campus community in the exercise of disciplinary processes, seeking to determine the most constructive and positive response to conduct violations.

The powers of the Conduct Review System are exercised within the broad framework of University process procedures and those policies set forth by the trustees and the president of the University. While the vice president for student development has been assigned overall responsibility for the system, the day-to-day operation of the conduct system has been delegated to an associate dean of student development. The major components of the Conduct Review System are:

- **Student Conduct Review Board.** The Student Conduct Review Board is composed of 10 students, who are advised by the conduct system coordinator, or designee, as assigned by the director of residential life. For purposes of hearing cases, the Conduct Board is divided into two sections, each comprised of five students.
- **Hall Directors.** Hall directors have been assigned responsibility for exercising powers of the Conduct Review System, as assigned by the director of residential life.
- **Administrative Hearing.** Typically, in cases that are more serious in nature, an associate dean and/or vice president for

# SECURITY AND FIRE SAFETY REPORT

student development and/or designee will meet with students involved and adjudicate the case.

- **University Hearing Panel.** A University Hearing Panel is composed of three full-time members of the University staff and faculty. The University Hearing Panel will hear cases when the Student Conduct Review Board is inactive or when the content of the behavior is such that it is prudent for faculty/staff to hear the complaint. Panels are appointed to hear a specific case by an associate dean or the vice president for student development.

Note: Notices of conduct hearings will be communicated by email, and students are expected to regularly check their e-mail.

For additional information regarding the conduct system, contact the associate dean and director of residential life or designee on the second floor of Calvin Ulrey at 260-982-5052.

## **Respondent's rights and responsibilities in conduct cases**

Respondent's rights in conduct cases include:

1. Students charged with violating policies are informed of the charges pending against them and expected to review their rights and responsibilities in The Source.
2. No form of harassment may be used to obtain admissions of responsibility or information about conduct of other suspected persons.
3. Pending action on the charges, the conduct status of a person is not altered, including rights to be present on the campus and to attend classes. Exceptions may be made for reasons relating to the physical or emotional safety and well-being of students, faculty, and staff of the University.
4. Persons appearing before a Conduct Board or a University Hearing Panel have the right to be assisted by one advisor. Such advisor may not speak on behalf of the person. The Office of Student Development must be notified at least 24 hours in advance if an advisor will be present at the hearing (260-982-5052).
5. Persons hearing a case who have a particular interest in a case or who have a conflict of interest regarding the facts or the principal parties (complainant or respondent) in a case should be disqualified. Conflicts must be discussed with the hearing coordinator at least 24 hours prior to the hearing.
6. The respondent is presumed not responsible unless sufficient information is presented to determine responsibility.
7. The respondent and complainant should be given an opportunity to speak on his or her behalf and present evidence and witnesses.
8. The respondent has the right to remain silent and need not present a response.
9. The decision in the case is based solely upon information introduced during the hearing relevant to the incident reports already submitted.
10. The recommendation of the hearing body is final subject only to rights of appeal.
11. Respondents, witnesses, or complainants in a conduct action who are unable to participate in a hearing at the time and date set, due to emergency or other serious circumstances, must discuss the conflict with the conduct system coordinator at least 24 hours prior to the hearing.
12. Decisions of hearing bodies may be appealed by respondents or victims.
13. The hearing may proceed in the absence of respondents or their witnesses.

## **Victims' Rights and Responsibilities in Conduct Cases**

1. A crime victim should report any criminal activity immediately; quick reporting increases the probability that the alleged perpetrator can be held responsible. There is no limit to report.
2. A victim should take steps to preserve evidence and avoid disturbing the crime scene.
3. A victim has the right to report any criminal activity to local law enforcement authorities and pursue prosecution through the criminal court system.
4. A victim also has the right to report any criminal activity to campus authorities, including University Safety and Student Development staff, and to process the case through the University Conduct Review System. This option is recommended whether or not the victim chooses to prosecute through the criminal courts.
5. A victim has a right to be assisted through the reporting process.
6. A victim has a right to expect that the report will be taken seriously and appropriately investigated by both campus authorities and off-campus police.

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7. A victim has the right to be treated with fairness, dignity and respect throughout the criminal justice and campus judicial processes.
8. A victim has the right to have the victim's safety considered at all times, and especially following any act of violence.
9. A victim has the right to information, upon request, about the disposition of criminal charges and campus conduct cases. Victims of violence, sexual harassment and sexual assault will receive the disposition of the campus conduct outcome in writing.
10. A victim has the right to confer with a member of the University counseling team and/or a member of the Health Services staff for health-related concerns.
11. If a victim prefers to obtain counseling off campus, members of the University counseling staff will assist in identifying an appropriate and satisfactory referral resource.
12. If a victim requests changes in academic and living arrangements, precipitated by the criminal act, the University will make every effort to assist with making these changes, if such changes are reasonably available.
13. A victim has the right to speak on one's own behalf and to present evidence and witnesses in campus conduct cases.
14. Victims (and respondents) appearing before a Conduct Review Board have the right to be assisted by one advisor of their own choosing. Such advisor may not speak on behalf of the victim. The Student Experience Center must be notified at least 24 hours in advance if an advisor will be present at the hearing (260-982-5052).
15. The decision in the case is based solely upon information introduced during the hearing relevant to the incident reports already submitted.
16. The campus hearing may proceed in the absence of a victim.
17. A victim of an act of violence can request not to be present at a hearing, and have the case heard based on written documentation only.
18. The identity of victims will be kept confidential, and their names will only be shared with those who have a need to know, including members of hearing bodies and administrators.
19. Victims, witnesses, and complainants in a campus conduct action who are unable to participate in a hearing at the time and date set, due to an emergency or other serious circumstance, must discuss the conflict with the conduct system coordinator at least 24 hours prior to the hearing.
20. The recommendation of the hearing body is final, subject only to rights of appeal.
21. Victims, as well as respondents may appeal decisions of the campus hearing bodies, when it involves crimes of violence, sexual harassment or sex offenses. Victims of violence and sexual assault will receive the disposition of the campus conduct outcome.

## Conduct Sanctions

The University reserves the right to take necessary and appropriate action to protect the safety and well-being of the campus community. Such action may include pursuing disciplinary action for any violation of state or federal law, on or off campus, which affects the University's educational interests. Students may be accountable both to civil authorities and to the University for Acts that constitute violations of law and of this handbook. Disciplinary action at Manchester University will normally proceed at the same time civil charges are being adjudicated.

The Conduct Review System is responsible for determining the truth in disciplinary complaints and assigning sanctions. While the hearing body has latitude in the development of a sanction, their jurisdiction is limited by the guidelines that follow on page 31 of The Source. In developing an appropriate sanction, the hearing body will consider the behavior of individuals and their past conduct records. A sanction will normally consist of a conduct status, the assignment of community restitution and specific conditions, which seem appropriate given the circumstances of the behavior. Monetary fines are assigned in most cases.

Following a finding that assigns responsibility, hearing bodies assign sanctions based on the nature of the complaint, and the conduct record of the individual involved. The classifications of sanctions are:

1. Reprimand (R): A reprimand is a written sanction, the result of an assignment of responsibility for a more serious violation of University policy or a repeated violation of a policy of a less serious nature. This conduct standing implies that subsequent policy violations will be cause to consider disciplinary probation or more severe action. Reprimand will usually carry conditions that are recommended by the hearing body

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2. **Social Suspension (SS):** Social suspension is the exclusion of the student from all or specified extracurricular and social activities of the University for a stated period. Social suspension does not affect the student's involvement in his or her academic program.
3. **Disciplinary Probation (DP):** Disciplinary probation is the most serious conduct standing that the University applies in response to behavior, short of separating the student from the University. Additional conditions may be imposed depending upon the violation. A student violating the terms of disciplinary probation, or involvement in subsequent violation of policy during the period of probation, may be suspended or expelled from the University.
4. **Removal from residential facilities.** Based on a single serious violation or an accumulation of behavioral sanctions and/or concerns, students may be removed from their residence hall and reassigned to another hall or, in more serious circumstances, required to live off campus. The director of residential life will have final authority to administer this sanction. Students removed from the hall also may be banned from all residential facilities.
5. **Suspension(s):** Suspension is the separation of the student from the University (exclusion from classes, residence halls, food service, activities and other privileges) for a specific period. Suspension is usually the result of an accumulation of behavioral sanctions or a single violation that creates a notable threat or an endangerment. The decision to implement this action rests with the vice president for student development, associate dean or other designee.

NOTE: An associate dean of student development or designee may suspend a student from the University for an interim period pending disciplinary or criminal proceedings, or medical evaluation. The interim suspension shall become immediately effective without prior notice whenever there is evidence that the continued presence of the student at the University poses a substantial and immediate threat to him herself, to others, or to the stability and continuance of normal University functions. A student suspended on an interim basis shall be given a prompt opportunity to appear personally before an associate dean of student development or designee in order to discuss the following issues only:

- a) The reliability of the information concerning the student's conduct;
  - b) Whether the conduct and surrounding circumstances reasonably indicate that the continued presence of the student on University premises poses a substantial and immediate threat to self or to others, or the stability and continuance of normal University functions.
6. **Expulsion:** Expulsion is the permanent and immediate separation of the student from the University due to significant and/or felonious acts against individuals or the University, or due to activities outside the University that could pose a threat to individuals or the University. Only the president or other cabinet member of the University with the president's approval takes this action. This ruling is not subject to appeal.

NOTE: The president or other cabinet member of the University with the president's approval may expel a student immediately whenever there is evidence that the continued presence of the student at the University poses a substantial and immediate threat to him/herself, to others, or to the stability and continuance of normal University functions.

7. **Community Restitution:** Community Restitution (CR) involves the assignment of specific tasks or hours of work service in various capacities across the campus and in the North Manchester community. Examples of CR include work within the food service, library, residence halls, buildings and grounds, maintenance, or other areas of the University, or in specific civic projects in North Manchester. CR will normally be assigned in all conduct cases.
8. **Monetary Fines:** Monetary fines are assigned in most cases.
9. **Online Alcohol Education and Individual Substance Evaluation:** Students who are found responsible in cases involving alcohol and other drugs are required to take an online assessment with an individual evaluation follow-up.
10. **Substance Abuse Treatment Seminar:** The University sponsors a substance abuse treatment seminar facilitated by

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a licensed clinician who focuses on addiction. This all day seminar will be mandatory for all second level alcohol violations, and will be followed up with an individual evaluation. This treatment option is also available to students who may wish to participate on their own or may be referred through other campus offices.

11. Parent Letter: The University reserves the right to notify parents or legal guardians of alcohol and/or drug violations and sanctions for those dependent students under the age of 21.
12. Creative Sanctions: Creative sanctions include, but are not limited to, research papers, presentations, letters of apology, outside counseling, etc.

## Appeals

Appeals of sanctions must be based on specific grounds outlined below. Appeals do not involve a “rehearing” of the charges.

Grounds for an appeal of a judicial decision must fall into one of three categories:

1. A violation of rights occurred as a result of the manner in which the hearing was established and conducted,
2. The sanction assigned is inappropriate for the violation involved, or
3. New evidence has surfaced or a witness has come forward who could directly affect the outcome of the hearing. A respondent or complainant wishing to appeal the decision in a conduct case may meet with a judicial hearing officer to discuss the process of appeal and determine the appropriate grounds.

Appeals are made by letter to the appropriate judicial officer as designated in your judicial letter within five calendar days of the date of the sanction notification, not counting the day the notification was delivered. The letter must identify the basis for the appeal and provide sufficient argument to support the appeal. The student’s sanction notification will indicate whom he or she should appeal to.

## Medical Amnesty

Individuals seeking medical attention for themselves or those students who assist in obtaining medical attention for another person due to his/her own level of intoxication that reasonably appears to create serious and immediate risk to the individual will not have disciplinary charges pursued against them for violations of the Alcohol Policy of the Code of Conduct.

Appropriate procedures must be followed in order to qualify for this exemption. For more details on the policy and procedure, please visit: [www.manchester.edu/osd/medical\\_amnesty.htm](http://www.manchester.edu/osd/medical_amnesty.htm)

Indiana Lifeline Law-IC 7.1-5-1-6.5

Sec. 6.5. (a) A law enforcement officer may not take a person into custody based solely on the commission of an offense involving alcohol described in subsection (b) if the law enforcement officer, after making a reasonable determination and considering the facts and surrounding circumstances, reasonably believes that all of the following apply:

- (1) The law enforcement officer has contact with the person because the person:
  - a. Either:
    - i. Requested emergency medical assistance; or
    - ii. Acted in concert with another person who requested emergency medical assistance; for an individual who reasonably appeared to be in need of medical assistance;
  - b. Is the victim of a reported sex offense (as defined in IC 11-8-8-5.2); or
  - c. Witnessed and reported what the person reasonably believed to be a crime.
- (2) The person described in subdivision (1)(A), (1)(B), or (1)(C):
  - a. Provided:
    - i. The person’s full name; and
    - ii. Any other relevant information requested by the law enforcement officer; and
  - b. In the case of a person described in subdivision (1)(A):
    - i. Remained at the scene with the individual who reasonably appeared to be in need of medical assistance until emergency medical assistance arrived; and
    - ii. Cooperated with emergency medical assistance personnel and law enforcement officers at the scene.

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- (3) A person who meets the criteria of subsection (a)(1) and (a)(2) is immune from criminal prosecution for an offense under:
  - a. Section 3 of this chapter if the offense involved a state of intoxication caused by the person's use of alcohol;
  - b. Section 6 of this chapter if the offense involved the person being, or becoming, intoxicated as a result of the person's use of alcohol; and
  - c. IC 7.1-5-7-7.
- (4) A person may not initiate or maintain an action against a law enforcement officer based on the officer's compliance or failure to comply with this section.

