

UNIVERSITY OF EVANSVILLE

2018

# Annual Security and Fire Safety Report

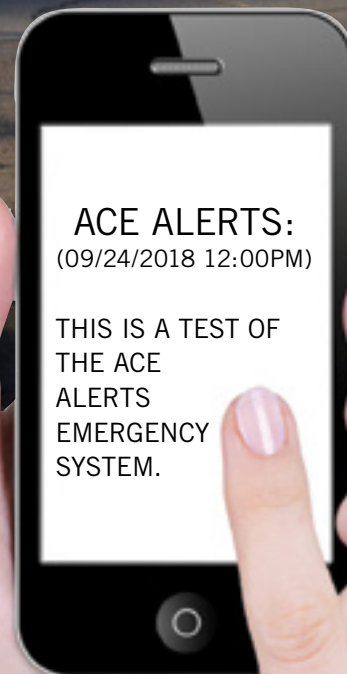
EMERGENCY

EMERGENCY

**812-488-6911**

NON-EMERGENCY

**812-488-2051**



UNIVERSITY OF  
EVANSVILLE®

## INTRODUCTION

The University of Evansville is committed to providing as safe and secure an environment as possible for all members of the campus community. Unfortunately, there are no risk-free environments. Although the record for personal safety on our campus has been outstanding for many years, some incidents have occurred. To assist in the prevention of such incidents, a competent residence life staff, trained security officers, and the faculty, the staff, and students must all share some responsibility for taking measures to ensure that they and their possessions are adequately protected. The University understands its role in this regard and is committed to developing programs and procedures that support an environment of well-being for the activities of its students, employees, and guests. Questions or suggestions about University safety programs or procedures may be directed to the Office of Safety and Security, 812-488-2051, or the Office of the Vice President for Student Affairs and Dean of Students, 812-488-2500.

## OFFICE OF SAFETY AND SECURITY

The University of Evansville Office of Safety and Security coordinates campus safety and security. The office is located at One South Frederick Street and is open 24 hours a day, providing around-the-clock protection and services. Foot and vehicular patrols are conducted 24 hours a day throughout the year.

The office is staffed by a director who reports directly to the vice president for student affairs, two sergeants, a corporal, five security officers, an administrative assistant, and four radio/telephone operators. New University security officers are sent to the Indiana Campus Law Enforcement Administrators 40-hour Campus Protection Officers course for training, as staffing allows. This school is conducted once a year. In addition, all officers receive monthly training and maintain certification in basic first aid, CPR, and the use of AEDs.

Student personnel are also employed during the school year to assist in the performance of a number of services. A select group of the student personnel make up the ACE patrol, which performs campus escorts and patrols around residence halls, academic buildings, and parking lots. Other student personnel perform parking enforcement services.

The campus security officers are charged with the enforcement of federal, state, and local laws and ordinances, as well as University policies and regulations. Campus security officers are not sworn police officers and have no police or arrest powers. Although the Office of Safety and Security does not have any written "memorandum of understanding" (MOU) agreements with local, state, or federal law enforcement agencies, it maintains an outstanding working relationship with the city of Evansville police department as well as the Vanderburgh County police department, Indiana State agencies and local federal agencies. Whenever it is necessary for officers from these agencies to come to campus on official business, they will normally get in touch with the Office of Safety and Security for assistance.

In addition to law enforcement, security, and emergency procedure responsibilities, the Office of Safety and Security provides a number of support services for the needs of the campus community. Some of those services include:

- Registering vehicles and providing parking permits for members of the campus community
- Preparing photo identification cards for all members of the campus community

- Providing evening escort services
- Providing transportation to the Crayton E. and Ellen Mann Health Center for minor emergencies or illnesses, or from the health center to the hospital
- Providing assistance in starting stalled vehicles
- Inspecting and maintaining all fire extinguishers
- Maintaining a lost and found department
- Inspecting buildings and grounds for safety compliance

A close working relationship is maintained between the Physical Plant and the Office of Safety and Security. Physical Plant personnel maintain the buildings and grounds with a concern for safety and security. When broken windows, locks, or lights are reported to the security office, or are discovered by security officers during their patrols, they are reported to the Physical Plant. These reports are responded to quickly and the needed repairs or replacements are made to maintain a high level of safety and security for the campus.

Members of the Office of Safety and Security make periodic inspections of all campus lighting and shrubbery. Physical Plant personnel and Office of Residence Life staff assist the Office of Safety and Security in detecting problem areas on campus caused by overgrown trees and other vegetation, and they suggest where improved lighting may be needed. All members of the campus community are encouraged to contact the Office of Safety and Security whenever they find areas on campus they believe should be of concern. Areas that need improvements are promptly corrected.

## REPORTING EMERGENCIES AND CRIMINAL ACTIVITY

All members of the campus community are expected to assist in making the campus a safe place by reporting emergencies and criminal activity directly to the Office of Safety and Security by dialing the campus emergency number, extension 6911. Emergency calls may also be made directly to the Evansville city police by dialing 9911. These numbers are posted throughout the residence halls, in the campus telephone directory, and on campus telephones. Free on-campus telephones are located in the lobbies of most campus buildings and in all residence halls and outside their main entrances. These readily accessible telephones can be used to contact the Office of Safety and Security in an emergency by dialing extension 6911 or extension 2051 for non-emergencies.

Emergency telephones have also been placed in strategic locations around campus. Thirteen of the telephones are located in outside areas of the campus. They are easily recognizable by the blue lights on top and "Emergency" written on the sides of the poles containing the telephones. Four others are located in apartment complex laundry rooms, near the basement music practice rooms in Krannert Hall of Fine Arts, and in Carson Center. All emergency telephones have autodial mechanisms that dial directly to the security office on special emergency lines. All the outside emergency telephones are compliant with requirements of the Americans with Disabilities Act.

Trained radio-telephone operators are available 24 hours a day to respond to emergency calls. When notifying the Office of Safety and Security of an emergency or criminal activity, you should be prepared to supply the following information to the dispatcher:

- Nature of incident
- Location of incident
- Description of person(s) involved, if criminal in nature

- Description of property involved, if criminal in nature
- Suspected injury or condition, if medical emergency
- Your name and where the responding officer can locate you

**If you witness a violent crime or criminal behavior, do not take any chances! Notify security immediately.**

When the call is received, security officers will be dispatched immediately to the site of the complaint. They prepare and submit incident reports to the Office of Safety and Security. You should remain available to assist the officers when they arrive by supplying them with additional information. Ask others to do the same. If assistance is needed from other medical emergency or law enforcement personnel, they are notified by the radio-telephone operator when requested by the responding officer.

## EMERGENCY RESPONSE AND EVACUATION PROCEDURES

The University of Evansville has an Emergency Response Plan and an Emergency Alert/Severe Weather Notification Plan. The Emergency Response Plan is a comprehensive document addressing the multiple aspects of appropriate response. A significant component of the Emergency Response Plan is implementing procedures outlined in the Emergency Alert Plan.

### Emergency Alert/Severe Weather Notification Plan

The Emergency Alert/Severe Weather Notification Plan is intended for the immediate transmission of specific information regarding an emergency to all affected areas of the University. Campus emergency alert notification is made through ACE Alerts, the University's emergency notification alerts system. Through this system, alerts can be sent to campus telephones, cell phones, email, campus computers, campus television system, and audible messages through the speaker system in residential facilities. To receive text message notification, members of the campus community must update their University profile to include their cell phone number. A test of the Ace Alerts Emergency Notification System will be conducted in the fall and spring semesters every year. Text message will not be sent during these tests, but will be sent in actual emergencies.

### Timely Warnings

In the event that a situation arises, either on or off campus, that, in the judgment of the chief of security, could possibly constitute an ongoing or continuing threat to the University of Evansville campus community, after consultation with the vice president of student affairs, a campus-wide "Timely Warning" will be issued by the Office of Safety and Security. These warnings are issued as a means of heightening awareness and help prevent recurrences. Campus-wide warnings will be issued using ACE Alerts, the University's emergency alert notification system.

In the event of a threat to the safety of the campus community, the director of safety and security, or his designee, contacts the vice president for student affairs and the initial information is reviewed for confirmation of the threat and necessary and needed communications is considered. Upon confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on the campus, the University will, without delay, and taking into account the safety of the community, determine the content of the notification and initiate the Emergency Alert/Severe Weather Notification Plan, unless the notification will, in the professional judgment of responsible

authorities, compromise efforts to assist victims or to contain, respond to, or otherwise mitigate the emergency.

Upon confirmation, the appropriate methods of notification will be initiated, depending upon the type and severity of the threat. If the threat could extend beyond the confines of the campus, information will also be made available to the local radio and TV stations through the Office of University Relations. Individuals responsible for assisting in the dissemination of information include the director of safety and security, vice president for student affairs/dean of students, assistant vice president for student affairs and director of residence life, director of technology services, and the vice president of marketing and communications.

### Active Threat Siren

During an active threat emergency situation (non-weather related), an audible tone will play over the IP phones and the external notification systems. When the siren is heard, the campus community should consult their text messaging or email for information about the active threat. You can hear the tone on Office of Safety and Security website: Click "Emergencies and Reporting" and then "Emergency Notification System." (Note: Residence hall sirens will sound in the event of a weather related emergency such as a tornado warning).

The University of Evansville will test the emergency response and evacuation procedures on an annual basis. Throughout the year the Emergency Response Team will meet and train on the University's response to critical incidents through a variety of exercises including table top and functional exercises. An annual campus-wide exercise will be conducted that would practice the University's emergency response and evacuation procedures as appropriate. These tests may be announced or unannounced, depending upon the type of exercise. Members of the campus community are encouraged to review the University's emergency response information available at [www.evansville.edu/safety](http://www.evansville.edu/safety), [www.evansville.edu/residencelife](http://www.evansville.edu/residencelife), the online University Telephone Directory and in the Emergency Response Guide, which are available in all academic and administrative departments.

## TIMELY WARNING/ EMERGENCY NOTIFICATION

Emergency notification does not replace the timely warning requirement. The timely warning requirement applies to Clery reportable crimes while the emergency notification requirement addresses a much wider range of threats (e.g., gas leaks, tornadoes, health concerns, etc.). Although the Clery Act mandates timely warnings only for Clery crimes, nothing in the law prohibits timely warnings for other crimes that may pose a serious or continuing threat to the campus community. Emergency notification is required for immediate threats to the health and safety of students and employees. A timely warning is not required to be issued if an emergency notification has been issued for the same circumstances.

## VOLUNTARY CONFIDENTIAL REPORTING

If you are the victim of a crime and do not want to pursue action within the University system or the criminal justice system, you may still want to consider making a confidential report. With your permission, the chief of safety and security or a supervisor designee within the Office of Safety and Security can file a report on the details of the incident without revealing your identity. The purpose of a confidential report is to comply with your wish to keep the

matter confidential while taking steps to ensure the future safety of yourself and others. With such information, the University can keep an accurate record of the number of incidents involving students, determine where there is a pattern of crime with regard to a particular location, method, or assailant, and alert the campus community to potential danger. Reports filed in this manner are counted and disclosed in the annual crimes statistics for the institution. You have the right to change the report at any time and initiate criminal or University proceedings.

