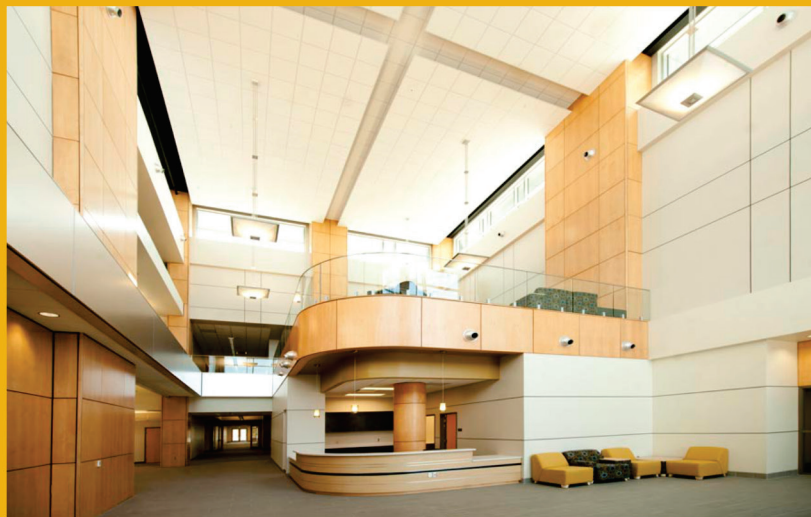


# Security Report 2021

## Fort Wayne Campus



**Manchester**  
University

**For emergencies call: 911 OR 260-266-1800**

\*Statistics included are for period between 1-1-2018 to 12-31-2020



Department of University Safety

604 East College Avenue  
North Manchester, IN  
46962

T 260 - 982 - 5256  
F 260 - 901 - 8231

W [tledwards@manchester.edu](mailto:tledwards@manchester.edu)

September 19, 2021

Dear Reader,

Manchester University is committed to respecting the infinite worth of every individual and maintaining a safe campus environment in which all members of its community can work, live and study while growing intellectually and socially.

The Office of University Safety works year-round and collaboratively with other members of the University community to create that environment. To further that goal, this publication is intended to provide you with information about educational programs, safety practices, crime statistics and policies regarding the reporting of emergencies and campus crime rates.

Please note that we could not follow some of our normal safety practices because of the COVID-19 pandemic. Along with many other colleges and universities, Manchester moved to remote learning for its students and remote work for its non-essential employees on March 13, 2020, and remained that way for the rest of the semester.

In Fall 2020, students returned in person for a variety of in person, hybrid, and hyflex classes. We moved to remote work and learning for the remainder of the Fall 2020 semester on Nov. 23 during the week of Thanksgiving, as planned. Any deviations from our usual safety practices, caused by the pandemic, are noted but were deemed beyond our capabilities under the extreme circumstances facing the University community.

Of particular interest are the easy-to-read tables, which contain three years of crime statistics, starting on Page 34 of this document.

Should you have questions, comments or suggestions regarding the information in this publication or any related public safety policies, procedures or operations, please feel free to contact me at 260-982-5256 or by email at [tledwards@manchester.edu](mailto:tledwards@manchester.edu).

Stay safe and well,

A handwritten signature in black ink, appearing to read 'Tina L. Edwards'.

Tina L. Edwards, MPA

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# SECURITY REPORT

# SECURITY

Manchester 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 caution; and a strong, visible 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 Campus Safety Office in conjunction with Parkview Police and Public Safety 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 by contacting the Director of University Safety at 260-982-5256.

The information contained in this Annual Security 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 general public. We are committed to campus 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 the North Manchester campus, or Ft. Wayne campus by:

- MAIL REQUEST TO: Manchester University, Director of University Safety, 604 College Ave., North Manchester IN, 46962.
- PHONE: 260-982-5256
- E-MAIL: [CampusSafety@manchester.edu](mailto:CampusSafety@manchester.edu)
  - o North Manchester campus: [link.manchester.edu/securityreport2021nm](http://link.manchester.edu/securityreport2021nm)
  - o Ft. Wayne campus: [link.manchester.edu/securityreport2021fw](http://link.manchester.edu/securityreport2021fw)



## INTRODUCTION

At Manchester University, you will never have to go it alone. This is a place where you will learn and grow as a community. 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'll make friends for life.

Manchester is a place of affordable excellence. We're included in U.S. News & World Report's "Great Schools, Great Prices" ranking because our students find success on campus and off – and 96 percent of our graduates are employed or in graduate school or join full-time voluntary service within six months of graduation!

## MANCHESTER UNIVERSITY MISSION STATEMENT

Manchester University 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.

## VALUES STATEMENT

As a community of higher education rooted in the liberal arts and the traditions of the Church of the Brethren, Manchester University values:

- Learning**, because high academic expectations in an environment combining liberal arts and professional preparation equip graduates to live healthy, productive, and principled lives;
- Faith**, because our diverse faiths call us to make the world a kinder and better place, establish justice, build peace amid strife, and model lives agape (selfless love), tikkun olam (repairing a broken world), and salam (peace);
- Service**, because committing self in service to others connects faith with action and abilities with convictions;
- Integrity**, because honesty and trust are the foundations of teaching and learning, enriching, enduring relationships, and strong communities;
- Diversity**, because understanding differences develops respect for ethnic cultural, and religious pluralism; an international consciousness; and an appreciation for the infinite worth of every person; and
- Community**, because a positive community sharpens self-identity, promotes acceptance of the demands of responsible citizenship, and transforms conflict into mutual respect.

## UNIVERSITY SAFETY AND SECURITY

The safety and security of the Manchester University community and guests are a primary concern of the University. For this reason, the University has contracted with Parkview Police and Public Safety to provide security patrols, and to respond to all emergencies on the Fort Wayne campus. Though the officers are not on the premises of the College of Pharmacy 24/7, Parkview Security officers may be contacted at any time of the day, by calling their dispatcher at 260-266-1800.

## AUTHORITY OF CAMPUS OFFICERS AND RELATIONSHIP WITH LAW ENFORCEMENT

Although the non-sworn Parkview officers do not make arrests, (sworn Parkview Police officer do have arrest powers), they do maintain a very close working relationship with the Fort Wayne Police Department and other state and local law enforcement agencies. The University does have a written memoranda of understanding with local law enforcement agencies for the investigation of alleged criminal offenses. Local law enforcement agencies are quick to respond to calls for assistance from crime victims and University staff alike.

## COLLECTION AND ANALYSIS OF CRIME INFORMATION

Campus incident reports are reviewed by the Director of University Safety, who in turn, makes the final determination regarding Clery crime classification. A record of the classification process is maintained in the Campus Safety Office. The University formally solicits crime report information from appropriate external agencies for the Ft. Wayne Campus to include: Parkview Health Police Dept., Ft. Wayne City Police Dept., Allen County Sheriff's Dept., Indiana State Police as well as the Indiana State Excise Police. The Director of University Safety contacts local law enforcement throughout the year to obtain timely updates that may assist in campus investigations and prevention programming.

## CAMPUS SECURITY AUTHORITIES (CSAs)

CSAs as defined by the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act are required to immediately report any information related to potential criminal activity to University Safety. Campus Security Authorities



# SECURITY REPORT

include, but are not limited to, Manchester University employees with significant responsibility for students or campus activities. The University Safety Office surveys University Security Authorities at least once a year, to collect unreported data via training. The Director of University Safety has created an online form for all CSAs to use via the Manchester University website via ChetNet>Forms>Clery Incident Report links and provides training during all new employee orientations. All CSAs are required to complete annual training as well.

## CRIME REPORTING

Students, faculty, staff and guests of the Manchester University College of Pharmacy are encouraged to report emergencies and criminal activities to the Parkview Police and Public Safety dispatcher. To report an emergency or criminal activity, dial 260-266-1800, and a Parkview officer will take a report and follow up on your information. Crimes and emergencies may also be reported to the Dean of Pharmacy Programs 260-470-4418, or to the Associate Dean for Student Affairs and Assessment of Pharmacy Programs 260-470-2745

Parkview officers work closely with professional counselors, to assist victims in reporting crimes, and to ensure the accurate disclosure of all crime statistics. At Manchester University College of Pharmacy, we prefer all criminal activity to be immediately reported to Parkview Police and Public Safety, 260-266-1800, or to the above listed persons, and not through any indirect means. For this reason, we do not have a confidential reporting process; however, professional counselors work closely with clients who have self-disclosed being victimized, encouraging them to promptly report all crimes. Victims desiring criminal prosecution are encouraged and assisted by University officials, including the Dean of Pharmacy Programs 260-470-4418, or to the Associate Dean for Student Affairs and Assessment of Pharmacy Programs 260-470-2745. From the filing of the initial report, through the follow-up investigation, University officials work closely with local police agencies and the Prosecutor's Office.

## 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 authorities. Students in these cases may be subject to arrest by the local police and University disciplinary proceedings through the Pharmacy Program Honor Code.

## Pharmacy Program Honor Code

Students are expected to abide by the general principles of academic integrity and a defined code of conduct representing the Pharmacy Program. The Honor Code provides the framework to communicate the integrity and professionalism of all members of the Pharmacy Program (students, faculty, staff and administration) community pertaining to academic training, as well as behaviors inside or outside of the classroom, that are deemed essential characteristics of a professional. The Honor Code will consist of two primary articles: academic integrity and unprofessional behavior.