*As added by P.L.93-2012, SEC.4. Amended by P.L.156-2014, SEC.2.*

## **Substance Abuse Policy from the Manchester University Employee Handbook**

The University has a duty to provide a safe working environment for its employees. Each employee has a corresponding duty to his/her co-workers and to Manchester University students to deliver services in a safe and conscientious manner. To help ensure that these responsibilities are fulfilled, employees must work free from the effects of performance-impairing substances (including illicit drugs, hallucinogens, herein called "Controlled Substances" and their metabolites, and alcohol).

Any employee of Manchester University who uses Controlled Substances or improperly consumes alcohol while working or while conducting business on behalf of the University, or who attempts to work while under the influence of same, potentially endangers himself or herself as well as co-workers. For purposes of this policy, "under the influence" means the employee tested positive for Controlled Substances and/or has a blood-alcohol level at/or above 0.05. Possession, manufacture, distribution, dispensation or sale, use, consumption or being under the influence of Controlled Substances while on the University campus (including parking lots) or while on University business is strictly prohibited. Working while under the influence of alcohol is likewise prohibited.

All employees are required to notify the director of human resources of any drug- or alcohol-related conviction(s) no later than five days after such a conviction.

Prescription drugs also may affect performance and behavior. Accordingly, they must be used only in the manner, combinations and quantities in which they are prescribed, and only by the individual for whom they are prescribed. Any employee using prescription drugs that may affect his/her job performance or behavior must discuss his/her job requirements with the prescribing physician, and, if advised by the physician, discuss the matter with his/her supervisor.

Violation of this policy will result in corrective action, up to and including discharge, and may result in legal prosecution.

## **Testing for Controlled Substances and/or Alcohol**

### Reasonable Suspicion

The University reserves the right to require an employee to undergo an immediate alcohol and/or drug test when/where reasonable suspicion exists that the employee is under the influence of alcohol or Controlled Substances when reporting to work or when acting within the scope and course of employment. Reasonable Suspicion includes, but is not limited to, the following:

- Observation by a supervisor, manager or other leader of an on-duty employee behaving in a manner that suggests the employee might be under the influence of alcohol or Controlled Substances;
- Violations of safety rules or procedures that could potentially jeopardize the wellbeing of employees, students, or the public, or result in an accident;
- Information from other observers regarding use or possession; or
- Any work-related accident that requires first aid from a professional provider or results in property damage.

### Random Testing

The University also reserves the right to require random testing for a reasonable length of time as part of a last-chance agreement.



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Any employee who refuses a University request to submit, or fails to submit, to such testing will be subject to corrective action up to and including discharge. Testing will be conducted and test results will be maintained with concern for the personal privacy of the employee.

## **Searches**

When there is Reasonable Suspicion that an employee is in violation of the Substance Abuse Policy, the University, at its discretion, may request the employee to empty his or her pockets, and may conduct a search of the employee's onsite property. Such property includes, but is not limited to, University-owned vehicles, desks, containers, files or lockers. Also subject to search are any vehicles, packages, purses, briefcases, lunch boxes or other containers brought onto the campus (including parking lots) by employees. Discovery of controlled substances violations of this policy, or a refusal to allow a search, will subject the employee to corrective action up to and including discharge.

## **Employee Assistance for Substance Abuse**

### Voluntary Referral

The University recognizes alcohol and drug dependency as major health and behavior problems and is prepared to offer assistance if requested. Any employee who suspects he or she has developed an addiction to, dependence upon, or a problem with alcohol or drugs (legal or illegal) is encouraged to seek assistance through his or her immediate supervisor, the Office of Human Resources or the Employee Assistance Plan. In-patient and outpatient programs are available, with insurance benefits in many instances. Requests for assistance will be treated confidentially.

### Mandatory Referrals

Any member of the leadership team who recognizes or suspects that an employee may need professional help for substance abuse may confidentially refer the employee to the Office of Human Resources or the Employee Assistance Plan.

### Terms of Assistance

Mandatory referrals to substance abuse treatment will not jeopardize an employee's position as long as the University's expectations are met. Any employee who is abusing drugs or alcohol may request outpatient treatment or, upon request, be granted a personal leave of absence to undertake inpatient rehabilitation treatment. The employee will be permitted to return to work from in-patient treatment only after completion of the rehabilitation program is certified.

The University reserves the right to require random drug and/or alcohol testing for an appropriate length of time following return to work. It is the employee's responsibility to comply and cooperate with the prescribed treatment. Refusal to accept diagnosis or treatment, or leaving a rehabilitation program before being released will be handled as any other situation that adversely affects job performance. Employees returning to work from mandatory referral will return only under the terms of a Last Chance Agreement satisfactory to the University.

## **BIAS-RELATED INCIDENT POLICY**

A bias-related incident is any deliberate act or attempt to injure, harm or harass an individual or group because of the person or group's gender, race, color, religion, age, disability, veteran status, national or ethnic origin, ancestry, sexual orientation, gender identity and expression, or any other legally protected status or because the alleged perpetrator perceives that the other person or group has one or more of these characteristics. Such behavior includes acts or attempts that may pose physical or psychological harm or threat to individuals or groups.

The United States Congress has defined a hate crime as a "criminal offense against a person or property motivated in whole or in part by an offender's bias against a race, religion, disability, ethnic origin or sexual orientation." Hate itself is not a crime—and the federal government is mindful of protecting freedom of speech and other civil liberties.

Bias related incidents and hate crimes both involve behavior that is motivated by bias. However, it is important to note the distinction between the two. Hate crimes include a definable crime, such as: threats of violence, property damage, personal injury and other illegal conduct. A hate crime is an infraction of the law and will be addressed accordingly.

A bias-related incident can be a violation of this policy but may not rise to the level of a hate crime, but all hate crimes are bias



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related-incidents. All incidents should be reported in order to determine the level and type of offense, to support the affected person(s) or group, to mitigate subsequent incidents by raising awareness of the offense, to develop an educational response and to activate appropriate campus review and judicial processes when necessary to address individual or group behavior.

## How to report a bias incident

If you have observed or experienced a bias incident, you are encouraged to contact a faculty or staff member with whom you are comfortable, report it at the Report It! Page, or call one of the following offices:

- University Safety (260) 982-5999
- Counseling Center (260) 982-5306
- Human Resources (260) 982-5288
- Multicultural Affairs (260) 982-5423
- Residential Life (260) 982-5052
- Student Experience Center (260) 982-5052
- Success Center (260) 982-5076

## What happens if you report a bias incident?

Once a report has been received, the Student Experience Center will communicate and review the facts promptly with the reporter and will offer services related to safety, counseling or other supports that may be appropriate.

The Student Experience Center will promptly document the report of the incident (i.e. who, what, when, where). Additionally, those directly concerned with the incident should take steps to retain any physical evidence.

The reporter will be assured that his or her physical and emotional needs are important and appropriate actions will be taken (i.e. possible relocation, academic accommodations, counseling, etc.) by appropriate Manchester staff.

The Bias Incident Response Team (Counseling Team, Hall Directors and Dean of the Student Experience Center) will review Bi-weekly reports of report incidents. This team will meet regularly to review information available regarding report-biased incidents and implement strategies to educate and/or engage the campus community as appropriate. The Bias Incident Response Team does not take the place of frontline staff that may be dealing with student concerns. The work of the Team is both preventative and responsive. In addition, counseling services are available to anyone that would like the support. Human Resources may be included when the reporter is a faculty or staff member. When appropriate, enhanced safety measures (patrols, surveillance etc.) will be promptly initiated and directed by University Safety.

## HARASSMENT

### Application

Manchester University seeks to provide an environment free of any behavior constituting harassment as defined below as well as by civil or criminal law applicable to Manchester University. Manchester University invites students, faculty and staff to join in fostering an environment of mutual respect.

### Definition

Manchester University defines Harassment as the systematic or continued unwelcome actions of one party or a group, including threats and demands, interpersonal conduct or comments-written, spoken or transmitted electronically—which would be offensive to a reasonable person, for reasons including but not limited to their race, color, national origin, ancestry, sex, sexual orientation, gender identity, or expression, religion, age, disability, veteran status, physical characteristics, familial status, or any other legally protected category. Similarly, any form of intentional behavior that a reasonable person would find threatening or intimidating because s/he is in a protected category constitutes harassment. (Sexual harassment is specifically addressed below.) Such acts can create a hostile or intimidating work or educational environment that not only damage the process of teaching and learning, but also violate the integrity of the university. Manchester University affirms that it values both freedom of speech and appreciation of diversity. MU understands the fundamental importance of the open and free exchange of ideas and opinions and does not wish to limit or abridge those exchanges. It recognizes that conflicts may arise between freedom of speech and the right of individuals to be free from harassment and statements or dissemination of opinion will be made with a

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proper regard for the protection of individual rights, religious and moral convictions and academic freedom and advocacy.

## SEXUAL HARASSMENT

### What is sexual Harassment?

Sexual harassment is a form of sex discrimination involving inappropriate introduction of sexual activities, stereotypes, or comments into the learning, living or working environment. Often, sexual harassment involves individuals in relationships of unequal power that contain elements of coercion, as when compliance with requests for sexual favors becomes a criterion for granting academic, social or work benefits.

Sexual Harassment is unwelcome conduct of a sexual nature. It includes unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal, or physical conduct of a sexual nature. Sexual harassment also may involve individuals making inappropriate sexual advances or repeated verbal remarks or suggestions having a harmful effect on a person's ability to study, work or otherwise function in the campus setting.

Any of the following constitute sexual harassment:

1. Explicit or implicit promises of rewards for cooperation through misuse of institutional authority, for example, to affect a subordinate's admission or employment, academic or professional advancement, financial aid or salary, grades or performance ratings, graduation or tenure
2. Explicit or implicit threats of punishment for noncooperation through misuse of institutional authority, for example, to affect a subordinate's admission or employment, academic or professional advancement, financial aid or salary, grades or performance ratings, graduation or tenure
3. Intimidation through sexual harassment that creates a hostile or offensive environment, interferes with an individual's scholastic or work performance, prevents an individual's full enjoyment of educational, professional, social opportunities, or induces stress, anxiety, fear or sickness on the part of the harassed person
4. Activities such as comments repeatedly emphasizing the sexuality or sexual identity of individual, persistent requests for social-sexual encounters or favors, or unwanted physical contacts

### What happens if I report sexual harassment?

University Safety Office will contact you to fill out a statement. All staff are trained to advise you about your options regarding immediate counseling and/or pursuing police and University Conduct System. Filing a statement does not necessitate pursuing police or University Conduct System involvement.

## TITLE IX

### What is Title IX?

"No person in the United States shall, on the basis of sex, gender identity or expression, be excluded from participation in, be denied the benefits of, or be subject to discrimination under any educational program or activity receiving Federal financial assistance." – Title IX of the Educational Amendments of 1972 to the 1964 Civil Rights Act. Title IX is a portion of the Education Amendments of 1972. Although it is best known for requiring gender equity in collegiate athletics, Title IX broadly prohibits discrimination based on sex in all university student services and academics. Title IX, along with the Campus SaVe Act, require universities to address campus related Sexual Violence, which is viewed under Title IX as an extreme form of hostile-environment sexual harassment.

## Manchester University Policy and Procedures for Sexual Misconduct Complaints

### Introduction

Manchester University is an institution of higher learning that respects the infinite worth of every individual and graduates persons of ability and conviction who draw upon their education and faith to lead principled, productive, and compassionate lives that improve the human condition. As such, Manchester University does not discriminate based on sex and is committed to

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providing an educational environment free from sex discrimination.

As a recipient of federal funding, the University is required to comply with Title IX of the Higher Education Amendments of 1972, 10 U.S.C. § 1681 et seq. (Title IX). Title IX is a federal civil rights law that prohibits discrimination based on of sex — including pregnancy and Sexual Misconduct — in educational programs and activities. Title IX's sex discrimination prohibition extends to claims of discrimination based on gender identity or failure to conform to stereotypical notions of masculinity or femininity.<sup>1</sup>

Sexual Misconduct is defined broadly under this Policy and Procedures for Sexual Misconduct Complaints (Policy). Sexual Misconduct includes Sexual Assault, Sexual Harassment, Non-consensual Sexual Contact, Non-Consensual Sexual Intercourse, Sexual Exploitation, and Sexual Misconduct with a Minor, Child Molesting, and sex discrimination, which are defined below. Sexual Misconduct is a violation of University policy, state and federal civil rights laws, and may violate state and federal criminal laws. When an allegation of misconduct is brought to an appropriate administrator's attention, and a respondent is found to have violated this policy, the University will issue appropriate sanctions to prevent future misconduct.

The University reserves the right to take whatever measures it deems necessary in response to an allegation of Sexual Misconduct in order to protect the rights and personal safety of students, employees, and other members of the University community. Such measures include, but are not limited to, modification of living arrangements, interim suspension from campus pending a hearing, and reporting the matter to local police. Not all forms of Sexual Misconduct will be deemed equally serious offenses, and the University reserves the right to impose different sanctions, ranging from verbal warning to expulsion, depending on the severity of the offense. The University will consider the concerns and rights of both the complainant and the person accused of the Sexual Misconduct.

## Definitions

The following terms and definitions apply to this Policy.

**"Child Molesting"** means a person at least 18 years of age who, with a child under 14 years of age, performs or submits to sexual intercourse or sexual conduct, or performs or submits to any fondling or touching for the purpose of sexually gratifying either person.

**"Consent"** means clear, unambiguous words or actions that show a knowing and voluntary agreement between the participants to engage in a specific mutually agreed-upon sexual activity. Effective consent cannot be gained by Force, by ignoring or acting in spite of the objections of another, or by taking advantage of the Incapacitation of another, where the accused individual knows or reasonably should have known of such Incapacitation. Consent cannot be based on silence or the absence of saying, "no" or "stop," the existence of a prior or current relationship, or prior sexual activity. Consent to some sexual acts does not imply consent to others, nor does past consent to a given act imply ongoing or future consent. Consent is also, absent when the activity in question exceeds the scope of consent previously given. Further, Consent must be clear and unambiguous for each participant throughout any sexual encounter. Consent can be revoked at any time. For all these reasons, sexual partners must evaluate consent in an ongoing fashion and should communicate clearly with each other throughout any sexual encounter.

