

2026 Annual Security Report

(Containing Information for the 2026-2027 Academic Year)



Statistics for 2023, 2024, and 2025

EMERGENCY

812-488-6911

NON-EMERGENCY

812-488-2051



CHANGING LIVES.
CHANGING THE WORLD.

UE 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, trained Public Safety officers, a competent Residence Life team, faculty, 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 Public Safety, 812-488-2051, or the Office of the Vice President for Student Affairs and Dean of Students, 812-488-2500.

OFFICE OF PUBLIC SAFETY

The University of Evansville Office of Public Safety coordinates campus safety and security. The office is located at 1 S 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, an Assistant Director, one sergeant, one corporal, six public safety officers, and two dispatchers. All officers receive yearly training and maintain certification in basic first aid, CPR, use of AEDs, and the use of NARCAN.

Student personnel are also employed during the school year to assist in the performance of a number of services. A select group of 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 Public Safety officers are charged with the enforcement of federal, state, and local laws and ordinances for the jurisdiction defined by the Clery geography map, as well as University policies and regulations. Public Safety officers are not sworn police officers and have no police or arrest powers. Although the Office of Public Safety does not have any written "memorandum of understanding" (MOU) agreements for the investigation of certain alleged criminal incidents with local, state, or federal law enforcement agencies, it maintains an outstanding working relationship with the Evansville Police Department, the Vanderburgh County Sheriff's Office, 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 Public Safety for assistance.

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

- Preparing photo identification cards for all members of the campus community
- Providing evening campus 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 buildings and grounds for safety compliance
- Maintaining a lost and found department

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

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

REPORTING EMERGENCIES AND CRIMINAL ACTIVITY

All members of the campus community are strongly encouraged to accurately and promptly report all emergencies and criminal incidents directly to the Office of Public Safety at 812-488-6911 (6911) or to local law enforcement agencies at 911 when the victim of crime elects to or is unable to make such a report. Reports of sexual assaults, domestic violence, dating violence, and stalking should be reported to the Office of Public Safety or the Title IX coordinator.

In addition, individuals may also make reports to alternate Campus Security Authorities (CSAs), not limited to:

Dean of Students

812-488-2500

Room #230A, Ridgway University Center

Office of Residence Life

812-488-1107

Room #229, Ridgway University Center

Office of Institutional Equity

812-488-2943

Rooms 150 and 152, University Libraries

Director of Student Engagement

812-488-5263

Ridgway University Center, second floor

Blue light emergency phones have been placed in strategic locations around campus. Four other emergency phones are located in apartment complex laundry rooms, near the basement music practice rooms in the Krannert Hall of Art and Music, and in the Wyttenbach Swimming Pool inside Carson Center. Campus phones have also been placed on the outside of the main entrances to the residence halls. These readily-accessible telephones can be used to contact the Office of Public Safety in an emergency by dialing extension 6911 or extension 2051 for non-emergencies.

Trained dispatchers are available 24 hours a day to respond to emergency calls. When notifying the Office of Public Safety 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 Public Safety officers immediately.

When the call is received, Public Safety officers will be dispatched immediately to the site of the complaint. They prepare and submit incident reports to the Office of Public Safety. 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 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 notifications are made through ACE Alerts, the University's emergency notification alerts system. Through this system, alerts can be sent through campus telephones, cell phones, email, campus computers, and the campus television system. To receive text message notifications, 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 messages will not be sent during these tests but will be sent in actual emergencies.

Active Threat Siren

During an active threat emergency situation (non-weather related), an audible tone will play over University IP phones and external notification systems. When the siren is heard, the campus community should consult their RAVE Guardian alerts, text messages, or email for information about the active threat.

The University of Evansville will test emergency response and evacuation procedures on an annual basis. Throughout the year, the Emergency Response Team will meet and train on University responses to critical incidents through tabletop and functional exercises. The University may decide to conduct an annual test of its alert system, communication systems, campus wide or build-

ing-specific exercises, a combination of such efforts, or other activities identified by the Emergency Response Team. Depending upon the type of test or exercise, these activities may be announced or unannounced, and will be supported with documentation describing the exercise and its date and time. Members of the campus community are encouraged to review the University's emergency response information available at evansville.edu/safety, and in the Emergency Response Guide, which are available in all academic and administrative departments.

TIMELY WARNING/ EMERGENCY NOTIFICATION

Timely Warning

After consultation with the Vice President for Student Affairs and Dean of Students and the Vice President for Talent & Community and Chief Inclusion & Equity Officer, timely warnings may be issued by the Office of Public Safety to the campus community for Clery Act Crimes that have occurred on campus and are:

- Reported to campus security authorities or local police agencies; and
- Considered by the University to represent a serious continuing threat to students and employees

A decision to issue a timely warning will be made on a case-by-case basis using the following factors:

- The nature of the crime
- The continuing danger to the campus community
- The possible risk of compromising law enforcement

The intent of a timely warning regarding a criminal incident(s) is to provide information in a timely manner, withholding the names of victims that contain information to aid in the prevention of similar occurrences. A timely warning should be issued as soon as pertinent information is available.

Timely warnings may also be issued if it is determined there is a pattern of crimes against persons or property that are non-Clery Act crimes, but indicate an ongoing threat to the campus community. Upon confirmation, the appropriate methods of notification will be initiated. Campus-wide timely warnings are disseminated using ACE Alerts, the University's emergency alert notifications system that includes the use of text messaging and email. Timely warnings may also be disseminated by other UE social media sites, the UE Public Safety website, and the University of Evansville website. If the threat could extend beyond the confines of the campus, information will also be made available to the local radio and TV stations by the Chief Communications Officer.

Emergency Notification

University of Evansville officials in the Office of Public Safety will promptly determine the content of emergency notifications and initiate the notification system, while prioritizing the safety of the community. Notifications will be issued unless, in the professional judgment of the responsible authorities, such as the Director of Public Safety and/or the Dean of Students, doing so would compromise efforts to assist a victim or to manage and mitigate the emergency effectively. Emergency notifications will be sent out upon confirmation, of any significant emergency or dangerous non-criminal situation occurring on the campus that involves an immediate threat to the health or safety of students or employees.

Emergency notifications will be issued using the ACE Alert notifications system. In some situations, additional methods of notification may be used, including Facebook, X, Guardian, and the University's website.

The Office of Public Safety reserves the right to investigate an incident for confirmation of an immediate threat before issuing an emergency notification. Confirmation of threats may be obtained through notification by a local law enforcement agency, the National Weather Service, or other emergency agency.

Emergency notifications will direct members of the campus community to take action. Some examples would include; "Shelter in Place," "Evacuate the Campus," or "Tornado Warning Take Shelter Immediately."

The Office of Public Safety will determine the appropriate segment or segments of the campus community to receive the immediate notification if the threat is limited to a particular segment of the campus.

VOLUNTARY CONFIDENTIAL REPORTING

If you are the victim or witness 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 director or a supervisor designee within the Office of Public Safety 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 mental health 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 Public Safety 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.

A professional mental health counselor: A person whose official responsibilities include providing mental health counseling to members of the institution's community and who is functioning within the scope of the counselor's license or certification.

Project SafeSpace Coordinator: A person whose official responsibilities include coordinating the Project SafeSpace initiative—which is focused on reducing domestic violence, sexual assault, dating violence, and stalking—through educational programming, survivor support, and community partnership development—and

who is functioning within the oversight of the Office of Human Resources and collaborating with campus and external partners.

CONFIDENTIALITY RECORD KEEPING/ ACCOMMODATIONS

The University does not publish the names of crime victims or other identifiable information regarding victims in the daily crime and fire logs or in the annual statistics that are disclosed in compliance with the Clery Act. If a timely warning is issued because of a report of domestic violence, dating violence, sexual assault, or stalking, the name of the victim and other personally identifiable information about the victim will be withheld. This could include the specific location where an incident is reported to have occurred when disclosing the location could inadvertently identify the victim.

Victims may request that directory information on file with the University be withheld by request. Students can make a request, in person, by visiting the Office of the Registrar in Olmsted Administration Hall and completing a request form. Employees may contact the Office of Human Resources by phone at 812-488-2943 or in person in Room 118 of Olmsted Administration Hall to request information be withheld. Regardless of whether a victim has opted-out of allowing the University to share directory information, personally identifiable information about the victim will be treated as confidential and only shared with persons who have a specific need to know. By only sharing personally identifiable information with individuals on a need-to-know basis, the University will maintain as confidential any accommodations or protective measures provided to the victim, to the extent that maintaining such confidentiality would not impair the ability of the institution to provide the accommodations or protective measures.

SEX OFFENSE INFORMATION

TITLE IX AND OTHER SEXUAL HARASSMENT AND MISCONDUCT POLICY

Applies to the Title IX Definition of Sexual Harassment, and All Other Forms of Sexual Harassment, Sexual Violence, Intimate Partner Violence and Stalking for Students, Staff, Faculty, and Third Parties.

I. Preamble

A. Reason for Policy

The University of Evansville (the "University") is committed to fostering an atmosphere free from harassment and creating an inclusive campus for all members of the University community regardless of their sex, sexual orientation, or gender identity. Sexual and Gender-Based Harassment and interpersonal violence are destructive to such a climate and will not be tolerated in the University community. The Title IX and other Sexual Harassment and Misconduct Policy (the "Policy") informs members of the University community about the University's prohibition against Title IX Sexual Harassment, which includes Sexual Assault, Dating Violence, Domestic Violence, and Stalking, as well as other forms of Sexual and Gender-Based Harassment (including conduct defined under Title VII of the Civil Rights Act of 1964), Sexual Exploitation and Retaliation (collectively, "Prohibited Conduct"). It provides information about resources, reporting options, and prompt and equitable resolution options. The

Policy reinforces the University's commitment to: (1) preventing and responding to Prohibited Conduct in a manner consistent with applicable federal, state and local law; (2) cultivating a climate where all individuals are well-informed and comfortable in reporting Prohibited Conduct; and (3) identifying the standards by which potential violations of this Policy will be evaluated. As outlined in this Policy, the University will take steps to eliminate sexual and gender-based harassment and violence, prevent their recurrence, and remedy any discriminatory effects for members of the University community.

B. Policy Statement

Consistent with the University's Non-discrimination Statement, the University does not discriminate against any person in any of its education or employment programs and activities on any basis prohibited by federal law or other applicable law, including on the basis of sex or gender, and it does not tolerate discrimination or harassment on the basis of sex or gender. This Policy has been drafted to comply with the applicable legal requirements of Title IX of the Education Amendments of 1972 ("Title IX") and its implementing regulations, including the final Title IX regulations issued by the U.S. Department of Education's Office for Civil Rights in May 2020, which prohibit discrimination on the basis of sex in all of the University's education programs and activities. The requirement not to discriminate on the basis of sex in the educational program or activity extends to admission and employment. This Policy is also drafted to comply with requirements from Title VII of the Civil Rights Act of 1964, which prohibits discrimination on the basis of sex in employment; the Jeanne Clery Campus Safety Act (the "Clery Act"), as amended by relevant provisions of the Violence Against Women Reauthorization Act of 2013 ("VAWA"), which governs certain aspects of the University's response to sexual assault, dating violence, domestic violence and stalking; and other applicable federal and Indiana state laws.

This Policy encourages prompt reporting of Prohibited Conduct; identifies persons to whom Prohibited Conduct may be reported; prohibits retaliation against persons who bring reports under this Policy; assures privacy to the extent possible consistent with the need to address and resolve Prohibited Conduct appropriately and foster a safe learning, living, and working environment; assures all members of the University community that each report of Prohibited Conduct will receive a prompt, equitable, impartial and thorough investigation and/or resolution; and provides for appropriate disciplinary or other corrective action.