Academic integrity will feature six violation categories: cheating, plagiarism, facilitating academic dishonesty, abuse of academic materials, stealing and lying. Unprofessional behavior will feature three categories of conduct: within the College, in experiential rotation settings and within the Profession.

Students will affirm the Honor Code during new student (P1) orientation and the White Coat Ceremony. Students will attest to this affirmation by signing the Honor Code. Students will reaffirm the Honor Code throughout their academic program, specifically prior to each course examination. The Honor Council will address violations of the Honor Code and other complaints against Doctor of Pharmacy students.

The entire Honor Code process may be found in the Pharmacy Program Student Handbook at [www.manchester.edu/pharmacy](http://www.manchester.edu/pharmacy).

## ACCESS TO CAMPUS FACILITIES

Manchester University College of Pharmacy is an open campus and is accessible to the general public. During the academic year, the building is unlocked between the hours of 8 a.m. to 5 p.m., Monday through Friday.

## PHYSICAL PLANT CONSIDERATIONS

Members of the University community may report safety and security problems by contacting the office of the Dean of Pharmacy Programs 260-470-4418, or to the Associate Dean for Student Affairs and Assessment of Pharmacy Programs 260-470-2745.



The Physical Plant office, in consultation with Parkview Police and Public Safety, maintains buildings and grounds with a concern for safety and security. Staff members inspect campus facilities, making repairs and responding to reports of potential safety and security hazards.

## CRIME ALERTS

As required by the Clery Act, the Director of University Safety in consultation with the offices of the Dean of Pharmacy Programs or the Associate Dean for Student Affairs and Assessment of Pharmacy Programs or the Facilities Coordinator & Human Resource Liaison, 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 email/text 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.

## PUBLIC CRIME LOG

In accordance with the provisions of the Clery Act, the University Safety Office, in consultation with Parkview Police and Public Safety will maintain a public crime log containing the following information for each crime reported: crime classification, date and time of offense, location of offense, and the disposition of the complaint. As per the federal requirement, this information will be made available within two (2) business days from the date of occurrence/report. The crime log contains information related to crimes 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 log, you may stop by the office of the Facilities Coordinator & Human Resources Liaison between the hours of 8 a.m. and 5 p.m., Monday through Friday. These statistics reflect all reported allegations of criminal activity, regardless of the outcome of any conduct/criminal proceeding.

## TIMELY WARNINGS AND EMERGENCY NOTIFICATIONS

NOTIFYING THE CAMPUS COMMUNITY OF CRIMES AND EMERGENCIES - InformaCast



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

Spartan Alert (MU Alert) 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 MU alert message, call University Safety, 260-982-5999 or Parkview Police and Public Safety at 260-266-1800.

This contact information; students'/faculty/staff mobile phone numbers and contact information for their emergency contacts, will be collected by going to ChetNet via the University Website>Spartan Alert Sign up for messages. University safety will send emails to students/faculty/staff explaining how to sign up throughout the academic year and will direct faculty/staff at new employee orientation.

In accordance with the Higher Education Opportunity act, on an annual basis, the University Emergency Management and Safety Committee will coordinate, plan, and conduct at least one test of the emergency response and evacuation procedures, including a test of the mass emergency notifications 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 InformaCast 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.



# SECURITY REPORT

## **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:**

Notification is issued without delay and immediately upon confirmation by university safety, university authorities, campus security, local police, local fire, or other first responder agency that a dangerous situation or emergency exists or threatens.

## **How:**

- InformaCast emergency 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 President or their designee, the Dean of Pharmacy and Health Sciences or University Safety is responsible for determining the deployment of the Spartan Alert System (MU Alert) 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."

### **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 parking 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 InformaCast with information template as required by the Clery Act.





**Who:**

The President or their designee, the Dean of Pharmacy and Health Sciences or the Director of University Safety (in consultation with local law enforcement), 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 and/or campus security have investigated and brought the incident to a satisfactory conclusion.

**CRISIS COMMUNICATION PLAN**

When conditions are present that meet the definition of an emergency, the Chief of Parkview Police and Public Safety, The Dean of Pharmacy Programs or their designee, Director of University Safety and the VP for Facilities and Auxiliary Operations shall place into immediate effect appropriate procedures necessary and possible to meet the emergency, safeguard persons and property, and maintain educational facilities. The Chief of Parkview Police and Public Safety, the Dean of Pharmacy Programs or their designee, Director of University Safety and the VP for Facilities and Auxiliary Operations shall immediately consult with the President or their designated alternate regarding the emergency and follow directions as set forth in this response plan.

When a declaration of a campus State of Emergency is made, only registered students, faculty, staff and affiliates (i.e., persons required by employment, including first responders) are authorized to be present on campus. Those who cannot present proper identification (registration or employee identification card, or other ID) showing their legitimate business on campus will be asked to leave. Unauthorized persons remaining on campus may be subject to arrest in accordance with applicable Indiana codes.

In addition, only those faculty and staff members who have been assigned emergency operations team duties or issued an emergency pass by the Chief of Parkview Police and Public Safety, VP for Facilities and Auxiliary Operations and the Director of University Safety will be allowed to enter the immediate disaster site.

Declaration of a campus State of Emergency rests solely with the President or their designee in consultation with the Vice President for Student Life, the Dean of Pharmacy Programs, local law enforcement and the Executive Director of Allen County Emergency Management. The Allen County official can provide Manchester University with assistance in obtaining outside resources required to mitigate the human and financial impact of disasters and emergencies.

**Definition and Assignment of Emergency Status**

Definition: The President, the Vice President for Student Life, the Dean of Pharmacy Programs or their designee shall direct all emergency operations during any major emergency or disaster. The following definitions are provided as guidelines to assist the Emergency Operations Team in determining the appropriate response:

- A. Normal Conditions - No Emergency: Conditions are normal, campus-wide notification is not required.
- B. Minor Emergency: Any incident, potential or actual, which will not seriously affect the overall functional capacity of the University. Campus-wide notification may be carried out. Emergency Operations Team members may not meet as a group but will be apprised of conditions.
- C. Major Emergency: Any incident, potential or actual, which affects an entire building or buildings, and which will disrupt the overall operations of the University. Outside emergency services will probably be required, as well as major efforts from available campus services. A major emergency on campus may require establishing a General Emergency Command Post (GECPP).



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Major policy considerations and decisions will usually be considered by the University Administration during times of crisis. Campus-wide notification will be carried out. The Emergency Operations Team and Emergency Operations Support Team members will report as directed by the President, Vice President for Student Life or their designees. General Emergency Command Post may be in the Fort Wayne Campus room 125 J. If the Fort Wayne Campus building is not accessible the Parkview Regional Medical Center will be utilized as backup or both depending on the nature of the event and/or accessibility to campus. Virtual reporting is also available via the Teams meeting platform. Field Emergency Command Post (FECF) may be established in conjunction with the Incident Command Post established by civil authorities.

- D. Disaster: Any event or occurrence that has seriously impaired or halted operations of the campus. A coordinated effort of all campus-wide resources is required to effectively control the situation. Outside emergency services will be essential. In all cases of disaster, a General Emergency Command Post will be activated, and the appropriate support and operational plans will be executed. Campus-wide notification will be carried out. All Emergency Operations Team members will report to General Emergency Command Post in the Fort Wayne Campus room 125J. If the Fort Wayne Campus room 125J is not accessible the Parkview Regional Medical Center will be utilized as backup, or both depending on the nature of the event and/or accessibility to campus. Virtual reporting is also available via the Teams meeting platform. All Emergency Operations Support Team members shall report as requested and bring the following items with them:
- Their Manchester University-issued keys
  - Cellular phones if issued
  - Laptop PCs or tablets as issued
  - Two-way radio, if issued
- DI. Weather Emergency: Any weather-related event which has the capacity to seriously impair or halt operations of the campus. In addition, the event has the capacity to cause serious property damage or injury, and may limit safe travel. A coordinated effort of all campus-wide resources is required. Outside services or resources may be essential. A weather-related emergency may require establishment of a General Emergency Command Post.
- DII. Campus Emergency: Any on- or off-campus event, accident or situation that involves a member of the Manchester University community that results or may result in injury, death, or serious property damage, or presents an imminent threat to the safety and well-being of the University community. An immediate and appropriate response will be required. Further, a coordinated effort of University officials may be necessary in an effort to answer questions, assist in contacting and informing family members, and to assist with any official investigation. Campus-wide notification will be carried out. All Emergency Operations Team members will report to the General Emergency Command Post in the Fort Wayne Campus room 125J. If the Fort Wayne Campus room 125 J is not accessible the Parkview Regional Medical Center will be utilized as backup, or both depending on the event and/or accessibility to campus. Virtual reporting is also available via the Teams meeting platform. Emergency Operations Support Team members shall report as requested and bring the following items with them:
- Their Manchester University issued keys
  - Cellular phones if issued
  - Laptop PCs or tablets as issued
  - Two-way radio, if issued