**"Force"** means physical force, violence, threats, intimidation (implied threats), or coercion that produce consent or overcome resistance. Sexual activity that is forced is by definition non-consensual, but non-consensual sexual activity is not by definition forced. Coercion is unreasonable pressure for sexual activity. An example, when someone makes clear that they do not want to go past a certain point of sexual interaction, continued pressure beyond that point is coercive if the pressure is unreasonable. Resistance is a clear demonstration of non-consent, but the absence of resistance does not prove consent.

**"Incapacitation"** means a state where someone cannot make rational, reasonable decisions because they lack the capacity to give knowing consent (e.g. understand the who, what, when, where, why, or how of the sexual interaction). States of incapacity include but are not limited to mental disability, sleep, blackouts, flashbacks, involuntary physical restraint, or the effects of drugs

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<sup>1</sup> Further, Manchester University policy explicitly prohibits discrimination based on sexual orientation and gender identity or expression.

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or alcohol. Where drugs or alcohol is involved, one does not have to be intoxicated or drunk to be considered incapacitated. Incapacitation is determined by how the alcohol or drugs consumed influence a person's decision-making capacity, awareness of consequences, and ability to make informed judgments. The question is whether the accused individual knew, or a sober, reasonable person in the position of the accused individual should have known, that the complainant was incapacitated. Because Incapacitation is hard to determine, individuals are strongly encouraged, when in doubt, to assume the other person is Incapacitated and unable to give Consent. Intoxication or the use of alcohol or other drugs is never a defense to a complaint filed under this Policy.

**"Investigator"** means an individual assigned by the Title IX Coordinator to investigate the alleged Sexual Misconduct to determine whether there is cause to grant a hearing.

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

**"Non-Consensual Sexual Intercourse"** means any sexual intercourse however slight, with any object by a person upon another person without consent and/or by force. Sexual intercourse includes vaginal penetration by a penis, object, tongue or finger, or anal penetration by a penis, object, tongue or finger, and oral copulation (mouth to genital contact or genital to mouth contact), no matter how slight the penetration or contact.

**"Responsible Employee"** means any University employee who a duty to report incidents of Sexual Misconduct to the Title IX Coordinator and who has authority to take action to redress Sexual Misconduct. Examples of Responsible Employee's include deans, associate deans, vice presidents, coaches, Title IX coordinator and deputy coordinators, hall directors, resident assistants, human resources staff, University Safety officers, staff, faculty members, and administrators.

**"Retaliation"** means any adverse employment or educational action taken against a person because of the person's participation in a complaint or investigation of discrimination or Sexual Misconduct.

**"Sexual Exploitation"** occurs when a person takes non-consensual or abusive sexual advantage of another for his/her per own advantage or benefit, or to benefit or give advantage to anyone other than the one being exploited, and that behavior does not otherwise constitute one of other sexual misconduct offenses. Examples of sexual exploitation include, but are not limited to: invasion of sexual privacy; prostituting another person; non-consensual recording; photographing or transmitting identifiable images of private sexual activity and/or the intimate parts (including genitalia, groin, breasts or buttocks) of another person; going beyond the boundaries of consent (such as letting your friends hide in the closet to watch you having consensual sex, or transmitting photographs of the intimate parts of another, which were consensually taken, to a third person without consent); engaging in voyeurism; knowingly transmitting a sexual transmitted infection to another person; exposing one's genitals in non-consensual circumstances, including forcing another to expose their genitals; and sexually-based stalking and/or bullying may also be forms of sexual exploitation.

**"Sexual Harassment"** means unwelcome, sex-based verbal or physical conduct that is, sufficiently severe or pervasive that it unreasonably interferes with an individual's work or academic performance or unreasonably creates an intimidating, hostile, or offensive working or academic environment. To constitute Sexual Harassment, the conduct must be offensive from both a subjective viewpoint (the viewpoint of the alleged victim) and an objective viewpoint (the viewpoint of a reasonable person in the alleged victim's position).<sup>2</sup> Quid pro quo sexual harassment is a type of Sexual Harassment where there are unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature between persons of unequal power and submission to or rejection of such conduct results in adverse educational or employment action. An example of quid pro quo sexual harassment is a professor insisting that a student have sex with him or her in exchange for a good grade.

**"Sexual Misconduct with a Minor"** means a person at least 18 years of age who, with a child at least 14 years of age but less than 16 years of age, performs or submits to sexual intercourse or sexual conduct, or performs or submits to any fondling or touching for sexually gratifying either person.

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Contact,” “Non-Consensual Sexual Intercourse,” “Child Molesting,” and “Sexual Misconduct with a Minor” as defined in this policy. Sexual Misconduct can occur between strangers or acquaintances, including people involved in an intimate or sexual relationship. Sexual Misconduct can be committed by both men and women and can occur between people of the same or different sex.

“**Title IX Coordinator**” is the person designated by the University to be responsible for the oversight of the investigation and resolution of all reports of Sexual Misconduct. The Title IX Coordinator is available to assist any University employee or student regarding the appropriate response to Sexual Misconduct or advice complainants, respondents, and third parties about the policies and procedures of the University. At MU, deputy coordinators assist the Title IX Coordinator.

**Coordinator:**

Allen Machielson  
Student Experience  
Calvin Ulrey Room 222  
ajmachielson@manchester.edu  
260-982-5052

**Deputy Coordinators:**

Barb Burdge  
Associate Professor of Social Work  
Academic Center  
bjburdge@manchester.edu  
260.982.5365

Tami Hoagland  
Academic Center 102E  
Athletics  
PERC Room 214  
tlhoagland@manchester.edu  
260-982-5390

Kourtney Johnson  
Human Resources  
Calvin Ulrey Room 207  
krjohnson@manchester.edu  
260-982-5038

Whitney Caudill  
Academic Center 102E  
Fort Wayne Campus Room 125G  
wjcaudill@manchester.edu  
260-470-2658

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Melanie Hanson  
Sexual harassment goes beyond the mere expression of views or thoughts (spoken or written) that an individual may find offensive. The conduct must be sufficiently serious that it unreasonably limits an individual’s ability to participate in or benefit from the activities of the University. While some offensive behavior may not meet the definition of Sexual Harassment, such behavior may nonetheless be unprofessional in the workplace, disruptive in the classroom, or violate other University policies and could warrant remedial actions and/or discipline. The following is a non-exhaustive list of actions that may constitute Sexual Harassment, whether the harasser is a co-worker, supervisor, student, faculty, member, or vendor:

1. Persistent unwelcome flirtation, requests for dates, advances, or propositions of a sexual nature;
2. Unwanted touching such as patting, pinching, hugging, or repeated brushing against the individual’s body;
3. Repeated degrading or insulting comments that demean an individual’s sex; or
4. Unwarranted displays of sexually suggestive objects or pictures.

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Student Experience  
Calvin Ulrey Room 222  
melawson@Manchester.edu  
260-982-5356

Kasey Jones  
Student Services Coordinator  
Fort Wayne Campus Room 127E  
Kajones02@manchester.edu  
260-470-2680

## Scope of Policy

When and to whom does this policy apply?

Any person, including employees, students, trustees and people engaged in business with the University, may file a complaint of Sexual Misconduct against any other person, including a “University student” or “University employee.” A “University student” means any student who is registered or enrolled at the University (1) at the time of the alleged Sexual Misconduct (this includes during study abroad experiences, internships or experiential rotations, or during academic recess if there is an expectation of such student’s continued enrollment at the University) and (2) at the time that the Title IX Coordinator prepares and delivers a formal complaint against such a student to an Investigator. A “University employee” means any person who is employed by and enrolled in the payroll system at the University (1) at the time of the alleged Sexual Misconduct and (2) at the time that the Title IX Coordinator prepares and delivers a formal complaint against such employee to an Investigator.

This policy applies to any allegation of Sexual Misconduct against any member of the University community, including University students or employees, regardless of where the alleged Sexual Misconduct occurred. However, Sexual Misconduct that took place a great distance from the University will be more difficult to investigate. In addition, with respect to any complaint (1) by a person who is not a member of the University community, and (2) related to non-University conduct, the University reserves the right to determine, in its sole discretion, whether the conduct described in the complaint constitutes a sufficient risk to the University community to warrant processing the complaint. Where parties to sexual misconduct cases include vendors or other business associates of the University, the University reserves the right to end or alter such business relationships in order to protect the safety of the University community.

Sexual Misconduct as defined in this Policy is governed by this Policy. Other misconduct offenses will fall under this Policy when they are based on sex, including the following:

“Domestic violence” means a felony or misdemeanor crime of violence committed by a current or former spouse of the complainant, by or intimate partner of the complainant, a person with whom the complainant shares a child in common, by a person who is cohabitating with or has cohabitated with the complainant as a spouse or intimate partner, by a person similarly situated to a spouse of the complainant under the domestic or family violence laws of Indiana, or any other person against an adult or youth victim who is protected from that person’s acts under the domestic or family violence law of Indiana.

“Dating violence,” means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the reporting party’s statement and consideration of the following factors: the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

“Stalking” means engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for his or her safety or the safety of others; or suffer substantial emotional distress.

The Title IX Coordinator or deputy coordinator will determine at the time of reporting whether the complaint meets the Title IX requirements of being based on sex.

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## **Non-Retaliation**

Students and employees shall be free of any Retaliation because they have raised allegations of Sexual Misconduct in good faith or because they have participated in good faith in an investigation of Sexual Misconduct. All persons, including persons accused of Sexual Misconduct, must not engage in any type of Retaliation against the complainant or any other individual who participates in the investigation. Anyone engaging in Retaliation will face disciplinary action.

Because an allegation of Sexual Misconduct may have serious consequences, a complainant who knowingly and with malicious intent makes a false allegation of Sexual Misconduct may be subject to disciplinary action. Similarly, any individual who knowingly and with malicious intent is untruthful to University officials investigating allegations of Sexual Misconduct may be subject to disciplinary action.

## **Reporting Sexual Misconduct**

### Timing of Complaints

If the alleged Sexual Misconduct fits within the scope of this policy as defined above, a complaint of Sexual Misconduct may be filed at any time after the alleged Sexual Misconduct. There is no time limit to the applicability of this policy. Nevertheless, individuals are encouraged to report alleged Sexual Misconduct immediately in order to preserve evidence and maximize the University's ability to conduct a prompt, thorough, and impartial investigation. Failure to promptly report Sexual Misconduct may result in the loss of evidence or witness testimony and may decrease the University's ability to effectively enforce this policy.

There are two levels of reporting options, confidential reporting options and non-confidential reporting options (including Responsible Employees).

### **Option A:** Confidential Options

If one desires that details of the incident be kept confidential, they should speak with on-campus counseling services, campus health services, or the campus pastor. Campus counselors are available to help free of charge and can be seen on an emergency basis. These individuals will keep reports made to them confidential.<sup>3</sup>

You may make an anonymous report through Report It!, the University's electronic reporting program. To make an anonymous report, go to the MU webpage; click on the Report It! button and complete the electronic form. Include all relevant details of the alleged Sexual Misconduct in the form. Do not enter your name in the form if you wish to remain anonymous. All incidents will be investigated.

### **Option B:** Non-Confidential Reporting Options (including Responsible Employees)

The University requires all of its employees to report incidents of Sexual Misconduct to the Title IX Coordinator. You are encouraged to speak to officials of the institution to make formal reports of incidents. However, reporting to the Title IX Coordinator or other employee will not require that the individual reporting the incident file a formal complaint.

Responsible Employees under this policy include deans, associate deans, vice presidents, directors, faculty members, head coaches, assistant coaches, the Title IX coordinator and deputy coordinators, hall directors, resident assistants, human resources staff, University Safety officers, and other employees. Notice to them is official notice to the institution.

You have the right and can expect to have incidents of Sexual Misconduct to be taken seriously by the institution when formally reported, and to have those incidents investigated and properly resolved through administrative procedures.

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<sup>3</sup> There are some unusual situations where even the University's confidential reporting options may be required by law to bring certain matters to the attention of law enforcement. For example, counselors are required by law to report when a patient is a threat to harm himself/herself/others.

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You may also file a non-confidential report through Report It!, the University's electronic reporting program. To make a report, go to the MU webpage click on the Report It! button and complete the electronic form. Include all relevant details of the alleged Sexual Misconduct in the form. All incidents reported through Report It! or by other means will be investigated.

Formal reporting means that only people who need to know will be told and information will be shared only as necessary with investigators, witnesses, and the accused individual.

## **University Resources for Victims of and those Accused of Sexual Misconduct**

### *Law Enforcement*

Local Police: 9-1-1

North Manchester University Safety: 260-982-5999

Fort Wayne Campus/Parkview Security: 260-266-1800

### *Counseling Services*

Manchester University Counseling Services: 260-982-5306

Hall Director on Call: 260-578-0793

Bowen Center Wabash: 260-563-8446

Bowen Center Warsaw: 1-800-342-5653

Bowen Center Columbia City: 260-248-8176

Bowen Center Fort Wayne: 260-471-3500

### *Sexual Assault Support Services*

Rape Crisis Hotline – 24 hour – Fort Wayne Women's Bureau: 1-888-311-7273

Sexual Assault Treatment Center (Sexual Assault Nurse Examiner) Fort Wayne:

260-423-2222 (phone); 260-430-0369 (pager); <http://ftwsatc.com>

Address: 2270 Lake Avenue, Suite 201, Fort Wayne, IN 46805

## **Reporting and Investigation Process**

The purpose of this policy and the activities of the Title IX Coordinator and deputy coordinators is to stop, remediate the effects of, and prevent the recurrence of Sexual Misconduct. All complaints and investigations will be handled in a prompt, thorough and impartial manner. When the University has notice of a complaint of Sexual Misconduct, whether it was filed through the Report It! electronic form or made in person, the complaint will be reported to the Title IX Coordinator.