## CONFIDENTIAL REPORTING TO COUNSELORS

Campus pastoral counselors and campus professional counselors, when acting as such, are not considered to be a campus security authority and are not required to report crimes for inclusion in the annual disclosure of crime statistics. As a matter of policy, they are encouraged when they deem it appropriate, to inform persons being counseled of the procedures to report crimes on a voluntary basis to the Office of Safety and Security or local law enforcement.

A pastoral counselor is an employee of the University who is associated with a religious order or denomination, is recognized by that religious order or denomination as someone who provides confidential counseling, and functions within the scope of that recognition as a pastoral counselor

## SEX OFFENSE INFORMATION

### SEXUAL MISCONDUCT

#### Introduction

The University is committed to fostering an atmosphere free from sexual harassment, sexual violence, gender-based harassment, and other sexual misconduct (all referred to in this policy as “sexual misconduct”) and to creating an inclusive campus for students regardless of their sex, sexual orientation, or gender identity. These commitments include identifying problems that may lead to sexual misconduct, creating an atmosphere in which the entire University community is sensitive to preventing sexual misconduct and effectively responding when a student, visitor, guest, or program participant believes they may have been the victim of sexual misconduct. An important part of fostering an atmosphere free from sexual misconduct is stating clearly that retaliating [getting back] against a person who reports sexual misconduct or who is involved in an investigation or proceeding concerning sexual misconduct is prohibited. The University strongly encourages any student, visitor, guest or program participant who feels he or she has been a victim of sexual misconduct to report the sexual misconduct. Included in this policy is specific information about reporting options.

The University strongly supports an individual’s desire for confidentiality in cases involving sexual misconduct. An individual has the option of requesting that a report of sexual misconduct be kept confidential, that his or her name not be disclosed to the other student, and that no investigation or disciplinary action be taken against the other student. In such cases, the University will make a careful assessment to determine if such requests can be honored while still providing a safe environment for all students and other members of the University community. Included in this policy is specific information about the levels of confidentiality provided by law.

Human sexuality involves our whole being as persons. It includes powerful emotions and extreme intimacy with profound psychological, physical, and spiritual implications. Ill-advised intimacy can leave one feeling guilty and lonely. In addition, sexually

active individuals should be conscious of the threat of sexually transmitted diseases and should make themselves aware of the various ways to prevent transmission of sexually transmitted diseases.

It is the responsibility of all members of the University community to be familiar with this Sexual Misconduct Policy in order to determine appropriate or inappropriate sexual behavior and to engage in the appropriate processes for reporting and resolving a violation of this policy. This policy applies regardless of sexual orientation or gender identity. Questions about this policy may be directed to the Title IX Director, the Office of the Dean of Students or Office of Counseling Services.

### Important Definitions

#### 1. Consent: Definition of Consent

Consent is the basis for an appropriate sexual encounter. Consent must be present before an individual initiates a sexual encounter or moves on to a different kind of sexual activity during a sexual encounter. Individuals should speak openly and clearly to each other about their expectations and actions before engaging in sexual activity.

Consent is defined in this policy as the voluntary, unambiguous and affirmative agreement to engage in a specific sexual activity during a sexual encounter. An individual who is asleep, or mentally or physically incapacitated, either because of the effects of alcohol or drugs, or for any other reason, is unable to give consent. In addition, an individual who participates in sexual activity because of force, the threat of force, duress, intimidation, or coercion is unable to give consent.

Consent may not be taken for granted because of the existence of a prior or current relationship or because of prior sexual activity.

Consent must take the form of clearly understandable words or actions. These words or actions must state the individual’s agreement to engage in a specific sexual activity. While an individual may consent to one level of sexual activity, like kissing – consent must also be present to take this sexual activity to a more intimate level – for example, the touching or stroking of a partner’s genitals.

Consent should not be implied because of the way a person dresses, because someone has agreed to go on a date or because of an invitation to return to a dorm or fraternity/sorority sleeping room.

Alcohol may impair an individual’s ability to make voluntary and clearly understood choices. It is very important that before engaging in any form of sexual activity a partner’s intoxication level be taken into account. It is always the responsibility of the person initiating the sexual activity to ensure consent has been effectively communicated and the participating individual retains the ability to provide consent before and during the sexual activity. Engaging in sexual activity while under the influence of alcohol or with a partner who is under the influence of alcohol may lead to bad things happening: things that may ruin your college experience or career plans.

#### 2. Reporting Party: Definition of Reporting Party

A reporting party is a person who reports an incident of sexual misconduct to a responsible employee. A responsible employee who reports any incident of sexual misconduct is both a reporting party and a responsible employee. If the reporting party is the same person who reports they have been the victim of sexual misconduct they will then be referred to as the Complainant (see below).

### 3. **Complainant: Definition of Complainant**

The Complainant is defined as a student, visitor, guest or program participant who reports they have been the victim of sexual misconduct.

### 4. **Respondent: Definition of Respondent**

The Respondent is defined as a student who is alleged by the Complainant to have committed an act or acts of sexual misconduct.

### 5. **Sex and Gender: Definitions of Sex and Gender**

For the purpose of this policy, "sex," when applied to an individual, refers to the biological and physiological characteristics that define men and women. Sex is assigned at birth and recorded on a birth certificate and can be re-assigned and recorded on an amended birth certificate. "Gender" is a more fluid concept. It includes the cultural roles, attitudes, and expectations that a society associates with the different sexes. It also includes an individual's internal sense of how they identify within those roles and expectations and their individual decisions about how to express that identity. An individual's gender identity may be the same or different from the same person's sex assigned at birth.

### 6. **Sexual Misconduct: Definition of Sexual Misconduct**

Sexual misconduct is a broad term that includes sexual violence, sexual harassment, creating a hostile environment, sexual exploitation, domestic violence, dating violence, stalking, retaliation, and intimidation. Sexual misconduct is of a nonconsensual nature if the Complainant objected or clearly attempted to object to the conduct, or if his or her capacity to consent was substantially impaired by reason of physical force, threat or intimidation, lack of opportunity to object, physical or mental disability, drug or alcohol consumption, or other voluntary or involuntary cause..

### 7. **Sexual Assault: Definition of Sexual Assault**

Sexual assault refers to any actual, attempted, or threatened form of nonconsensual sexual intercourse or other sexual conduct of a forcible, threatening, or otherwise nonconsensual nature. This includes rape, attempted rape, deviant sexual conduct, sexual battery or forcible fondling, deviant sexual behavior, incest and statutory rape.

### 8. **Sexual Harassment and Gender-based Harassment: Definitions of Sexual Harassment and Gender-based Harassment**

Sexual harassment is unwelcome conduct of a sexual nature. Sexual harassment creates a hostile, intimidating, or offensive environment. It can include, but is not limited to, unwelcome sexual advances, requesting, offering, or suggesting a trade of sex for a desired result. Sexual harassment also includes verbal, nonverbal, or physical conduct of a sexual nature if the conduct is sufficiently severe, persistent, or pervasive to interfere with or limit a student or a member of the University communities' ability to participate in or benefit from the academic, educational, extra-curricular, athletic, or other programs of the University. Gender-based harassment includes acts of verbal, nonverbal, or physical aggression, intimidation, or hostility based on sex, gender, gender identity, or gender expression, whether or not the conduct is sexual in nature. Both sexual harassment and gender-based harassment can occur in any communication format, including, but not limited to face-to-face, telephone, written, and electronic interactions.

Some examples of sexual or gender-based harassment include:

- Sexually explicit profanity
- Sexual humor or sexually suggestive language
- Unnecessary remarks about parts of the body

- Obscene gestures

- Cyberbullying that is based on gender or sexual activity

- Unwelcome touching

- Sexual assault or violence

- Inappropriate remarks about a person's sex, gender identity or sexual orientation

- The display of sexual pictures or images

- Forced sexual activity

- The use of electronic media (like email or text messaging) to send sexually charged words, images, or messages

All forms of sexual misconduct identified in this policy are also prohibited forms of sexual harassment.

### 9. **Sexual Exploitation: Definition of Sexual Exploitation**

Sexual exploitation refers to any situation in which sexual advantage of another person is taken without that individual's consent. This includes voyeurism and recordings (photo, audio, or video) of sexual activity (sometime referred to as "revenge porn"), administering alcohol or drugs without consent, exposure of one's genitals, buttocks, or breasts, and providing opportunities for others to view consensual sexual activity without the knowledge and consent of all parties to the consensual sexual activity.

### 10. **Domestic Violence: Definition of Domestic Violence**

Domestic violence is defined as student-on-student violence committed by a current or former spouse or intimate partner of the Complainant, by a person with whom the Complainant shares a child in common, by a person who is cohabitating with or has cohabitated with the Complainant as a spouse, by a person similarly situated to a spouse of the Complainant under the domestic or family violence laws of Indiana.

### 11. **Dating Violence: Definition of Dating Violence**

Dating violence is defined as violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the Complainant. The existence of such a relationship is determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. For the purposes of this definition, dating violence would include, but would not be limited to, sexual or physical abuse or the threat of such abuse.

### 12. **Stalking: Definition of Stalking**

Stalking is defined as a knowing or an intentional course of conduct involving repeated or continuing harassment of another person that would cause a reasonable person to feel terrorized, frightened, intimidated, or threatened and that actually causes the Complainant to feel terrorized, frightened, intimidated, or threatened. The term does not include statutorily or constitutionally protected activity.

### 13. **Intimidation: Definition of Intimidation**

Intimidation occurs when a person communicates in any manner a threat to another person with the intent that the other person engage in sexual conduct against the other person's will.

### 14. **Retaliation: Definition of Retaliation**

Retaliation occurs when an effort is made to get back at any person because he or she reports sexual misconduct or opposes sexual misconduct or who is involved in an investigation of reported sexual misconduct. Retaliation is also

prohibited against any member of the investigative team, witnesses, or individuals involved with the investigation or adjudication of a report or complaint of sexual misconduct. Retaliation includes intimidating, threatening, coercing, or in any way discriminating against a person because of their complaint or involvement in the complaint process. The University will take prompt and appropriate action to investigate retaliation and it will take strong responsive action against anyone who engages in retaliation. This prohibition against retaliation covers a wide range of participants and interested parties including, but not limited to, the Complainant, Respondent and the family and friends of the Complainant and Respondent.

#### 15. Title IX Director: Definition and Identity of the Title IX Director

Title IX of the 1972 Education Amendments forbids institutions receiving federal funds from discriminating against students on the basis of sex or gender identity. All forms of sexual misconduct described in this policy are prohibited by Title IX, and the University has the responsibility to investigate all Title IX complaints. Tracey Folden, EdD, assistant vice president for academic affairs, is responsible for overseeing Title IX. Folden's office is located in Room 204 of Olmsted Hall. Her telephone number is 812-488-2509. Her email address is tf91@evansville.edu. It is the responsibility of the Title IX Director to ensure that the University's Policy is followed with respect to reporting, investigating, and responding to allegations of sexual misconduct. The Title IX Director will enlist the assistance of other University employees to facilitate the appropriate response to any allegation of sexual misconduct. Questions regarding Title IX should be directed to Folden. In addition, questions regarding Title IX may also be addressed to the Office of Civil Rights, United States Department of Education, at 500 W. Madison Street, Suite 1427, Chicago, Illinois 60661.