## Definition and Assignment of Emergency Status, Continued

- Parkview Police and Public Safety will immediately contact the Dean of Pharmacy Programs or their designee as well as
- Parkview Police and Public Safety will immediately contact the Dean of Pharmacy Programs or their designee as well as the Director of University Safety.
- Campus-wide notification will be carried out
- Faculty and staff shall secure all interior doors immediately
- Parkview Police and Public Safety will block streets accessing the campus, allowing only emergency personnel through and shall remain at those locations until relieved by University Safety/University Physical Plant or a University official.
- University Safety shall assist police as may be required. This may include:



- o Liaison with emergency response personnel and university officials
- o Liaison with Office of Strategic Communications or designee with updates every half hour
- o Liaison with Emergency Operations Team
- o Any other assigned tasks

## Incident Preparedness Drills and Table-Top Exercises

Campus Security and other University officials undergo crisis training, including drills and table-top 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
- Bomb Threat
- Chemical Spill or Radiation Release
- Earthquake
- Suspicious Package/Mail

## Pharmacy S.M.A.R.T. Program

This program is a multi-faceted approach to supporting the success of all pharmacy students. A variety of services and programs have been implemented to support the mission and goals of Manchester University Pharmacy Program:

- **S – Student Works** – scheduled professional development workshops throughout the academic year focusing on issues such as time management, study techniques, etc.
- **M – Faculty Mentoring Program** – each student will have a faculty mentor throughout their time in the program, serving as a valuable information and communication resource.
- **A – Academic Support** – includes programs, resources and structures that promote all members of the community to learn efficiently and effectively, develop effective study strategies and develop the critical thinking skills necessary to succeed academically.
- **R – Referral System** – an online system that provides an opportunity for concerned members of the Pharmacy Program community to reach out and offer help and assistance to students in the program.
- **T – Team Works** – Students will become more aware of the importance of team work through the annual creation of working teams within each class. These teams will be used throughout the academic year in most courses.

## DRUG AND ALCOHOL POLICIES

### Substance Abuse

According to School of Pharmacy Handbook the following applies:

Unprofessional behavior related to substance abuse within the program includes but is not limited to: 1. Unlawful and unauthorized manufacture, distribution, dispensation, possession or use of narcotics, controlled substances, illicit drugs or alcohol; 2. Abuse of any controlled substance, illicit drug, or alcohol; 3. Operation of a motor vehicle under the influence of alcohol and/or other drug(s); 4. Alteration or withholding of records to conceal drug abuse; 5. Termination of employment or removal from an experiential rotation site for theft, fraud, deception, or illegal use or abuse of any substance; 6. Actions that



# SECURITY REPORT

result in the conviction of a drug or alcohol-related misdemeanor; 7. Actions that result in the conviction of a felony. Unlawful and illicit for these purposes means in violation of federal, state or local regulations, policy, procedures, and rules, including legal statutes. Educational setting means University or College operated buildings and grounds or while conducting University or College business away from the actual premises, including experiential or service learning sites. Professional activities relates to professional meetings. The use of all tobacco products, including cigarettes and dipping or chewing tobacco, is prohibited on the College's campus. Therefore, no student, faculty, or staff member may use tobacco products on the Fort Wayne campus premises, including parking lots. The use of alcohol is prohibited on the College's campus without express written permission of the dean.

## **Possible Consequences for Violation of the Substance Abuse Policy**

The College reserves the right to dismiss or suspend any student at any time when, in the judgment of College authorities, such action is advisable. Upon registration with the Manchester University College of Pharmacy, Natural and Health Sciences, the student expressly concedes this right to the College. It is understood that attendance at Manchester University College of Pharmacy, Natural and Health Sciences is a privilege, not a right, and that this privilege may be withdrawn in the case of any student who does not adhere to the objectives or policies of the College and University.

## **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 their 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 themselves 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 their job performance or behavior must discuss their job requirements with the prescribing physician, and, if advised by the physician, discuss the matter with their 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.

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 their 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 in violation 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 out-patient 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 out-patient 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





# SECURITY REPORT

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 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) 982-5256
- Counseling Center (260) 982-5888
- Human Resources (260) 470-2702
- Multicultural Affairs (260) 982-5423
- Office of the Dean (260)-470-2668

## What happens if you report a bias incident?

Once a report has been received, the Bias Incident Response Team 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 Bias Incident Response Team 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 their physical and emotional needs are important and appropriate actions will be taken (i.e. possible relocation, academic accommodations, counseling, etc.) by appropriate Manchester staff.

Bi-weekly reports of reported incidents will be reviewed by the Bias Incident Response Team (Human Resources, Student Life, Conduct) that meet regularly to review information available regarding reported 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 in cooperation with Parkview Police and Public 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 together 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 they are 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 proper regard for the protection of individual rights, religious and moral convictions and academic freedom and advocacy.

## TITLE IX SEXUAL HARASSMENT POLICY

### INTRODUCTION

Members of the Manchester University Community have the right to be free from all forms of Sexual Harassment which impede the realization of the University's mission 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. All members of the University Community are expected to conduct themselves in a manner that maintains an environment free from Sexual Harassment. As such, Manchester University does not discriminate based on sex and is committed to 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 sex — including pregnancy discrimination and Sexual Harassment — 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.

Sexual Harassment is defined broadly under this Sexual Harassment Policy (Policy). Sexual Harassment 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, as defined below. Sexual Harassment is a violation of University policy, state and federal civil rights laws, and may violate state and federal criminal laws. When an allegation of Sexual Harassment is brought to an appropriate individual's attention, and a Respondent is found to have violated this policy, the University will issue appropriate sanctions to prevent future misconduct.

Manchester University reserves the right to take whatever measures it deems necessary in response to an allegation of Sexual Harassment 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 Harassment 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 Respondent.

### DEFINITIONS

The following terms and definitions apply to this Policy.

#### Actual Knowledge

Notice of Sexual Harassment or allegations of Sexual Harassment to a University's Title IX Coordinator or any official of the University who has authority to institute corrective measures on behalf of the University. Imputation of knowledge based solely on vicarious liability or constructive notice is insufficient to constitute Actual Knowledge. This standard is not met when the only official of the University with Actual Knowledge is the Respondent. The mere ability or obligation to report Sexual Harassment or to inform a Student about how to report Sexual Harassment, or having been trained to do so, does not qualify an individual as one who has authority to institute corrective measures on behalf of the University. "Notice" includes, but is not limited to, a report of Sexual Harassment to the Title IX Coordinator.



# SECURITY REPORT

Examples of an Employee with authority to institute corrective measures on behalf of the University include the following identified members of the Manchester University Community: President, Vice Presidents, and Vice President for facilities and auxiliary services, Dean for Pharmacy, Director of Athletics, Director of Human Resources and Title IX Coordinator.

## **Appointee**

An individual deemed to have an affiliation with the university in a non-compensatory capacity as designated in the applicable Human Resources Information System.

## **Child Molesting**

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 sexually gratifying either person.

## **Complainant**

Any person who is reported to have experienced conduct prohibited by this policy, regardless of whether that individual makes a report or participates in the review of that report by the university, and regardless of whether that person is a member of the University Community.

## **Consent**

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

- A. Consent to any one form of sexual activity cannot automatically imply Consent to any other forms of sexual activity.
- B. Consent may be withdrawn at any time.
- C. Previous relationships or prior Consent cannot imply Consent to future sexual acts; this includes “blanket” Consent (i.e., permission in advance for any/all actions at a later time/place).
- D. Consent cannot be given by an individual who one knows to be – or based on the circumstances should reasonably have known to be – substantially impaired (e.g., by alcohol or other drug use, unconsciousness, etc.).
  - i. Substantial impairment is a state when an individual cannot make rational, reasonable decisions because they lack the capacity to give knowing Consent (e.g., to understand the “who, what, when, where, why, or how” of their sexual interaction).
  - ii. This also covers individuals whose substantial impairment results from other physical or mental conditions including mental disability, sleep, involuntary physical restraint, or from the consumption of alcohol or other drugs.
  - iii. Being impaired by alcohol or other drugs will never function as a defense for any behavior that violates this policy.
- E. It is the obligation of the person initiating the sexual activity to obtain Consent.
- F. An individual cannot Consent who has been coerced, including being compelled by force, threat of force, or deception; who is unaware that the act is being committed; or whom a supervisory or disciplinary authority coerces.
  - i. Force: violence, compulsion, or constraint; physically exerted by any means upon or against a person.
  - ii. Coercion: the application of pressure by the Respondent that unreasonably interferes with the Complainant’s ability to exercise free will. Factors to be considered include, but are not limited to, the intensity and duration of the conduct.
- G. A person who does not want to Consent to sex is not required to resist or verbally object.
- H. Withdrawal of Consent can be manifested through conduct and need not be a verbal withdrawal of Consent (i.e. crying, pulling away, and pushing away, not actively participating, laying there, uncomfortable or upset facial expression).
- I. An individual who has not reached the legal age of Consent under applicable law may not give consent.

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## Dating Violence

Violence committed by a person—

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

## Decision Maker

The administrator(s) who oversee(s) any hearing or appeal, which takes place as part of the formal resolution process.