Once reported to the Title IX Coordinator the following will take place:

1. Intake – The Title IX Coordinator or a deputy coordinator will meet with the complainant for an initial intake meeting. At this meeting, the coordinator will provide the complainant with an understanding of the Sexual Misconduct reporting and investigation process, the resources available and answer any questions. The intake meeting may also involve a discussion of any accommodations/interim measures that may be appropriate concerning the complainant's academic, University housing, and/or University employment arrangements.
2. Filing a Formal Complaint – If the complainant wishes, he or she may file a formal complaint against the accused. The complainant can do so at the intake meeting or later. Once the complaint is filed, the coordinator or investigator will take the complainant's statement and obtain the name of the accused and all other relevant facts. The coordinator will schedule an intake meeting with the accused to provide the accused with an understanding of the Sexual Misconduct reporting and investigation process, the resources available, and answer any questions. At the intake meeting, the coordinator or investigator will take the complainant's statement and obtain all relevant information. The intake meeting may also involve a discussion of any accommodations/interim measures that may be appropriate concerning the accused's academic, University housing, and/or University employment arrangements.

The Title IX Coordinator will assign a deputy coordinator or other investigator to fully investigate the complaint.



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3. Decline to File a Formal Complaint or Requests Confidentiality – If the University becomes aware of allegations of Sexual Misconduct but complainant does not wish to pursue a formal complaint and/or requests that his or her complaint remain confidential, Title IX nevertheless requires the University to investigate and take reasonable action in response to the information known to the University, including interviewing the accused individual and other individuals. The University will conduct an investigation regardless of whether a formal complaint was filed in certain cases, including but not limited to incidents that involve violence, a weapon, and/or a minor.

The Title IX Coordinator or deputy coordinator, after speaking with the complainant, will weigh the complainant's request for confidentiality against the following factors: the seriousness of the alleged Sexual Misconduct; whether there have been other complaints of Sexual Misconduct against the same accused individual; and the accused individual's right to receive information about the allegations if the information is maintained by the University as an "educational record" under the Family Educational Rights and Privacy Act. The Title IX Coordinator or deputy coordinator shall inform the complainant if his or her confidentiality cannot be ensured. The University reserves the right, regardless of confidentiality of the complainant, to issue a no contact order and take other reasonably necessary measures, including interim measures, to ensure the safety of the complainant or others.

4. Interim Measures – In all complaints of Sexual Misconduct whether the complainant files a formal complaint or asks that his or her complaint remain confidential, the University will impose reasonable and appropriate interim measures designed to stop and prevent the recurrence of the Sexual Misconduct and protect the complainant and the accused party. The Title IX Coordinator or deputy coordinator will maintain consistent contact with the parties to ensure that all safety and emotional and physical well-being concerns are being addressed.

The range of interim measures include but are not limited to the imposition of an no-contact directive instructing the parties to not contact one another; providing access to counseling services and assistance in setting up initial appointments; rescheduling of exams or assignments, providing alternate course completion options; change in work schedule or job assignment; change in housing; change in class schedule or withdrawal from a class without penalty; interim suspension; academic support services; or any other remedy which can be tailored to the involved individuals.

5. Investigation – Once a formal complaint is filed, the Title IX Coordinator will appoint a deputy coordinator or investigator to investigate the complaint. The investigation will be prompt, thorough, and impartial. The investigators are trained to complete Sexual Misconduct investigations. The investigators are neutral fact-finders, who, during the course of the investigation, typically conduct interviews with the complainant, the accused individual, and each third party witness; visit and take photographs at each relevant site; and, where applicable, coordinate with law enforcement agencies to collect and preserve evidence.

The investigators will compile an investigation report that includes, among other things, summaries of interviews with all parties and witnesses, photographs, electronic evidence (i.e. text messages, emails) and a detailed written analysis of the events in question. The investigative report will be shared with the Title IX Coordinator and the parties will be given equal access to the report.

The report will recommend either that the accused receive a notice of possible violation of the University Code of Conduct and a hearing on the complaint should be granted or the report will recommend that no notice of possible violation be issued, in which case a hearing would not be necessary.

If the report does not recommend a notice of possible violation, the complainant may request a second review by the Title IX Coordinator to determine whether a notice of possible violation should be issued and a hearing conducted. If the second review results in a notice of possible violation being issued then the process will go through the normal hearing process. The decision of the Title IX Coordinator is final.

If the report recommends a notice of possible violation and grants a hearing on the complaint, the investigation report will then be shared with the administrator or hearing panel that will hear the complaint.

# SECURITY AND FIRE SAFETY REPORT

6. Notice of Possible Violation and Hearing Notice – If the investigation report recommends a notice of possible violation, the Title IX Coordinator or deputy coordinator will meet with complainant and the accused individual separately. Each will be provided a copy of the notice of possible violation, notice of hearing, a list of rights of the parties, and an overview of the hearing procedure.

If the accused individual admits responsibility in the course of the investigation and the investigation report concludes that a violation occurred, then the matter will skip the hearing process and will instead proceed immediately to the sanctions process. The investigation report will reflect the accused individual's admission of responsibility.

## Hearing Process

### Standard of Proof

The Department of Education's Office of Civil Rights has interpreted Title IX to require schools to evaluate evidence of alleged Sexual Misconduct under a preponderance of the evidence standard and that standard is adopted in this policy. A preponderance of the evidence means that the evidence shows that it is more likely than not that the accused individual violated this Policy. In the context of a hearing, the accused individual will be found responsible for alleged Sexual Misconduct if the administrator conducting an administrative hearing or hearing panel by unanimous vote, concludes that Sexual Misconduct more likely than not occurred based upon careful review of all evidence presented.

### Advisors

Both the complainant and the accused individual may have an advisor present to support and assist them during the hearing process. This advisor may include legal counsel. Either legal counsel or a non-legal advisor may privately consult with and advise the parties during the proceedings but may not speak on behalf of the parties or speak directly to the hearing panel, witnesses, or the other party.

The chair of the hearing panel in his or her sole discretion may ask an advisor or legal counsel to leave the proceedings if the advisor or legal counsel's behavior is disruptive to the proceedings.

### Witnesses

Both complainant and the accused individual may bring witnesses to the hearing who have relevant information. Witnesses are subject to questions from the hearing panel. Reasonable attempts will be made to schedule a hearing when all witnesses may participate. However, due to the serious nature of Sexual Misconduct allegations and the need to resolve these allegations in a prompt and timely manner, a hearing may not be rescheduled due to the unavailability of witnesses after reasonable attempts to secure a date and time that meets the availability of the parties.

The parties may elect to rely upon the statements of witnesses contained in the investigation report if such witnesses are unavailable to attend the hearing or the parties deem the content of the report sufficient.

### Hearing Options

The complainant and accused individual will be asked if they prefer an administrative hearing with one (1) hearing officer trained to hear cases involving Sexual Misconduct or a hearing by a University hearing panel of three (3) University employees trained to hear cases involving Sexual Misconduct. The preferences of the parties will be taken into consideration; however, the Title IX Coordinator will make a final determination of the type of hearing conducted based on the preferences of the parties and the seriousness of the allegations. In cases where allegations are the most serious (i.e. involving violence, a weapon, and/or a minor) and time sensitive, the hearing may be conducted by a hearing officer.

If the results of the investigation are conclusive then the Title IX Coordinator in consultation with the dean of student experience or designee and/or assistant vice president of human resources or designee may in his or her discretion refer the case for an administrative hearing for a final determination.

### Administrative Hearing

Where parties both select an administrative hearing, the situation requires a quick adjudication (e.g. an accused individual has been suspended pending a hearing), or the results of the investigation are conclusive, the University will conduct an administrative hearing.

# SECURITY AND FIRE SAFETY REPORT

In cases involving allegations of student misconduct, the dean of student experience or his/her designee (Administrative Hearing Officer), will conduct an administrative hearing. The Administrative Hearing Officer (Administrator) will carefully review the investigation report and meet with the investigator(s), the parties, and their advisors and witnesses. After hearing all the evidence the Administrative Hearing Officer will determine whether it is more likely than not that the accused party violated this Policy.

In cases involving allegations of misconduct by an employee, guest, and/or vendor, the assistant vice president of human resources or his/her designee (Administrator), will conduct an administrative hearing. The Administrator will carefully review the investigation report; meet with the investigator(s), the parties, and their advisors and witnesses. After hearing all the evidence the Administrator will determine whether it is more likely than not that the accused party violated this Policy.

## University Hearing Panel

The University Hearing Panel (Panel) will hear all cases where a notice of possible violation was issued but not heard in an Administrative Hearing. A Panel is composed of three full-time members of the University staff and faculty who have been trained to hear Sexual Misconduct cases under this Policy.

In cases involving allegations of student misconduct, the Panel will be appointed by the dean of student experience or in his or her absence the Title IX Coordinator. At the time of the appointment, the dean of student experience will designate a Panel Chair for the hearing to lead the hearing process.

In cases involving allegations of student misconduct, the dean of student experience or in his or her absence the Title IX Coordinator will appoint the Panel. At the time of the appointment, the dean of student experience will designate a Panel Chair for the hearing to lead the hearing process.

In cases involving allegations of misconduct by an employee, guest, and/or vendor, the assistant vice president of human resources or in his or her absence the Title IX Coordinator will appoint the Panel. At the time of the appointment, the assistant vice president or designee will designate a Panel Chair for the hearing to lead the hearing process.

The Panel is not an investigative body. Trained investigators appointed by the Title IX Coordinator will conduct the investigation in Sexual Misconduct cases under this policy prior to the hearing.

## *Pre-Hearing Procedure*

On a date set by the Panel Chair/Administrator, the parties will provide the Panel Chair/Administrator with a list of witnesses they intend to call and copies of all documents that they propose to reference or present at the hearing, including electronic information such as text messages and emails. Evidence of the sexual history of the complainant will not be permitted at the hearing unless it is relevant to the complaint, which will be determined prior to the hearing by the Panel Chair/Administrator. The Panel Chair/Administrator will provide each party copies of the list of witnesses, and identification or copies of documents or other information submitted by the other party. In the absence of reasonable cause, as determined by the Panel Chair/Administrator the parties may not introduce witnesses, documents, or other information at the hearing that were not provided to the Panel Chair/Administrator by this deadline. The parties are also responsible for the attendance of their witnesses. Prior to the hearing, the Panel Chair/Administrator will meet with the parties to review the hearing procedures and to review the notice of possible violation and evidence lists to remove any redundancies or irrelevant materials.

In cases where the hearing panel is utilized, the panelists shall review all information provided to them by the Panel Chair in advance of the hearing. The parties shall be given equal access prior to the hearing of the materials given to the panelists, including but not limited to the complaint, notice of investigation, investigation report, and the notice of possible violation and hearing notice. The Title IX Coordinator may, in his or her sole discretion, limit both parties; access to documents to a review with the ability to take notes, rather than providing the parties hard or electronic copies of these documents.

## *Hearing Procedure*

The hearing is not a legal proceeding and will not follow courtroom procedure or the formal rules of evidence. The Panel Chair/Administrator will determine the order of witnesses and evidence, including the investigator's testimony. The Chair/Administrator will resolve any questions or issues of hearing procedure.

# SECURITY AND FIRE SAFETY REPORT

During the hearing, the parties will be expected not to repeat undisputed details or non-material circumstances that would merely duplicate information contained in the investigation report or in other written materials. Only the Panel Chair/Administrator and panelists may question the individual parties and any witnesses unless permission is granted by the Panel Chair/Administrator to modify the questioning process. Parties may ask the Panel Chair/Administrator to pose additional questions or inquire further into specific matters by submitting these requests in writing or orally, at the discretion of the Panel Chair/Administrator. The Panel Chair/Administrator may, at his or her discretion, disallow or reframe any questions that are irrelevant or redundant. Either party may request a break during the hearing, or that request will be granted as long as it was made in good faith and at a reasonable time.

If the Panel or Administrator determines that unresolved issues exist that would be clarified by the presentation of additional information, the Panel Chair/Administrator may suspend the hearing and reconvene it in a timely manner to receive such additional information. The case will then be referred back to the case Investigator(s) to investigate and pursue the additional information and/or unresolved issues. A delay may not be based on the failure of witnesses to appear or other information that should have been submitted before the hearing.

Upon a reasonable and timely request and at the sole discretion of the Panel Chair/Administrator, the hearing and testimony may be conducted by closed circuit video.

The Panel Chair/Administrator through the Title IX Coordinator's office will arrange for the hearing to be recorded. Parties may request transcripts of such recording.

## **Rights and Responsibilities of the Complainant and Accused**

### *Rights and Responsibilities of the Respondent*

1. To be notified of possible violations of university policy are informed of the allegations pending against them and advised to review their rights and responsibilities in The Source.
2. The respondent will not engage in any Retaliation against the complainant or witnesses.
3. No form of harassment may be used to obtain admissions of responsibility or information about conduct of other suspected persons.
4. Pending action on the notices of possible violations, the University will not normally alter the status of the respondent, including right to be present on the campus and attend classes. Exceptions may be made for reasons relating to the physical or emotional safety and well-being of students, faculty, and staff of the University.
5. Persons appearing before a University Hearing Panel or at an Administrative Hearing have the right to be assisted by one advisor. Such advisor may not speak on behalf of the person.
6. Persons hearing a case who have a particular interest in a case or who have a conflict of interest regarding the facts or the principal parties (complainant or respondent) in a case should be disqualified. Conflicts must be discussed with the conduct system coordinator at least 24 hours prior to the hearing.
7. The respondent is presumed not responsible unless sufficient information is presented to show that it is more likely than not that the respondent is responsible (the preponderance of the evidence standard).
8. The respondent will be given an opportunity to speak on his or her behalf and present evidence and witnesses.
9. The respondent has the right to remain silent and need not present a response and his or her absence or silence will not be evidence against him or her.
10. The decision in the case is based solely upon the relevant information found in the investigative report and introduced during the hearing.
11. Respondents, witnesses, or complainants in a conduct action who are unable to participate in a hearing at the time and date set, due to emergency or other serious circumstances, must discuss the conflict with the conduct system coordinator at least 24 hours prior to the hearing.
12. Both the respondent and the complainant have the right to appeal the decision from a hearing.
13. The hearing may proceed in the absence of respondents or their witnesses.
14. A respondent has a right to be assisted through the reporting process.
15. A respondent has the right to be treated with fairness, dignity and respect throughout the campus judicial processes.
16. A respondent has the right to have the respondent's safety considered at all times.