#### 16. Definition of Responsible Employee

A "responsible employee" must report incidents of sexual misconduct to the Title IX Director or other appropriate school designee. This includes information about incidents a responsible employee knows or reasonably should have known about. For the purposes of this policy, a responsible employee is defined as a University employee who has the authority to redress sexual misconduct, who has the duty to report incidents of sexual misconduct or other student misconduct, or who a student could reasonably believe has this authority or duty. The following employees are considered responsible employees: **all full-time, part-time, visiting, and volunteer faculty, administrators, staff, coaches, and resident assistants.**

A responsible employee must report the incident, including all relevant details. This includes the names of the Respondent (if known), the name of the student, visitor, guest or program participant who experienced the sexual misconduct, other students involved in the alleged sexual misconduct, as well as relevant facts, including the date, time and location of the alleged misconduct to the Title IX Director, Tracey Folden, Assistant Vice President for Academic Affairs; the Human Resources Department; the Dean of Students office; the Office of Residence Life; or the Office of Safety and Security. To the extent practicable, information reported to a responsible employee will be shared only with the University officials responsible for responding to the report.

## Scope of Policy

This policy applies to prohibited conduct both on campus and away from campus, regardless of where sexual misconduct takes place, if the conduct occurs in the context of a University sponsored or sanctioned education program or activity. This policy also applies if the conduct has continuing effects on campus or in an off-campus education program or activity. This policy applies to all students regardless of sexual orientation or gender identity. If the University believes there is reasonable cause that prohibited conduct has occurred; the University reserves the right to initiate an investigation regardless of whether or not the case is reported to law enforcement agencies. The University may impose sanctions if the prohibited conduct occurs on University owned or leased property, in other locations (such as off-campus houses), at University functions (including off-campus functions) or in connection with a University-sponsored organization, program, or activity if the conduct had continuing effects on campus or in an off campus education program or activity.

The University reserves the right to contact law enforcement authorities for action separate from or in addition to University disciplinary action.

## Scope of Confidentiality When Reporting Sexual Misconduct

The University encourages all students who believe they have experienced some form of sexual misconduct [hereinafter called the "Complainant"] to talk to somebody about what happened - so they can get the support they need and the University can respond appropriately. Different employees on campus have different abilities to maintain a Complainant's confidentiality.

A student who believes they have experienced sexual misconduct (Complainant) has the following options to choose from when reporting sexual misconduct:

### Reporting Option One:

#### Professional and Pastoral Counselors

The University's professional, licensed counselor(s) [including those who act in that role under the supervision of a licensed counselor] and pastoral counselors who provide mental-health counseling to members of the University community are not required to report *any* information about an incident to the Title IX Director without a Complainant's permission. The following is the contact information for these individuals:

1. Karen Stenstrom, LCSW, *director of counseling services*  
University Counseling Center  
Room 200, Ridgway University Center  
812-488-2663, sb79@evansville.edu  
Carissa Prince, MSW, *counselor*  
University Counseling Center  
Room 200, Ridgway University Center  
812-488-2663, ks96@evansville.edu  
Carissa Young, MSW, *counselor*  
University Counseling Center  
Room 200, Ridgway University Center  
812-488-2663, em232@evansville.edu  
Jennifer Hargus, LCSW, *counselor*  
University Counseling Center  
Room 200, Ridgway University Center  
812-488-2663; jh693@evansville.edu

2. Reverend Tamara Gieselman, *University Chaplain*,  
Neu Chapel  
812-488-2240, tg85@evansville.edu  
Keith Turner, Assistant Chaplain  
Neu Chapel  
812-488-2235; kt160@evansville.edu

While these professional counselors may maintain a Complainant's confidentiality as it relates to the University, they are required by Indiana law to report:

- a. If they believe there is imminent danger of self-harm.
- b. If there is reason to believe that child, elder, or dependent abuse has occurred.
- c. If you report being sexually assaulted and are under the age of 18.
- d. If you express threats of violence towards another person.
- e. If federal law enforcement officials request your information under the United States Patriot Act.
- f. Under court order, subpoena or as otherwise required by law.

### Reporting Option Two:

#### Non-Professional Counselors and University Health Center Employees

Individuals who work or volunteer in the University's health center, including non-professional unlicensed counselors, front desk employees and students who work in the health center, can generally talk to a Complainant without revealing to the University any personally identifying information about an incident. A Complainant can seek assistance and support from these individuals without triggering a University investigation that could reveal the Complainant's identity or that the Complainant has disclosed the incident.

However, while maintaining a Complainant's confidentiality, these individuals or their office will report the nature, date, time, and general location of an incident to the Title IX Director. This limited report – which includes no information that would directly or indirectly identify the Complainant – helps keep the Title IX Director informed of the general extent and nature of sexual violence on and off campus so the coordinator can track patterns, evaluate the scope of the problem, and formulate appropriate campus-wide responses. Before reporting any information to the Title IX Director, these individuals will consult with the Complainant to ensure that no personally identifying details are shared with the Title IX Director.

While these non-professional counselors, employees and volunteers may maintain a Complainant's confidentiality as it relates to the University, they are required by Indiana law to report:

- a. If they believe you are in imminent danger of self-harm.
- b. If there is reason to believe that child, elder, or dependent abuse has occurred.
- c. If you report being sexually assaulted and are under the age of 18.
- d. If you express threats of violence towards another person.
- e. If federal law enforcement officials request your information under the United States Patriot Act.
- f. Under court order, subpoena or as otherwise required by law.

### Reporting Option Three:

#### Reporting to "Responsible Employees" at the University

A responsible employee is a University employee who has the authority to redress sexual misconduct, who has the duty to report incidents of sexual misconduct or other student misconduct, or who a student could reasonably believe has this authority or duty.

When a Complainant tells a responsible employee about an

incident of sexual misconduct, the University will take prompt and appropriate steps to investigate what happened and to resolve the matter promptly and equitably.

A responsible employee must report to the Title IX Director or his designee all relevant details about the alleged sexual misconduct that is provided by the Complainant – including the name of the Complainant and Respondent, any witnesses, and other relevant facts, including the date, time and specific location of the alleged misconduct. To the extent possible, information reported to a responsible employee will be shared only with people responsible for handling the University's response to a report of sexual misconduct.

The following employees (or categories of employees) are the University's responsible employees: **all full-time, part-time, visiting and volunteer faculty, administrators, staff, coaches, and resident assistants ("RAs")**. Contact information for these employees is found at the following link: <https://acelink.evansville.edu/Directory>.

Before a Complainant reveals any information to a responsible employee, the employee will advise him or her of the employee's reporting obligations – and, if the Complainant wants to maintain confidentiality, direct the Complainant to the confidential resources described in Reporting Option One above.

If the Complainant wants to tell the responsible employee what happened but also maintain confidentiality, the responsible employee will tell the Complainant that the University will consider the request, but cannot guarantee that the University will be able to honor it. In reporting the details of the incident to the Title IX Director, the responsible employee will also inform the Title IX Director of the Complainant's request for confidentiality.

### Reporting Option Four:

#### Reporting to Law Enforcement

The Complainant has the right to choose to report their complaint to law enforcement at any time throughout the sexual misconduct investigation or hearing process. The University disciplinary process is separate from the legal process.

If you wish to contact local law enforcement directly you may call the

**Evansville Police Department**  
at **812-436-7896** or **911**.

The University will assist a Complainant in contacting law enforcement or the Complainant may contact law enforcement directly.

### Reporting Option Five:

#### Reporting Anonymously to Local Law Enforcement

The Complainant has the right to make an anonymous report to local law enforcement by contacting:

WE TIP Crime Hotline  
1-800-78-CRIME  
1-800-782-7463.

The University will assist a Complainant in contacting WE TIP or the Complainant may contact WE TIP directly.

### Reporting Option Six:

#### Reporting to Local Community Support Organizations

The Complainant may wish to report sexual misconduct to either of the following local community support organizations:

Albion Fellows Bacon Center  
Domestic Violence Hotline: 812-422-5622  
Sexual Assault Hotline: 812-424-7273  
Holly's House  
750 N. Park Drive  
Evansville, Indiana 47710  
812-437-7233

These organizations are not connected with or part of the University. The Complainant should be sure to ask each organization about its policy concerning confidentiality and the provision of personally identifying information to law enforcement and other authorities before providing personally identifying information.

## How the University Will Evaluate a Request for Confidentiality

If a Complainant discloses an incident to a responsible employee but wishes to maintain confidentiality or requests that no investigation into a particular incident be conducted or disciplinary action taken, the University must weigh that request against the University's obligation to provide a safe, non-discriminatory environment for all students and member of the University community, including the Complainant. A Complainant should understand that, if they want to maintain confidentiality, the University will be unable to conduct a meaningful investigation into the particular incident or pursue disciplinary action against the Respondent.

If the University honors the request for confidentiality, a Complainant must understand that the University's ability to meaningfully investigate the incident and pursue disciplinary action against the Respondent may be limited. Although perhaps rare, there are times when the University may not be able to honor a Complainant's request in order to provide a safe, non-discriminatory environment for all students and members of the University community.

The Title IX Director, the Executive Vice President of Academic Affairs, the Assistant Vice President of Students Affairs and the Director-Office of Safety and Security, will evaluate all requests for confidentiality once the Title IX Director's Office is put on notice of alleged sexual misconduct:

When weighing a Complainant's request for confidentiality or that no investigation or discipline be pursued, a range of factors will be considered, including the following:

- a. whether there have been other sexual misconduct complaints about the same Respondent;
- b. whether the Respondent has a history of arrests or records from a prior school indicating a history of sexual misconduct;
- c. whether the Respondent threatened further sexual misconduct against the Complainant or others;
- d. whether the sexual misconduct was committed by multiple Respondents;
- e. whether the sexual misconduct was perpetrated with a weapon;
- f. whether the Complainant is a minor;
- g. whether the University possesses other means to obtain relevant evidence of the sexual misconduct (e.g., security cameras or personnel, physical evidence);
- h. whether the Complainant's report reveals a pattern of perpetration (e.g., via illicit use of drugs or alcohol) at a given location or by a particular group.

The presence of one or more of these factors may impact the scope of the University's investigation as well as the University's determination concerning confidentiality. If none of these factors are present, the University will more likely be able to respect the Complainant's request for confidentiality.

If the University determines that it cannot maintain a Complainant's confidentiality, the University will inform the Complainant prior to identifying the Complainant's name to the Respondent and will, to the extent possible, only share information with people responsible for handling the University's response.

The University will also:

- a. assist the Complainant in accessing other available sexual misconduct victim advocacy organizations, academic sup-

port, counseling, health or mental health services, and legal assistance both on and off campus;

- b. consider other security and support, which may include issuing a no-contact order, helping arrange a change of living or working arrangements or class schedule (including for the Respondent pending the outcome of an investigation) or making adjustments for completing assignments or tests; and
- c. tell the Complainant about the right to report a crime to campus or local law enforcement agencies, and provide the Complainant with assistance if the he or she wishes to make such a report

## General Provisions

**Right to File Criminal Complaint.** Students have the unrestricted right to file a criminal complaint against the Respondent. This may be done before, during or after the University's internal investigation. A criminal complaint made to area law enforcement and a Title IX complaint made to the University can be filed at the same time. The University is available to assist a student, visitor, guest or program participant who wishes to file a criminal complaint. In addition, the University will advise a student, visitor, guest or program participant about his or her right to ask a court to issue a no contact order.