## Domestic Violence

Conduct that would meet the definition of a felony or misdemeanor crime of violence committed by the Complainant's current or former spouse or intimate partner, a person with whom the Complainant shares a child in common, a person who is or has cohabitated with the Complainant as a spouse or intimate partner, or individual similarly situated to a spouse under domestic or family violence law, or anyone else protected under the domestic or family violence law of the jurisdiction in which the offense occurred. An individual need not be charged with or convicted of a criminal offense to be found responsible for Domestic Violence pursuant to this policy.

## Formal Complaint

A complaint filed by the Complainant or the University that triggers the University's full investigation and hearing process under Title IX.

## Investigator

An individual assigned by the Title IX Coordinator to investigate the alleged Sexual Harassment and oversee the investigative hearing.

## Mandated Reporter

Mandated Reporter identifies any Manchester University employee who has a mandate to report incidents of Sexual Harassment to the Title IX Coordinator. Examples of Mandated Reporters include deans, associate deans, vice presidents, coaches, Title IX coordinator and deputy coordinators, hall directors, resident assistants, human resources staff, campus safety officers, staff, faculty members, and administrators.

## Respondent

Any member of the University Community who is reported to have engaged in conduct prohibited by this policy.

## Retaliation

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 Harassment.

## Sexual Harassment

- A. An employee of the recipient conditioning the provision of an aid, benefit, or service of the recipient on an individual's participation in unwelcome sexual conduct;
- B. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the recipient's education program or activity; or
- C. "Sexual assault" as defined in 20 U.S.C.1092(f)(6)(A)(v), "dating violence" as defined in 34 U.S.C. 12291(a)(10), "domestic violence" as defined in 34 U.S.C. 12291(a)(8), or "stalking" as defined in 34 U.S.C. 12291(a)(30).

All such acts constitute of Sexual Harassment under this policy.



# SECURITY REPORT

## **Sexual Violence**

Sexual acts perpetrated without Consent.

## **Sexual Assault**

Non-Consensual Sexual Contact and Non-Consensual Sexual Penetration

### **Non-Consensual Sexual Contact**

Any intentional sexual touching, however slight, with any body part or object, by any individual upon another that is without Consent and/or by force or coercion.

Sexual contact includes: intentional contact with the breasts, buttock, groin, or genitals, or touching another with any of these body parts or object, 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 penetration**

Any sexual penetration, however slight, with any body part or object, by any individual upon another that is without Consent and/or by force or coercion.

Sexual penetration includes vaginal penetration by a penis, object, tongue, or finger; 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.

### **Sexual Exploitation(s)**

Occurs when an individual takes non-consensual or abusive sexual advantage of another for that individual's own advantage or benefit, or to benefit or advantage anyone other than the individual being exploited. Examples of Sexual Exploitation include, but are not limited to:

- A. Engaging in voyeurism;
- B. Exposing one's genitals in non-consensual circumstances; inducing another to expose their genitals;
- C. Going beyond the boundaries of Consent (e.g., letting others hide in a closet to watch you having consensual sex);
- D. Invasion of sexual privacy;
- E. Knowingly transmitting a sexually transmitted infection (STI) to another;
- F. Non-consensual pictures, video-, or audio-recording of sexual activity, or the nonconsensual distribution of such material;
- G. Possession, use, and/or distribution of alcohol or other drug (e.g., Xanax, Ambien, Benadryl, Rohypnol ("Roofies"), Ketamine, GHB, etc.) for the purpose of engaging in or facilitating any activity prohibited under this policy;
- H. Prostituting another.

### **Sexual Misconduct with a Minor**

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 the purpose of sexually gratifying either person.

### **Stalking**

A course of conduct directed at a specific individual that would cause a reasonable person under similar circumstances and with similar identities to the Complainant to fear for their own or others' safety, or to suffer substantial emotional distress. A course of conduct includes two or more acts, including but not limited to, those in which the alleged perpetrator directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about the Complainant, or interferes with the Complainant's property.

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## **Student**

An individual to whom an offer of admission has been extended, paid an acceptance fee, registered for classes, or otherwise entered into another agreement with the university to take instruction. Student status lasts until an individual graduates, is permanently dismissed, or is not in attendance for two complete, consecutive terms, and includes those with a continuing educational relationship with the university; “Student” also includes registered Student organizations. A Student organization remains a “Student” for purposes of this policy for one calendar year following the expiration of the organization’s most recent registration.

- i. The university reserves the right to administer this policy and proceed with any process provided by this policy even if the Student withdraws from the university, is no longer enrolled in classes, or subsequently fails to meet the definition of a Student while a disciplinary matter is pending.

## **Title IX Coordinator**

The designated university official with primary responsibility for coordinating the university’s compliance with Title IX. This individual provides leadership for Title IX activities; offers consultation, education, and training; and helps to ensure that the university responds appropriately, effectively, and equitably to all Title IX issues.

## **University Community**

Manchester University faculty, staff, Students, student employees, graduate associates, Appointees, volunteers, suppliers/contractors, and visitors.

## **POLICY**

- I. SCOPE
  - A. Medium
    - i. This policy applies to alleged Sexual Harassment in any medium. Sexual Harassment may manifest in many evolving forms including, but not limited to: physical, verbal, and visual, whether in person or online in any format.
  - B. Jurisdiction
    - i. Manchester University has a compelling obligation to address allegations and suspected instances of Sexual Harassment when it has Actual Knowledge that this policy has been violated. The University must inform the Respondent of the allegations and may take any further action it deems appropriate, including pursuing an investigation even in cases when the Complainant is reluctant to proceed. The Complainant will be notified in advance when such action is necessary.
    - ii. The University’s disciplinary response may be limited if the Respondent is a visitor or other third party or is not subject to the University’s jurisdiction.
  - C. Location
    - i. This policy applies to alleged Sexual Harassment that takes place in a University’s educational program or activity, against a person in the United States. This includes locations, events, or circumstances over which the University exercised significant control over both the Respondent and the context in which the Sexual Harassment occurred.
    - ii. This policy also applies to alleged Sexual Harassment that occurs off-campus, including virtual spaces, in any building owned or controlled by a Student organization that is officially recognized by the University.
    - iii. This policy applies to alleged Sexual Harassment that occurs during off-campus, Study Abroad, Study-away, May or January term travel programing outside of the United States.
    - iv. In situations not covered above, but where the Sexual Harassment undermines the security of the University Community or the integrity of the educational process or poses a serious threat to self or others, other applicable University procedures for general misconduct may be applied.
  - D. This policy is not intended for, and will not be used to, infringe on academic freedom or to censor or punish members of Manchester University who exercise their legitimate First Amendment rights.
  - E. Policy Maintenance
    - i. Manchester University and the Title IX Coordinator manage this policy.

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- ii. This policy and the associated procedures will be revised by Manchester University.
- II. RECEIVING SUPPORTIVE MEASURES
  - A. Members of the Manchester University Community impacted by Sexual Harassment are encouraged request supportive measures. Upon submission of a report to the Title IX Coordinator, supported measures will be utilized.
- III. EMPLOYEES WITH AUTHORITY TO INSTITUTE CORRECTIVE MEASURES
  - A. Manchester University designates certain employees who have the authority to institute corrective measures on its behalf. Under this policy, their knowledge of Sexual Harassment conveys Actual Knowledge to the University.
  - B. The following employees have been designated by the University as having the authority to initiate corrective measure on its behalf: :
    - i. Title IX Coordinator  
Ali Goetcheus
    - ii. President of University  
Dave McFadden
    - iii. Vice Presidents  
Dr. Celia Cook-Huffman, Vice President for Academic Affairs  
Melanie Harmon, Vice President for Advancement  
Dr. Lea Jonson, Vice President for Health Science Initiatives  
Ryon Kaopuiki, Vice President for Enrollment and Marketing  
Dr. Abby Van Vlerah, Vice President for Student Life  
Clair W. Knapp, Chief Business Officer and Vice President for Finance
    - iv. Assistant Vice President for Facilities and Auxiliary Services  
Alexis Young, Assistant Vice President for Facilities and Auxiliary Services
    - v. Dean of Pharmacy Program  
W. Thomas Smith, Pharm.D., J.D. Dean of Pharmacy  
Programs and Professor of Pharmaceutical Sciences
    - vi. Director of Human Resources  
Brandee Estes
    - vii. Director of Athletics  
Rick Espeset
  - C. When one of the above employees learns of alleged sexual harassment, that employee should contact the Title IX Coordinator in the student life division as soon as possible. Submission can be made through the Report IT button located on the bottom of Manchester University Webpages.  
Ali Goetcheus  
Title IX Coordinator  
Director of Conduct  
Chinworth Center  
aigoetches@manchester.edu  
260-982-5721
  - D. Employees may have additional reporting obligations provided by law and/or other University policies.
  - E. Corrective action may be taken against any individual who has a duty to report and who fails to respond in a manner consistent with the provisions of applicable laws, regulations, policies, and procedures.
- IV. EMPLOYEE DUTY TO REPORT
  - All University employees have reporting responsibilities to ensure the University can take appropriate action.*
  - A. All University employees, except those exempted by legal privilege of confidentiality or expressly identified as a confidential reporter, have an obligation to report incidents of Sexual Assault. Any employee who receives a disclosure of Sexual Assault or becomes aware of information that would lead a reasonable person to believe