# SECURITY AND FIRE SAFETY REPORT

17. A respondent has the right to information, upon request, about the disposition of the campus conduct cases. Respondents will receive the disposition of the campus conduct outcome in writing.
18. A respondent has the right to confer with a member of the University counseling team and/or a member of the Health Services staff for health-related concerns.
19. If a respondent prefers to obtain counseling off campus, members of the University counseling staff will assist in identifying an appropriate and satisfactory referral resource.

## *Rights and Responsibilities of the Complainant*

1. Complainants are encouraged to report Sexual Misconduct immediately; quick reporting increases the probability that the alleged perpetrator can be held responsible. However, there is no time limit for making a report.
2. Complainants are encouraged to take steps to preserve evidence and avoid disturbing the crime scene.
3. A complainant has the right to report any criminal activity to local law enforcement authorities and pursue prosecution through the criminal court system, but is not required to do so.
4. A complainant also has the right to report any criminal activity to campus authorities, including University Safety and Student Development staff, and to process the case through the University Conduct Review System. This option is available even if the complainant chooses not to report the incident to law enforcement.
5. A complainant has a right to be assisted through the reporting process and to expect that the report will be taken seriously and appropriately investigated by campus authorities.
6. A complainant has the right to be treated with fairness, dignity and respect throughout the campus judicial processes.
7. A complainant has the right to have the complainant's safety considered at all times and especially following any act of violence.
8. A complainant has the right to information, upon request, about the disposition of the campus conduct cases. Complainants of violence, sexual harassment, and sexual assault will receive the disposition of the campus conduct-hearing outcome in writing.
9. A complainant has the right to confer with a member of the University counseling team and/or a member of the Health Services staff for health-related concerns.
10. If a complainant prefers to obtain counseling off campus, members of the University counseling staff will assist in identifying an appropriate and satisfactory referral resource.
11. If a complainant requests changes in academic and living arrangements because of an act of Sexual Misconduct, the University will make every effort to assist with making these changes, if the changes are reasonably available.
12. A complainant has the right to speak on one's own behalf and to present evidence and witnesses in campus conduct cases.
13. Complainants (and respondents) appearing before a Conduct Review Board have the right to be assisted by one advisor of their own choosing. Such advisor may not speak on behalf of the complainant.
14. The decision in the case is based solely upon relevant information introduced during the hearing.
15. The campus hearing may proceed in the absence of a complainant.
16. A complainant of an act of violence can request not to be present at a hearing. Such a complainant could rely upon written documentation, or may testify via closed-circuit video.
17. The identity of complainants will be kept confidential, and their names will only be shared with those who have a need to know, including members of hearing bodies and administrators.
18. Complainants, witnesses, and complainants in a campus conduct action who are unable to participate in a hearing at the time and date set, due to an emergency or other serious circumstance, must discuss the conflict with the conduct system coordinator at least 24 hours prior to the hearing.
19. Both the respondent and the complainant have the right to appeal the decision from a hearing.

## **Sanctions**

If the accused student is found responsible for violating campus policy, the Administrative Hearing Officer or Hearing Panel will consult with the dean of student experience, or designee to determine the appropriate sanction according to the Conduct System Sanction Guidelines as outlined in The Source. If the accused employee or other non-student is found responsible, the Administrative Hearing Officer or Hearing Panel will consult with the assistant vice president of human resources to determine the appropriate sanction according to the employee Conduct System Sanction Guidelines.

# SECURITY AND FIRE SAFETY REPORT

The sanctioning process designed to eliminate the misconduct, prevent its recurrence, and remedy its effects while supporting the University's educational mission and Title IX obligations.

The guidelines for student violations of this policy include:

<b>Violation</b>	<b>Sanction Range</b>
Child Molesting	Suspension to Expulsion
Non-Consensual Sexual Contact	Community Restitution to Expulsion
Non-Consensual Sexual Intercourse	Suspension to Expulsion
Sexual Exploitation	Suspension to Expulsion
Sexual Harassment	Community Restitution to Expulsion
Sexual Misconduct with a Minor	Community Restitution to Expulsion

## **Decision**

The Administrative Hearing Officer or Hearing Panel Chair will communicate his or her decision, including the sanction, to both parties, concurrently. The Hearing Officer or Panel Chair will communicate the decision in writing and orally as soon as possible after the hearing. In all cases, the hearing officer or Panel Chair will send the parties a final outcome letter within ten (10) calendar days of the conclusion of the hearing.

Normally, the sanctions imposed by the Administrative Hearing Officer or University Hearing Panel are not effective until the resolution of any timely appeal of the decision. The respondent may be permitted to attend classes or activities during this time in a monitored or unsupervised manner unless otherwise modified by the decision of the Title IX Coordinator in consultation with the dean of student experience until the appeal process is complete. Remedial measures in place at the time of the decision shall be maintained until the conclusion of the appeal process.

However, if advisable to protect the welfare of the complainant or the University community, the hearing officer or Panel may determine that any probation, suspension, or expulsion be effective immediately and continue in effect until such time as the appeal is heard or the Title IX Coordinator in consultation with the dean of student experience determines appropriate.

## **Appeals**

Either party may appeal the decision of the Administrative Hearing Officer or the University Hearing Panel by providing written notice to the Panel Chair/Administrator within ten (10) calendar days of the date the Panel Chair/Administrator communicates the initial decision. The original finding and sanction will stand if the appeal is not timely or is not based in the grounds for appeal stated below. The grounds for an appeal are limited to the following:

1. A procedural error occurred that significantly influenced the outcome of the hearing (e.g. material deviation from established procedures, etc.);
2. New evidence is discovered, unavailable during the original hearing or investigation that could substantially affect the original finding or sanction. The written appeal must contain a summary of this new evidence, an explanation for why the evidence was not presented earlier, and an explanation of its potential impact upon the outcome of the hearing; or
3. The sanction assigned is argued to be disproportionate for the severity of the violation;

The notice of appeal must state the basis for the appeal. Upon notice of an appeal, the Panel Chair/Administrator in cases involving students will provide the notice to the dean of student experience. The dean of student experience or designee will review the appeal to determine if it meets the above procedural requirements. If so, the dean of student experience or designee will appoint a Conduct Appellate Panel to hear the appeal.

In cases involving employees, the assistant vice president of human resources or designee will review the appeal to determine that it meets the above procedural requirements. If so, the assistant vice president of human resources or designee will appoint Conduct Appellate Panel to hear the appeal.

# SECURITY AND FIRE SAFETY REPORT

The Appellate Panel will review the appeal and all evidence presented at the hearing. If it determines that new evidence should be considered, the Appellate Panel will refer the case back to the original hearing body (Administrative Hearing Officer or University Hearing Panel), which will consider the new evidence and issue a decision.

If the appellate Panel determines that a material procedural error occurred it might return the complaint to the original hearing body with instructions to reconvene to cure the error. In rare cases where the procedural error cannot be cured by the original hearing body (as in cases of bias), the Appellate Panel may order a new hearing on the complaint with a new hearing body.

If the Appellate Panel determines that the sanctions imposed are disproportionate to the severity of the violation, it will in student cases return the complaint to the dean of student experience or designee who may increase, decrease or otherwise modify the sanctions. This decision is final and subject to appeal. In cases involving employees, the assistant vice president of human resources or designee, and may increase, decrease or otherwise modify the sanctions. This decision is final.

## **Final Outcome Letter**

The University is required to comply with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistic Act (Clery Act). Under the Clery Act, both the complainant and respondent must be informed of the hearing outcome, and the University may not impose any limitations on the re-disclosure of this information. Accordingly, following the hearing, the hearing body will issue a written outcome letter concurrently to both the respondent and the complainant. The final outcome letter will set forth, as required by the Clery Act, the name of the respondent; the violations of this Policy for which the respondent was found responsible, if any; essential findings supporting the hearing body's decision on the issue of responsibility; and the sanction imposed, if any. The University neither encourages nor discourages the further disclosure of the outcome letter by the complainant or respondent.

## **Questions and Answers**

*What does Title IX have to do with sexual misconduct? I thought Title IX regulated the number of sports offered for men and women?*

Title IX of the Education Amendments of 1972 is a federal law enacted in 1972. The law says that: "No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving federal financial assistance..." Sexual misconduct is a form of sex discrimination.

Title IX applies to all people in the University community. Sexual Misconduct can occur between all groups: student and student, faculty member and student, staff member and student, faculty member and faculty member, or staff member and staff member. This policy applies to all members of the University community alike.

*What do I do if I feel I have been sexually harassed?*

Please let someone know right away. Unfortunately, ignoring sexual harassment does not make it go away. You have several options available if you are a member of the Manchester community and feel that you have been subjected to unwelcome behavior of a sexual nature. You may contact Counseling Services Office, Student Experience Center, or the Title IX Coordinator or deputy coordinators.

In some situations, individuals who are experiencing unwelcome behavior feel comfortable approaching the individual who is causing the problem and letting him or her know that the conduct is inappropriate and must stop. Sometimes, individuals are not aware that their behavior is offensive, and quickly apologize and change their behavior once they are aware that their conduct is unwelcome. However, you are not required or expected to confront your harasser prior to reporting unwelcome behavior.

*What do I do if I am sexually assaulted?*

Don't blame yourself; sexual assault is never the victim's fault. If you are a survivor of sexual violence, you have rights and you have options. The University's Title IX staff and student development office exist to help you get the support you need. Please tell someone as soon as possible. You may contact 9-1-1, University Safety, Counseling Services Experience Center, or the Title



# SECURITY AND FIRE SAFETY REPORT

IX Coordinator or deputy coordinators. Members of the counseling office, the University nurse, and campus pastor may talk with you confidentially. Whether you are a student, faculty, or staff member, you have the right to file a complaint through the university and/or to explore other options.

Once you have contacted someone a member of the Title IX staff will meet with you and talk with you in person about your options and how you can get the help and support you want and need.

*Someone who is not a Manchester employee, but who comes on campus to conduct business is harassing me. Is there anything I can do?*

Manchester's Sexual Harassment Policy protects you from sexual harassment by vendors, contractors, and third parties you encounter in the University community. If you believe that you have been subjected to conduct that violates the policy, please contact the Counseling Services Office, Student Experience Center, or the Title IX Coordinator or deputy coordinators as soon as possible.

*What if a co-worker or a student sexually harasses me but we are off-campus?*

It is possible for off-campus conduct between Manchester colleagues and/or students to contribute to a hostile working or academic environment, or to constitute quid pro quo sexual harassment in violation of University's policy. You may file a complaint regarding such behavior and the University will investigate it to the fullest extent possible. Please seek help by contacting Counseling Services Office, Student Experience Center, or the Title IX Coordinator or deputy coordinators if you are subjected to unwelcome conduct of a sexual nature either off-campus or on-campus.

*What if I witness inappropriate conduct or someone else tells me about it?*

Anyone who witnesses' inappropriate comments or conduct, even if it is directed at someone else, can still feel uncomfortable and is encouraged to report it. Moreover, under the University's Sexual Misconduct policy and HR policies, all faculty and staff who become aware of or suspect sexual misconduct are required to report it to Human Resources or the Title IX Coordinator or deputy coordinator. If a non-employee witness's conduct that the person believes might be sexual harassment, the person is encouraged to contact Human Resources or the Title IX Coordinator or deputy coordinators. If you are an employee, you are also obligated to seek advice and help if you witness conduct that may violate the University's additional harassment policies, such as the prohibition on racial or religious harassment.

*What do I do if I have been accused of Sexual Misconduct?*

Do not contact the alleged victim. You may immediately want to contact someone who can act as your advisor. An advisor can be anyone including your academic advisor but it does not have to be your academic advisor. You may also contact the Student Experience or the Title IX Coordinator, to explain and help you understand the University's procedures for addressing Sexual Misconduct complaints. We encourage you to talk to a confidential counselor in the Counseling Services Office or the campus pastor.

*What about legal advice?*

You may want to retain an attorney if you are accused of Sexual Misconduct to provide you with legal advice regarding the campus conduct proceeding and/or any criminal prosecution. If you choose to retain counsel, you may do so at your own expense. A victim desiring to file a criminal charge against the accused need not hire an attorney, as the state's prosecutor will handle the case. Both the accused and the victim may use an attorney as their advisor during the campus grievance processes; however, the attorney will not be able to speak on their behalf.

*If I don't initially make a formal complaint can I do so at a later time?*

Yes, there is no time line for filing a formal complaint. However, the University strongly encourages prompt reporting of complaints and information rather than risking your or another student's well-being. The University may ultimately be unable to adequately conduct an investigation if too much time has passed or if the accused student has graduated or left school. Factors that could negatively affect the university's ability to investigate include the loss of physical evidence, the potential departure of witnesses, or the inability to recall the incident.



# SECURITY AND FIRE SAFETY REPORT

## *How long does it take to investigate and resolve my complaint?*

In all cases, the Title IX Coordinator strives to respond promptly and effectively by investigating the allegations and addressing the effects of the conduct. Typically, an investigation can take up to approximately sixty (60) calendar days following the receipt of the complaint. Factors that influence the timing of the investigation include the complexity and severity of the conduct, the number and availability of witnesses, and the identification and acquisition of any physical or other evidence.

## *What should I do if I observe sex discrimination or sexual harassment, but it is not directed at me?*

Anyone who witnesses sex discrimination or sexual harassment, even if it is directed at someone else, can still feel uncomfortable and harassed. If you are a student and witness conduct that you believe constitutes sex discrimination or sexual harassment, please make a complaint in the same manner as if the conduct was directed against you. Employees must report any Sexual Misconduct that they witness or that is reported to them. Other members of the University community are encouraged to report any Sexual Misconduct that they witness.