A person who is determined at the conclusion of an investigation to have committed Prohibited Conduct in violation of this Policy may be subject to disciplinary action, up to and including expulsion or termination. In some circumstances, the University reserves the right to remove a student from the University's education program or activity, or place an employee on administrative leave prior to the conclusion of the Formal Resolution Process. Some forms of Prohibited Conduct may also violate federal, state and/or local law, and criminal prosecution may occur independently of any disciplinary action imposed by the University. The University's ultimate goal is to prevent Prohibited Conduct through pre-

vention and education. It is the responsibility of every member of the University community to foster an environment free of Prohibited Conduct. However, if Prohibited Conduct occurs, the University will respond firmly, fairly and in a timely manner, using both informal and formal procedures designed to eliminate the conduct, prevent its recurrence, and remedy any adverse effects of the conduct on individuals, members of the campus community, or University-related programs or activities. All members of the University community are encouraged to take reasonable and prudent actions to prevent or stop an act of Prohibited Conduct. Taking action may include direct intervention when safe to do so, enlisting the assistance of friends, contacting law enforcement or seeking assistance from a person in authority. Retaliation against community members who make good faith reports of Prohibited Conduct or who participate in an investigation under this Policy is prohibited. Nothing in this Policy shall be deemed to revoke any right a faculty member may have to file a grievance outlined in the Faculty Manual. Grievance procedures will be implemented in a manner consistent with the requirements of Title IX and the Clery Act.

II. Scope and Jurisdiction

This Policy governs the conduct of faculty, staff, students, alumni, members of the Board of Trustees (Trustees), volunteers, and other participants in University programs and activities that occur on the campuses of the University of Evansville and the Stone Family Center for Health Sciences. It also governs the conduct of third parties, including visitors and third-party contractors and vendors.

In this Policy, the individual reported to have experienced Prohibited Conduct is referred to as the Complainant. The individual who is reported to have committed Prohibited Conduct is referred to as the Respondent.

This Policy applies to acts of Prohibited Conduct that occurs both in the United States and in the University's education program or activity. The term "education program or activity" includes all of the University's operations, including the Stone Family Center for Health Sciences, and other locations, events, or circumstances over which the University exercises substantial control over both the Respondent and the context in which the conduct occurs; and any building owned or controlled by a student organization that is officially recognized by the University. The University's education program or activity can include on-campus, off-campus, or online conduct, and applies to employment and admissions. Examples include University-sponsored, University-funded, or otherwise University-supported study off campus, research, internship, mentorship, summer session, conferences, meetings, social events, or other affiliated programs or premises.

The Policy also applies to Prohibited Conduct that occurs outside of the United States, but in connection with the University's education program or activities, such as University-sponsored, University-funded or otherwise University-supported study abroad programs. Under certain circumstances, the Policy may also apply to instances in which the conduct occurred outside of the education program or activity, but where the University otherwise regulates the conduct, the conduct has or could have a continuing impact within the University's education program or activity, or the conduct may have the effect of posing a serious threat to the University community.

If the Respondent is not an employee or student, the University of Evansville's ability to take disciplinary action will be limited and is determined by the context of the Prohibited Conduct and the nature of the relationship of the third-party Respondent to the University. A visitor or third party who is accused of violating this Policy may have their relationship with the University of Evansville terminated and/or be permanently barred from the University or subject to other restrictions for failing to comply with this Policy.

In instances where the University does not have disciplinary authority over the Respondent or the conduct is unconnected to a University education program or activity, the University will take steps to support a Complainant or other campus community members by offering reasonably available Supportive Measures and provide assistance in identifying external reporting mechanisms.

A. Federal Jurisdictional Requirements Unique to Title IX Sexual Harassment

The Title IX regulations apply to specific forms of sexual harassment that occur in an education program or activity in the United States. Where conduct occurs outside of the education program or activity, outside of the United States, or would not meet the definition of Title IX Sexual Harassment, the University is required to dismiss any allegations in a formal complaint under Title IX.

However, in keeping with the University's educational mission and commitment to foster a learning, living, and working environment free from discrimination, harassment and retaliation, the University can move forward under the same resolution process for Sexual and Gender-Based Harassment, Sexual Assault, Dating Violence, Domestic Violence, Stalking, and other forms of Prohibited Conduct that occur outside of Title IX Jurisdiction (e.g., not in the United States, or as noted above, outside of the education program or activity).

III. Intersection and Coordination with Other Policies and Procedures

Discrimination or harassment on the basis of race, color, creed, or religion, national origin, age, disability, veteran status, gender identity, and all federally protected groups/classes not covered by Title IX do not fall under this Policy.

In addition, student, staff and faculty conduct is governed by applicable University policies and by the following:

- University of Evansville Employee Code of Conduct
- University of Evansville Drug and Alcohol Policies
- University of Evansville Student Handbook
- Harlaxton Student Handbook
- University of Evansville Staff Manual
- University of Evansville Administrator Manual
- University of Evansville Faculty Manual
- University of Evansville Adjunct Faculty Manual
- University of Evansville Protection of Children Policy

Where conduct involves the potential violation of both this Policy and another University policy, the University may choose to investigate other potential misconduct under the procedures set forth in this Policy, provided that it does not unduly delay a prompt or equitable resolution of the report. The classification of the Respon-

dent's primary role (student or employee) will direct the processes that will be followed for resolution.

This Policy applies to all reports of Prohibited Conduct that are received by the University on or after the effective date of this Policy, regardless of when the Prohibited Conduct occurred. Where the date of the Prohibited Conduct precedes the effective date of this Policy, the definitions of Prohibited Conduct in existence at the time of the alleged incident(s) will be used. The procedures under this Policy, however, will be used to investigate and resolve all reports made on or after the effective date of this Policy, regardless of when the incident(s) occurred.

IV. The Director of Institutional Equity and Title IX Coordinator

The University has designated an Institutional Equity and Title IX Coordinator to oversee the implementation of this Policy and to ensure compliance with Title IX, relevant portions of VAWA and Title VII, and to work with the University's Office of Public Safety to ensure compliance with the Clery Act and other applicable laws. The Institutional Equity and Title IX Coordinator is also charged with providing education and training; overseeing complaints; coordinating the University's investigation, response, and resolution of all reports of Prohibited Conduct under this Policy; maintaining centralized records of all reports, investigations, and resolutions in accordance to Title IX and the Office of Institutional Equity's Document Retention Policy.

The University's Institutional Equity and Title IX Coordinator is:

Ms. Annie Sills

Director of Institutional Equity and Title IX Coordinator

Room 150, University Libraries

812-488-5261

cs175@evansville.edu

titleIX@evansville.edu

Ms. Megan Clouse

Deputy, Institutional Equity and Title IX Coordinator

Room 152, University Libraries

812-488-5267

mc661@evansville.edu

Concerns about the University's application of Title IX, Title VII, and the Clery Act may be addressed to the University's Institutional Equity and Title IX Coordinator; the United States Department of Education, Clery Act Compliance Division (clery@ed.gov); the United States Department of Education, Office for Civil Rights (OCR@ed.gov or 800-421-3481); the Equal Employment Opportunity Commission (info@eeoc.gov or 800-669-4000); and/or (for Harlaxton) the Office of Independent Adjudicator (oiahe.org.uk/contact-us/ or 0118 959 9813).

To request disability accommodations, students should contact the University's Office of Counseling Services at 812-488-2663 or counselingservices@evansville.edu. Employees and other members of the University community should contact the Office of Human Resources at 812-488-2943 or hr@evansville.edu.

A. Prevention and Awareness Programs

The University is committed to the prevention of Prohibited Conduct through regular and ongoing education and awareness programs. Incoming students and new employees receive primary prevention and awareness programming, and returning students and current employees receive ongoing training and related programs.

The Institutional Equity and Title IX Coordinator maintains broad oversight responsibility, but may delegate responsibilities under this Policy to designated administrators or external professionals who will have appropriate training and/or experience. When used in this Policy, the term Institutional Equity and Title IX Coordinator may include an appropriate designee.

V. Definitions of Key Terms

- **Advisor:** The parties may be accompanied by an Advisor at any meeting or proceeding related to the resolution of a report under the Policy. The Advisor may be any person, including an attorney, and need not be affiliated with the University.
- **Complainant:** A student, employee, visitor, guest, or program participant who reports they have been the victim of sexual misconduct.
- **Confidential Resource:** Any University employee or independent contractor who has the ability to maintain the confidentiality of communications under applicable law or by designation. Confidential Resources include medical, clinical, and mental-health professionals, and clergy when acting in that professional role in the provision of services; and any employee providing administrative, operational, and/or related support for such providers in their performance of such services.
- **Disciplinary Authority:** A disciplinary authority, who may be an external professional appointed by the University or an internal administrator, who is designated to review the investigative report and preside over the hearing to determine if a preponderance of the evidence exists to warrant the imposition of appropriate sanction(s) and/or remedies. The Disciplinary Authority for Respondents who are tenured or tenured track faculty is addressed below.
- **Exculpatory Evidence:** Evidence that indicates that a Respondent did not engage in Prohibited Conduct.
- **Formal Complaint:** A signed document filed by a Complainant or signed by the Institutional Equity and Title IX Coordinator alleging sexual harassment against a Respondent and requesting that the University investigate the allegation of sexual harassment.
- **Formal Grievance Process:** The investigation and adjudication of prohibited conduct resulting in a formal hearing and determination of responsibility, and if appropriate, accompanying sanctions.
- **Inculpatory Evidence:** Evidence that indicates that a Respondent engaged in Prohibited Conduct.
- **Informal Resolution:** A voluntary, structured interaction between the Complainant and Respondent to resolve concerns prior to a determination by the Disciplinary Authority. The informal resolution process is intended to be flexible while also providing for a full range of possible outcomes. Informal resolution may include mediation between the parties.

- **Preponderance of the Evidence:** The standard of evidence applied to determine whether Respondent is responsible for violating the policy. This means that the University will decide whether it is more likely than not, based upon the available information, that the Respondent is responsible for the alleged Policy violation(s).
- **Prohibited Conduct:** Reported conduct that is a violation of the Title IX and other Sexual Harassment and Misconduct Policy.
- **Respondent:** A student, employee, visitor, guest, or program participant who is alleged by the Complainant to have committed Prohibited Conduct.
- **Responsible Employee:** A University of Evansville employee, who is not designated as a Confidential Resource, and is required to report incidents of Sexual Harassment and Misconduct to the Institutional Equity and Title IX Coordinator.
- **Supportive Measure:** A non-disciplinary, non-punitive individualized service offered as appropriate, as reasonably available, and without fee or charge to the Complainant or Respondent at any time before or after a Formal Complaint is filed or where no Formal Complaint has been filed.

VI. Definitions of Prohibited Conduct

This Policy prohibits a broad range of behaviors, which are referred to collectively as "Prohibited Conduct." In determining whether reported conduct violates this Policy, the University will consider the totality of the facts and circumstances involved in the incident, including the nature of the reported conduct and the context in which it occurred. Prohibited Conduct can be committed by or against individuals of any sex, gender, gender identity, gender expression, or sexual orientation, and can occur between individuals of the same or different sex or gender, gender identity, gender expression, or sexual orientation. It can occur between strangers or acquaintances, between individuals involved in a professional relationship, and between people involved in intimate or sexual relationships. Lack of familiarity with University policy is not a defense to a violation of this Policy. Unless specifically noted, intent is not a required element to establish a policy violation. Additionally, intoxication or impairment from alcohol, drugs, or other substances is not a defense to a violation of this Policy.