**Rights of Alleged Student Perpetrators (Respondent) under the Family Education Rights and Privacy Act.** An alleged Respondent has a right under the Family Educational Rights and Privacy Act ("FERPA") to request to inspect and review information about the Complainant's allegations if the information directly relates to the Respondent and the information is maintained by the University as an education record. In such a case, the University must either redact the Complainant's name and all identifying information before allowing the Respondent to inspect and review the sections of the complaint that relate to him or her, or must inform the Respondent of the specific information in the complaint that is about him or her. The University will make students, visitors, guests and program participants who file complaints aware of this right and explain how it might affect the University's ability to maintain complete confidentiality.

**Amnesty for Complainants and Witnesses of Sexual Misconduct.** Reporting sexual misconduct is important. The University recognizes that an individual who reports sexual misconduct may be engaged in under-age drinking or drug use *or other prohibited conduct* at or near the time of the incident complained of. To encourage reporting under these circumstances, the University will not take disciplinary action against a Complainant or against witnesses for their personal use of alcohol or drugs or for other prohibited conduct at or near the time of the incident complained of if such violations do not or did not subject other people to harm or result in destruction of property.

**Public Awareness Events.** Students may disclose their experiences with sexual misconduct at public awareness events like "Take Back the Night" without triggering a reportable event to the University. However, when such events occur on campus or in the context of a University sponsored or sanctioned off-campus program or activity, the University will provide information at such event, programs or activities on Title IX and how to file a Title IX complaint with the University or with area law enforcement agencies.

**When a Complainant confides in a Friend.** Many times, a Complainant of sexual misconduct will confide in a friend that they believe they have been victimized. This is particularly true on a residential campus like the University of Evansville given the close-knit community of students. Students can provide direct support to a Complainant by assisting them through the various steps listed



in the “**What to Do if You Have Been Sexually Assaulted**” section of this handbook. Direct support may also be provided to the friend of the Complainant from the University Counseling office.

**Bystander Assistance.** Sometime a student or other person (a “Bystander”) may be in a situation, particularly a social situation, where they observe sexual misconduct either taking place or likely to take place. If a Bystander may do so safely and positively they may be in a position to prevent instances of sexual misconduct or likely sexual misconduct. In such circumstances, a Bystander should carefully evaluate the situation and if they feel it is safe to do so, lend assistance to the person who is or may be subjected to sexual misconduct. If a Bystander does not believe assistance may be safely rendered, the Bystander is strongly encouraged to contact the Office of Safety and Security (812) 488-6911 or (812) 488-2500 and/or local law enforcement at 911 as soon as possible. An anonymous report can also be made by calling the WeTip hotline at 1-800-78-CRIME (1-800-782-7463)

**Title IX Statement.** The University of Evansville has obligations under federal law to comply with Title IX of the Education Amendments of 1972, which prohibits discrimination (including sexual harassment and sexual violence) based on sex in the University’s educational programs and activities. Title IX also prohibits retaliation for asserting or otherwise participating in claims of sex discrimination. The University has designated Title IX Directors to coordinate its compliance with and response to inquiries concerning Title IX. A person may also file a complaint with the Department of Education’s Office for Civil Rights regarding an alleged violation of Title IX by visiting [www2.ed.gov/about/offices/list/ocr/complaintintro.html](http://www2.ed.gov/about/offices/list/ocr/complaintintro.html) or calling 1-800-421-3481.

**Clery Act Statement.** The University of Evansville has obligations under federal law to provide the Department of Education with information about crimes that take place on University property and in federally defined zones not on University property. Under most circumstances, reports of sexual misconduct are covered by the University’s Clery Act reporting obligations. If the University determines that a crime poses a serious and immediate threat to the University community, the Clery Act may require the Campus Security Department to issue a timely warning to the University community. Any such warning will not include personally identifiable information about the Complainant.

**Violence Against Women Act Statement.** The University of Evansville has obligations under the Violence Against Women Act (“VAWA”). VAWA seeks to reduce domestic violence and improve the treatment of rape victims. VAWA extends protection to Native American women and members of the LGBTQ community.

## What to Do if You Have Been Sexually Assaulted

**Seek Refuge.** If you are assaulted, get to a safe place as soon as you can. The University has resources available to you for emotional and physical support. The Office of Safety and Security, 812-488-6911 or 812-488-2500, can provide assistance to you by telling you how you can reach a counselor, contact law enforcement authorities, obtain hospital transportation and the like. You may also contact the Evansville Police Department directly by dialing 911.

**Right to File an Anonymous Crime Report.** An anonymous report can also be made by calling the WeTip hotline at 1-800-78-CRIME (1-800-782-7463)

**Preserve Evidence.** Resist the urge to bathe, use the toilet, change clothing or apply soaps or lotions. If you must change clothes, put them in a paper bag or wrap them in a clean sheet. Do not place these items in a plastic bag as the bag may distort evidence. It is also

important not to disturb any evidence that may be present in the location where the offense occurred or destroy or delete any correspondence relative to the offense.

**Get medical attention as soon as possible.** It is important to seek medical attention in the case of sexual assault in order to check for injuries, effectively preserve evidence, and test for sexually transmitted diseases. Medical attention can also be obtained directly from one of these locations:

Crayton E. and Ellen Mann Health Center	812-488-2033
St. Vincent’s Hospital	812-485-4491
Deaconess Hospital	812-450-3405

**Personal Support.** A University counselor is available 24 hours a day to provide personal support and guidance after an assault. The office phone number is 812-488-2663. After normal business hours, you can reach the counselor on call by contacting the Office of Safety and Security (812) 488-2051 and requesting a counselor.

## Rights of Students

When a student makes a complaint about sexual misconduct, or is accused of sexual misconduct, the following rights shall be respected as the University investigates and resolves the complaint:

1. The right to be informed of disciplinary procedures and the extent of all alleged violations that are noted in the investigative report.
2. Both parties may have an advisor of their choice present during their investigative interview. However, the advisor may not actively participate in the investigative or disciplinary process.
3. The right of the Respondent to receive written notice of the date, time and place of the hearing at least 48 hours before the Hearing Board meets.
4. The right to consult with the student ombudsman.
5. The right to request that any Sexual Misconduct Hearing Board (as described in section E. below) member be removed and replaced if there is evidence of a conflict of interest or demonstrated bias toward the Complainant or Respondent. The Title IX Director will consider the request and make any changes deemed necessary.
6. The right to be present, if desired, for all testimony given and evidence presented before the Hearing Board.
7. The right to make an impact statement at a disciplinary hearing and to have that statement considered by the Hearing Board making its determination.
8. The right to appeal the disciplinary hearing outcome
9. The right, subject to the law, not to have any personal information released by the University to the public without prior consent.

## Intake of Report, Interim Measures and Investigation of Sexual Misconduct

When possible the University will strive to investigate a complaint about sexual misconduct, and if appropriate, hold a hearing before a Sexual Misconduct Hearing Board (“Hearing Board”) and issue its post-hearing determination within a 60 calendar day period from the date of the complaint. This 60 day target does not include the time it takes to appeal an initial determination. However, depending upon the circumstances, including the complexity of the facts and the number and availability of witnesses, there may be occasions when the process will take more than 60 calendar days. In such instances, the Title IX Director will advise the Complainant and Respondent that additional time will be required.

## **Intake**

### **Title IX Intake Process**

Generally, the intake process is as follows: Once the Title IX Director's Office is put on notice of a complaint, the Title IX Director will email and/or call the Complainant to conduct a preliminary investigation. Absent unusual circumstances, a face to face meeting will be held. If the reporting party is the Complainant, they will complete Sexual Misconduct Information Check List. The Complainant will also be made aware of on and off campus support resources. Interim measures may also be discussed if appropriate (see section B.). The Complainant will also be provided assistance if they wish to meet with a counselor, seek medical attention, or notify law enforcement.

After the Complainant, meets with the Title IX Director, the Title IX Director will email and/or call the Respondent to conduct a preliminary investigation. Absent unusual circumstances, a face to face meeting will be held. The Respondent will also be made aware of on and off campus support resources. If appropriate, interim measures will be discussed.

Based on the information gathered during the preliminary investigation, the Title IX Director will determine the extent of the fact-finding investigation required.

If the Complainant chooses not to file a complaint, the information provided by the Complainant will remain on file in the Title IX Office. The Title IX Director will nonetheless determine to what extent a fact-finding investigation or other action is required. The University reserves the right to contact law enforcement authorities regardless of the Complainant's request if it believes there exists a threat to the health or safety of students and employees.

### **Interim Measures**

Depending on the severity of the alleged sexual misconduct, the University reserves the right to take interim measures at any point throughout the process to protect the Complainant and the Respondent. Such interim measures may include, but are not limited to:

- a. A change in academic and extracurricular activity schedules so the Complainant and Respondent avoid contact.
- b. A change in living and dining arrangements.
- c. The offer of counseling to both the Complainant and Respondent.
- d. Alternative testing arrangements, seeking incompletes, alternatives for course completion and similar measures.
- e. Increased monitoring, supervision or security at locations or activities where the alleged misconduct occurred.
- f. The opportunity to obtain health, mental health, academic support and counseling services.

Pre-determination disciplinary or other action against a Respondent will only be taken where, because of the severity and extent of the alleged conduct, such extraordinary action is appropriate. The Dean of Students may suspend or expel a student and provide that student with notice as soon as practicable. A suspension or expulsion may be appealed in writing to the President from off campus. Such an appeal must be received in the President's office no later than five days after the day the notice of suspension is provided to the student by the University. The written request to appeal must identify with specificity the facts upon which the appeal is based and why the decision of the Dean of Student is clearly in error.

### **Investigation and Outcome of Investigation**

Investigations of alleged sexual misconduct are the responsibility of the Title IX Director and investigators designated by the Title IX Director. An investigation will begin promptly and the University will not wait for the conclusion of a criminal investigation. The University prohibits retaliation against any party or participant in

an investigation or hearing. During the investigation process, the complainant and respondent will have the opportunity to provide any evidence that may exist to the investigators including copies of text messages, photos, social media posts, etc.

After the investigation, the Title IX Director will determine whether the case will be presented to a Hearing Board. The Title IX Director will notify the Complainant and Respondent of the decision in writing.

If the Title IX Director determines that a case will be presented to a hearing board, the Title IX Director will request the Dean of Students to convene that board. The Title IX Director will provide the Dean of Students with the documents comprising the investigative file.

The Dean of Students will notify the Complainant and Respondent information about the hearing in writing. The Dean of Students will provide both parties with the evidence packet (all evidence collected during the investigation) and the evidence packet will be provided to the Sexual Misconduct Hearing Board as part of the hearing process. The complainant and respondent will have the opportunity to provide, in writing, any corrections or clarifications to the investigator's report regarding their individual testimony to the Title IX Director. Any such corrections or clarifications will be distributed to all parties as an addendum to the evidence packet.