## *Does the complaint remain private?*

The University respects the privacy of all parties to a complaint of Sexual Misconduct except insofar as it interferes with the University's obligation to fully investigate allegations of Sexual Misconduct. Where the obligation to investigate requires the University to release some private information, the University will only disseminate such information on a need-to-know basis. In all complaints of Sexual Misconduct, all parties will be informed of the outcome. The institution also must statistically report the occurrence on campus of major violent crimes, including certain sex offenses, in an annual report of campus crime statistics. This statistical report does not include personally identifiable information.

## *Will my parents be told?*

Generally no, unless you tell them or grant them access to your student records. University officials will directly inform parents when requested to do so by a student or in a life-threatening situation. In the event of a major medical, disciplinary, or academic jeopardy, students are strongly encouraged to inform their parents.

## *Will the accused student know my identity?*

Yes, if you file a formal complaint against the alleged perpetrator. No, if you choose to not file a formal complaint. Keep in mind that choosing not to identify yourself and/or the perpetrator will limit the University's ability to respond comprehensively.

## *Will the incident be reported to the police?*

Normally, the University will not file a report with the local police unless the victim decides to do so. However, the University reserves the right to notify the local police in the event of a violent assault, crime or a felony or in any situation in which the University determines notification of the local police is necessary to protect the safety and welfare of the University community.

## *What protection is offered to students going through this process (accuser and accused)?*

Remedial measures, including adjusting class schedules, changing residence halls, assisting individuals in obtaining assistance at the University and externally, will be offered to both the student who reports Sexual Misconduct and the student who is accused of Sexual Misconduct.

## *What do I do if I experience sexual misconduct and I don't want anyone else to know?*

The University provides confidential counseling to survivors of Sexual Misconduct through Counseling Services. Nothing that a survivor tells a University counselor is shared with anyone without the survivor's express, written permission, unless law requires disclosure.

## *Is the university's investigation the same as criminal justice process?*

No. This policy has no impact on a criminal investigation that would be handled separately by police. The university does, however, encourage anyone who believes they have experienced a sexual assault, or any other crime, to make a report to the police department or other appropriate police agency.

# SECURITY AND FIRE SAFETY REPORT

*My friend told me he or she was assaulted. What can I do to help?*

Connect your friend to information and resources so that your friend can make informed decisions about any steps he or she may wish to take in reporting the incident and seeking support. You can encourage your friend to go to Counseling Services where he or she can talk to a counselor confidentially. The University's student sexual misconduct policy website is designed to provide information on a student's options in one central place.

*What are my support resources if I am accused of sexual misconduct?*

There are numerous support resources available for complainants and respondents, both on campus and in the community. Those resources available for respondents include the Dean of Student Experience, Counseling Services, University Nurse and the Title IX Coordinator.

*What if I'm an employee at the university and I have become aware of an incident of sexual misconduct?*

All employees of the University are required to report Sexual Misconduct. All other members of the University community are encouraged to report Sexual Misconduct. The University is committed to responding to any report of Sexual Misconduct made to a Responsible Employee. Reports will be referred to the University's Title IX Coordinator for review.

*What are the possible outcomes of an investigation?*

Once the investigators have completed an investigation, he or she will prepare an investigation report, which may recommend a notice of possible violation. The Title IX Coordinator will review this report before it is final. This report generally will be provided to the complainant and respondent. If the investigation report does not recommend a notice of possible violation, the complainant may request a second review by the Title IX Coordinator to determine if a notice of potential violation should have been issued. The Title IX Coordinator's decision on this point is final. If a notice of possible violation is issued, the University will grant a hearing on the complaint. The hearing will allow the University to evaluate the evidence and determine if it is more likely than not that Sexual Misconduct occurred. If the respondent is found responsible for Sexual Misconduct at the hearing, the University will initiate a sanctioning process designed to eliminate the misconduct, prevent its recurrence, and remedy its effects while supporting the university's educational mission and Title IX obligations. There also is an appeal process available to complainants and respondents.

*If I am found responsible for sexual assault/misconduct, what will be my next steps?*

If a respondent is found responsible for sexual misconduct, the university's next step is to initiate a sanctioning process. Sanctioning is designed to eliminate the misconduct, prevent its recurrence, and remedy its effects while supporting the university's educational mission and Title IX obligations.

*What if I'm retaliated against for participating in an investigation?*

The university will take all appropriate steps to ensure that any person who reports or complains about Sexual Misconduct, or participates in an investigation of Sexual Misconduct will not be subjected to Retaliation. Anyone who believes they are experiencing Retaliation is strongly encouraged to report that concern using the same procedure for reporting possible sexual misconduct under the policy. A Retaliation concern will be reviewed as a separate offense under this policy.

## **Student Education on Non-Violence Policy and Procedures**

Sexual assault prevention and education at Manchester University are provided within several University programs. Through incorporating information on personal security, sexual assault, and prevention of sexual assault into a variety of existing programs, it is intended that students will be exposed to such information throughout their University careers. The primary means used to convey information regarding personal security and sexual assaults are as follows:

1. **Fall Welcome Week**

New students and parents are provided with access to written information regarding safety and security issues on campus. Speak Culture: A prevention of sexual assault session is presented to new students who attend orientation. Information is provided to Student Orientation Leaders (SOLs) concerning sexual assault prevention and reporting, and that information is conveyed to new students via SOL group meetings and/or residence hall meetings/programs

2. **Campus Programs**

Throughout the academic year, Student Development staff members offer programs and educational opportunities in response to student needs.

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### 3. Resident Hall Staff Training

Because the undergraduate and professional residence hall staff is in close daily contact with the majority of students, it is likely they will receive reports of sexual assault. Information on dealing with victims, reporting options, preserving evidences and counseling resources is included in their training.

### VIOLENCE AGAINST WOMEN REAUTHORIZATION ACT OF 2013

On March 7, 2013, President Obama signed the Violence Against Women Reauthorization Act of 2013 (VAWA), which, among other provisions, amended section 485(f) of the Higher Education Act of 1965, as amended (HEA), otherwise known as the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act). The VAWA amended the Clery Act to require institutions to compile statistics for incidents of domestic violence, dating violence, sexual assault, and stalking and to include certain policies, procedures, and programs pertaining to these incidents in their annual security reports (ASRs). The statute requires institutions to include this new information in the ASR beginning with the ASR that must be provided to students, employees, and prospective students and employees by October 1, 2014.

The HEA defines the new crime categories of domestic violence, dating violence, and stalking in accordance with section 40002(a) of the Violence Against Women Act of 1994 as follows:

“Domestic violence” means a “felony or misdemeanor crime of violence committed by-

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

“Dating violence” means “violence committed by a person-

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

“Stalking” means “engaging in a course of conduct directed at a specific person that would cause a reasonable person to-

- Fear for his or her safety or the safety of others; or
- Suffer substantial emotional distress.”

### OFF CAMPUS PROTECTIVE ORDERS

#### What is a protective Order?

It is an order issued by a judge that prohibits or restricts another person from engaging in certain conduct. Protective orders can prohibit another person from:

- Threatening to commit or committing an act of violence against you;
- Abusing, harassing or contacting you or a member of your household;
- Entering your property or workplace;
- Damaging your property.

The protective order can also offer other forms of economic relief including child support, maintenance, attorney fees and other costs. The judge determines the specific relief offered.

To get a protective order, you must file a petition with the court. The County Clerk’s office must provide you with the forms and clerical assistance. You do not need an attorney and no fee is required. More information is available on the Indiana Supreme Court website at [in.gov/judiciary/self-service](http://in.gov/judiciary/self-service).

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If you are in immediate danger, a judge can grant you an emergency ex parte protection order that gives you immediate protection while the order is being processed. In some cases, a hearing will be ordered within 30 days, when the judge may approve the protective order with terms necessary to stop the violence or threats of violence.

## Frequently asked questions

- Do I need an attorney to obtain a protective order?
  - No.
- Is there a fee to get a protective order?
  - No.
- Can I get a protective order from any court in Indiana?
  - In all except small claims court. The petition must be filed in the county in which you live, the abuser lives or in which the abuse occurred.
- What should I do with the order when I get it?
  - Make copies. Keep one with you at all times. Keep a copy in your car, home, at work and at a friend's house. Follow up with the court to make sure the abuser is served (Indiana law requires that the abuser receive a copy of it).
- What should I do if the abuser violates the order?
  - That is a crime in Indiana and the abuser can be arrested for violating it. If you don't feel safe call 911. When police arrive, show them the order; they should enforce it. Additionally, the violation of an order may also be considered civil contempt and you can request its enforcement by a judge.
- Why should I never invite the abuser to my home or initiate contact while the protective order is in effect?
  - It is not against the law but it could expose you to danger. It can also be used against you in the court of law
- What should I do if I move to or visit another county or state?
  - Your Indiana protective order is valid and enforceable in every other county and state. Be sure to carry a copy with you at all times.
- Can I keep my new address secret?
  - If you move within Indiana, you can participate in the Address Confidentiality Program. It allows you to use a post office box registered to the State Attorney General as your permanent address. For more information call 800-321-1907
- You have the right to have a victim advocate with you in court to offer emotional support.

## What is domestic violence?

Domestic violence is the use of power and control within an intimate relationship that threatens a person's well-being. The abuse can be physical, sexual, emotional and financial. It can happen to anyone of any race, age, sexual orientation, religion or gender. It can happen to couples who are married, living together or dating.

Domestic violence affects people of all socioeconomic backgrounds and education levels. It can happen to friends, family or co-workers. It can happen to you.

Respectful relationships allow both partners to feel supported and connected but still feel independent. Ultimately, the two people in the relationship decide what is healthy for them and what is not. If something doesn't feel right, you should have the freedom to voice your concerns to your partner.

Preventing domestic violence begins when we all agree that fair treatment in a relationship is a basic right

## Sanctions

If the accused student is found responsible for violating campus policy, the Administrative Hearing Officer or Hearing Panel will consult with the dean of student experience, or designee to determine the appropriate sanction according to the Conduct System Sanction Guidelines as outlined in The Source. If the accused employee or other non-student is found responsible, the Administrative Hearing Officer or Hearing Panel will consult with the assistant vice president of human resources to determine the appropriate sanction according to the employee Conduct System Sanction Guidelines.

The sanctioning process designed to eliminate the misconduct, prevent its recurrence, and remedy its effects while supporting the University's educational mission and VAWA obligations.

# SECURITY AND FIRE SAFETY REPORT

The guidelines for student violations of this policy include:

## Violation

Dating Violence  
Domestic Violence  
Stalking

## Sanction Range

Disciplinary Probation to Expulsion  
Disciplinary Probation to Expulsion  
Disciplinary Probation to Expulsion

## NOVEMBER 2016 CARE GRANT

In November of 2016, Manchester University received a \$300,000 grant to support efforts to raise awareness about sexual assault, domestic violence, dating violence and stalking, and enhanced victim support. The three-year award allows Manchester to implement its CARE Initiative – Creating a Respectful Environment – for the North Manchester and Fort Wayne campuses. The plan is the result of a climate survey in January and dovetails with MU Title IX policies and procedures.

CARE will target three areas:

- Education programs focusing on prevention and further promoting a respectful environment.
- Coordination among University officials, victim advocacy organizations and local law enforcement.
- Enhanced outreach to underserved populations on the MU campuses.

The proposal calls for Manchester to collaborate with four victim services providers: Hands of Hope, the Beaman Home (Warsaw), the Fort Wayne Sexual Assault Treatment Center and Crime Victim Care. The police departments in North Manchester and Fort Wayne will also serve as external partners.

“As you know, our mission statement calls us to respect the infinite worth of every individual. Respecting the rights and well-being of all people is core to who we are,” McFadden said in the announcement to the MU community. “I’m proud that our CARE program will further strengthen our commitment to keeping all members of our community safe and whole, and promoting education about an issue that warrants thorough and thoughtful attention.”

The grant will fund a CARE coordinator for the duration of the award. The University will advertise soon for that position.

“Schools that individualize their response to sexual, dating and domestic violence are better able to meet the unique needs of their student populations, especially underserved groups,” said Bea Hanson, principal deputy director of the Office on Violence Against Women, in announcing this year’s grants. “Coordinated, comprehensive responses allow college communities to develop sustainable strategies to address these crimes.”

## RESOURCES

Indiana Coalition Against Domestic Violence  
Toll free hotline 800-332-7385  
[www.icadvinc.org](http://www.icadvinc.org)

Connect2Help  
(in most areas of Indiana)  
211

National Domestic Violence Hotline  
800-799-SAFE – [www.ndvh.org](http://www.ndvh.org)

National Sexual Assault Hotline  
800-656-HOPE  
[www.rainn.org](http://www.rainn.org)

Indiana Attorney General  
317-232-6201  
[www.in.gov/attorneygeneral](http://www.in.gov/attorneygeneral)

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Center for Victim and Human Rights  
(legal assistance to file a protective order)  
317-610-3427 – www.cvhr.org

Hands of Hope  
A division of Family Service Society, INC  
24-hour domestic violence and sexual assault helpline  
765-664-0701 or 800-434-8973

## WEAPONS POLICY

Possession and/or the use of firearms, ammunition, or other weapons, including any dangerous article or substance with the potential to injure or discomfit a person, are prohibited. The possession on campus of any instrument that could be perceived as a dangerous and/or deadly weapon, including but not limited to knives (dagger, dirk, poniard, stiletto, switchblade, butterfly, or gravity knife), guns, airsoft, bb and pellet guns, bows and arrows, martial arts weapons, etc., is not permitted. This prohibition extends to any vehicle parked on University property and to any decor items which, though intended for display only, could be considered potentially dangerous. (University Safety must approve any exception to the above policy in advance.) For further information, refer to the policy section of The Source Student

- **Clarification A:** This policy is not intended to prohibit the possession of small folding pocketknives, with a blade length of 3 inches or less, or kitchen utensils; however, if such items are used in a threatening or dangerous manner, such behavior will constitute a violation of this policy.
- **Clarification B:** Hunting equipment brought to the campus must be registered with and stored in the safety office.