A. Title IX Sexual Harassment

The Title IX regulations define Sexual Harassment as conduct on the basis of sex, that must satisfy one or more of the following:

- (1) An employee conditioning the provision of an aid, benefit, or service of the University on an individual's participation in unwelcome sexual conduct; or
- (2) Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectionably offensive that it effectively denies a person equal access to an education program or activity; and
- (3) Sexual Assault, Dating Violence, Domestic Violence, Stalking and Retaliation, as defined below.

(a) Sexual Assault: Sexual assault is having or attempting to have sexual contact with another individual without consent or where the individual cannot consent because of age or temporary or permanent mental incapacity (see below for definition of consent, including incapacitation). Sexual contact includes:

- (i) rape, penetration, no matter how slight of the vagina or anus with any body part or object or oral penetration by a sex organ of another person without the consent of the individual.
- (ii) criminal sexual touching, the intentional touching of clothed or unclothed body parts without the consent of the Complainant for the purpose of sexual gratification or sexual humiliation; or the forced touching by the Complainant of the Respondent's clothed or unclothed body parts without the consent of the Complainant for the purposes of sexual degradation, sexual gratification, or sexual humiliation.
- (iii) incest; no forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by Indiana law.
- (iv) Statutory rape; non-forcible sexual intercourse with a person who is under the statutory age of consent according to Indiana law IC 35-42-4-9.
- (v) attempts to commit Sexual Assault.

(b) Dating and Domestic Violence includes any act of violence against a Complainant who is or has been involved in a sexual, dating, domestic, or other intimate relationship with the Respondent, or against a person with whom the Respondent has sought to have such a relationship, as follows:

(i) Dating Violence includes any act of violence committed by a person:

- (1) Who is or has been in a social relationship of a romantic or intimate nature with the Complainant; and
- (2) Where the existence of such a relationship shall be determined based on a consideration of the following factors:
 - a. the length of the relationship;
 - b. the type of relationship; and
 - c. the frequency of interaction between the persons involved in the relationship.

(ii) Domestic Violence includes any act of 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 or intimate partner, by a person similarly situated to a spouse of the Complainant under Indiana state law, or by any other person against an adult or minor Complainant who is protected from that person's acts under Indiana state law.

Dating or Domestic Violence may also include forms of Sexual Harassment under this Policy, including Sexual Assault, Sexual Exploitation, and Stalking.

(c) Stalking: Stalking occurs when a person engages in a course of conduct directed at a specific person under circumstances that would cause a reasonable person to fear for their own safety or the safety of others or suffer substantial emotional distress.

Course of conduct means two or more instances including but not limited to unwelcome acts in which an individual directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property. Substantial emotional distress means significant mental suffering or anguish.

Stalking includes the concept of cyber-stalking, a particular form of stalking in which electronic media such as the internet, social networks, blogs, cell phones, texts, or other similar devices or forms of contact are used.

B. Other Forms of Prohibited Conduct

(1) In addition, consistent with Title VII of the Civil Rights Act of 1964 and the recognition that Sexual Harassment can occur in a wider variety of contexts, the University also defines Sexual Harassment to include Sexual and Gender-Based Harassment, as described below:

(a) Sexual Harassment is any unwelcome sexual advance, request for sexual favors, and/or other verbal, or physical conduct of a sexual nature when one of the conditions outlined in (i), (ii) or (iii), in the following section on Gender-Based Harassment, is present.

(b) Gender-Based Harassment includes harassment based on gender, sexual orientation, gender identity, or gender expression, which may include acts of aggression, intimidation, or hostility, whether verbal or nonverbal, graphic, physical or otherwise, even if the acts do not involve contact of a sexual nature, when one of the conditions outlined in (i), (ii), or (iii), is present:

- (i) Submission to, or rejection of, such conduct is made implicitly or explicitly a term or condition of a person's instruction, academic standing, employment, or participation in any University program, activity or benefit.
- (ii) Submission to, or rejection of, such conduct by an individual is used as a basis for evaluation in making academic or personnel decisions.

- (iii) Such conduct creates a hostile environment. A hostile environment exists when the conduct is sufficiently severe, persistent, or pervasive that it unreasonably interferes with, limits, or deprives an individual from participating in or benefiting from the University's educational, employment, and/or campus-residential experience when viewed through both a subjective and objective standard. A hostile environment can be created by persistent or pervasive conduct or by a single or isolated incident, if sufficiently severe. The more severe the conduct, the less need there is to show a repetitive series of incidents to prove a hostile environment, particularly if the conduct is physical. A single incident of sexual assault, for example, may be sufficiently severe to constitute a hostile environment.

(c) Sexual and Gender-Based Harassment:

- (i) May be blatant and intentional and involve an overt action, a threat or reprisal, or may be subtle and indirect, with a coercive aspect that is unstated.
- (ii) Does NOT have to include intent to harm, be directed at a specific target, or involve repeated incidents.
- (iii) May be committed by anyone, regardless of gender, age, position, or authority. While there is often a power differential between two persons, perhaps due to differences in age, social, educational or employment relationships, harassment can occur in any context.
- (iv) May be committed by a stranger, an acquaintance, or someone with whom the Complainant has an intimate or sexual relationship.
- (v) May be committed by or against an individual or may be a result of the actions of an organization or group.
- (vi) May occur by or against an individual of any sex, gender identity, gender expression, or sexual orientation.
- (vii) May occur in the classroom, in the workplace, in residential settings, or other settings, as outlined in the Scope and Jurisdiction section of this policy.
- (viii) May be a one-time event or may be part of a pattern of behavior.
- (ix) May be committed in the presence of others or when the parties are alone.
- (x) May affect the Complainant and/or third parties who witness or observe harassment.

Examples of sexual and gender-based harassment may include, for example:

- (i) Offering or implying an employment-related reward (such as a promotion, raise, or different work assignment) or an education related reward (such as a better grade, a letter of recommendation, favorable treatment in the classroom, assistance in obtaining employment, grants or fellowships, or admission to any education program or activity) in exchange for sexual favors or submission to conduct of a sexual nature.
- (ii) Threatening or taking a negative employment action (such as termination, demotion, denial of an employee benefit or privilege, or change in working conditions) or negative educational action (such as giving an unfair grade, withholding a letter of recommendation, or withholding assistance with any educational activity) or intentionally making the individual's job or academic work more difficult because submission to conduct of a sexual nature is rejected.
- (iii) Unwelcome sexual advances, repeated propositions or requests for a sexual relationship to an individual who has previously indicated that such conduct is not wanted, unwelcome physical contact of a sexual nature, or sexual gestures, noises, remarks, jokes, questions, or comments about a person's sexuality that are so severe, persistent, or pervasive that they would reasonably be perceived as creating a hostile or abusive work or educational environment.

C. Retaliation means any adverse action, intimidation, threat, coercion, or discrimination against an individual for the purpose of interfering with any right or privilege secured by Title IX or its regulations, or because the individual has made a report or Formal Complaint of Prohibited Conduct, testified, assisted, or participated or refused to participate in any manner in any investigation, proceeding or hearing under this Policy. Retaliation includes such conduct through associates or agents of a Complainant, Respondent, or participant in any investigation or proceeding related to this Policy.

D. Sexual Exploitation occurs when a person violates the sexual privacy of another or takes advantage of another person's sexuality without Consent. Sexual Exploitation may include:

Surreptitiously observing another individual's nudity or sexual activity or allowing another to observe consensual sexual activity without the knowledge and consent of all parties involved; recording, photographing, transmitting, showing, viewing, streaming, or distributing intimate or sexual images, audio recordings, or sexual information without the knowledge and consent of all parties involved; or exposing one's genitals or breasts, or causing another to expose their own genitals or breasts, in non-consensual circumstances.

E. Complicity is any deliberate act, or failure to act that knowingly or intentionally aids, attempts, or assists the commission of a specific act of Prohibited Conduct by another person.

F. Violation of University Directive is the failure to abide by the terms of a Supportive Measure or comply with a requirement of this Policy.

VII. Related Definitions

In determining whether certain forms of Prohibited Conduct violate this Policy, the University must determine whether the acts occurred with the Consent of the Complainant.

A. Consent requires a voluntary, informed, and freely-given agreement, communicated through mutually-understandable words and/or actions, to engage in agreed-upon Sexual Contact, Sexual Intercourse, Sexual Exploitation, or other sexual activity. Consent cannot be obtained through force, where there is a reasonable belief of the threat of force, or by taking advantage of another person's incapacitation.

In evaluating whether Consent has been freely sought and given, the University will consider the presence of any force, threat of force, or coercion; whether the Complainant had the capacity to give consent; and whether the communication (through words and/or actions) between the parties would be interpreted by a reasonable person (under similar circumstances and with similar identities) as a willingness to engage in a particular sexual act.

Important considerations regarding Consent include:

- Consent to one form of sexual activity does not imply or constitute consent to another form of sexual activity.
- Consent on a prior occasion does not constitute consent on a subsequent occasion.
- Consent to an act with one person does not constitute consent to an act with any other person.
- The existence of a prior or current relationship does not, in itself, constitute consent; even in the context of a relationship, there must be real time and mutual consent to sexual activity.
- Consent can be withdrawn or modified at any time, and sexual contact must cease immediately once Consent is withdrawn.
- Consent cannot be inferred from the absence of a "no."
- Consent cannot be inferred from silence, passivity, or lack of verbal or physical resistance, and relying on nonverbal communication alone may result in a violation of this Policy.

The age of Consent in the State of Indiana is 16. Individuals who are 14 or 15 years of age are legally incapable of giving consent to Sexual Intercourse or Sexual Contact by an individual who is four or more years older.

Incapacitation is the inability, temporarily or permanently, to give Consent because the individual is mentally and/or physically impaired, either voluntarily or involuntarily, or the individual is unconscious, asleep, or otherwise unaware that the sexual activity is occurring. In addition, an individual is incapacitated if the individual demonstrates that the individual is unaware at the time of the incident of where individual is, how the individual got there, or why or how the individual became engaged in a sexual interaction.

When alcohol or other drugs are involved, Incapacitation is a state of drunkenness, intoxication, or impairment that is so severe that it interferes with a person's capacity to make informed and knowing decisions. Alcohol and other drugs impact each individual differently, and determining whether an individual is incapacitated requires an individualized determina-

tion. The University does not expect community members to be medical experts in assessing Incapacitation. Individuals should look for the common and obvious warning signs that show that a person may be incapacitated or approaching Incapacitation. A person's level of intoxication is not always demonstrated by objective signs; however, some signs that a person may be incapacitated include clumsiness, difficulty walking, poor judgment, difficulty concentrating, slurred speech, vomiting, combativeness, or emotional volatility. A person who is incapacitated may not be able to understand some or all of the following questions: "Do you know where you are?" "Do you know how you got here?" "Do you know what is happening?" "Do you know whom you are with?"

An individual's level of intoxication may change over a period of time based on a variety of subjective factors, including the amount of substance intake, speed of intake, body mass, and metabolism. It is especially important, therefore, that anyone engaging in sexual activity is aware of both their own and the other person's level of intoxication and capacity to give consent.

It is important to remember that the use of alcohol or other drugs can lower inhibitions and create an atmosphere of confusion about whether Consent is effectively sought and freely given. If there is any doubt as to the level or extent of one's own or the other individual's intoxication or Incapacitation, the safest course of action is to forgo or cease any sexual activity. Even where there is insufficient evidence to establish Incapacitation, a Complainant's level of impairment may still be a relevant factor in establishing whether Consent was sought and freely given.