### **Administrative Hearing before Dean of Students**

An administrative hearing may be conducted by the Dean of Students or her appointee in her absence. An administrative hearing is appropriate under certain limited circumstances such as where the Respondent has accepted responsibility for both the misconduct and the proposed sanctions, cases involving the violation of the sexual misconduct policy by a student organization, or cases where the circumstances are extremely sensitive in nature and both the Complainant and Respondent voluntarily and without coercion, request the case not be heard by the sexual misconduct Hearing Board. Whether an administrative hearing is appropriate will be determined by the Title IX Director. Administrative action by the Dean of Students in an administrative hearing will conclude complaints of sexual misconduct without any further hearing(s).

### **Sexual Misconduct Hearing Board**

If the Title IX Director determines that, based on the outcome of the investigation, a hearing on the allegations should be held, the hearing will be conducted by the Sexual Misconduct Hearing Board.

Twenty employees, comprised of faculty and administrators, will be appointed by the President to serve as a pool of members for the Sexual Misconduct Hearing Board. From the pool of members, the Dean of Students will select a total of three individuals from this pool to serve on the Sexual Misconduct Hearing Board ("Hearing Board"). The "Preponderance of Evidence" standard, (i.e. "more likely than not") will be used by the Hearing Board. The Title IX Director will appoint one of these individuals to be Presiding Hearing Board Member. The Dean of Students will serve as an advisor to the Hearing Board. The Presiding Hearing Board Member will, in consultation with the Dean of Students or her designee, determine the outcome of all procedural and evidentiary issues raised at the hearing.

No individual may attend the Hearing Board hearing unless they serve as an advisor to the Complainant or Respondent or are otherwise permitted to do so by the Presiding Hearing Board Member. All Hearing Board witnesses will be separated and no witnesses other than the Complainant and Respondent may be present in the hearing room during witness testimony.

Hearing Board members may meet prior to the hearing to discuss logistics and review evidence that has been provided to both the Complainant and Respondent. Prior to the hearing, the Hearing Board is empowered to request that additional information

from the investigators be made available to it. Once the hearing is convened, the Hearing Board is also empowered to call witnesses of its choosing. Witnesses are not required to participate but are encouraged to do so.

### **Hearing Procedures**

1. The University will determine if the Complainant needs to be present for the entire Hearing Board hearing.
2. If the University allows one party to be present during the entire Hearing Board hearing, it will do so equally for both parties.
3. When requested, the University will make arrangements so that during the Hearing Board hearing the Complainant and the Respondent do not have to be present in the same room at the same time.
4. The University will not require the Complainant to be present at the Hearing Board hearing for the hearing to take place.
5. If the Respondent chooses not to participate in the hearing, it will nonetheless be held and the Hearing Board will render its decision based on the information that is presented to it.
6. The University will not permit the parties to cross-examine each other. However, each party may submit written questions to the Title IX Director for consideration, at least forty-eight hours before the time the hearing starts. Approved questions will be forwarded to the Hearing Board and the Hearing Board may, in its discretion ask these questions on behalf of the complainant and respondent without disclosing the author of the question.
7. Questions about the Complainant's sexual history with anyone other than the Respondent will not be permitted. The same restriction applies to the Respondent's sexual history with anyone other than the Complainant.
8. While they may not ask questions of each other, the Complainant and the Respondent will both be provided the opportunity to question all other witness directly. The Presiding Officer or the Dean of Students, acting as advisor to the hearing process, may not allow certain questions if the question is perceived as irrelevant to the case or inappropriate.
9. The University will allow both parties to be accompanied to any University disciplinary proceedings and any related meetings by the advisor of their choice. However, the advisor may not actively participate in the investigative or disciplinary process.

The order of a Hearing Board hearing will be as follows:

1. The person initiating the complaint (Complainant) will give his or her evidence of the sexual misconduct alleged. The Complainant may choose not to participate in the hearing but does so with the understanding that it may impact the Hearing Board's decision regarding whether or not sexual misconduct occurred and what the appropriate actions should be if it did occur. In place of the Complainant, this evidence may be provided by the party responsible for the investigation of the allegations.
2. The Respondent may give his or her evidence of the sexual misconduct alleged. If the respondent chooses not to participate in the hearing, the hearing will nonetheless be held and the hearing board will render its decision based on the information presented.
3. Any witnesses for either party may appear individually before the Hearing Board. The number of such witnesses will be pre-determined by the Dean of Students in consultation with the Title IX Director. Both parties will have the opportunity to present the same number of witnesses.

4. Both parties will have the opportunity to question each witness.
5. The Hearing Board may ask questions of the witnesses.
6. The Complainant and Respondent will not be permitted to question each other directly. Both may submit questions for the other party to the Title IX director, in writing, at least 48 hours prior to the hearing for consideration (see Hearing Procedures).
7. The Hearing Board may ask questions of the Complainant or the party responsible for the investigation.
8. The Hearing Board may ask questions of the Respondent.
9. The Complainant may make a closing statement, including an impact statement and a description of the desired outcome from the hearing.
10. The Respondent may make a closing statement, including an impact statement and a description of the desired outcome from the hearing.
11. The parties will leave the hearing at the same time in such a way to avoid contact with each other.

### **Notice of Outcome of Hearing Board Hearing**

Both parties will be notified concurrently in writing [sent by email and first class mail] about the outcome of the complaint and appeal rights. In the notification to the Complainant, the University will provide: (i) a conclusion as to whether or not, based upon a preponderance of the evidence, the alleged conduct occurred; (ii) any individual remedies provided to the Complainant; (iii) any sanctions imposed on the Respondent that directly relate to the Complainant, and other steps the University took or will take to eliminate a hostile environment, if the University finds one to exist and the steps taken and/or to be taken to eliminate the hostile environment. Information regarding the appeal process will also be provided to both parties.

### **Determination and Possible Sanctions**

At the conclusion of the hearing, the Hearing Board will adjourn to evaluate the record of the proceedings. Thereafter the Hearing Board will render its written decision on the Complainant's complaint. As a result, the Hearing Board may either dismiss the complaint without further action or recommend one or more of the following sanctions:

1. Warning. The Respondent is warned that his or her behavior is unacceptable to the University community. The Respondent may also be warned that further violations will result in more severe disciplinary action.
2. Restitution. The Respondent may be assessed charges for any damages or losses which may have resulted from the sexual misconduct.
3. Fines. The Respondent may be assessed fines as appropriate in addition to charges for restitution.
4. Disciplinary Probation. Disciplinary probation may be accompanied by additional sanctions or by special conditions including, but not limited to, required counseling.
5. Counseling. The Respondent may be required to attend counseling.
6. Restricted access on campus, at University events, University housing, etc.
7. Restricted communication with other party or witnesses associated with the case.
8. Suspension. The Hearing Board will determine the appropriate length of time for the suspension.

9. Expulsion. Permanent separation of the Respondent from the University and the University community.

The Hearing Board's written decision will be sent by email and first class mail concurrently to the Complainant and the Respondent.

### **Appeals from Determination of Hearing Board**

Following the determination of the Hearing Board, both parties have the right to appeal the determination but solely for the following reasons:

1. There is evidence that the hearing procedures outlined in the Sexual Misconduct Policy were not adequately followed.
2. There is new evidence that will materially impact the Hearing Board's decision and this evidence was not presented at the Hearing Board hearing for good cause shown as determined by the Title IX Director.
3. The sanctions imposed by the Hearing Board are believed to be either too severe or too lenient for the violation which the person was found to be responsible.

A request for an appeal must be made in writing and submitted by email to the Title IX Director [tf91@evansville.edu] within five (5) business days [Monday – Friday] after the date the Hearing Board's written decision is received by the appealing party. The Hearing Board's written decision will be sent to both parties by email and certified mail and the five day period will be counted using the date the first method of delivery was received by the appealing party. The Title IX Director, Executive Vice President and the Assistant Vice President for Student Affairs will determine if an appeal may be taken. If a decision is made to hear the appeal, the non-requesting party will receive a copy of the appeal letter and notification that the appeal has been granted.

For an appeal hearing, the following process will be followed:

The Sexual Misconduct Appeals Hearing Board will be comprised of a total of three faculty and administrators, selected by the Dean of Students from the pool of Hearing Board members. None of the Appeals Board members may have served on the original hearing board. The appeals board will make every effort to decide each appeal as quickly as possible, preferably within two weeks of the time the request for appeal was granted by the Title IX Director. The sanctions from the original hearing will be upheld, if applicable, until the appeal is heard.

The Appeals Board will be provided copies of all evidence received by the Hearing Board, including a transcript of the initial hearing. The Hearing Board will consider new evidence if permitted by the Title IX Director.

The Appeals Board will meet, with all members present to review the transcript of the Hearing Board hearing and all evidence submitted to and accepted by the Hearing Board. After considering this material, the Appeals Board may:

1. Affirm the findings and sanctions determined by the Hearing Board;
2. Affirm the findings but adjust the severity of the sanction to a greater or lesser degree;
3. Reverse the finding and as such make a determination that, based on the "preponderance of evidence" standard, there was insufficient evidence to find the Respondent committed the offense(s) complained of;
4. Reverse the Hearing Board's decision and order a new hearing. The Appeals Board's written decision will be sent by email and first class mail to both parties concurrently. Decision of the Appeals Hearing Board is final.

The University reserves the right to modify the hearing and appeal procedures to provide for what in its sole opinion, is equitable treatment of the Complainant and Respondent.

*This policy was drafted upon review of published sexual misconduct policies and guidelines from DePauw University, Northwestern University, Texas Women's University, Washington University, Colorado State University Pueblo, Notalone.gov, ATIXA, Indiana Criminal Code, and the United States Department of Education.*



## CAMPUS SEX CRIMES PREVENTION ACT OF 2000

The Campus Sex Crimes Prevention Act of 2000 requires sex offenders, when they register with the designated law enforcement agency, to indicate whether and where they are enrolled, employed, or volunteering on a college campus. The registering agency must share that information with the relevant colleges, and the colleges must tell students, faculty members, administrators, and staff members where information on registered sex offenders can be obtained. The designated law enforcement agency for our community is the Vanderburgh County Sheriff's Department.

As of January 1, 2003, Indiana's "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 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. Information about the offenses requiring registration and information about individuals included in the Vanderburgh County registry can be accessed at [www.vanderburghsheriff.com/SexOffender/sex\\_offender.htm](http://www.vanderburghsheriff.com/SexOffender/sex_offender.htm).

In addition to the detailed information about registered offenders, Zachary's Law requires the Indiana Criminal Justice Institute to keep Indiana's Sex and Violent Offender Directory, a list of all offenders convicted of a sex or violent crime. This directory can be accessed on the Internet at [www.in.gov/serv/cji\\_sor](http://www.in.gov/serv/cji_sor).