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- that a Sexual Assault may have occurred involving anyone covered under this policy, must report all known information immediately.
- B. In addition to the requirement of reporting incidents of Sexual Assault, the following members of the University Community have an additional obligation to report all other incidents of Sexual Harassment, when they receive a disclosure of Sexual Harassment or become aware of information that would lead a reasonable person to believe that Sexual Harassment may have occurred involving anyone covered under this policy. These individuals must report the incident within five workdays of becoming aware of such information:
- i. Executive officers;
  - ii. Deans, directors, department heads/chairs (including those serving in assistant or associate roles);
  - iii. Graduate and undergraduate chairs;
  - iv. Supervisors who have hiring or firing power over at least three employees who are not Student or post-doc employees;
  - v. Faculty and staff who serve as advisors to or coaches of University-recognized Student groups;
  - vi. Any individual, whether an employee or not, who serves as a coach of a club sports team;
  - vii. All individuals, including Student-employees (such as Resident Advisors) working in Student Life, the Division of Public Safety and Security, Intercollegiate Athletics, and Office of Equity, except those who serve in non-supervisory positions in dining services, clerical, or custodial/maintenance capacities;
  - viii. Campus Security Authorities designed by the University under the Celery Act not otherwise specified in this provision; and
  - ix. Individuals serving in any of the positions described above on an acting or interim basis.
- C. Employees are not required to report disclosures of information regarding Sexual Harassment pursuant to this policy in the following circumstances, unless an individual covered under this policy is implicated or the individual is explicitly seeking assistance from the University:
- i. At public survivor support events including, but not limited to: “Take Back the Night,” candlelight vigils, protests, and survivor speak-outs;
  - ii. To Student-employees when they are operating outside of their official work capacity; or
  - iii. During an individuals’ participation as a subject in an Institutional Review Board (IRB)-approved human subjects research protocol.
- D. Employees with a duty to report should refer to the chart in Reporting Allegations of Sexual Harassment. Contacting the Title IX Coordinator in the Student Life Division to share all known information will satisfy the employee duty to report.
- E. Employees may have additional reporting obligations provided by law and/or other University policies.
- F. The following categories of employees are exempt from the duty to report Sexual Assault and other Sexual Harassment, due to their legal or professional privilege of confidentiality or their designation by the University as a confidential reporter:
- i. Professional and pastoral counselors
    - a) A professional counselor is a person whose official responsibilities include providing mental health counseling to members of the University Community and who is functioning within the scope of that license or certification and their university employment.
      1. This definition applies even to professional counselors who are not employees of the university but are under contract to provide counseling at the university.
      2. This also includes an individual who is not yet licensed or certified as a counselor but is acting in that role under the supervision of an individual who is licensed or certified (e.g., a Ph.D. counselor-trainee acting under the supervision of a professional counselor at the university).
    - b) A pastoral counselor is a person who is associated with a religious order or denomination, is recognized by that religious order or denomination as someone who provides confidential counseling and is functioning within the scope of that recognition and their role at the university.
      1. In this context, a pastor or priest who is functioning as an athletic director or as a Student advocate would not be exempt from the reporting obligations.



# SECURITY REPORT

- ii. Other employees with a professional license requiring confidentiality who are functioning within the scope of that license or certification and their university employment.
  - a) For example, a physician with a dual appointment as a clinician and professor would be required to report instances of Sexual Harassment of which they become aware in the scope of their employment as a professor, but must keep such information confidential and privileged if learned in the scope of their duties as a physician unless there is a mandatory reporting requirement under state law.
- G. Corrective action may be taken against any individual who has a duty to report and who fails to respond in a manner consistent with the provisions of applicable laws, regulations, policies, and procedures.

## V. REPORTING ALLEGATIONS OF SEXUAL HARASSMENT

- A. Any person may report sexual harassment. By way example, this includes:
  - i. Students
  - ii. Employees
  - iii. Parents
  - iv. Any University Community member or other individual who is directly involved in, observes, or reasonably believes that Sexual Harassment may have occurred.
- B. Reports can be made to the Title IX Coordinator in the following ways:
  - i. In-Person: Chinworth Building, Student Life Office
  - ii. Virtually: Manchester University Microsoft Teams/Manchester University Zoom
  - iii. ReportIT <http://forms.manchester.edu/title9>
  - iv. Phone: 260-982-5721
  - v. Email: [aigoetcheus@manchester.edu](mailto:aigoetcheus@manchester.edu)
- C. Making a report to Manchester University and to law enforcement are mutually exclusive events. Making a report to the University does not preclude the individual from filing a report of a crime with law enforcement nor does it extend time limits that may apply in criminal processes. Filing a report with law enforcement is not a prerequisite of making a report with the University. However, individuals may request assistance from the Title IX Coordinator or designee to notify law enforcement.

### Agency

**University Safety North Manchester Campus**

**North Manchester Police Department**

**Fort Wayne Campus/Parkview Security  
Fort Wayne Police Department**

### Contact Information

Ext. 5999

260-982-5999

Address: Clark Computer Center

911

Address: 709 W Main St, North Manchester, IN 46962

Non-Emergency-Phone: (260) 982-855

260-266-1800

911

Address: 1 E Main St 108, Fort Wayne, IN 46803

Non-Emergency-Phone: (260) 427-1222

## VI. CONFIDENTIALITY AND PRIVACY

- A. Manchester University recognizes the importance of confidentiality and privacy. See the Resources section for a list of confidential support, non-confidential support, and medical resources. Information received in connection with the reporting, investigation, and resolution of allegations will be treated as private and will only involve individuals whom the University determines are necessary to conduct an appropriate investigation, to provide assistance and resources to parties, to perform other appropriate University functions, or when the University is required to provide information under the law.
- B. If an incident is disclosed or reported to the University and the individual requests that no investigation be conducted or disciplinary action be taken, the Title IX Coordinator or designee will explain that the University

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prohibits Retaliation and explain the steps the University will take to prevent and respond to Retaliation if the individual participates in a resolution process. The Title IX Coordinator or designee will evaluate the request to determine whether the University can honor the request while still providing a safe and nondiscriminatory environment.

- C. A decision to proceed despite an individual's request will be made on a case-by-case basis after an individualized review, and the Complainant will be notified if such a decision is made. If the University proceeds with an investigation, the Complainant is under no obligation to proceed as a part of the investigation.
- D. All individuals involved in the process should observe the same standard of discretion and respect for everyone involved in the process.

## VII. RETALIATION

- A. University policy and law prohibit retaliation. Manchester University will not tolerate Retaliation in any form against any individual who makes an allegation, files a report, serves as a witness, assists a Complainant, or participates in an investigation of discrimination or harassment.
- B. Retaliation is a serious violation that can subject the offender to discipline, up to and including termination of employment and/or suspension or dismissal of a Student, independent of the merits of the underlying allegation.
- C. Allegations of Retaliation should be reported to the Title IX Coordinator.

## VIII. INVESTIGATION AND RESOLUTION OPTIONS

- A. Initial Assessment
  - i. The Student Life Division reviews all reports of Sexual Harassment under this policy under the direction of the Title IX Coordinator or designee for an initial assessment of the reported information. The available resolution options will be guided by the availability of information or evidence suggesting that a policy violation may have occurred; the University's obligation to investigate and provide appropriate remedies to eliminate, prevent, and address the effects of the prohibited conduct; and the desire of the Complainant to participate in an investigation or other resolution.
  - ii. Upon completion of an initial assessment, the Title IX Coordinator or designee will determine the available options for resolution and will communicate the options to the parties.
- B. Informal Resolution
  - i. Informal resolution may be utilized in some circumstances if the University deems appropriate and both parties agree to it.
- C. Investigative Resolution

The Student Life Division, Title IX Team may resolve a report of Sexual Harassment through investigative resolution when the alleged Sexual Harassment, if true, would be prohibited under applicable University policy. In instances when informal resolution is inappropriate, when the party requests, or when the University requires formal investigation, the University will consider the concerns and rights of all parties and provide a prompt, fair, impartial, and equitable process.

## IX. REMEDIES

- A. When the University makes a finding of a policy violation, it will take steps, whether individual or systemic, to stop the alleged Sexual Harassment, prevent its recurrence, and remedy the discriminatory effects on the Complainant and others, as appropriate.
- B. Corrective Actions/Sanctions
  - i. When the Respondent is a Student, potential sanctions include formal reprimand, disciplinary probation, suspension, dismissal, and other appropriate educational sanctions.
  - ii. When the Respondent is an employee, corrective actions may be taken pursuant to the [Corrective Action/Termination Policy], [Student Employment Policy], and/or [Faculty Rules]. Disciplinary corrective actions include coaching, development plans, reduction in supervisory duties and leadership responsibilities, changes in salary, termination, and other appropriate corrective actions.