In evaluating Consent in cases of reported Incapacitation, the University asks two questions: (1) Did the Respondent know that the Complainant was incapacitated? and if not, (2) Would a sober, reasonable person in a similar set of circumstances as the Respondent have known that the Complainant was incapacitated? If the answer to either of these questions is "yes," there was no Consent; and the conduct is likely a violation of this Policy. A Respondent's voluntary intoxication is never an excuse for or a defense of Prohibited Conduct, and it does not diminish one's responsibility to determine that the other person has given Consent.

VIII. Understanding Privacy and Confidentiality

The University encourages all individuals who believe they have experienced or witnessed Prohibited Conduct to share information with the Institutional Equity and Title IX Coordinator or to a Responsible Employee (defined below), who will make a referral to the Institutional Equity and Title IX Coordinator. The Title IX Coordinator will provide the Complainant with information about resolution options and supports and resources. The Institutional Equity and Title IX Coordinator will also consult with the Complainant to determine whether and how the University should respond.

If a Complainant or witness does not wish to report to the University but wishes to seek support or information in a confidential setting, they should seek such support from one of the Confidential Resources listed below.

The following information about Privacy and Confidentiality is intended to differentiate these two terms as they are used in the Title IX process.

A. Privacy refers to the discretion that will be exercised by the University, including the Office of Institutional Equity, in the course of any investigation or disciplinary processes under this Policy. Information related to a report of Prohibited Conduct will be handled discreetly and shared with a limited circle of University employees or designees who need to know in order to assist in the assessment, investigation, and resolution of the report and related issues. Individuals in the Office of Institutional Equity, along with Investigators, Disciplinary Authority members, and External Reviewers, will receive training in how to safeguard private information. The University will make reasonable efforts to investigate and address reports of Prohibited Conduct under this Policy, and information may be disclosed to participants in an investigation as necessary to facilitate the thoroughness and integrity of the investigation. In all such proceedings, the University will maintain the privacy of the parties to the extent reasonably possible. The privacy of student education records will be protected in accordance with the university's Policy on the Access to Student Records in accordance with the Family Educational Rights and Privacy Act (FERPA). Access to an employee's personnel records is also governed by University policy and by applicable local laws.

B. Confidentiality refers to the level of protection that must be applied to statutory protections provided to individuals who disclose information in legally protected or privileged relationships, including professional mental health counselors, medical professionals, and ordained clergy (see Confidential Resources below). These Confidential Resources must maintain the confidentiality of communications disclosed within the scope of the provision of professional services. When an individual shares information with a Confidential Resource (on campus or in the community) as a confidential communication in the course of a protected relationship, the Confidential Resource cannot disclose the information (including information about whether an individual has received services) to any third party without the individual's written permission or unless permitted or required consistent with ethical or legal obligations. Similarly, medical and counseling records cannot be released without the individual's written permission or unless permitted or required consistent with ethical or legal obligations.

Confidential Resources submit non-personally identifying information about Clery-reportable crimes to the Office of Public Safety for purposes of the anonymous statistical reporting under the Clery Act.

C. Release of Information by the University: Pursuant to the Clery Act, the University must disclose statistics about Clery Act crimes in its daily crime log and Annual Security Report and provide those statistics to the U.S. Department of Education. If a report of Sexual Assault, Dating Violence, Domestic Violence, or Stalking discloses a serious or continuing threat to the campus community, the University will issue a timely notification to the campus community to protect the health and safety of the campus community as required by the Clery Act. In all of these instances, the information is reported in a manner that does not include personally identifying information about persons involved in an incident. In addition, Confidential Resources may submit anonymous statistical information for Clery Act purposes unless they believe it would be harmful to their client, patient, or student.

The University will not release the name of the Complainant, the Respondent, or witnesses to the general public except as otherwise permitted or required by law. The University will also maintain the confidentiality of any Supportive Measures provided to a Complainant, to the extent that maintaining such confidentiality would not impair the University's ability to provide the Supportive Measures. The University may also share non-personally identifying information about reports received in aggregate form, including data about outcomes and sanctions. All University proceedings are conducted in compliance with the requirements of FERPA, the Clery Act (as amended by VAWA), Title IX, state and local law, and University policy.

IX. Reporting Responsibility of University Employees

It is important to understand the different responsibilities of University employees. Some employees are designated as **Confidential Resources**, meaning that they will maintain the Confidentiality of information shared with them, as described above. All other employees are designated as **Responsible Employees**, meaning that they are required to promptly share all information about Prohibited Conduct with the Institutional Equity and Title IX Coordinator.

A. Confidential Resources include any University employee or independent contractor who has the ability to maintain the confidentiality of communications under applicable law or by designation. Confidential Resources include medical, clinical, and mental-health professionals, and clergy when acting in that professional role in the provision of services; and any employee providing administrative, operational, and/or related support for such providers in their performance of such services. Confidential Resources will not disclose information about Prohibited Conduct without the individual's written permission or as set forth in the Confidentiality section above. When individuals who otherwise are Confidential Resources receive information outside of the provision of services, the Confidential Resource is required to share that information with the Institutional Equity and Title IX Coordinator. For example, a licensed counselor who receives a disclosure in the context of speaking at a prevention program would be required to share the information with the Institutional Equity and Title IX Coordinator.

The following are on-campus Confidential Resources:

Office of Counseling Services

Room 200, Ridgway University Center
812-488-2663
counselingservices@evansville.edu
evansville.edu/counseling/

The Office of Counseling Services is staffed by professional, licensed counselors and is available to all students. The office is open from 8:00 a.m. - 5:00 p.m. Monday through Friday, with reduced hours in the summer. These hours may be adjusted by the University at any time. Appointments can be made by calling 812-488-2663. Emergency counseling services are available after hours by calling the Office of Public Safety at 812-488-2051 and asking for the counselor on call.

Spiritual Formation Coordinator

Center for Inclusive Excellence, RUC 261
812-488-5265
spiritualformation@evansville.edu
evansville.edu/spiritual-formation/

The Office of Spiritual Formation is staffed with a certified Spiritual Director who provides pastoral care and directional resources to the University of Evansville.

Crayton E. and Ellen Mann Health Center

Student Health Center Hours (full-time students only)

Open Monday–Friday, 8:00 a.m.–5:00 p.m.

when classes are in session.

Closed during academic breaks and holidays.

Summer semester hours are nurse-only visits, Monday–Friday, 8:00 a.m.–12:00 p.m.

Student clinic contact information:

812-488-2033 (opt 1)

Fax 812-803-3673

healthcenter@evansville.edu

evansville.edu/offices/healthcenter/

Employee Clinic Hours

(to UE insurance policy holders and dependents only)

Monday: 8:00–11:00 a.m. and 3:00–6:00 p.m.

Tuesday: 7:00–11:00 a.m.

Wednesday: 2:00–6:00 p.m.

Thursday: 7:00–11:00 a.m.

Friday: Closed

Hours are unchanged throughout the year with the exception of holidays.

Employee clinic contact information:

Phone number: 888-492-8722

Fax number: 812-803-3641

The Health Center is staffed and operated by a third-party vendor and is available to all full-time students, as well as employees who are enrolled on UE health insurance. The University of Evansville Health Center is staffed by Physician Assistants, Nurse Practitioners, Registered Nurses, and medical assistants who are under the supervision of a medical doctor of the third-party vendor. The Health Center is open from 8:00 a.m. - 5:00 p.m. Monday through Friday during the fall and spring semesters, with reduced hours in the summer. The hours may be adjusted by the University at any time.

Project SafeSpace

Room 118, Olmsted Administration Hall

812-488-5823

ah193@evansville.edu

evansville.edu/safespace/

The Health Center is staffed and operated by a third-party vendor and is available to all full-time students, as well as employees who are enrolled on UE health insurance. The University of Evansville Health Center is staffed by Nurse Practitioners, Registered Nurses, and medical assistants who are under the supervision of a medical doctor of the third-party vendor. The Health Center is open from 8:00 a.m. - 5:00 p.m. Monday through Friday during the fall and spring semesters, with reduced hours in the summer. The hours may be adjusted by the University at any time.

While these Confidential Resources will ordinarily be able to maintain the confidentiality of the information shared with them in the course of their duties, there are certain limited circumstances where they may be required by law to share information.

Those circumstances include:

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

Employees may obtain confidential counseling from the University's Employee Assistance Program, which can be accessed by contacting 1-888-293-6948.

B. Responsible Employees are expected to promptly report any information they learn about suspected Prohibited Conduct or potential violations of this Policy. All University employees, except for those that are designated as Confidential Resources, are considered Responsible Employees. For the purpose of this policy, Trustees are required to report potential violations of this Policy to the Office of Institutional Equity, notwithstanding the fact that they are not employees of the University.

Responsible Employees are expected to report all known information, including the identities of the parties, the date, time, and location and any details about the reported incident to the Institutional Equity and Title IX Coordinator. The Institutional Equity and Title IX Coordinator may share reports with other University employees to ensure a coordinated institutional response. Responsible Employees may provide support and assistance to a Complainant, witness or Respondent; but they cannot promise Confidentiality or withhold information about Prohibited Conduct. Failure by a Responsible Employee to report suspected Prohibited Conduct in a timely manner may subject them to appropriate discipline, including removal from a position or termination of employment.

Responsible Employees are not required to report information disclosed at public awareness events (e.g., "Take Back the Night," candlelight vigils, protests, "survivor speak-outs" or other public forums in which students may disclose Prohibited Conduct (collectively, public awareness events). The University may provide information about Title IX and available University and community resources and support at public awareness events. When individuals who are designated as Responsible Employees also serve, at times, a dual role as Confidential Resources, the individuals should not report information that they receive while providing services as Confidential Resources (except as set forth in the Confidentiality section above). In addition, a Complainant may choose not to make a report in their own case, even if the Complainant would otherwise have reporting obligations as a Responsible Employee.

C. Clery Act Reporting

Pursuant to the Clery Act, the University includes statistics about certain offenses in its Annual Security Report and provides those statistics to the United States Department of Education in a manner that does not include any personally identifying information about individuals involved in an incident. The Clery Act also requires the University to issue timely warn-

ings to the University community about certain crimes that have been reported and may continue to pose a serious or continuing threat to campus safety. Consistent with the Clery Act, the University withholds the names and other personally identifying information of Complainants when issuing timely warnings to the University community.

D. Mandatory Reporting of Child Abuse and Neglect

In addition to the above reporting responsibilities, all University employees have an obligation to report known or suspected child abuse and neglect consistent with Indiana state law and the University's Protection of Children Policy. Child Abuse can be reported to the Indiana Department of Child Services hotline at 1-800-800-5566.

X. Campus and Community Resources

A Complainant or witness has many options, including seeking counseling or assistance from a Confidential Resource, making a report under this Policy, and/or making a report to law enforcement. The University encourages prompt reporting of Prohibited Conduct to the Institutional Equity and Title IX Coordinator and law enforcement. The University also recognizes that deciding among these options can be difficult and is an intensely personal decision. Complainants and witnesses are encouraged to seek assistance from a Confidential Resource and to explore all potential reporting and support options.

A. Emergency Resources and Law Enforcement

Emergency medical assistance and campus Office of Public Safety assistance are available 24/7 both on and off campus. Individuals are encouraged to contact law enforcement and seek medical treatment as soon as possible following an incident that may pose a threat to safety or physical well-being or following a potential criminal offense.

To report Prohibited Conduct that is imminent, in progress, or threatened, call:

University of Evansville: the University's Office of Public Safety at 812-488-2051 or the Evansville Police Department at 812-436-7896 or 911.