## CAMPUS SECURITY AUTHORITY

In addition to campus security, there are other University personnel who are classified as a "campus security authority" according to the regulations of the Jeanne Clery Act. These are individuals who have significant responsibility for student activities and are responsible for forwarding reports of crimes to the preparer of this report for inclusion in this report and for purposes of placing the campus community on alert should the crime be considered a threat to other students and employees. When a threat of this nature exists, the appropriate timely notice of the occurrence of these crimes shall be made to students and employees by means described in the "Crime Reporting and Prevention Efforts" section of this brochure. The holders of the following positions are classified as a "campus security authority:"

- University President
- Executive Vice President of Academic Affairs and Provost
- Vice President for Student Affairs/Dean of Students
- Assistant Vice President Academic Affairs/Title IX and Faculty Relations
- Assistant Vice President Student Affairs/Director of Residence Life
- Associate Dean of Student Engagement and Innovation
- Director of Cultural Engagement and International Services
- Assistant Director of International Scholar and Student Services
- Director of Student Fitness Center
- Assistant Director of Student Fitness Center
- Residence Hall Residential Coordinators and Assistants
- Director of Athletics
- Athletics Coaches

- Faculty, Staff, and Non-University Advisors of Recognized Student Groups and Associations

### The reportable crimes are:

- Criminal Homicide
  - Murder and Non-negligent Manslaughter
- Negligent Manslaughter
- Sex Offenses
  - Rape
  - Fondling
  - Incest
  - Statutory Rape
- Robbery
- Aggravated Assault
- Burglary
- Motor Vehicle Theft
- Arson
- Domestic Violence
- Dating Violence
- Stalking

### Also reportable are those students referred for disciplinary sanctions for:

- Liquor Law Violations
- Drug Law Violations
- Illegal Weapons Possessions

when the violations are violations of criminal law.

## CRIME STATISTICS REPORTED TO THE UNIVERSITY OF EVANSVILLE SECURITY

The University of Evansville publishes and distributes this report or the notice of the existence of this report on a yearly basis to faculty, staff, students, prospective students, and prospective employees. Statistics are gathered from crimes reported to the University of Evansville Office of Safety and Security and crimes reported to the Evansville Police Department. In addition, crimes that are reported to those persons in the campus community with primary counseling responsibility are reported to the author of this report by the submission of a number for statistical purposes only. The report by the counselors is voluntary and of a confidential nature. This document is published and distributed to comply with the Jeanne Clery Act and all amendments that have been issued since its passage.

## DEFINITIONS OF CLERY GEOGRAPHY

As specified in the Clery Act, the following property descriptions are used to identify the location of crimes on and around the University of Evansville campus.

### On-Campus Buildings or Property

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 the above paragraph, 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 Buildings or Property

1. Any building or property owned or controlled by a student organization that is officially recognized by the institution; 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 Buildings or Property

All public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus or immediately adjacent to and accessible from the campus.

The University of Evansville crime statistics do not include crimes that occur in privately owned homes or businesses within or adjacent to the campus boundaries.

### Definitions of Criminal Offenses

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

**Arson** is any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, personal property, etc.

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

**Dating violence** is violence by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. Whether there was such relationship will be gauged by its length, type, and frequency of interaction.

**Domestic violence** is a felony or misdemeanor crime of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner; by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred, by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

**Drug abuse violations** are defined as the violations of state and local laws relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs. The relevant substances include: opium or cocaine and their derivatives (morphine, heroin, codeine); marijuana; synthetic narcotics (demerol, methadones); and dangerous non-narcotic drugs (barbiturates, benzedrine).

**Hate crimes** are committed against a person or property that is motivated, in whole or in part, by the offender's bias. Bias is a preformed negative opinion or attitude toward a group of persons based on their race, gender, gender identity, religion, disability, sexual orientation, ethnicity, national origin, or disability.

**Liquor law violations** are defined as the violation of laws or ordinance prohibiting the manufacture, sale, transporting, furnishing, possessing of intoxicating liquor. (Drunkenness and driving under the influence are not included in this definition.)

**Manslaughter by negligence** is the killing of another person through gross negligence.

**Motor vehicle theft** is the theft or attempted theft of a motor vehicle.

**Murder and non-negligent manslaughter** is the willful (non-negligent) killing of one human being by another.

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

**Sexual Assault (Sex Offenses)** – Any sexual act directed against another person, without consent of the victim, including instances where the victim is incapable of giving consent.

**Rape** is the penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim. This offense includes the rape of both males and females.

**Fondling** is the touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his or her age or because of his or her temporary or permanent mental incapacity.

**Incest** is non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

**Statutory rape** is sexual intercourse with a person who is under the statutory age of consent

**Stalking** is a course of conduct directed at a specific person that would cause a reasonable person to fear for the person's safety or the safety of others or to suffer substantial emotional distress.

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

## HATE CRIMES

Reported crimes include those that must be reported in the annual report. Those involving bodily injury, theft, simple assault, intimidation and destruction, damage, or vandalism of property that manifest evidence that the victim was intentionally selected because of the victim's actual or perceived race, gender, religion, national origin, sexual orientation, gender identity, ethnicity, or disability.

**There were no reported hate crimes for the applicable categories for calendar years 2015, 2016, or 2017.**

## ARRESTS/REFERRALS FOR CAMPUS DISCIPLINARY ACTION

	Arrests		Referrals	Year
	On-Campus	Public Property		
Liquor Law Violations	0	0	36	2017
	0	0	55	2016
	3	2	75	2015
Drug Violations	0	3	17	2017
	1	5	16	2016
	0	3	4	2015
Weapons Possession	0	0	0	2017
	0	1	0	2016
	0	1	0	2015

## REPORTED CRIMES

Crimes reported that occurred in student residences are included in the "Campus" crime column.

Crime	Campus	Student Residence	Public Property	Non-Campus	Year
Aggravated Assault	0	0	0	0	2017
	0	0	0	0	2016
	0	0	0	0	2015
Arson	0	0	0	0	2017
	0	0	0	0	2016
	2	0	0	0	2015
Burglary	0	0	0	0	2017
	2	0	0	0	2016
	0	0	0	0	2015
Criminal Homicide	0	0	0	0	2017
	0	0	0	0	2016
	0	0	0	0	2015
Non-negligent Manslaughter	0	0	0	0	2017
	0	0	0	0	2016
	0	0	0	0	2015
Manslaughter by Negligence	0	0	0	0	2017
	0	0	0	0	2016
	0	0	0	0	2015
Robbery	1	0	1	0	2017
	0	0	0	0	2016
	0	0	1	0	2015
Sex Offenses (2017 Total)	7	6	0	0	2017
Rape	3	3	0	0	2017
Fondling	4	3	0	0	2017
Incest	0	0	0	0	2017
Statutory Rape	0	0	0	0	2017
(2016 Total)	4	1	0	0	2016
Rape	3	1	0	0	2016
Fondling	1	0	0	0	2016
Incest	0	0	0	0	2016
Statutory Rape	0	0	0	0	2016
(2015 Total)	0	0	0	0	2015
Rape	0	0	0	0	2015
Fondling	0	0	0	0	2015
Incest	0	0	0	0	2015
Statutory Rape	0	0	0	0	2015



Vehicle Theft	0	0	0	0	2017
	1	0	1	0	2016
	1	0	3	0	2015

## VAWA CRIMES

Crime	Campus	Student Residence	Public Property	Non-Campus	Year
Dating Violence	0	0	0	0	2017
	0	0	0	0	2016
	0	0	0	0	2015
Domestic Violence	4	2	0	0	2017
	0	0	0	0	2016
	0	0	0	0	2015
Stalking	1	0	0	0	2017
	3	0	0	0	2016
	0	0	0	0	2015

## UNFOUNDED REPORTS OF CRIMES

An “unfounded” crime report is one that has been investigated by law enforcement officials and they determined that the report has no foundation or basis in fact and cannot be substantiated. A crime report that been determined by law enforcement officials to be unfounded may be removed from those required to be reported under the Clery Act. However, the number of unfounded crime reports that were withheld from their crime statistics must be disclosed in the university’s annual report.

**There were no unfounded criminal reports during the 2015 and 2016 Calendar years. There was one (1) criminal report during the 2017 calendar year that was “Unfounded” by the Evansville Police Department.**

## SECURITY AWARENESS AND CRIME PREVENTION PROGRAMS

Numerous efforts are made to advise members of the campus community on a timely basis about campus crime, crime-related problems, and crime prevention. Some of the ways in which members of the campus community are advised about campus crime and prevention methods are as follows:

- **Annual Report:** A comprehensive annual report of crime-related and fire safety information is compiled, and all current students and employees are e-mailed an electronic copy of the report on October 1 each year. The report is also available online at [www.evansville.edu/safety/downloads/securitybooklet.pdf](http://www.evansville.edu/safety/downloads/securitybooklet.pdf). Prospective students and employees are advised by the Office of Admission or the Office of Human Resources of the availability of the report online at the indicated address or by contacting the Office of Safety and Security.
- **Student Magazine:** The *Crescent Magazine* publishes the “Campus Crime” column in its online version on a monthly basis that contains information about all criminal reports received by the Office of Safety and Security during the previous week.
- **Daily Crime/Fire Safety Log:** The Office of Safety and Security maintains a daily log of the date, time, location, case report number, and disposition of all crimes filed with the office. The log also contains information about any fires reported on campus. This log is public record. Entries and updates are made into the log within two business days. Crime logs for the most recent 60-day period

are available for public inspection during normal business hours, Monday through Friday. Requests for viewing crime logs older than 60 days will be available within two business days.

- **Timely Warning:** If a crime or series of crimes has occurred on campus or close to campus and could be considered a threat to other students and employees, the University may implement its “Timely Warning.” The director of safety and security is responsible for making the decision to initiate and prepare the warning after consultation with the vice president of student affairs. These warnings serve to heighten awareness and help prevent recurrences. Campus-wide warnings will be issued using ACE Alerts, the University’s emergency alert notification system. Through these warnings, members of the campus community are provided with prompt notice of incidents and are provided with crime prevention tips to deter the types of crimes reported.
- **Security Office Home Page:** The Office of Safety and Security has a home page, [www.evansville.edu/safety](http://www.evansville.edu/safety), on the University computer network. Through the home page, members of the campus community can learn more about the Office of Safety and Security, its staff, information in the annual security brochure, crime prevention tips, weekly crime reports, and security alerts. It also provides the opportunity to direct questions and comments or to provide information concerning safety or security issues electronically to the attention of the Office of Safety and Security.
- **Student Handbook:** The Residence Life and Safe Living sections of the Student Handbook contain crime prevention tips and security services offered and encourage students to participate in their own personal safety and the safety of others.
- **Title IX/Policy Prohibiting Sexual Misconduct/Sexual Harassment Training:** At the beginning of the fall semester, information is provided to all entering freshmen and various groups of students, including athletic teams and Greek organizations, about Title IX and sexual misconduct issues and concerns. This information is provided through group meetings and a brochure explaining Title IX requirements. This training will be provided to all members of the campus community on an ongoing basis. A public relations campaign has been developed to involve the entire campus community focusing on issues relating to increased awareness of Title IX and sexual misconduct issues. By the middle of the fall semester, an online training program, which will be an expan-

sion of the current program pertaining sexual misconduct, will be offered. It will include issues and concerns pertaining to Title IX and will be mandatory for all current employees and will be part of the new employee orientation program. These types of programs and training will continue on an on-going basis.