## MISSING STUDENTS WHO RESIDE IN ON-CAMPUS HOUSING

If a member of the Manchester University campus community has reason to believe that a student who resides in on-campus housing is missing, he or she should immediately notify the Manchester University Department of University Safety at 260-982-5999. University Safety will generate a missing person report and initiate an investigation.

After investigating the missing person report, should University Safety determine that the student is missing and has been missing for more than 24 hours, University Safety will notify the North Manchester Police Department and the student's emergency contact no later than 24 hours after the student is determined to be missing. If the missing student is under the age of 18 and is not an emancipated individual, Manchester University officials will notify the student's parent or legal guardian immediately after University Safety has determined that the student has been missing for more than 24 hours. Immediately after confirming that the student has been missing for more than 24 hours, University Safety will notify the on call director, vice president for student development, director of residential life, University president, executive vice president, and the director of media and public relations.

In addition to registering an emergency contact, students residing in on-campus housing have the option to identify confidentially an individual to be contacted by a member of the University Safety staff in the event the student is determined to be missing for more than 24 hours. If a student has identified such an individual, Manchester University will notify that individual no later than 24 hours after the student is determined to be missing. Students who wish to identify a confidential contact can do so through the Health Services office. The confidential contact information will only be accessible to authorized campus officials and law enforcement, and may not be disclosed outside of a missing person investigation.

## ANNUAL TEST OF EMERGENCY RESPONSE AND EVACUATION PROCEDURES

In accordance with the Higher Education Opportunity Act, on an annual basis, the Crisis Management Team will coordinate, plan, and conduct at least one test of the emergency response and evacuation procedures, including a test of the mass emergency notification system. The test may involve all portions of the campus or a segment thereof. The intent of the drill is to assess and evaluate the effectiveness of the University's emergency plans and capabilities. Some drills will be announced and well publicized to the campus community prior to the event, while others may be unannounced.

## CRIME PREVENTION EFFORTS

The Department of University Safety, in cooperation with other University departments, works to educate the campus community on sound safety practices. Safety and security-related topics are a part of programs planned for residents and hall

# SECURITY AND FIRE SAFETY REPORT

staff throughout the year. The Department of University Safety sponsors annual crime prevention programs to student groups and resident students, including presentations on how to avoid becoming a crime victim, and self-defense programs presented by University Safety staff and other personnel. Other programs/presentations include drug and alcohol abuse education, theft prevention, identity theft, etc. Programs and videos are also available upon request for all campus groups. During 2016, University Safety staff also participated in/sponsored the following programs on student safety:

- Programs to encourage students to sign up to receive emergency text messages
- Q&A sessions with parents of new students, Information Fairs for new students and their parents
- Met with all new students during Fall Orientation
- Attended Activities Fairs with Q&A opportunities for students.

## STUDENT/EMPLOYEE RESPONSIBILITY

The cooperation, involvement and personal support of students and employees is crucial to University Safety. At Manchester University, we sincerely believe that “you are the key to security.” Students and employees must assume responsibility for their own personal safety and the security of their belongings by taking simple, common sense precautions:

- Do not prop open exterior doors to buildings, including residence halls.
- Lock room doors, even when leaving for short periods.
- Ask visitors to identify themselves before admitting them to your residence hall or room.
- Carry room keys at all times and never loan them to others.
- Walk in pairs, especially when going out at night.
- Park your vehicle in well-lighted areas and keep it locked at all times; valuables should be concealed.
- Secure your personal information (Social Security number, date of birth, ID number, PINs, passwords, etc.).
- Report suspicious circumstances and unusual incidents to University Safety, 260-982-5999.

## SEX OFFENDER REGISTRY

The federal Campus Sex Crimes Prevention Act requires institutions of higher education to issue a statement advising the campus community where law enforcement agency information provided by a state concerning registered sex offenders may be obtained. It also requires sex offenders already required to register in a state to provide notice, as required under state law, to each institution of higher education in that state at which the person is employed, carries on a vocation, or is a student.

The following excerpt is taken from the Indiana Sheriffs’ Sex Offender Registry website ([http://www.state.in.us/serv/cji\\_sor](http://www.state.in.us/serv/cji_sor)):

“Effective January 1, 2003, Zachary’s Law requires sheriff departments to jointly establish and maintain the Indiana Sheriffs’ Sex Offender Registry to provide detailed information about individuals who register as sex or violent offenders at Indiana sheriff departments (or, in Marion County, the Indianapolis Metropolitan Police Department). The purpose of the registry is to inform the general public about the identity, location, and appearance of sex offenders and violent offenders who live, work, or study in Indiana.”

## CRIME STATISTICS

The procedures for preparing the annual disclosure of crime statistics include reporting statistics to the campus community obtained from both law enforcement and non-law enforcement sources. Local law enforcement agencies, including the North Manchester Police Department, the Wabash County Sheriff’s Department, the Kosciusko County Sheriff’s Department, the Indiana State Police, and the Indiana State Excise Police, provide University Safety with information pertaining to criminal acts and arrests that occur on or adjacent to University property. Crime statistics/reports are also obtained from the vice president for student development, conduct review system coordinator, residential life staff members, athletic staff, and other members of the University community. For statistical purposes, crime statistics reported to any of these sources are recorded in the calendar year the crime was reported. All of the statistics are gathered, compiled, and reported to the University community via this publication, which is prepared by the Department of University Safety. These statistics reflect all reported allegations of criminal activity, regardless of the outcome of any conduct/criminal proceeding. As cautioned by the U.S. Department of Education, these crime statistics “...represent alleged criminal offenses reported to campus security authorities and/or local law enforcement agencies. Therefore, the data collected do not necessarily reflect prosecutions or convictions for crimes. Because some statistics are provided by non-police authorities, the data are not directly comparable to data from the FBI’s Uniform Crime Reporting System, which only collects statistics from police authorities.”

# SECURITY AND FIRE SAFETY REPORT

## CRIME STATISTICS FOR CALENDAR YEAR 2014

	All On-Campus Property	Non-Campus Property	Public Property	GRAND TOTAL	On-Campus Residential Only
Murder/Non-Negligent Manslaughter	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0
Robbery	0	0	0	0	0
Aggravated Assault-Aggravated Battery	0	0	0	0	0
<b>BURGLARY (TOTAL)</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
Forcible Burglary	1	1	0	2	1
Non-Forcible Burglary	0	0	0	0	0
Attempted Burglary	0	0	0	0	0
Motor Vehicle Theft	1	0	0	1	1
Arson	1	0	0	1	1
<b>SEX OFFENSES, FORCIBLE (TOTAL)</b>	<b>2</b>	<b>0</b>	<b>0</b>	<b>2</b>	<b>2</b>
Forcible Rape	2	0	0	2	2
Forcible Sodomy	0	0	0	0	0
Sexual Assault w/Object	0	0	0	0	0
Forcible Fondling/Sexual Battery	0	0	0	0	0
<b>SEX OFFENSES, NON-FORCIBLE (TOTAL)</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
Incest	0	0	0	0	0
Statutory Rape-Sexual Misconduct with a minor	0	0	0	0	0
Illegal Weapons Possession Arrest	0	0	0	0	0
Illegal Weapons Possession Violations Referred for Disciplinary Action	0	0	0	0	0
Drug Law Arrest	6	0	0	6	4
Drug Law Violations Referred for Disciplinary Action	13	0	0	13	11
Liquor Law Arrest	1	0	0	1	0
Liquor Law Violations Referred for Disciplinary Action	32	0	0	32	28

	All On-Campus Property	Non-Campus Property	Public Property	GRAND TOTAL	On-Campus Residential Only
<b>HATE CRIMES</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
	All On-Campus Property	Non-Campus Property	Public Property	GRAND TOTAL	On-Campus Residential Only
Domestic Violence	0	0	0	0	0
Dating Violence	0	0	0	0	0
Stalking	0	0	0	0	0



# SECURITY AND FIRE SAFETY REPORT

## CRIME STATISTICS FOR CALENDAR YEAR 2015

	All On-Campus Property	Non-Campus Property	Public Property	GRAND TOTAL	On-Campus Residential Only
<b>Murder/Non-Negligent Manslaughter</b>	0	0	0	0	0
<b>Negligent Manslaughter</b>	0	0	0	0	0
<b>Robbery</b>	0	0	0	0	0
<b>Aggravated Assault-Aggravated Battery</b>	0	0	0	0	0
<b>BURGLARY (TOTAL)</b>	0	0	0	0	0
Forcible Burglary	0	0	0	0	0
Non-Forcible Burglary	0	0	0	0	0
Attempted Burglary	0	0	0	0	0
<b>Motor Vehicle Theft</b>	1	0	0	1	0
<b>Arson</b>	1	0	0	1	0
<b>SEX OFFENSES, (TOTAL)</b>	0	0	0	0	0
Rape	0	0	0	0	0
Stalking	1	0	0	1	1
Statutory Rape	0	0	0	0	0
Forcible Fondling	0	0	0	0	0
<b>SEX OFFENSES, NON-FORCIBLE (TOTAL)</b>	0	0	0	0	0
Incest	0	0	0	0	0
Domestic Violence	0	0	0	0	0
Dating Violence	0	0	0	0	0
<b>Illegal Weapons Possession Arrest</b>	0	0	0	0	0
<b>Illegal Weapons Possession Violations Referred for Disciplinary Action</b>	0	0	0	0	0
<b>Drug Law Arrest</b>	1	0	0	1	1
<b>Drug Law Violations Referred for Disciplinary Action</b>	8	1	0	9	8
<b>Liquor Law Arrest</b>	0	0	0	0	0
<b>Liquor Law Violations Referred for Disciplinary Action</b>	42	0	0	42	42

	All On-Campus Property	Non-Campus Property	Public Property	GRAND TOTAL	On-Campus Residential Only
<b>HATE CRIMES</b>	1	0	0		1

# SECURITY AND FIRE SAFETY REPORT

## CRIME STATISTICS FOR CALENDAR YEAR 2016

	All On-Campus Property	Non-Campus Property	Public Property	GRAND TOTAL	On-Campus Residential Only
<b>Murder/Non-Negligent Manslaughter</b>	1	0	0	1	1
<b>Negligent Manslaughter</b>	0	0	0	0	0
<b>Robbery</b>	0	0	0	0	0
<b>Aggravated Assault-Aggravated Battery</b>	0	0	0	0	0
<b>BURGLARY (TOTAL)</b>	0	0	0	0	0
Forcible Burglary	0	0	0	0	0
Non-Forcible Burglary	0	0	0	0	0
Attempted Burglary	0	0	0	0	0
<b>Motor Vehicle Theft</b>	0	0	0	0	0
<b>Arson</b>	0	0	0	0	0
<b>SEX OFFENSES, (TOTAL)</b>	1	1	0	2	0
Rape	0	1	0	1	0
Fondling	1	0	0	1	0
Statutory Rape	0	0	0	0	0
Incest	0	0	0	0	0
<b>VAWA (TOTAL)</b>	2	0	0	2	0
Dating Violence	0	0	0	0	0
Domestic Violence	0	0	0	0	0
Stalking	2	0	0	2	0
<b>Illegal Weapons Possession Arrest</b>	0	0	0	0	0
<b>Illegal Weapons Possession Violations Referred for Disciplinary Action</b>	0	0	0	0	0
<b>Drug Law Arrest</b>	5	0	0	5	3
<b>Drug Law Violations Referred for Disciplinary Action</b>	*5	0	0	*5	*5
<b>Liquor Law Arrest</b>	1	0	0	1	1
<b>Liquor Law Violations Referred for Disciplinary Action</b>	*43	0	0	*43	*43

	All On-Campus Property	Non-Campus Property	Public Property	GRAND TOTAL	On-Campus Residential Only
<b>HATE CRIMES</b>	0	0	0	0	0
Murder/Non negligent	0	0	0	0	0
Negligent manslaughter	0	0	0	0	0
Sex Offense: Fondling	0	0	0	0	0
Sex Offense: Incest	0	0	0	0	0
Sex Offense: Rape	0	0	0	0	0

\*Due to inaccuracies between Report Exec. data and previously submitted stats, inaccuracies were corrected for 2016. For All On-Campus Property Drug Law Violations Referred for Disciplinary Action the number was changed from 6 to 5. The Liquor Law Violations Referred for Disciplinary Action under the All On-Campus Property column was changed from 36 to 43. These changes were made 9/25/2018."

# SECURITY AND FIRE SAFETY REPORT

Sex Offense: Statutory	0	0	0	0		0
Robbery	0	0	0	0		0
Aggravated Assault	0	0	0	0		0
Burglary	0	0	0	0		0
Motor Vehicle Theft	0	0	0	0		0
Arson	0	0	0	0		0
Any Other Crime Involving	0	0	0	0		0
Simple Assault	0	0	0	0		0
Intimidation	0	0	0	0		0
Larceny	0	0	0	0		0
Destruction of Property	0	0	0	0		0

# SECURITY AND FIRE SAFETY REPORT

For Clery Act reporting purposes (Table Two), the number of victims involved in a particular incident is indicated in the statistics column for the following crime classifications: Murder/Non-Negligent Manslaughter, Negligent Manslaughter, Forcible and Non-Forcible Sex Offenses, and Aggravated Assault. For example, if an aggravated assault occurs and there are three victims, this would be counted as three aggravated assaults in the crime statistics chart. The number reflected in the statistics for the following crime categories includes one offense per distinct operation: Robbery, Burglary, Larceny, Vandalism, and Arson. For example, if five students are walking across campus together and they are robbed, this would count as one instance of robbery in the crime statistics chart. In cases of Motor Vehicle Theft, each vehicle stolen is counted as a statistic. In cases involving Liquor Law, Drug Law, and Illegal Weapons violations the statistics indicate the number of people referred to the Office of Student Rights and Responsibilities for possible disciplinary action for violations of those specific laws. Hate crimes are reported in narrative form and are separated by category of prejudice. A hate crime is not a separate, distinct crime, but is the commission of a criminal offense, which was motivated by the offender's bias. For example, a subject assaults a victim, which is a crime. If the facts of the case indicate that the offender was motivated to commit the offense because of his/her bias against the victim's race, sexual orientation, gender, religion, ethnicity, national origin, gender identity, or disability, the assault is then also classified as a hate crime.