Stone Family Center for Health Sciences: IU Police Department/G4S Security at 812-855-2425 or 812-855-2421 or the Evansville Police Department at 812-436-7896 or 911.

B. Medical Treatment and Preservation of Evidence

Regardless of whether a report is filed with local law enforcement, individuals should preserve all evidence that could be relevant to any criminal charges that may be brought or that might be needed to obtain a protection order. Individuals who have been subjected to sexual assault are encouraged to obtain a physical examination by a Sexual Assault Nurse Examiner (SANE).

University of Evansville and Stone Family Center for Health Sciences:

Deaconess Hospital

deaconess.com/Services/Emergency-Care/S-A-N-E

Hours: 24/7

812-450-3405

St. Vincent Hospital

stvincent.org/Locations/Hospitals/Evansville

Hours: 24/7

812-485-4491

Before obtaining a SANE examination, individuals should avoid showering, using the toilet, washing, applying soaps or lotions, changing clothes, combing hair, drinking, eating, or altering their physical appearance. 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. Even if a SANE exam is not sought, all victims of violence should consider obtaining medical attention so that any issues relating to possible injury or disease from the incident may be addressed.

C. Campus Resources

Members of the University community may obtain information about resources relating to Prohibited Conduct from:

- Annie Sills, Director of Institutional Equity and Title IX Coordinator
812-488-5261, cs175@evansville.edu
- Keith Gehlhausen, Executive Director of Human Resources and Institutional Equity
812-488-2943, kg77@evansville.edu
- Kristen Strandberg, Interim Vice President of Student Affairs/Dean of Students
812-488-2500, ks532@evansville.edu
- Rob Shelby, Vice President for Talent & Community and Chief Inclusion & Equity Officer
812-488-2949, rs262@evansville.edu

The Institutional Equity and Title IX Coordinator will provide Complainants with written notice about existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, and other services, as well as options and available assistance for changing academic, living, transportation, and working situations, if requested, if reasonably available, and regardless of whether reports are made to law enforcement. These supports are described in greater detail in the section on Supportive Measures.

D. Community Resources

In addition to the on-campus confidential medical and counseling resources outlined in the Confidential Resources section of this Policy, assistance and information relating to incidents involving sexual assault, intimate partner violence, and stalking may also be obtained from these organizations not affiliated with the University. Be sure to ask each organization about its policy concerning confidentiality.

University of Evansville and Stone Family Center for Health Sciences:

Holly's House: Non-residential victim advocacy center

750 N Park Drive

Evansville, IN 47710

812-437-7233

hollyshouse.org

Albion Fellows Bacon Center: Victim advocacy and shelter

Domestic Violence Hotline: 812-422-5622

Sexual Assault Hotline: 812-424-7273

albionfellowsbacon.org

RAINN: National sexual assault hotline
1-800-656-HOPE (4673) for 24/7 live chat or more information
rainn.org

Matthew 25: HIV/AIDS services
Old Post Office Plaza
101 NW 1st St, Suite 215
Evansville, IN 47708
812-437-5192
matthew25clinic.org

Vanderburgh County Health Department: HIV/STD clinic
420 Mulberry Street
Evansville, IN 47713
812-435-2400
health.vanderburghcounty.in.gov

XI. Reporting Options

The University encourages all individuals to report Prohibited Conduct or a potential violation of this Policy to the Institutional Equity and Title IX Coordinator, the Office of Public Safety, and/or to local law enforcement. A Complainant has the right to report, or decline to report, potential criminal conduct to law enforcement. Upon request, the University will assist a Complainant in contacting law enforcement at any time. Under limited circumstances (posing a threat to health or safety of any individual or to comply with applicable law), the University may independently notify law enforcement. An individual may make a report to the University, to law enforcement, to neither, or to both. Campus Title IX processes and law enforcement investigations operate independently of one another, although the Institutional Equity and Title IX Coordinator may coordinate information with law enforcement as part of the Initial Assessment. Anyone can make a report as follows:

A. Make a report to the Institutional Equity and Title IX Coordinator in person, by telephone, or email at:

Ms. Annie Sills
Director of Institutional Equity and Title IX Coordinator
Room 150, University Libraries
812-488-5261
cs175@evansville.edu
titleix@evansville.edu

Ms. Megan Clouse
Deputy, Institutional Equity and Title IX Coordinator
Room 152, University Libraries
812-488-5267
mc661@evansville.edu

B. Make a report to local Law Enforcement

A Complainant has the right to report, or decline to report, to law enforcement at any time. The University's investigation and adjudication processes are distinct from the criminal justice/law enforcement process. The University will assist a Complainant in contacting law enforcement or the Complainant may contact law enforcement directly.

- University of Evansville and Stone Family Center for Health Sciences:
 - **Evansville Police Department** at **812-436-7896** or **911**.

C. Make an anonymous report

A Complainant is not required to reveal their identity in order to report an incident; however, an anonymous report may limit the ability to respond with an investigation or disciplinary action. An incident can be anonymously reported to the University at:

University of Evansville and Stone Family Center for Health Sciences

- University of Evansville Office of Public Safety Report A Concern Form
- Campus Conduct Hotline

Although providing anonymous information may limit the ability of the University to investigate or impose discipline, it can help the University maintain accurate records regarding the number of incidents involving students, employees, and third parties; determine if there is a pattern of conduct with regard to a particular location, group or Respondent; and alert the campus community to potential dangers when appropriate.

A Complainant or witness also has the ability to make an anonymous report to local law enforcement by contacting the Evansville Police Department's anonymous report line at 812-435-6194.

The University will assist a Complainant in contacting Crimestoppers or the Complainant may contact Crimestoppers directly. An individual may pursue some or all of these steps at the same time (e.g., one may simultaneously pursue a Title IX report and a criminal complaint). When initiating any of the above options, an individual does not need to know whether they wish to request any particular course of action nor how to label what happened. As part of a report to the Institutional Equity and Title IX Coordinator, an individual can also request Supportive Measures.

D. Timeframe for Reporting

Complainants and witnesses are encouraged to report Prohibited Conduct as soon as possible in order to maximize the University's ability to respond promptly and effectively. The University does not, however, limit the timeframe for reporting. Depending on the relationship of the Respondent to the University, the University may not have the authority to impose disciplinary action. Where the University does not have Disciplinary Authority (for example, a report is made after a student has left or graduated or an employee no longer works for the University), the University will still seek to meet its Title IX obligations by evaluating the reported conduct, providing reasonably available Supportive Measures to the Complainant, assisting the Complainant in identifying external reporting options, and may take other appropriate action to address the reported conduct.

E. Amnesty

The University encourages reporting and seeks to remove barriers to reporting by providing amnesty for Complainants and witnesses who report Prohibited Conduct for potential conduct violations occurring at or near the time of the incident. In general, the University will not pursue disciplinary action against a student who makes a good faith report to the University as a Complainant or witness to Prohibited Conduct for personal consumption of alcohol or other drugs (underage or illegal) which would otherwise be a violation of the University's Drug and Alcohol Policies, provided the misconduct did not endan-

ger the health or safety of others. The University may initiate an assessment or educational discussion or pursue other non-disciplinary options regarding alcohol or other drug use.

F. Requests for Anonymity

Once a report has been shared with the Institutional Equity and Title IX Coordinator, a Complainant may request that their identity not be shared with the Respondent (request for anonymity), that no investigation occur, or that no disciplinary action be pursued. The University will carefully balance this request in the context of the University's commitment to provide a safe and non-discriminatory environment for all University community members. The University will take all reasonable efforts to investigate and respond to the report consistent with a Complainant's request, but in order to pursue disciplinary action against a Respondent, the Respondent must be provided with sufficient notice of the reported conduct. In some circumstances, the Institutional Equity and Title IX Coordinator may arrange for limited preliminary fact-finding by an Investigator to gain a better understanding of the context of the report or take other appropriate steps, including consulting with appropriate administrators. For more information, see the section on **Balancing Complainant Autonomy with University Responsibility to Investigate**.

G. Coordination with Law Enforcement

A Complainant has the right to report, or decline to report, potential criminal conduct to law enforcement. Upon request, the University will assist a Complainant in contacting law enforcement at any time. Under limited circumstances posing a threat to health or safety of any University community member, the University may independently notify law enforcement. An individual may make a report to the University, to law enforcement, to neither, or to both. The University's resolution process and law enforcement investigations may be simultaneously pursued, but will operate independently of one another. The University will, when appropriate, coordinate information with law enforcement if law enforcement is notified.

XII. Supportive Measures

Upon receipt of a report of Prohibited Conduct, the University will provide reasonable and appropriate Supportive Measures. A Supportive Measure is a non-disciplinary, non-punitive individualized service offered as appropriate, as reasonably available, and without fee or charge to the Complainant or Respondent at any time before or after a Formal Complaint is filed or where no Formal Complaint has been filed. Supportive Measures are designed to preserve access to the University's educational programs and activities without unreasonably burdening the other party, including measures designed to protect the safety of the Complainant, the Respondent or broader University community; maintain the integrity of the investigative and/or resolution process; and deter retaliation.

Supportive measures may include counseling, extensions of deadlines or other course related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between the parties, changes in work or housing locations, leaves of absence, increased security and monitoring of certain areas of the campus, and other similar measures.

Available Supportive Measures include, but are not limited to:

- Facilitating access to counseling and medical services.

- Guidance in obtaining a sexual assault forensic examination.
- Assistance in arranging rescheduling of exams and assignments and extensions of deadlines.
- Academic support.
- Assistance in requesting long-term academic accommodations through the Office of Counseling Services if the individual qualifies as an individual with a disability.
- Change in class schedule, including the ability to transfer course sections or withdraw from a course.
- Allow either a Complainant or a Respondent to drop a class in which both parties are enrolled in the same section.
- Voluntary changes in the Complainant's or Respondent's University work schedule or job assignment.
- Change in campus housing.
- Escort and other safety planning steps.
- Mutual "no contact order," an administrative remedy designed to curtail contact and communications between two or more individuals.
- Voluntary leave of absence.
- Referral to resources to assist in obtaining a protective order.
- Referral to resources to assist with any financial aid, visa, or immigration concerns.
- Any other remedial measure that does not interfere with either party's access to education can be used to achieve the goals of this Policy.
- Reasonable Change in the Respondent's class schedule.
- Reasonable Change in the Respondent's University work schedule or job assignment.
- Reasonable Change in the Respondent's campus housing.
- Any other reasonable restrictive measure that can be used to achieve the goals of this Policy.

The availability of Supportive Measures will be determined by the specific circumstances of each report. The University will consider a number of factors in determining which Supportive Measures to take, including the needs of the student or employee seeking Supportive Measures; the severity or pervasiveness of the alleged conduct; any continuing effects on the parties; whether the Complainant and the Respondent share the same residence hall, academic course(s), or job location(s); and whether court proceedings have been used to protect any parties (e.g., protective orders). The University will work in good faith to implement the requirements of judicially issued protective orders and similar orders, to the extent that doing so is within its authority.

The Institutional Equity and Title IX Coordinator is responsible for ensuring the implementation of Supportive Measures and coordinating the University's response with the appropriate offices on campus. The Institutional Equity and Title IX Coordinator has the discretion to impose and/or modify any Supportive Measure based on all available information and is available to meet with a Complainant or Respondent to address any concerns about the provision of Supportive Measures. The University will maintain the privacy of any Supportive Measures provided under this Policy to the extent practicable.

The University will provide reasonable Supportive Measures to third parties as appropriate and available, taking into account the role of the third party and the nature of any contractual relationship with the University.