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- iii. Student employees may be subject to corrective action and sanctions under Student and/or employee policies depending on the nature of the case. For instance, a Student employee who is dismissed from the university may also be subject to termination or other corrective actions.
- C. Any corrective actions or sanctions will not take effect until any appeals have been completed.
- D. Interim Supportive Measures
  - i. Supportive measures will be made available to both the Complainant and Respondent whether or not a Formal Complaint is filed to ensure equal access to the University's education and employment programs and activities. The Title IX Coordinator or designee will conduct an individualized assessment and will review requests from Complainant and Respondent to determine supportive measures that are appropriate and reasonably available at no cost to the Complainant or Respondent. Supportive measures may include, but are not limited to:
    - a. No contact directives;
    - b. Referral to campus and community resources for victim advocacy, counseling, health services, legal assistance, immigration assistance, disability services;
    - c. Referral to campus safety for increased safety measures, safety escorts, timely warnings;
    - d. Academic support including extensions of time and other course-related adjustments;
    - e. Modification of work or class schedules;
    - f. Change in work or housing locations;
    - g. Change in reporting relationship;
    - h. Consideration of leave requests;
    - i. Assistance with academic petitions; and
    - j. Any other measure deemed applicable by Title IX Coordinator
  - ii. During the period of any investigation, a Respondent can be put on administrative leave if they are an employee of the University. If the Respondent is a Student of the University, they may be removed from educational activities following an individualized safety and risk analysis determines that the Respondent poses an imminent threat to the physical health or safety of anyone due to the allegations made. If a Student is removed from educational activities in this way, they have the right to challenge the determination of the safety and risk analysis.
  - iii. The Title IX Coordinator or designee will coordinate the provision of interim supportive measures. Parties will not be required to arrange such measures by themselves but may need to participate in communication with supervisors, faculty, and other University employees with a need to know.
  - iv. The University will maintain as confidential any supportive measures provided to the Complainant or Respondent to the extent that maintaining such confidentiality would not impair the ability of the University to provide the supportive measures.
- E. Other Remedial Measures
  - i. When the university is unable to proceed with investigative resolution, such as lack of information in the report or request by the Complainant that an investigation not move forward, the university may take other remedial measures as appropriate to remedy the effects of the alleged Sexual Harassment and/or prevent its recurrence. Remedial measures may also be implemented when it is determined that inappropriate behavior occurred, but that the behavior did not rise to the level of a policy violation.
  - ii. Remedial measures may include and are not limited to:
    - a. Providing training on Sexual Harassment;
    - b. Increasing security in a designated space;
    - c. Changing policy or procedure; and
    - d. Conducting climate checks.
- X. FALSE ALLEGATIONS
  - A. It is a violation of this policy for anyone to make a false allegation of Sexual Harassment in bad faith. Corrective actions or sanctions may be imposed on individuals who in bad faith make false allegations of Sexual Harassment.

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- B. The absence of a finding of a policy violation is not equivalent to finding that the Complainant acted in bad faith.

## XI. PROCESS ABUSE

- A. No member of Manchester University Community may:
  - i. Obstruct, prohibit, exert improper influence over, or interfere with any individual making a report, participating in a process, or carrying out a responsibility covered by this policy;
  - ii. Make, in bad faith, materially false statements in or related to a process covered by this policy;
  - iii. Disrupt or interfere with the orderly conduct of any proceeding conducted under this policy; or
  - iv. Fail to comply with any directive, sanction, or corrective action issued pursuant to this policy.

## XII. TRAINING

- A. All faculty, staff, Student employees, graduate associates, and Students are required to take annual Sexual Harassment training as directed by the university. Manchester University monitors compliance, and records completion.
- B. Non-Compliance for Employees in Sexual Harassment training may result in corrective action.
- C. Non-compliance for Students in Sexual Harassment training will be submitted to the restorative justice team for conduct intervention.

## PROCEDURE

### I. INITIAL ASSESSMENT

- A. Upon receiving a report, the Title IX Coordinator will provide information to the Complainant on the availability of supportive measures, the right to file a Formal Complaint, and how to file a Formal Complaint.
- B. The Student Life Division, Title IX team reviews all reports of Sexual Harassment under this policy under the direction of the Title IX Coordinator or designee for an initial assessment of the reported information. Available resolution options will be guided by the availability of information and evidence suggesting that a policy violation may have occurred; the University's obligation to investigate and provide appropriate remedies to eliminate, prevent, and address the effects of the prohibited conduct; and the availability or desire of the Complainant to participate in an investigation or other resolution.
- C. Upon completion of an initial assessment, the Title IX Coordinator or designee will determine the available options for resolution and will communicate these options to the parties.
- D. If the Complainant or the University elects to file a Formal Complaint, the Title IX Coordinator will provide written notice to the Respondent within ten days including:
  - i. The actual allegations of facts that constitute Sexual Harassment and any evidence that supports this;
  - ii. That there is a presumption of innocence in their favor;
  - iii. That all parties are entitled to an advisor of their choice;
  - iv. That all parties can inspect and review evidence; and,
  - v. Information regarding any code of conduct provisions that prohibit false statements made in bad faith.

### II. DISMISSAL OF A COMPLAINT

- A. In the event that prior to, or in the course of, an investigation, the University determines that the allegations fail to meet the definition of Sexual Harassment or did not occur while in the United States and under the University's educational program or activity, the investigation and Formal Complaint will be dismissed. Formal Complaints may still be resolved through an informal resolution process as outlined above or according to procedures set forth in the Student Code of Conduct.
- B. The University reserves the right to dismiss the Formal Complaint and stop the investigation if:
  - i. The Complainant notifies the Title IX Coordinator in writing that they wish to withdraw their Formal Complaint;
  - ii. The Respondent is no longer enrolled in or employed by the University; or
  - iii. Specific circumstances prevent the school from gathering sufficient evidence to reach a determination about allegations (e.g. lack of participation in the investigative process by parties or witnesses).



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- C. If the University dismisses the Formal Complaint for any reason, either party may appeal the decision as outlined in this policy's appeals process.

## III. INFORMAL RESOLUTION

- A. Informal resolution may be utilized in some circumstances if a Formal Complaint is filed.
- B. The usage of an informal resolution process is limited in a number of ways:
  - i. Informal resolution is unavailable if the Respondent is an employee of the school.
  - ii. Informal resolution may only be used if any and all parties of an investigation agree to it.
- C. In all cases, the University will inform the parties of the right to end the informal resolution process at any time. If a party chooses to end the informal resolution process, the University will inform the Complainant of options, including the option to begin the investigative resolution process.
- D. The University will provide a facilitator, mediator, or decision-maker that is free from conflicts of interest and has received special training in order to facilitate resolution of the Formal Complaint. Training records can be found on the Title IX webpage, Title IX Team.
- E. Informal resolution can take any form that the parties agree upon. The Title IX Coordinator or designee will work with the parties to develop a form of resolution that adequately resolves the needs of the parties. This may include:
  - i. Facilitated Dialogue: A structured and facilitated conversation between two or more individuals, including, but not limited to the Complainant and the Respondent, which allows for voices to be heard and perspectives to be shared. Depending on stated interests, participants may work towards the development of a shared agreement.
  - ii. Shuttle Mediation: An indirect version of the facilitated dialogue with the Complaint and Respondent develop options or consider alternatives and endeavors to reach an agreement.
  - iii. Circle of Accountability: A facilitated interaction between the Respondent and University faculty and/or staff designed to provide accountability, structured support, and the creation of an educational plan.
- F. Depending on the form chosen, it may be possible for a Complainant to maintain anonymity throughout the informal resolution process.
- G. As part of the resolution process, additional measures (including, but not limited to educational programming, training, regular meetings with an appropriate university individual or resource, extensions of no contact orders, or counseling sessions) may be agreed upon.

## IV. FORMAL RESOLUTION & HEARINGS

- A. The Student Life Division, Title IX Team may resolve a report of Sexual Harassment through its formal resolution process when the alleged Sexual Harassment, if true, would be prohibited under applicable University policy. In instances when informal resolution is inappropriate, when any party requests, or when the University requires formal investigation, the University will consider the concerns and rights of all parties and provide a prompt, fair, impartial, and equitable process.
- B. Investigation
  - i. Following the filing of a Formal Complaint, an Investigator will be assigned to the case by the Title IX Coordinator. During the investigation, the Investigator will seek to meet separately with the Complainant, Respondent, and any relevant witnesses who may have information relevant to the incident. The Investigator may also gather or request other relevant information or evidence when available and appropriate. Both the Complainant and Respondent will be asked to identify witnesses and provide other relevant information in a timely manner to facilitate prompt resolution of the case. A dedicated member of Title IX Team does all investigations.
  - ii. Although both the Complainant and Respondent are advised to participate in the investigation process to enable a fair and equitable resolution to any case, neither the Complainant nor the Respondent are required to participate in the investigation process.
  - iii. Formal Complaints of sexual harassment may be consolidated were the allegations arise out of the same facts or circumstances.