- **Alcohol/Drug Awareness Programs:** The University Office of Counseling and Health Education provides educational sessions on alcohol and substance use for students on an on-going basis. The office's coordinator of health and wellness focuses on these types of issues as well as other health and wellness issues.
- **Security Awareness Week:** The third week of September has been designated as Security Awareness Week. Officers and displays are present in Ridgway University Center each day to provide information and answer questions. Information on a different topic each day is provided to the campus.

### Crime Prevention Initiatives and Services:

- **Crime Prevention Presentations:** Crime prevention programs encourage students and employees to be aware of their responsibility for their own security and the security of others. We truly believe that **security begins with you**. The Office of Safety and Security, in cooperation with other University organizations and departments, is responsible for presenting programs to the campus community on an on-going basis.
- **Evening Escort Service:** Escort services are provided by the ACE patrol or campus security officers from dusk to dawn seven days per week, 365 days a year for all members of the campus community who request it.
- **Facilities Surveys:** Routine inspections and surveys of exterior lighting, exterior doors, and grounds are made by the Office of Safety and Security personnel.
- **Residence Hall Security:** In cooperation with the Office of Residence Life staff, crime prevention and awareness programs are presented each semester to all resident students.
- **Certified Rape Aggression Defense (RAD) Program:** Certified RAD instructors provide training for female members of the campus community in defensive concepts and techniques against various types of assaults, by utilizing easy, effective, and proven self-defense/martial art tactics. It is a comprehensive course for women that begins with awareness, prevention, risk reduction, and avoidance, while progressing on to the basics of hands-on defense training. It is not a martial arts program.
- **Project ID:** We offer Project ID, a crime prevention program that enables students to check out an engraver to mark their valuables with an identifying number as well as an inventory sheet to record serial numbers and descriptions of those items.
- **Bike Registration:** Members of the campus community can fill out an online form with the serial number and description of their bikes. This is not a prevention technique but it may assist in the recovery of your bike if it is stolen. For tips on preventing bike theft check out the Safety Tips page on the Office of Safety and Security website at [www.evansville.edu/safety](http://www.evansville.edu/safety).
- **Campus Patrol:** Routine patrol of the campus is conducted on a daily basis by members of the Office of Safety and Security both inside and outside buildings, and through the entire campus, including parking areas. Patrols are conducted by foot, bicycle, golf cart, and automobile.

## ACCESS TO CAMPUS FACILITIES

Most campus buildings and facilities are accessible to members of the campus community and to guests and visitors during normal business hours, Monday through Friday. During the school year, some buildings are open extended hours seven days a week to allow students access to the academic computer labs in these buildings. Some buildings are open on weekends for limited hours if special events are taking place.

After buildings have been secured, entry can be obtained by employees who work in the specific building if they have been issued the proper key for the building or have been granted after-hours electronic card access for those buildings having electronic card access capabilities. Students may gain access to academic labs after closing if they have obtained a valid written pass approved by the appropriate faculty member. The Office of Safety and Security must be contacted so that a security officer can meet the student requesting entry into a lab. Upon presentation of a valid pass to the officer, along with a student identification card, the student can be granted entry into the building and the lab by the officer.

## SECURITY IN THE RESIDENCE HALLS

The University of Evansville residential community houses students in six residence halls and the University Villages, which includes fully furnished houses, three apartment complexes, and six townhouses, all of which are University owned. A residential coordinator, head resident, or resident assistant lives in each residence hall and in the apartment complexes. All members of the University residence life staff are on call 24 hours a day. Other University-owned alternative housing units do not have a member of the residence life staff living in them. However, they are under the supervision of a residential coordinator of the residence life staff.

All residence life staff members undergo thorough training in the enforcement of residence hall security policies. They participate in lectures and seminars associated with the safety and security of the campus, conducted by University administrators and campus security personnel. Services and programs intended to enhance the quality of life and to assure the safety and security of the resident student body are a major priority for the residence life administrators and staff. Security and safety policies and procedures, especially regarding locking individual rooms and building entrances and eliminating door propping and related precautions, are discussed with residents in crime prevention programs and in their routine floor meetings conducted by the residence staff. All residence halls and the University Villages have a security officer from the Office of Safety and Security assigned as a liaison officer. In this capacity, the officers serve as resource persons to assist the residence life staff in their assigned area in developing crime prevention programming. They also serve as a direct contact with the Office of Safety and Security for the students and residence life staff to express concerns and suggestions about the security of their facilities.

Four of the residence halls, North Hall, and the Walnut and Frederick Commons townhouses are equipped with electronic card access on the exterior doors and the doors leading into the living areas. All doors leading directly into the residential areas of the halls are locked 24 hours a day. Selected exterior doors leading into public areas of the halls are unlocked between 8:00 a.m. and 11:00 p.m. For security purposes, all doors in the residence halls are locked at 11:00 p.m. every night. Campus telephones are located on the

outside of the main entrance to each residence hall for use by visitors after 11:00 p.m. to contact residents of the hall for entry. Both on-campus and off-campus visitors to residence halls must be escorted through the residence halls by a resident at all times.

During semester breaks, when classes are not in session, special security procedures are established for resident facilities. Outside door locks are changed to special cores, and card access to resident facilities is temporarily deactivated. Students authorized to remain on campus in residential facilities are normally moved into one residence hall and are granted access to his hall only. Those students authorized to remain during this time are registered with the Office of Residence Life and the Office of Safety and Security.

Types of housing, policies, room selection, and other matters concerning residential life are published in the Residence Life section of the Student Handbook.

## EMERGENCY CONTACT REGISTRATION AND MISSING STUDENT PROTOCOL

Each year, the University will request all students, on a voluntary basis, to provide an emergency contact person or persons through the University's computer-based WebAdvisor system. This information will also be used by the institution to notify the designated person(s) if the student is determined to be missing from campus by the campus Office of Safety and Security or the local law enforcement agency. This information will be kept confidential and will be accessible only to authorized campus officials. It may not be disclosed, except to campus security personnel or local law enforcement personnel in the furtherance of a missing person investigation.

**If a student is suspected to be missing from campus,** immediately report this to the Office of Safety and Security. Authorized University personnel will be notified of the report and an internal search for the individual will begin. This may include using residence life staff, verifying class attendance with faculty members, and interviewing friends of the missing student. In some cases, the University may choose to contact the emergency contact person or parent if the circumstances warrant such notification. All reports of missing students made to the University Office of Safety and Security will be investigated.

If the internal investigation determines that the student has been missing over 24 hours, within 24 hours the University will:

- Notify the individual(s) identified as the student's emergency contact person(s)
- If under 18 years of age, and not emancipated, the University will notify a parent or guardian and any other designated contact person(s)
- Regardless of whether the student has identified a contact person, is above the age of 18 or is an emancipated minor, the University will contact the local law enforcement agency that has jurisdiction in the area, and the parent of the student, that the student has been reported to be missing

## UNIVERSITY ALCOHOL POLICY

All members of the campus community and guests are expected to abide by Indiana State Law and university policies regarding the possession, consumption, use, production or sale of alcohol. The state of Indiana defines the legal drinking age as 21 years of age or older. Individuals who are of legal drinking age may possess and consume alcohol within the provisions prescribed in the University Alcohol Use

Guidelines – refer to [www.evansville.edu/alcoholpolicy](http://www.evansville.edu/alcoholpolicy). The University Alcohol Use Guidelines include provisions specific to the types of alcohol allowed on campus, approved locations and requirements for the consumption and distribution of alcohol, protocols for serving and consuming alcohol at university events, and policies for possession and consumption of alcohol within specific university housing units by those of legal age. Students who are of legal age are expected to familiarize themselves with the University Alcohol Use Guidelines for campus possession and consumption. Ignorance is no excuse for violating the University Alcohol Policy. Under no circumstances is it acceptable for an individual or group to violate Indiana State law, disrupt the educational mission of the university, or contribute to behaviors in violation of the student code of conduct.

## Guiding Principles

The University Alcohol Policy is grounded in four guiding principles:

1. **Indiana State Law:** The laws governing possession, distribution, consumption, sale and promotion of alcohol of the state of Indiana are recognized and supported by the University of Evansville. The University recognizes its responsibility to provide appropriate education to its students regarding these laws.
2. **Acceptable Behavior:** Behavior that disrupts the educational mission of the university, disrupts the campus community, or endangers the health and safety of members of the campus or its visitors, will not be tolerated. Such behaviors will be dealt with according to the Student Code of Conduct as outlined in the Student Handbook or other appropriate handbook such as the Faculty, Staff, or Administrative Manuals.
3. **Alcohol Education:** The University Alcohol Policy is built upon the core principle of education about the responsible possession and consumption of alcohol. This includes information relative to Indiana State Law and University policies specific to the areas of approved university activities, residence life, and Greek life.
4. **The Responsible Good Neighbor Exemption:** The Responsible Good Neighbor Exemption provides students the opportunity for university disciplinary action to be waived if medical or other emergency assistance for another has been sought. Additional information regarding this exemption is published in the Student Handbook and on the university website.

Students present in a residential facility where alcohol is present and the University's Acceptable Use Guidelines are violated are subject to disciplinary action.

While the University cannot control off-campus situations, the University does not sanction student organization sponsored events held off-campus which include alcoholic beverages that are not served by a third party vendor. At no time can student activity funds be used for the purchase or promotion of alcoholic beverages at a student organization sponsored event. The institution does not prohibit events being held in facilities where alcohol is sold by the facility or business to those of legal age.

University-sponsored events which are held off-campus and involve the distribution and consumption of alcohol must employ a third party social event vendor. The third party social event vendor must provide customary limits of general liability for bodily injury or property damage, liquor liability, workers' compensation coverage, and employer's liability. Proof of such insurance shall be provided

by a certificate of insurance to the director of administrative services. Additional information regarding the certificate of insurance requirements is available from the director of administrative services and can be found at [www.evansville.edu/alcoholpolicy](http://www.evansville.edu/alcoholpolicy).

The laws of the State of Indiana regarding the purchase and possession of alcoholic beverages will be upheld on campus. These laws may be enforced by University staff or local or state authorities.

## DRUG POLICY

The University strictly prohibits the unlawful manufacture, distribution, Dispensation, possession, or use of a controlled substance on University Property. Refer to the Student Handbook, Staff Manual, or Faculty and Administrator Manual for the full policy regarding the use of drugs on Campus. These policies detail disciplinary actions that may be taken by the University against violators of these prohibitions. The University's Office of Counseling Services and the Crayton E. and Ellen Mann Health Center are available to members of the University community for assessment and assistance. Educational programs addressing alcohol-related and drug-related issues are co-sponsored on campus by the Office of Residence Life, the Office of Safety and Security, the Crayton E. and Ellen Mann Health Center, and the Office of Counseling Services.

## WEAPONS POSSESSION

The Office of Safety and Security enforces all federal, state, local statutes and University regulations pertaining to the possession and/or use of firearms, ammunitions, explosive devices, fireworks, or fireworks, or other potentially lethal weapons. All of these items are strictly prohibited in or on University owned or controlled property regardless of whether a federal or state license to possess the same has been issued to the possessor. Any violations of these statutes and regulations may result in disciplinary action as well as criminal prosecution.