A. Emergency Removal

Certain circumstances may warrant removing a student Respondent from a University education program or activity. The University may remove a student Respondent on an emergency basis from University property or employment, education or research programs or activities. The determination of whether to remove a student may be made by the Institutional Equity and Title IX Coordinator in consultation with other University employees, as necessary. This decision may be made at any point in the process.

Before imposing an emergency removal, the University will undertake an individualized analysis of safety and risk for the campus community to determine whether the Respondent's presence in the program or activity poses an immediate threat to the physical health or safety of any student or other individual arising from the allegations of Prohibited Conduct and justifies removal of the Respondent from the University program or activity.

The Institutional Equity and Title IX Coordinator will promptly provide the Respondent with written notice of any removal and an opportunity to challenge the removal. During any challenge, the Respondent will remain off-campus and must comply with the notice of removal. That notice shall include a statement that the use of any information the Respondent chooses to provide may subsequently be used in implementing any aspect of this Policy, including the investigation and adjudication. The Respondent will have 72 hours to submit a written challenge of the safety and risk analysis to the Institutional Equity and Title IX Coordinator. The Institutional Equity and Title IX Coordinator will assign the matter to be reviewed by a decision-maker to evaluate the information in support of the individualized safety and risk analysis and any information provided by the Respondent and the Complainant, as applicable. The decision-maker will submit a final decision in writing to the Respondent and the Complainant within three (3) business days, with a copy to the Institutional Equity and Title IX Coordinator.

B. Administrative Leave

Following a report of Prohibited Conduct, the University may place a non-student employee Respondent on administrative leave, with or without pay.

XIII. Overview of the University's Resolution Processes

The University is committed to providing a prompt, thorough, equitable, and impartial resolution of all reported violations of this Policy. To implement this Policy, the University has developed a formal and an informal resolution process to resolve reports of Prohibited Conduct:

- **Informal Resolution:** an informal framework that includes informal or restorative options for resolving reports that typically do not involve disciplinary action against a Respondent.
- **Formal Resolution:** formal procedures that involve an investigation, adjudication and, if appropriate, the imposition of sanctions.

In all formal and informal resolution processes, the University will treat Complainants and Respondents equitably by offering

Supportive Measures to a Complainant when the University has notice of potential Prohibited Conduct, and by following either the formal or informal resolution process before the imposition of any disciplinary sanction against a Respondent. Upon receipt of a report of Prohibited Conduct, the University will conduct an initial assessment of the available information and consider the Complainant's stated interests, as well as the University's compliance obligations, in determining how to proceed. A report of Prohibited Conduct may be resolved through: provision of Supportive Measures only; pursuing the formal resolution process, which involves a prompt, equitable and impartial investigation, a live hearing, and an appeal; or, pursuing an informal resolution process, which requires the voluntary and written consent of the Complainant, the Respondent and the University. A Complainant is always entitled to reasonably available Supportive Measures, regardless of whether a formal or informal resolution process is initiated.

A. Time Frame for Resolution

The University will seek to complete the appropriate resolution process as promptly as possible, consistent with the need to conduct sensitive and informed fact-gathering to ensure an equitable resolution. The Policy designates reasonably prompt timeframes for the major stages of the investigation and resolution process (typically set forth in business days), but the University may extend any timeframe in this Policy for good cause. An extension may be required for good cause to ensure the integrity and thoroughness of the investigation; to comply with a request by law enforcement; in response to the unavailability of the parties or witnesses; or for other legitimate reasons, such as intervening breaks in the University calendar, University finals periods, the complexity of the investigation, the volume of information, number of witnesses, length of the written record, and/or the severity and extent of the alleged misconduct. While requests for delays by the parties may be considered, the University cannot unduly or unreasonably delay the prompt resolution of a report under this Policy. Reasonable requests for delays by the parties may serve to extend the time period for resolution of the report.

The Institutional Equity and Title IX Coordinator, in consultation with the Investigators, has the authority to determine whether an extension is required or warranted by the circumstances. The University will notify the parties in writing of any extension of the timeframes for good cause, the reason for the extension and the length of the extension. Although cooperation with law enforcement may require the University to suspend the fact-finding portion of a Title IX investigation temporarily, the University will promptly resume its Title IX investigation as soon as it is notified by the law enforcement agency that the agency has completed the evidence gathering process. The University will not, however, wait for the conclusion of a criminal proceeding to begin or conclude its own investigation and, if needed, will take immediate steps to provide appropriate Supportive Measures.

Investigations will proceed according to the timeframes in this Policy to the extent possible during the summer and at other times when classes at the University are not in session. The Institutional Equity and Title IX Coordinator will work with the parties to balance the need for promptness and the preference for in-person meetings regarding the investigation.

Timeframes for all phases of the disciplinary process, including the investigation, any related disciplinary proceedings and any related review of the finding, apply equally to both the Complainant and the Respondent.

B. Advisor

Throughout the informal or formal resolution process, each party has the right to be accompanied at any meeting or hearing by an Advisor of their choice. The Advisor may be any person, including an attorney. A party may decline to use an Advisor for any or all stages of the formal or informal resolution process, with the exception of the hearing, where any questioning of the other party must be conducted by the party's Advisor. If a party does not have an Advisor for the hearing, the University will provide an Advisor, free of charge, who may be, but is not required to be, an attorney, to attend the hearing and conduct questioning on behalf of that party.

The Advisor may observe, provide support, and provide guidance or advice to the party (in a non-disruptive manner). With the exception of the Advisor's live questioning during the hearing, they may not speak on behalf of the parties or otherwise participate in, or in any manner delay, disrupt, or interfere with meetings and/or proceedings. An Advisor should plan to make themselves reasonably available; the University will not unduly delay the scheduling of meetings or proceedings based on an Advisor's unavailability. An Advisor may be asked to meet with a University administrator in advance of any proceedings to understand the expectations of the role, privacy considerations, and appropriate decorum. An Advisor may be removed for failure to follow these expectations.

The Advisor is entitled to review all information gathered in the investigation that is directly related to the allegations (as part of evidence review), access to the investigation report, and to cross-examine the other party and all witnesses during the hearing.

C. Obligation to Provide Truthful Information

All University community members are expected to provide truthful information in any proceeding under this Policy. Submitting or providing false or misleading information in bad faith or with a view to personal gain or intentional harm to another in connection with an incident of Prohibited Conduct is prohibited and subject to disciplinary sanctions, in accordance with the Students' Rights and Responsibilities section of the University of Evansville Student Handbook, Student Code of Conduct section of the Harlaxton College Student Handbook, the University of Evansville Employee Code of Conduct, and other applicable University policies and procedures. This provision does not apply to reports made or information provided in good faith, even if the facts alleged in the report are not later substantiated.

XIV. Intake and Initial Assessment

A. Response to a Report of Prohibited Conduct

Any person may report Prohibited Conduct to the Institutional Equity and Title IX Coordinator, the Office of Public Safety, or the other reporting options cited above. Upon receipt of a report of Prohibited Conduct, the Institutional Equity and Title IX Coordinator will contact the Complainant to discuss the availability of Supportive Measures with or without the filing of a Formal Complaint, explain to the Complainant the process for filing a

Formal Complaint, and consider the Complainant's wishes with respect to Supportive Measures.

During the Initial Assessment, a Complainant may request Supportive Measures only, or may file a Formal Complaint. Alternatively, as described below, the Institutional Equity and Title IX Coordinator may determine that it is appropriate to file a Formal Complaint on behalf of a Complainant. After the filing of a Formal Complaint, the Complainant may decide to seek Informal Resolution in lieu of a formal resolution process (investigation, hearing and appeal). A Complainant is always entitled to reasonably available Supportive Measures, regardless of whether a formal or informal resolution process is initiated.

The Institutional Equity and Title IX Coordinator will also determine whether the Policy applies to the report and whether the reported conduct falls within the jurisdiction and scope of the Policy and/or Title IX.

(1) Overview of Initial Assessment

As part of the Initial Assessment, the Institutional Equity and Title IX Coordinator will:

- Promptly contact the Complainant to discuss the availability of Supportive Measures.
- Consider the Complainant's wishes with respect to Supportive Measures.
- Assess the nature and circumstances of the report, including whether it provides the names and/or any other information that identifies the Complainant, the Respondent, any witness and/or any other individual with knowledge of the reported incident.
- Address immediate physical safety and emotional well-being needs.
- Conduct an individualized analysis of safety and risk for the campus community to determine whether a student Respondent's presence in the University's education programs or activities poses an immediate threat to the physical health or safety of any student or other individual that justifies removal.
- Notify the Complainant of their right to contact (or decline to contact) law enforcement or seek a civil protection order.
- Notify the Complainant of the right to seek medical treatment.
- Notify the Complainant of the importance of preservation of evidence.
- Refer the report to the Office of Public Safety to assess the reported conduct for any Clery Act obligations, including entry in the daily crime log or issuance of a timely warning.
- Provide the Complainant with written information about on- and off-campus resources.
- Provide the Complainant with a copy of this Policy and an explanation of the procedural options, including seeking Supportive Measures, the process for filing a Formal Complaint, the formal resolution process, and informal resolution.

- Notify the Complainant of the right to be accompanied at any meeting or proceeding by an Advisor of their choice, and that the University will provide an Advisor, without fee or charge, to conduct questioning on behalf of that party at the hearing if they do not have an Advisor.
- Assess the available information for any pattern of conduct by Respondent.
- Discuss the Complainant's expressed preference for manner of resolution and any barriers to proceeding (e.g., confidentiality concerns).
- Explain the University's policy prohibiting retaliation and how to report acts of retaliation.
- Determine the age of the Complainant; and if the Complainant is a minor, make the appropriate report of suspected abuse consistent with Indiana state law.

The Initial Assessment will be conducted promptly and the time frame for the initial assessment will be tailored to the context and circumstances. The University will seek to complete the Initial Assessment within 10 business days, but recognizes that there may be circumstances in which the Initial Assessment takes longer based on the availability of the Complainant or other necessary information, a Complainant's request to maintain privacy or not seek disciplinary action, or other factors outside of the University's control. The University understands that a Complainant may engage in delayed decision-making, which may impact the timing of the conclusion of the initial assessment.

(2) Formal Complaint

The formal resolution process (investigation, hearing, and appeal) is initiated by the filing of a Formal Complaint. A Formal Complaint is a written document submitted to the Institutional Equity and Title IX Coordinator by the Complainant alleging that a Respondent engaged in Prohibited Conduct and requesting an investigation. The Formal Complaint may be submitted to the Institutional Equity and Title IX Coordinator in person, by mail, or by electronic mail. The Institutional Equity and Title IX Coordinator can be reached at:

Ms. Annie Sills

Director of Institutional Equity and Title IX Coordinator
Room 150, University Libraries
812-488-5261
cs175@evansville.edu
titleIX@evansville.edu

Ms. Megan Clouse

Deputy, Institutional Equity and Title IX Coordinator
Room 152, University Libraries
812-488-5267
mc661@evansville.edu

The Complainant may also contact the Institutional Equity and Title IX Coordinator directly for assistance in making a Formal Complaint. Where a Complainant files a Formal Complaint and the reported conduct falls within the scope and jurisdiction of the Policy, the Institutional Equity and Title IX Coordinator must pursue either a formal or informal resolution process.