## GEOGRAPHY DEFINITIONS FROM THE CLERY ACT

**On-Campus-Defined as:** (1) Any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of or in a manner related to the institution's educational purposes, including residence halls; and (2) Any building or property that is within or reasonably contiguous to the area identified in paragraph (1), 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 retail vendor).

**Non-Campus Building Or Property-Defined as:** (1) Any building or property owned or controlled by a student organization that is officially recognized by the institution (i.e. privately owned fraternity); or (2) Any building or property owned or controlled by an institution that is used in direct support of or in relation to the institution's educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution.

**Public Property-Defined as:** All public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus or immediately adjacent to and accessible from the campus. The Manchester University crime statistics do not include crimes that occur in privately owned homes or businesses within or adjacent to the campus boundaries.

# **FIRE SAFETY**

Manchester University strives to provide faculty, staff, students and visitors with the safest possible environment, free from potential fire hazards. The Department of University Safety believes in preventative measures and a well executed action plan when needed. If you witness a fire or a dangerous situation that may result in a fire, please contact Campus Safety immediately at 260-982-5999.

# SECURITY AND FIRE SAFETY REPORT

## FIRE SAFETY GUIDELINES AND PRACTICES

The Higher Education Opportunity Act (Public Law 110-315) became law in August 2008, requiring all United States institutions of higher education to produce an annual fire safety report outlining fire safety practices, standards, and all fire-related statistics for on-campus student housing facilities. The following public disclosure report details all information required by this law as it relates to Manchester University.

It is the policy of Manchester University to provide faculty, staff, students and visitors with the safest possible environment, free from potential fire hazards. The Department of University Safety strives to identify hazardous conditions and take appropriate action before such conditions result in a fire emergency. This goal is accomplished by (1) working with the Physical Plant in conducting periodic inspections of the fire safety equipment in all buildings, and (2) increasing the fire safety awareness of employees and students by conducting periodic drills and by providing fire safety training for key personnel. All new hall directors, resident assistants, custodians, officers, and cadets receive basic fire safety training at the beginning of the academic year, and emergency and evacuation procedures are reviewed regularly with these staff members. At the beginning of each academic year, hall staff members review evacuation procedures with new incoming resident students. Fire drills are conducted once per year in all residence halls, in coordination with the North Manchester Fire Department, the Office of Residential Life, and the Department of University Safety. Additional training is provided periodically, as coordinated by the Department of University Safety, in conjunction with the North Manchester Fire Department, as requested by individual departments.

## FIRE SAFETY PRECAUTIONS

- Keep doorways, corridors, and stairwells clear and unobstructed.
- Keep fire doors closed.
- Make sure that all electrical appliances and cords are in good condition and UL rated and approved.
- Do not overload electrical outlets. Use fuse-protected multi-outlet power strips and extension cords when necessary.
- Extinguish all smoking materials properly and thoroughly.
- Never store flammable substances in your room or apartment.

## FIRE SAFETY POLICIES

**Electrical Appliances** - As a fire prevention and damage control measure, these regulations apply to the use of electrical appliances in residence halls:

- Small appliances such as radios, stereos, TVs, clocks, etc. are allowed.
- Radio and television antennas (including extension wires) may be placed in student rooms but may not extend outside the student room in any manner.
- Hair dryers, electric blankets and other small appliances may be used, provided circuits are not overloaded.
- Because of greater electrical capacity in the buildings, microwaves may be used in residents' rooms in Helman and Oakwood Halls.
- Microwaves may not be used in residents' rooms in East, and Schwalm Halls.
- Generally, the electric appliance combined load for any one room should not exceed 600 watts.
- Areas for ironing have been provided in common use areas in the residence halls.
- Make sure the appliance is unplugged when it is not in use.
- If an extension cord is required, it MUST be a fused power strip.
- Halogen lighting systems are not permitted in any of the residence halls.
- Disregard of any part of the electrical appliance policy may lead to the confiscation of the appliance or equipment and disciplinary action. (University policy 9f and g – Electrical appliance)

**Cooking** - Preparing food is limited in student rooms, based on the residence hall. Students are allowed to use refrigerators (5 cubic feet or less), popcorn poppers, percolators and hot pots without open coils in their rooms.

When cooking, please adhere to the following safety precautions:

- Know the location of the nearest fire extinguisher.
- While using the stove, do not leave the area.
- Keep range top clear of hot pads and other combustibles.
- After using the stove, shut off all burners and oven.
- Keep stove and area clean.

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- Do NOT put water on grease fires.
- Fire extinguishers may be used, providing that it is safe to do so.
- Before using a fire extinguisher, activate the nearest fire alarm pull station.
- Do not remain in a smoke-filled area. Smoke inhalation may be fatal.
- In case of fire, call 911 and 260-982-5999 (University Safety) immediately, even if the fire was extinguished.

**Open Flames/Fires** - Any open flames or open flame devices, or the igniting of materials, including incense and candles, constitute potential fire hazards and may not be lit in campus buildings.

- Note: Candles with a previously burnt wick are not permitted in residence halls.
- Note: Exceptions to the open flame policy may be made for religious observances, recreational fires (bonfires, cooking fires, etc.) and other special events. Such permission must be obtained in advance from University Safety.

**Holiday Decorations** - If any decorations are deemed a hazard, they must be removed immediately. No cut evergreens may be used in campus buildings.

**Tobacco-Free Campus Policy:** Manchester University is dedicated to providing and promoting a healthy and productive environment for its students, faculty, staff, and guests. This Tobacco-Free Campus Policy is consistent with that goal.

- The use of tobacco products is prohibited on all Manchester University campuses at all times. Tobacco use includes any lighted tobacco products and/or any oral tobacco products. The prohibited areas within each of the campuses include all buildings, facilities, indoor and outdoor spaces, and grounds owned or leased by the University. This policy also applies to parking lots, sports venues, University vehicles and private vehicles parked on University property. Persistent violators of this policy will be addressed as a conduct issue for students.

**Fireworks/Incendiary Devices** - Possession and/or use of fireworks, incendiary devices, and other types of explosives is prohibited.

**Door Blocking/Propping** - The blocking or propping of fire doors or outside doors, or otherwise interfering with the closing or locking devices on doors or windows necessary for the security of University buildings, is not permitted.

**Disregarding Alarms** - Disregard or refusal to obey tornado warnings and/or fire alarms/drills and procedures is a violation of University policy.

**Tampering With Fire Safety Equipment** - Tampering with fire and safety equipment (including smoke detectors and pull stations) is a violation of State law and University policy.

**False Reporting** - Knowingly initiating or circulating a false report or warning of an impending bombing, fire alarm, activating campus emergency phones, placing false 911 calls, or other such calamity is a violation of both State law and University policy.

## FIRE EMERGENCY PLAN

In Case of Fire or Smoke -

- DO NOT PANIC. Remain calm.
- If the room is smoky, get on hands and knees (or stomach) and crawl to the door.
- Feel the door and doorknob, if either the door or knob is HOT, do NOT open. Take towels, preferably wet, and place them against the door opening. If the door and knob are cool, open door slowly.
- Close the room door as you leave.
- If the alarm has not sounded, activate nearest pull station as you exit.
- Do NOT use any elevators.
- Do NOT prop open the door to the exit staircase.
- Hang onto the handrail and walk DOWN the exit staircase.
- As you exit, move away from the building, and go directly to the pre-designated safe area.

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## Disabled or Trapped

- If you are unable to exit the building, move to a room with an outside window. The room should be as close to a stairwell as possible.
- Tell others to notify the fire department of your location.
- Close the door, leave the light on, and open the window to flag outside help.
- If flames are observed in a vehicle or building, or if smoke is filling an area, call 911 and 260-982-5999 immediately.
- Fire extinguishers may be used, providing that it is safe to do so without jeopardizing the safety of staff or others. Before using a fire extinguisher, sound the fire alarm by activating the nearest pull station.
- Do not remain in a smoke-filled area. Smoke inhalation may be fatal.
- In buildings that do not have automatic fire detection systems, the person observing smoke or fire should activate the alarm by pulling one of the pull stations prior to exiting the building.
- Re-entry of the building shall not be permitted until the University Safety officers or firefighters give the all clear, even though the fire alarm may be terminated.

## FIRE DRILLS IN RESIDENCE HALLS

Fire drills in residence halls are held at least twice per year, at times selected by University Safety and the residential life staff. During drills, the hall is completely evacuated. Persons are to remain outside the building until the official conducting the drill gives permission to return to the hall. Refusal to leave the building during a drill is a violation of University policy. (University policy 9b – Disregarding Alarms.)

## PUBLIC FIRE LOG

In accordance with the provisions of the Higher Education Opportunity Act, the Department of University Safety maintains a public fire log containing the following information for fires reported in each on-campus student housing facility: nature, date, time and general location of each fire. As per the federal requirement, this information will be made available within two (2) business days from the date of occurrence/report. The fire log contains information related to fires reported during the most recent 60-day period. Any portion of the log older than 60 days will be made available within two (2) business days of a request for public inspection. To review the fire log, stop by the University Safety office at 1305 East Street, between the hours of 8 a.m. and 5 p.m., Monday through Friday.

## FIRE STATISTICS

The procedures for preparing the annual disclosure of fire statistics include reporting statistics to the campus community obtained from both Residential Life and University Safety sources relating to fires in on-campus student housing facilities. Students and employees should report all fires to University Safety, 260-982-5999, even if the fire was extinguished. The statistical report will contain the following: the number of fires and the cause of each fire, number of injuries related to a fire that result in treatment at a medical facility, number of deaths related to a fire, and the value of property damage caused by a fire. For statistical purposes, fire statistics reported to the above sources are recorded in the calendar year the fire was reported. All of the statistics are gathered, compiled, and reported to the University community via this publication, which is prepared by the Department of University Safety. As cautioned by the U.S. Department of Education, “the fire statistics are reported only by institutions with an on-campus student housing facility or facilities, and the fire statistics are for those facilities only.”



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## 2014 Residential Facilities Fire Safety Statistics

Residential Facility	Total Fires in Each Building	Date	Time	Cause Of Fire	Number of Injuries that Required Treatment at a Medical Facility	Number of Deaths Related to a Fire	Value of Property Damage Caused by Fire	Case Number
East Hall	1	10-01-2014	0107	Light ballast	0	0	\$200.00	2014-0132
East St. Apts.	1	01-14-2014	2136	Trash can (unknown ignition source)	0	0	\$200.00	2014-0005
Garver Hall	0							
Helman Hall	0							
Oakwood Hall	0							
Schwalm Hall	1	09-20-2014	2200	Furniture (arson suspected)	0	0	\$50,000	2014-0124
503 College Ave.	0							
505 College Ave.	0							
511 College Ave.	0							
601 College Ave.	0							
603 College Ave.	0							
609 College Ave.	0							
1007 Wayne St.	0							
1106 Wayne St.	0							

## 2015 Residential Facilities Fire Safety Statistics

Residential Facility	Total Fires in Each Building	Date	Time	Cause Of Fire	Number of Injuries that Required Treatment at a Medical Facility	Number of Deaths Related to a Fire	Value of Property Damage Caused by Fire	Case Number
East Hall	0							
East St. Apts.	0							
Garver Hall	0							
Helman Hall	0							
Oakwood Hall	0							
Schwalm Hall	1	05-13-2015	1236	Microwaving food while still in box	0	0	0	2015-0074
503 College Ave.	0							
505 College Ave.	0							
601 College Ave.	0							
603 College Ave.	0							
609 College Ave.	0							
1007 Wayne St.	0							
1106 Wayne St.	0							
1004 E. Orchard Dr.	0							

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## 2016 Residential Facilities Fire Safety Statistics

Residential Facility	Total Fires in Each Building	Date	Time	Cause Of Fire	Number of Injuries that Required Treatment at a Medical Facility	Number of Deaths Related to a Fire	Value of Property Damage Caused by Fire	Case Number
East Hall	0							
East St. Apts.	0							
Garver Hall	0							
Helman Hall	0							
Oakwood Hall	0							
Schwalm Hall	0							

## Residential Facilities Fire Safety Systems

Residential Facility	Fire Alarm Monitoring Done On Site By Campus Safety	Partial Sprinkler System <sup>4</sup>	Full Sprinkler System <sup>5</sup>	Smoke Detection	Fire Extinguisher Devices	Evacuation Plans/Placards	Number of Evacuation (Fire) drills each academic year
East Hall	X	X		X	X	X	2
East St. Apts.	X			X	X	X	2
Garver Hall	X	X		X	X	X	2
Helman Hall	X		X	X	X	X	2
Oakwood Hall	X		X	X	X	X	2
Schwalm Hall	X	X		X	X	X	2

<sup>4</sup> Partial Sprinkler System is defined as having sprinklers in the common areas only.

<sup>5</sup> Full Sprinkler System is defined as having sprinklers in both the common areas and individual rooms.



THIS BOOKLET IS PROVIDED IN COMPLIANCE WITH THE FEDERAL JEANNE CLERY DISCLOSURE OF UNIVERSITY SECURITY POLICY AND CAMPUS CRIME STATISTICS ACT OF 1998 (FORMERLY THE CRIME AWARENESS AND CAM-PUS SECURITY ACT OF 1990) AND THE HIGHER EDUCATION OPPORTUNITY ACT OF 2008 (PUBLIC LAW 110-315).

**NORTH MANCHESTER CAMPUS  
EMERGENCIES DIAL 260-982-5999**