## THE EMPLOYEE'S AND STUDENT'S RESPONSIBILITY

The Office of Safety and Security enforces all federal, state, local and statutes and University regulations pertaining to the possession and/or use of firearms, ammunitions, explosive devices, fireworks, or fireworks, or other potentially lethal weapons. All of these items are strictly prohibited on University-owned or controlled property regardless of whether a federal or state license to possess the same has been issued to the possessor. Any violations of these statutes and regulations may result in disciplinary action as well as criminal prosecution.

## CRIME PREVENTION TIPS

### Personal Safety

- Be aware of your surroundings and of those people around you.
- Walk in well-lighted areas.
- Avoid walking or jogging alone.
- Call campus security for an escort across campus late at night.
- Avoid working or studying alone at night in computer labs or isolated areas of campus buildings.
- Call campus security and let them know if you are going to be working late at night after regular hours or on weekends.
- Do not use your name when recording an outgoing message for your answering machine.

- Do not prop open locked doors.
- Know the location of the campus emergency blue light telephones.

### Personal Property Safety

- Secure valuables left in your residence hall room, apartment, or vehicle.
- Lock the doors and windows to your room, apartment, or house when you leave, when you are sleeping, or when you are in the bathroom.
- Engrave all valuables with a unique number such as your social security number or driver's license number.
- Lock up your bicycle.
- Use a lock on your gym locker.
- Do not loan or give your keys to anyone.
- Do not leave your keys unattended, anywhere.
- Do not leave books, bags, purses, wallets, or any other possessions unattended, even for a moment. Take them with you.

### Office Safety

- Lock your office when you leave.
- Keep your purse, wallet, and other valuables in a secure location.
- Do not leave cash unattended.
- If you are entrusted with a key to a specific area, never lend it to anyone.
- Be alert to strangers in your area.
- Promptly report the loss or theft of keys, equipment, or valuables.

### Vehicle Safety

- Lock your car and take your keys.
- Secure your windows; roll them up.
- Remove property from plain view; place it in a trunk or out of sight.
- Park in well-lighted areas.
- Invest in a car alarm, kill switch, and/or steering wheel locking device.

## ANNUAL CAMPUS FIRE SAFETY REPORT

### OVERVIEW

The Higher Education Opportunity Act (PL 110-315) became law in August 2008, requiring all United States academic institution to produce an annual fire safety report outlining the fire safety practices, standards, and all fire-related on-campus housing statistics. The following public disclosure report details all information required by this law as it relates to the University of Evansville.

### FIRE LOG

The Office of Safety and Security maintains a written fire log that records, by the date the fire was reported, any fire that occurred in an on-campus student housing facility. This log includes the nature, date, time, and general location of each fire. This log is maintained in conjunction with the required crime log.

### RESIDENTIAL FACILITIES

The University of Evansville has various types of on-campus residential facilities available for our students, including six residence

halls, apartment buildings, six townhouses, and single family dwellings. There are also three University-owned residential facilities providing housing for fraternities and three privately-owned residential fraternity buildings. All facilities used for student housing are protected by portable fire extinguishers and smoke detectors. Listed below are the types of fire alarm systems in these facilities.

### **Brentano, Hale, Moore, Morton, Powell, and Schroeder Residence Halls**

Each of these buildings is a traditional-style residence hall. Each is covered by an integrated automatic sprinkler and fire alarm system that is monitored 24 hours a day, seven days a week at the Office of Safety and Security. The fire alarm systems comprise pull stations, smoke detectors, heat sensors, horns, and strobe lights.

### **Jones Hall**

Jones Hall is an apartment-style building with 21 four-person apartments. It is covered by an integrated automatic sprinkler and fire alarm system that is monitored 24 hours a day, seven days a week at the Office of Safety and Security.

### **Lincoln Park, University, and Weinbach Apartments**

Each of these is an apartment comprising a number of apartments. None of the complexes are covered by sprinkler systems. All of the complexes have smoke detectors in the apartments. The smoke detectors are not monitored at a central station.

### **Frederick/Walnut Commons Townhouses**

There are six-two story townhouses, each comprising six units. Two of the townhouses are the Frederick Commons and four of the townhouses are the Walnut Commons. Some of the townhouses contain handicap accessible units. All of the units are covered by an integrated automatic sprinkler and fire alarm system that is monitored 24 hours a day, seven days a week, at the Office of Safety and Security. In the handicap accessible units, strobe lights have also been installed for hearing impaired students in the living room area and the handicap accessible bedrooms.

### **Village Houses**

The University has 18 houses that are used for student housing. There are one- and two-story houses. All of the houses have smoke detectors on each level of the house. The smoke detectors are not monitored at a central station.

### **Delta Omega Zeta**

Delta Omega Zeta sorority is housed in a University-owned house. Delta Omega Zeta is not covered by a sprinkler system. There are smoke detectors located in the house. They are not monitored at a central location.

### **Lambda Chi Alpha**

Lambda Chi Alpha fraternity is housed in a privately-owned building. Lambda Chi Alpha is not covered by a sprinkler system but has a fire alarm system, comprising pull stations, smoke detectors, horns, and strobes, that is monitored 24 hours a day, seven days a week at the Office of Safety and Security.

### **Phi Gamma Delta**

Phi Gamma Delta fraternity is housed in a University-owned building. Phi Gamma Delta is not covered by a sprinkler system but has a fire alarm system, comprising pull stations, smoke detectors, horns, and strobes. The fire alarm system is not monitored at a central location.

### **Phi Kappa Tau**

Phi Kappa Tau fraternity is housed in a University-owned building. Phi Kappa Tau is covered by a sprinkler system in the basement area only. There is a fire alarm system comprising pull stations, smoke detectors, horns, and strobe lights. The fire alarm system is not monitored at a central location.

### **Sigma Alpha Epsilon**

Sigma Alpha Epsilon fraternity is housed in a privately-owned building. Sigma Alpha Epsilon is covered by an integrated automatic sprinkler and fire alarm system comprising pull stations, smoke detectors, horns, and strobe lights. The fire alarm system is not monitored at a central location.

### **Sigma Phi Epsilon**

Sigma Phi Epsilon fraternity is housed in a privately-owned building located on University-owned property. Sigma Phi Epsilon is covered by a sprinkler system in the basement area only. There is a fire alarm system comprising pull stations, smoke detectors, horns, and strobes lights. The fire alarm system is not monitored at a central location.

### **Tau Kappa Epsilon**

Tau Kappa Epsilon fraternity is housed in a University-owned house. Tau Kappa Epsilon is not covered by a sprinkler system. There are smoke detectors on each level of the house. The smoke detectors are not monitored at a central station.

## **FIRE DRILLS**

Each semester the Offices of Residence Life, Safety and Security, and Risk Management conduct fire drill exercises in the residence halls, North Hall, apartments, and the fraternity buildings. Fire drills are not conducted in houses used for student housing. During the drills, the alarms are sounded and staff members who check every resident's room to verify all students have exited the buildings. All students are instructed to assemble at the site designated in the Emergency Response Plan Manual for the building. Students not leaving the buildings during a fire alarm drill are subject to referral to the Dean of Students for disciplinary action.

## **POLICIES ON SMOKING, OPEN FLAMES, AND PORTABLE ELECTRICAL APPLIANCES**

The University of Evansville is a tobacco-free campus that prohibits the use of all tobacco products in any form, and includes the use of electronic e-cigarettes. This policy includes inside and outside of buildings, and in vehicles parked in University parking lots. To minimize the potential for fires at the University of Evansville, the University of Evansville prohibits open or exposed flame of combustion that produces heat, light, or smoke, and has the potential to cause a fire. Examples in residential facilities include candles, incense or any type of device requiring kerosene or other type of flammable liquid fuel.

Electrical heating devices, including hot plates, toaster ovens, open-coil appliances (George Foreman grills and sandwich-makers), and halogen lamps are prohibited in student rooms. All other electrical appliances, extension cords, and lamps must be U.L. approved. Small refrigerators that do not exceed 3.7 cubic feet and 2.5 amps are permitted. Electrical appliances are not to exceed 2.5 amps, and total amperage per room may not exceed 15 amps. Radio transmitters and exterior antennae are prohibited.

## EVACUATION PROCEDURES FROM STUDENT HOUSING

Upon hearing a fire alarm or observing smoke or fire, check your door before opening it. If the door or doorknob is hot, do not open your door. Call 6911 to inform the dispatcher of your situation. Go to the window to yell for help. Hang an article of clothing out the window to gain attention. If the doorknob is not hot, open your door cautiously and exit the room. Close your room door, and leave it unlocked. Leave your belongings. If there is smoke use a wet cloth over your face and stay low to the floor where there is more oxygen. Proceed to the nearest exit quickly without running. Always use stairs instead of an elevator. If the alarm has not sounded, activate the nearest pull station if you can do so safely. Clear the building by at least 50 feet and assemble in your posted assembly location. Do not re-enter the building until expressly advised that it is safe to do so by campus emergency personnel.

## FIRE SAFETY EDUCATION AND TRAINING

Basic fire safety instruction is provided to all students living in residence halls who attend the mandatory orientation program at the beginning of each academic year. Prior to the arrival of residential students at the beginning of the academic year, advanced training is provided to residence life staff, including a table-top exercise relating to fire safety and other emergency situations. Hands-on training is also provided at the beginning of the academic year to all residence life staff for the proper use of portable fire extinguishers. Every student room has an emergency evacuation map installed on the inside of the front door as well, to direct occupants to primary

and secondary exits. Each campus building has a designated building safety coordinator. They facilitate emergency preparedness training for the faculty and staff of their building, which includes the dissemination of information and the appropriate action steps for various emergency situations (fire, evacuation, shelter-in-place, etc.). They conduct a table-top exercise for faculty and staff in their building at the beginning of the academic school year.

## REPORTING A FIRE

If you discover a fire in a building, you should immediately evacuate the building and activate the closest pull station as you are leaving to warn others if the system has not already been activated. Call the campus emergency number, **6911**, if using a University phone, or **812-488-6911**, if using a cell phone. Advise the dispatcher of the situation providing as much information as possible. If not in immediate danger, remain at the scene to direct security officers or fire-fighters to the fire location. Any fires that were quickly extinguished or any evidence of recent fires must be reported immediately to a residence life staff member or the University of Evansville Office of Safety and Security who will document the incident as required.

## FUTURE IMPROVEMENTS

As facilities are added or upgraded, the University will continue to look at ways to improve fire safety on campus. The Office of Risk Management has provided fire safety training to members of the campus community in the past and strives to increase training as resources become available.

### FIRES REPORTED TO THE UNIVERSITY OF EVANSVILLE OFFICE OF SAFETY AND SECURITY IN ON-CAMPUS HOUSING FACILITIES

---

#### 2017

No fires reported in residential facilities during the calendar year 2017

---

#### 2016

Date	Location	Cause	Damage	Inj	Death
7/27/16	Brentano Residence Hall	Grease Fire	None	0	0

---

#### 2015

Date	Location	Cause	Damage	Inj	Death
8/22/15	Lincoln Park Apartments	Cooking utensils left in broiler drawer when stove turned on	\$25	0	0

---