B. Dismissal of a Formal Complaint

The Institutional Equity and Title IX Coordinator will determine whether the conduct alleged in the Formal Complaint falls within the scope of the Policy and the definitions of Prohibited Conduct. The Title IX regulations require the University to dismiss some or all of the allegations in the Formal Complaint related to Title IX Sexual Harassment, including Sexual Assault, Dating Violence, Domestic Violence, and Stalking, if: 1) the conduct alleged, even if substantiated, would not constitute Title IX Sexual Harassment as defined in the Title IX regulations; 2) the conduct did not occur within University's education program or activity; or, 3) the conduct did not occur against a person in the United States. This means that the University may be required by law to dismiss some or all of the allegations in the Formal Complaint under Title IX and provide the parties notice of the dismissal and the opportunity to appeal that dismissal.

While Formal Complaints falling outside of the Title IX regulations will be dismissed for Title IX purposes, where such conduct otherwise constitutes Prohibited Conduct and falls within the scope of this Policy, it will still be addressed and proceed to either the formal or informal resolution process.

In addition, the Institutional Equity and Title IX Coordinator may dismiss a Formal Complaint, at any stage of the process, in any of the following three circumstances: (1) the Complainant notifies the Institutional Equity and Title IX Coordinator in writing that the Complainant would like to withdraw the Formal Complaint or any allegations therein; (2) the Respondent is no longer enrolled or employed by the University; (3) or specific circumstances, including a Complainant's decision not to respond to outreach from the University, prevent the University from gathering evidence sufficient to reach a determination as to the Formal Complaint or allegations therein.

The decision about whether to dismiss a Formal Complaint, in whole or in part, may be made at any time in the process and will be communicated to all parties in writing. If some or all of the allegations in the Formal Complaint have been dismissed, the parties will receive written information about how to appeal the dismissal of the Formal Complaint.

C. Balancing Complainant Autonomy with University Responsibility to Investigate

The University endeavors to respect the wishes of a Complainant to not pursue a Formal complaint. If a Complainant requests that their name or other personally-identifiable information not be shared with a Respondent, that no investigation into a particular incident be pursued, and/or that no disciplinary action be taken against the Respondent, the University will balance this request against its commitment to a safe, non-discriminatory learning, living, and working environment for all community members, including for the Complainant. In particular, the Institutional Equity and Title IX Coordinator will take into account the Complainant's articulated concerns, the safety of the campus community, fairness to all individuals involved, and the University's obligations under Title IX.

In these instances, before taking any further investigative steps, the Institutional Equity and Title IX Coordinator will discuss any concerns with the Complainant and seek to address and remedy barriers to reporting based upon concerns about retaliation or questions about procedural options and potential outcomes.

In evaluating the appropriate manner of resolution, including whether the Institutional Equity and Title IX Coordinator will file a Formal Complaint in the absence of a Formal Complaint by the Complainant, the Institutional Equity and Title IX Coordinator will consider a range of factors, including:

- The totality of the known circumstances;
- The nature and scope of the alleged conduct, including whether the reported behavior involves the use of a weapon;
- The respective ages and roles of the Complainant and Respondent;
- The risk that the Respondent may commit additional acts of Prohibited Conduct or other violence, taking into consideration, among other matters, any known history of arrests, violence, or other complaints of Prohibited Conduct involving the Respondent, any threats of future violence made by the Respondent, and whether multiple Respondents were involved in the reported incident;
- Whether the report reveals a pattern of misconduct related to Prohibited Conduct (e.g., illicit use of drugs or alcohol) at a given location or by a particular group;
- The Complainant's interest in the University not pursuing an investigation or disciplinary action and the impact of such actions on the Complainant;
- Whether the University possesses other means to obtain relevant evidence;
- Fairness considerations for both the Complainant and the Respondent;
- The University's obligation to provide a safe and non-discriminatory environment; and
- Any other available and relevant information.

Where possible based on the facts and circumstances, the University will take all reasonable steps to respond to the report consistent with the Complainant's requested course of action, but its ability to do so may be limited based on the reported information. Where the balance of factors requires the Institutional Equity and Title IX Coordinator to file a Formal Complaint on behalf of the Complainant, the Institutional Equity and Title IX Coordinator will inform the Complainant in writing about the chosen course of action.

D. Consolidation of Formal Complaints

The University may consolidate Formal Complaints against more than one Respondent, or by more than one Complainant against one or more Respondents, or by one party against the other party, where the allegations of Prohibited Conduct arise out of the same facts or circumstances. All parties will receive simultaneous, timely notification of any such consolidation. During the course of the investigation, the investigation may reveal the existence of additional or different potential policy violations, which may also be consolidated following notification to the parties of the amended notice of investigation.

E. Determination after the Initial Assessment: Scope and Manner of Resolution

The Institutional Equity and Title IX Coordinator will consider the nature of the report, the safety of the individual and the campus community, and the Complainant's expressed preference for the manner of resolution in determining the appropriate course of action to achieve the goals of Title IX and the Policy. The range of available resolution options include:

No Further Action

(which may involve referral to another University policy)

Supportive Measures Only

(regardless of whether a Formal Complaint is filed)

Formal Resolution

(following a Formal Complaint by the Complainant or the Institutional Equity and Title IX Coordinator)

Informal Resolution

(following a Formal Complaint by the Complainant or the Institutional Equity and Title IX Coordinator)

At the conclusion of the Initial Assessment, the Complainant will receive a written notice of the determination about how the University will proceed.

XV. Informal Resolution

The University may resolve reports through Informal Resolution (which may include the possibility of mediation), as appropriate based on the circumstances. Informal Resolution is not appropriate for all cases of Prohibited Conduct, and the University retains the discretion to determine which cases may be appropriate for Informal Resolution and the type of Informal Resolution process that may be appropriate in a specific case.

Informal Resolution is available only once a Formal Complaint has been filed, prior to a determination of responsibility, and if the Complainant, Respondent and the University voluntarily consent to the process in writing. Informal Resolution is not available in cases in which an employee is alleged to have sexually harassed a student.

Informal Resolution may involve agreement to pursue individual and/or community remedies that are designed to address a report of Prohibited Conduct; targeted or broad-based educational programming or training; requiring counseling; providing housing accommodations for student Complainants; making academic accommodations for student Complainants or providing workplace accommodations for employee Complainants; and/or any other remedy that can be tailored to the involved individuals to achieve the goals of the Policy. With the voluntary consent of the parties, Informal Resolution may be used to impose agreed-upon disciplinary sanctions. Any person who facilitates an Informal Resolution will be trained on the definition of Prohibited Conduct, including Sexual Harassment; the scope of the University's education program or activity; how to conduct an informal resolution process, including how to serve impartially, and be free from conflicts of interest or bias for or against either party.

If the parties are interested in pursuing Informal Resolution, the Institutional Equity and Title IX Coordinator will send written notice to the parties describing:

1. The allegations at issue;
2. The requirements of the Informal Resolution;
3. The circumstances under which the parties are precluded from resuming a Formal Complaint arising from the same allegations;
4. The right to end the Informal Resolution process at any time prior to resolution and resume the Formal Complaint process;
5. The consequences resulting from participating in the Informal Resolution, including that the records and communications created or maintained as part of the Informal Resolution process may be viewed by parties, or later used or considered in the Formal Complaint process, including at a hearing.

If an agreement acceptable to the University, the Complainant and the Respondent is reached through Informal Resolution, the matter is considered to be resolved, and the parties will be precluded from filing another Formal Complaint arising from the same set of facts or circumstances. Prior to reaching a resolution, any party can withdraw from the Informal Resolution process and resume the Formal Complaint process. The Institutional Equity and Title IX Coordinator will maintain records of all reports and conduct referred for Informal Resolution, which will typically be complete within 60 business days of the initial report. Records are maintained in accordance with the Office of Institutional Equity's Record Retention Policy.

XVI. Formal Resolution Process: Investigation

The University will conduct a prompt and equitable investigation to gather information relevant to the determination of whether there is sufficient information, by a Preponderance of the Evidence, to determine that a Policy violation occurred. The investigation will be impartial and will be conducted by trained Investigators who have no actual bias or conflict of interest for or against the Complainant or Respondent.

During the investigation and disciplinary proceedings, both the Complainant and Respondent have equitable opportunities, including the opportunity to receive a written notice of investigation; to participate in the investigation; to review and present information and evidence; to be accompanied by an Advisor of their choice to any meeting; to timely and equal access to information that will be used in disciplinary proceedings; to timely notice of meetings at which their presence will be requested or required; to simultaneous written notice of the outcome, sanction and rationale; and to appeal the outcome.

The Investigators, not the parties, are responsible for gathering relevant evidence. The Complainant and Respondent will be asked to identify witnesses and provide other relevant information, such as documents, communications and other evidence, if available. The parties are encouraged to provide all relevant information as promptly as possible to facilitate prompt resolution and are encouraged to preserve relevant evidence. In the event that a party declines to voluntarily provide material information, the University's ability to conduct a prompt, thorough and equitable investigation may be impacted.

A. Initiating an Investigation

When the decision is made to initiate an investigation, the University will designate two Investigators to conduct a prompt, thorough, fair and impartial investigation. The Investigators may be University employees and/or external Investigators. Any Investigator used by the University will receive annual training on issues related to sexual and gender-based harassment, sexual assault, dating violence, domestic violence and stalking; the definition of Sexual Harassment in the Title IX regulations; the scope of the University's education program and activity; how to conduct an investigation that is fair and impartial, providing the parties with notice and a meaningful opportunity to be heard, protecting the safety of all participants while promoting accountability; how to create an Investigative report that fairly summarizes relevant evidence; and, how to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias.

The Investigators will be impartial and free from actual bias or conflict of interest for or against the Complainant or Respondent. If either party believes an assigned Investigator has a con-

flict of interest or bias, they may notify the Institutional Equity and Title IX Coordinator, who will determine if a different Investigator should be appointed.

B. Notice of Investigation

The Institutional Equity and Title IX Coordinator will notify the Complainant and the Respondent, in writing (typically via e-mail to each party's University e-mail address) of the following information: (1) the names of the Complainant and the Respondent; (2) the date, time (if known), location, and a brief summary of the reported conduct; (3) the reported Policy violation(s); (4) the presumption that the Respondent is not responsible unless determined by the Disciplinary Authority; (5) the right to an Advisor of their choice, who may or may not be an attorney; (6) the name of the Investigators; (7) information about the parties' participation options in the process; (8) the prohibition against Retaliation; (9) the importance of preserving any potentially relevant evidence in any format; (10) how to challenge participation by the Investigators on the basis of a conflict of interest or bias; (11) access to Counseling Services for students and/or Employee Assistance Program for employees; (12) a list of Supportive Measures available to parties and (13) a copy of this Policy. If, at any time, the investigation reveals the existence of additional or different potential violations of this Policy, the Institutional Equity and Title IX Coordinator will issue a supplemental notice of investigation.

C. Acceptance of Responsibility

At any point during the investigation, the Respondent may elect to accept responsibility for some or all of the Policy violations at issue. Where there is an acceptance of responsibility as to some but not all of the charges, the investigation will continue to conclusion. Where there is an acceptance of responsibility as to all of the potential Policy violations, the Investigators will complete an investigative report of all information gathered to date and refer the matter to the Disciplinary Authority for sanctioning as described below. Where both parties and the University agree, the matter may also be resolved through the Informal Resolution process.

D. Investigative Steps

During an investigation, the Investigators will seek to meet separately with the Complainant, Respondent and relevant witnesses. The Investigators are responsible for gathering inculpatory and exculpatory evidence directly related to the Formal Complaint. The Investigators will send written notice of the interview date, time, and location, name of participants, and purpose of the interview to the parties and witnesses, in sufficient time for the parties to prepare and participate.

The Investigators will interview the parties, and any witnesses likely to have information directly related to the Formal Complaint. The Investigators will also gather other related information or evidence, including documents, photographs, communications between the parties, medical records (subject to the consent of the applicable person), and other electronic records as appropriate.