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- iv. During the investigation process, parties have an equitable right to:
    - a. Receive notice of the allegations before participating in an interview with sufficient time to prepare for meaningful participation;
    - b. A process with reasonably prompt timeframes, with extensions for good cause, as described in the Procedure section below;
    - c. Present relevant information to the Investigator, including evidence and witnesses;
    - d. Receive timely and equal access to any relevant information, documentation, and evidence gathered during the investigation;
    - e. Have an advisor of their choosing, or through appointment by the University, including an attorney, advocate, or other support person who is not a potential witness in the investigation or could otherwise compromise the investigation, who provides support throughout the formal resolution process, including being present for any meetings or hearings; and
    - f. Investigators who are adequately trained to resolve cases of alleged Sexual Harassment are familiar with applicable policies and procedures, and who do not have a conflict of interest or bias for or against either party.
  - v. The University must provide a written notice of the date, time, location, participants, and purpose of all hearings, investigative interviews, or other meetings to all parties whose participation is invited or expected with sufficient time for the party to prepare to participate.
  - vi. The University will not restrict the ability of a Complainant or Respondent to discuss the allegations under investigation or to gather and present relevant evidence.
  - vii. Credibility determinations may not be based on a person's status as a Complainant, Respondent, or witness.
  - viii. Following the completion of the investigation, the Investigator will complete an investigative report on the allegations contained in the Formal Complaint. Before the report is finalized, the Investigator will send to each party and their advisors an electronic or hard copy of all evidence that is directly related to the allegations. The University must include all evidence directly related to the allegations, even if the investigator does not intend to rely on that evidence in making a determination of responsibility. The parties then have at least ten days to provide a written response, which the Investigator will consider before finalizing the investigative report. The finalized report is then circulated for no less than ten days before a hearing is held.
- C. Hearings
- i. A Decision Maker(s) oversees all hearings. All Decision Maker(s) have received special training on how to be impartial and are assigned to cases by the Title IX Coordinator to avoid any bias and present an objective analysis of the evidence. In no case is the Investigator for a given case also the Decision Maker(s).
  - ii. The Respondent is presumed not responsible for the alleged conduct until a determination regarding responsibility is made at the end of the investigation and hearings.
  - iii. The Decision Maker(s) will not require, allow, rely upon, or otherwise use questions or evidence that constitute, or seek disclosure of, information protected under a legally recognized privilege, unless the person holding the privilege has waived it.
  - iv. Credibility determinations may not be based on a person's status as a Complainant, Respondent, or witness.
  - v. Hearings are not legal proceedings and do not follow courtroom procedure or the formal rules of evidence. During any hearings, each party must have an advisor present to ask questions to the other party. This advisor does not need to be licensed to practice law and may be a person of the party's choice or, if they do not have an advisor, the University will provide an advisor for them.
  - vi. Questioning & Cross-Examinations
    - a. The Decision Maker(s) may question individual parties and witnesses.
    - b. Parties will have the opportunity to cross-examine the party or witness. Parties may never ask questions directly, and questions must be asked to the other party with a party's advisor. All questions asked must be relevant. Any questions determined not to be relevant by the Decision Maker(s) are not required to be answered.



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- c. If a party or witness is, absent from the live hearing or refuses to answer cross-examination or other questions, the Decision Maker(s) may not rely on any statement of that person in reaching a determination of responsibility. The Decision Maker(s) may not draw an inference about the determination regarding responsibility based solely on a party or witness' absence from the live hearing or refusal to answer cross-examination or other questions.
  - vii. If, at any point during the hearing, the Decision Maker(s) determines that unresolved issues exist that could be clarified through additional investigation time, the Decision Maker(s) may suspend the hearing and reconvene it in a timely manner that accommodates further investigation.
  - viii. Hearings may be conducted virtually with technology at the University's discretion. However, if either the Complainant or Respondent asks to be in separate rooms, the University must grant this request and provide appropriate technology to allow for simultaneous participation.
  - ix. All hearings will be memorialized through an audiovisual record and transcript of the live hearing. The recording or transcript will be made available for parties to inspect and review following their completion.
- D. Resolution
  - i. The Decision Maker(s) will communicate his or her decision to both parties, concurrently. The Decision Maker(s) will communicate the decision in writing and orally as soon as possible after the hearing. In all cases, the Decision Maker(s) will send the parties an outcome letter within ten days of the conclusion of the hearing.
  - ii. The Decision Maker(s) bases all conclusions by examining all evidence from the investigation and the hearing. Their conclusion is based on the preponderance of the evidence standard: If the evidence indicates that it is more likely than not that Respondent committed the alleged act(s), then the Respondent will be found responsible for violating this policy.
  - iii. The Decision Maker(s)'s written decision must include the following information:
    - a. Identification of the allegations potentially constituting Sexual Harassment;
    - b. A description of the procedural steps taken from the receipt of the Formal Complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held;
    - c. Findings of fact supporting the determination;
    - d. Conclusions regarding the application of the University's code of conduct to the fact;
    - e. A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctioned imposed upon the Respondent, and whether remedies designed to restore or preserve equal access to the University's education program or activity will be provided; and
    - f. The procedures and permissible bases for either party to appeal.
  - iv. If the Respondent is found responsible for violating this policy, the Decision Maker will consult with any appropriate university officials', depending if the respondent is a student or faculty/staff member. The in order to determine the corrective actions and/or sanctions to resolve the case. Any such corrective actions and/or sanctions will be outlined in the Decision Maker(s)'s written decision.
- V. APPEALS PROCESS
  - A. If either party disagrees with the outcome of the Decision Maker(s)'s determination, they may file a written appeal with the Title IX Coordinator within ten days of receiving the Decision Maker(s)'s written decision.
  - B. Appeals may be filed due to:
    - i. A procedural irregularity that affected the outcome.
    - ii. New evidence being discovered that was not reasonably available at the time of the determination or dismissal.
    - iii. A conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter of the Investigator or investigator(s), or decision-maker(s).

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- C. The Assigned Appeal Decision Maker will examine all evidence in order to determine if the appeal has merit. The Assigned Appeal Decision Maker will make an unbiased objective conclusion as to the appeal's merit and issue a written decision describing the result of the appeal and the rationale for the result; and will provide the written decision simultaneously to both parties.

## VI. RECORDKEEPING

- A. The University shall maintain all records relating to Formal Complaints of Sexual Harassment, as well as all training materials used under this Policy, for seven years.

### RESOURCES:

Campus Resources	Contact Information	Privacy Level
Victim Advocate	Heidi Vandermark Success Center 202J hjvandermark@manchester.edu 260-982-5415	Confidential
University Pastor	Rebekah Houff Petersime Chapel rlhouff@manchester.edu 260-982-5243	Confidential
University Counseling	April White JYSC 202G adwhite@manchester.edu 260-982-5888	Confidential
North Manchester	260-982-5999	Non-Confidential
Campus Safety	Clark Computer Center	Non-Confidential
Fort Wayne	260-266-1800	Non-Confidential
Campus Security		Updated 7/30/2020
Off Campus Resources	Scope/Purpose	Privacy Level
Sexual Assault	Open 24 hours	Confidential
Treatment Center	1420 Kerrway Ct. Fort Wayne, IN 46805 260-423-2222	
Parkview Hospital ER	Wabash: Emergency Room (Open 24 Hours) 911 10 John Kissinger Dr. Wabash, IN 46992 260-563-3131 Fort Wayne: Emergency Room Open 24 Hours) 911 11109 Parkview Plaza Dr. Fort Wayne, IN 46845	Circumstantial
North Manchester	911	Circumstantial
Police Dept.	Address: 709 W Main St North Manchester, IN 46962 Non-Emergency-Phone: (260) 982-855	
Fort Wayne Police Dept.	911 Address: 1 E Main St 108	Circumstantial

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Fort Wayne, IN 46803  
Non-Emergency-Phone:  
(260) 427-1222

Updated 7/30/2020

## TITLE IX TEAM

Manchester University receives annual training for all Title IX roles, which can be found on the University Title IX Webpage. The University reserves the right to interchange trained members of the Title IX team to meet the needs of each investigation. Manchester University reserves the right to contract with outside providers for roles as need is presented. The Title IX Coordinator will assign team members roles at the start of each investigation and provide written notice to all parties. Please reference the primary role of each member and contact information below:

Roles	Contact Information
Title IX Coordinator	Ali Goetcheus Student Life 260-982-5721 Aigoetcheus@manchester.edu
Deputy Coordinator-North Manchester Campus	Tami Hoagland Athletics PERC 214 260-982-5390 TLHoagland@manchester.edu
Deputy Coordinator- Fort Wayne Campus	Tayshia Williams Human Resources Fort Wayne Campus 260-470-2702 TSWilliams@manchester.edu
Investigator	Brandee Estes Human Resources CU HR Suite 260-982-5288 bjestes@manchester.edu
Investigator	Jessica Montalvo Student Life 127E 260-470-2655 jmmontalvo@manchester.edu
Investigator	Barb Burdge Academics ACEN 214 260-982-5365 bjburdge@manchester.edu
Decision Maker/Hearing Officer	Abigail Van Vlerah Student Life Chinworth Center 260-470-5132 ALVanVlerah@manchester.edu
Appeals	Julie Knuth Administration

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Funderburg Library  
260-982-5214  
JJKnuth@manchester.edu

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## NON-VIOLENCE STATEMENT

The University strives to provide a safe campus for all employees, students and guests. To help ensure a safe campus and to reduce the risk of violence, all employees, students and guests should review and understand all provisions of MU's Non-Violence Policy

### Prohibited Conduct

Manchester University does not tolerate any type of violence (including sexual violence) involving its employees, students or guests. Employees, students and guests are prohibited from making threats or engaging in violent activities.

The following behaviors, while not all inclusive, are examples of prohibited conduct:

- Causing physical injury to another person
- Any type of Sexual Assault or Sexual Violence (see definitions)
- Making threatening remarks or gestures
- Displaying aggressive or hostile behavior that creates a reasonable fear of injury to another person or subjects another individual to emotional distress
- Intentionally damaging University property or property of another employee, student or guest
- Possessing a weapon without authorization in campus facilities

### Dangerous/Emergency Situations

Employees, students and/or guests who confront or encounter an armed or dangerous person should not attempt to challenge or disarm the individual. Try to remain calm, make eye contact, and talk calmly to the individual. If the Parkview Police and Public Safety 260-288-1800 or local police (911) can be safely notified of the need for assistance without endangering anyone's safety, do so. Otherwise, cooperate with the person.

### Enforcement

Sexual violence, threats, threatening conduct, or any acts of aggression or violence on the campus will not be tolerated.

- Any employee who has committed such acts will be subject to corrective action, up to and including termination.
- Any student who has committed such acts will be subject to Honor Code outcomes up to and including expulsion.
- Non-employees engaged in violent acts on University property will be reported to the proper authorities and prosecuted. And, if appropriate, their access to campus may be restricted.

## EMERGENCY RESPONSE AND EVACUATION PROCEDURES

In the event of a serious incident that poses an immediate threat to members of the campus community, the University has various systems in place for communicating information quickly to those individuals. Some or all of these methods of communication may be activated in the event of an immediate threat to the Manchester University community. These methods include a public address system, InformaCast telephone messages, network emails, emergency text messages and voicemail messages sent to cell phones via a mass notification system.

Through the publication of this annual report, and through other media, members of the campus community are notified that they should immediately call the Fort Wayne Police Department, 911, and/or Parkview Police and Public Safety, 260-266-1800, of any situation or incident on campus that involves a significant emergency or dangerous situation that may involve an immediate or ongoing threat to the health and safety of students and/or employees on campus. Parkview Police and Public Safety officers have the responsibility of responding to, and summoning the necessary resources, to mitigate, investigate and document any situation that may cause a significant emergency or dangerous situation. In addition, Parkview Police and Public Safety has the responsibility to respond to such incidents to determine if the situation does in fact pose a threat to the



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community. If that is the case, Federal law requires that the institution immediately notify the campus community or the appropriate segments of the community that may be affected by the situation.

If Parkview Police and Public Safety officers confirm that there is an emergency or dangerous situation that poses an immediate threat to the health or safety of some or all members of the campus community it is their responsibility to notify Manchester University Safety, 260-982-5999, who will summon the Emergency Operations Team (Safety Supervisors, Information Technology Services (ITS) and Media and Public Relations) who will collaborate to determine the content of the message and will use some or all of the systems described above to communicate the threat to the campus community or to the appropriate segment of the community, if the threat is limited to a particular segment of the population. The Emergency Operations Team, without delay, and taking into account the safety of the community, determine the content of the notification and initiate the notification system, unless issuing a notification will, in the judgment of the first responders (including but not limited to security officers, law enforcement, fire and emergency medical personnel), compromise the efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency.

## 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).

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.

To prepare for a protective order hearing, you should, if you can, bring witnesses, pictures of your injuries, police and medical reports and any other information you have about the violence.

## Frequently asked questions

- Do I need an attorney to obtain a protective order?
  - o No.
- Is there a fee to get a protective order?
  - o No.
- Can I get a protective order from any court in Indiana?
  - o 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?
  - o 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?
  - o 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?
  - o 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?
  - o 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?
  - o 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.



# SECURITY REPORT

## Sanctions

If the accused student is found responsible for violating campus policy, the Administrative Hearing Officer or Hearing Panel will consult with the Vice President of Student Life, 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 Director 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.

The guidelines for student violations of this policy include

Violation	Sanction Range
Dating Violence	Disciplinary Probation to Expulsion
Domestic Violence	Disciplinary Probation to Expulsion
Stalking	Disciplinary Probation to Expulsion

## NOVEMBER 2016 CARE GRANT/AND CONTINUATION GRANT CYCLE EFFECTIVE 2019

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 dovetails with MU Title IX policies and procedures. Manchester applied for and received a continuation of the grant effective October 2019 through September 2020.

## Programming Provided

Sexual Violence/Domestic Violence/Stalking Programming and Training: The CARE Initiative is an office dedicated towards intimate partner violence prevention as well prevention pertaining to violence against our community including sexual assault, dating/domestic violence and stalking.

## 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)





Center for Victim and Human Rights  
(legal assistance to file a protective order)  
317-610-3427  
[www.cvhr.org](http://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 discomfort 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.

**Clarification A:** This policy is not intended to prohibit the possession of small folding pocket knives, 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.

## ANNUAL TEST OF EMERGENCY RESPONSE AND EVACUATION PROCEDURES

In accordance with the Higher Education Opportunity Act, on an annual basis, the Emergency Management and Safety Committee 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, on each of the Manchester University campuses. 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

Manchester University works to educate the campus community on sound safety practices. Safety and security-related topics are a part of the programs planned for students and employees throughout the year. University Safety sponsors annual crime prevention programs to student groups, including self-defense programs presented by University Safety staff and other personnel upon request. Programs and videos are also available upon request for all campus groups. A campaign was also initiated to encourage the campus community to sign up to receive emergency test messages via InformaCast.

## STUDENT/EMPLOYEE RESPONSIBILITY

The cooperation, involvement and personal support of students and employees is crucial to campus 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 precautions:

- Do not prop open exterior doors to building.
- Lock room doors, even when leaving for short periods of time.
- Ask visitors to identify themselves before admitting them into the building.
- 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 immediately.



# SECURITY REPORT

## 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 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 Fort Wayne Police Department, the Allen County Sheriff's Department, the Indiana State Police, and the Indiana State Excise Police, as well as Parkview Police and Public Safety provide the Director of 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 Dean of the College of Pharmacy, Fort Wayne Facilities Coordinator & Human Resources Liaison, Parkview Police and Public Security 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 does 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."

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. Manchester University College of Pharmacy does not have on-campus student housing facilities.



# SECURITY REPORT

**Criminal Offenses Reporting Table**

OFFENSE	YEAR	GEOGRAPHIC LOCATION	
		ON-CAMPUS PROPERTY	PUBLIC PROPERTY
MURDER/NON-NEGLIGENT MANSLAUGHTER	2018	0	0
	2019	0	0
	2020	0	0
MANSLAUGHTER BY NEGLIGENCE	2018	0	0
	2019	0	0
	2020	0	0
RAPE	2018	0	0
	2019	0	0
	2020	0	0
FONDLING	2018	0	0
	2019	0	0
	2020	0	0
INCEST	2018	0	0
	2019	0	0
	2020	0	0
STATUTORY RAPE	2018	0	0
	2019	0	0
	2020	0	0
ROBBERY	2018	0	0
	2019	0	0
	2020	0	0
AGGRAVATED ASSAULT	2018	0	0
	2019	0	0
	2020	0	0
BURGLARY	2018	0	0
	2019	0	0
	2020	0	0
MOTOR VEHICLE THEFT	2018	0	0
	2019	0	0
	2020	0	0
ARSON	2018	0	0
	2019	0	0
	2020	0	0



# SECURITY REPORT

**VAWA Offenses Reporting Table**

OFFENSE	YEAR	GEOGRAPHIC LOCATION	
		ON-CAMPUS PROPERTY	PUBLIC PROPERTY
DOMESTIC VIOLENCE	2018	0	0
	2019	0	0
	2020	0	0
DATING VIOLENCE	2018	0	0
	2019	0	0
	2020	0	0
STALKING	2018	0	0
	2019	0	0
	2020	0	0

**Criminal Offenses Reporting Table**

OFFENSE	YEAR	GEOGRAPHIC LOCATION	
		ON-CAMPUS PROPERTY	PUBLIC PROPERTY
ARRESTS: WEAPONS: CARRYING, POSSESSING, ETC.	2018	0	0
	2019	0	0
	2020	0	0
DISCIPLINARY REFERRALS: WEAPONS: CARRYING, POSSESSING, ETC.	2018	0	0
	2019	0	0
	2020	0	0
ARRESTS: DRUG ABUSE VIOLATIONS	2018	0	0
	2019	0	0
	2020	0	0
DISCIPLINARY REFERRALS: DRUG ABUSE VIOLATIONS	2018	0	0
	2019	0	0
	2020	0	0
ARRESTS: LIQUOR LAW VIOLATIONS	2018	0	0
	2019	0	0
	2020	0	0
DISCIPLINARY REFERRALS: LIQUOR LAW VIOLATIONS	2018	0	0
	2019	0	0
	2020	0	0



## Hate Crimes

There were no hate crimes reported for 2018, 2019 or 2020

## Unfounded Crimes

There were no unfounded crimes reported for 2018, 2019 or 2020

For Clery Act reporting purposes, 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 Honor Code Committee 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:** 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.













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This booklet is provided in compliance with the federal Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act of 1998 (formerly the Crime Awareness and Campus Security Act of 1990) and the Higher Education Opportunity Act of 2008 (Public Law 110-315).

**FORT WAYNE CAMPUS  
EMERGENCIES DIAL 260-266-1800**