At the conclusion of the investigation, the Complainant and the Respondent will both have the opportunity to review and respond to all information gathered in the investigation that is directly related to the allegations, including information shared by the Complainant or the Respondent during their interviews or through evidence either provides.

(1) Witnesses

Both the Complainant and Respondent have the option to provide names of potential witnesses to the Investigators. Witnesses are individuals who may have information relevant to the incident, including individuals who may have observed the acts in question, may be able to provide contextual information, or may have other information related to the incident, the disclosure, the parties, or related matters. Witnesses may also be offered to provide subject matter expert information (See Other Evidence: Site Visits and Experts below).

Where witnesses are interviewed as part of the investigation, the name of the witness and the information gathered in the interviews will be included in the written investigation report, which the parties will have the opportunity to review at the conclusion of the investigation. Witnesses may be asked to participate in the hearing in response to the information gathered by the Investigators.

(2) Additional Evidence

Both the Complainant and the Respondent are permitted to provide other relevant evidence to the Investigators. Evidence may be inculpatory or exculpatory. Evidence includes any facts or information presented in support of an assertion and may include text messages, email exchanges, timelines, receipts, photographs, etc. Any documentation shared by the Complainant or the Respondent with the Investigators will be provided to the other party. The Investigators may also consider additional documents, items or other relevant information.

During the course of the investigation, the parties should bring any new or evolving evidence, such as harassing or retaliatory conduct, to the attention of the Investigators. The Investigators may consider such information in the investigation and will also share any information about retaliation or violation of the terms of a Supportive Measure with the Institutional Equity and Title IX Coordinator for further action.

(3) Relevance

The University will not restrict the ability of either party to gather and present relevant evidence. Evidence is relevant if it makes a material fact more or less probable than it would be without the evidence. In general, the Investigators have the discretion to determine the relevance and probative value of information proffered or received. At the live hearing, as further described below, the Disciplinary Authority has the discretion to determine whether questions posed by the party's Advisor are relevant, and only relevant questions may be asked of parties or witnesses at the hearing.

In addition, the Investigators and Disciplinary Authority will be guided by the following evidentiary considerations:

- **Prior or Subsequent Conduct of the Respondent:** Prior or subsequent conduct of the Respondent may be considered in determining pattern, knowledge, intent, motive, or absence of mistake. For example, evidence of a pattern of Prohibited Conduct by the Respondent, either before or after the incident in question, regardless of whether there has been a prior finding of a Policy viola-

tion, may be deemed relevant to the determination of responsibility for the Prohibited Conduct under investigation. The determination of relevance of pattern evidence will be based on an assessment of whether the previous or subsequent conduct was substantially similar to the conduct under investigation or indicates a pattern of similar Prohibited Conduct so distinctive and so closely resembling either party's account of the encounter as to tend to prove a material fact may be considered. The Investigators will determine the relevance of this information and both parties will be informed if evidence of prior or subsequent conduct is deemed relevant.

- **Prior Sexual History of the Complainant:** Questions and evidence about the Complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the Complainant's prior sexual behavior are: 1) offered to prove that someone other than the Respondent committed the conduct alleged by the Complainant; or, 2) the questions and evidence concern specific incidents of the Complainant's prior sexual behavior with respect to the Respondent and are offered to prove consent. As set forth in the consent definition above, however, previous relationships or prior consent cannot imply consent to future sexual acts. The Investigators, in consultation with the Institutional Equity and Title IX Coordinator, will assess whether information related to prior sexual history makes a material fact in the investigation more or less likely. Where a sufficient informational foundation exists for the inclusion of prior sexual history, the Investigators will provide notice to both parties of the scope of any inclusion of such information in the investigative report. The parties will have a full and fair opportunity to respond to the information included in the investigative report.

(4) Social Media and Personal Communications

The Investigators may also consider information publicly available from online sources that comes to the attention of Investigators. The University does not actively monitor online sources, however, and as with all potentially relevant information, the Complainant, Respondent, or witness should bring online information to the attention of the Investigators if they believe it is relevant. The Investigators may also consider communications involving or relating to one or both parties that either party brings to the attention of the Investigators or that is provided by the parties in response to a request by the Investigators. The Investigators may also seek a review of information available on University devices or servers, consistent with the University's technology policies.

(5) Other Evidence: Site Visits and Experts

The Investigators may visit relevant sites or locations and record observations through written, photographic, or other means. In some cases, the Investigators may consult with relevant experts when deemed appropriate and necessary by the University. If the Investigators or the Disciplinary Authority determine that expert witness testimony is necessary, then the University would secure attendance and be responsible for costs. If either party wishes to provide expert testimony or evidence, they are solely responsi-

ble for securing attendance of any expert witness at a hearing, and for the costs or fees associated with any expert report or testimony.

(6) Medical and Counseling Records

The Investigators will not require, allow, rely upon, or otherwise use questions or evidence that constitute, or seek disclosure of, information protected under a legally recognized privilege, unless the person holding such privilege has waived the privilege. If a person voluntarily chooses to share medical or counseling records with the Investigators, they must sign a written consent that acknowledges that relevant information from the medical or counseling records must be shared with the other party to ensure the other party has notice of that information and an opportunity to respond.

(7) Expectations of the Parties

The University expects all members of the University community to cooperate fully with the investigation and disciplinary procedures. It is understood that there may be circumstances in which a Complainant or Respondent wish to limit their participation, and the University will respect the choice of the Complainant or Respondent as to how to engage in proceedings under this Policy. The University may, however, move forward with formal resolution without the participation of a party or parties.

The University will not draw any adverse inference solely from a Complainant's or Respondent's decision not to participate in the investigation or any form of resolution under this Policy; however, the Complainant or Respondent should be aware that declining to participate in the investigation may impact the timing and outcome of the case.

(8) Effect of Withdrawal

At any time, the University may place an administrative hold on the Respondent's University transcript, or defer or withhold the award of the Respondent's degree. Even if a Respondent withdraws from the University, the Institutional Equity and Title IX Coordinator may proceed with further action as necessary to eliminate, prevent, or address any impacts of the reported conduct.

(9) Safeguarding the Privacy of Complainants and Respondents

As stated above, the University will not restrict the ability of either party to gather and present relevant evidence. Individuals involved in investigations or disciplinary proceedings under this Policy are encouraged to exercise discretion in sharing information in order to safeguard the integrity of the process and to avoid the appearance of retaliation.

While discretion regarding the process is important, Complainants and Respondents are not restricted from discussing and sharing information with others who may support or assist them during the process. All parties, however, are encouraged to maintain the privacy of Family Educational Rights and Privacy Act (FERPA)-protected and/or sensitive information gathered or learned in the process.

(10) Timing of Investigation

The Investigators will provide periodic updates to the par-

ties about the status of the investigation, with a goal to complete the fact-gathering portion of the investigation within approximately 50 business days.

(11) Coordination with Law Enforcement

If there is a concurrent criminal investigation, the University will seek to work in a collaborative manner in order to respect the integrity of external investigations and University investigations. This may include contacting the law enforcement agency that is conducting any investigation to inform that agency that a University investigation is also in progress, attempting to ascertain the status of the criminal investigation, and seeking to determine the extent to which any evidence collected by law enforcement may be available to the University in its investigation.

(12) Evidence Review

At the conclusion of their fact-gathering, the Investigators will make information gathered in the investigation available for review by the parties and their Advisors. Both parties and their Advisors will be given equal opportunity to inspect and review, either in hard copy or an electronic format, any evidence obtained by the Investigators that is directly related to the allegations submitted in the Formal Complaint. This includes evidence that the University does not intend to rely on in reaching a determination regarding responsibility and inculpatory or exculpatory evidence, whether obtained from a party or other source, so that each party can meaningfully respond to the evidence prior to conclusion of the investigation. Each party will have ten business days to submit a written response to the Investigators, which the Investigators will consider prior to the completion of the investigative report. In the written submission, the parties may offer additional comment or feedback on the facts as gathered, clarify information previously shared, suggest additional witnesses, suggest additional lines of questioning or inquiry, or identify any other relevant information or evidence to assure the thoroughness, sufficiency and reliability of the investigation. All collected evidence, regardless of inclusion in the investigative report, should be available during the hearing.

As necessary, the Investigators will designate reasonably prompt timeframes to ensure a timely completion of the process while also providing an adequate opportunity for both parties to respond thoroughly to the information gathered during the investigation. In the absence of good cause, information that could have been learned that is not provided to the Investigators upon review of the information gathered will not be considered in the determination of responsibility for a violation of the Policy.

(13) Investigative Report

Upon the conclusion of the evidence review by the Complainant and Respondent (including any additional investigative steps requested by the parties or identified by the Investigators, normally within ten business days after receipt and consideration of additional comments, questions, and/or information from the parties), the Investigators will provide the Institutional Equity and Title IX Coordinator with an investigative report, who will then

simultaneously share with the Complainant, Respondent, and appropriate Disciplinary Authority in writing (typically via e-mail to each party's University e-mail address).

The investigative report will include both inculpatory and exculpatory facts. As noted above, the Investigators have the discretion to determine the relevance of any witness or other evidence. The investigative report will be sent to each party and their Advisors in an electronic format or a hard copy, for their review and written response. If a party disagrees with the Investigators' determinations about relevance, the party can make that argument in the party's written response to the investigative report and to Disciplinary Authority at any hearing held.

XVII. Formal Resolution Process: Hearing and Appeal

The University's formal resolution process is designed to identify and implement a tailored and individual response intended to address Prohibited Conduct, while supporting the University's educational mission, legal obligations and commitment to Title IX.

A. Notice of Hearing

The Complainant and Respondent will be notified in writing of the date, time, and location of the hearing; the charges to be reviewed by the Disciplinary Authority, including the date, time, location, and factual allegations concerning the violation; the provisions of the Policy alleged to have been violated; the name of the Disciplinary Authority; how to challenge participation of the Disciplinary Authority on the basis of conflict of interest or bias; the right to have an Advisor present at the hearing and conduct questioning on the party's behalf; that the University will provide an Advisor, without fee or charge, to conduct questioning on behalf of the party at the hearing if the party does not have an Advisor present for the hearing; how to request that witnesses be present at the hearing; information about the hearing format; and the sanctions that may be imposed. The Respondent and Complainant will be provided the Notice of Hearing at least ten days prior to the date of the hearing. The time frame in which the hearing is conducted may be extended for good cause at the discretion of the Institutional Equity and Title IX Coordinator. Good cause may include the availability of the parties, the availability of witnesses, the timing of semester breaks, or any other extenuating circumstances. Hearings may be scheduled whenever the University is officially open (including summer and winter breaks).

B. Selection of Disciplinary Authority

The Disciplinary Authority will be either an external professional appointed by the University or an internal administrator. Any Disciplinary Authority used by the University will be free from conflicts of interest and bias for or against either party; receive annual training on issues related to sexual and gender-based harassment, sexual assault, dating violence, domestic violence and stalking; the scope of the University's education program or activity; how to conduct a hearing and adjudicate in a manner that is fair and impartial by avoiding prejudgment of the facts at issue; technology that will be used at a live hearing; and on issues of relevance of questions and evidence. Training materials will be posted on the University's Office of Institutional Equity webpage. If either party believes the Disciplinary Authority has a conflict of interest or bias, they may notify the

Institutional Equity and Title IX Coordinator, who will determine if a designee should be appointed.

The role of the Disciplinary Authority is to provide all parties with an equitable opportunity to be heard, to make relevance determinations, and to objectively evaluate all relevant inculpatory and exculpatory evidence in order to reach a full and fair determination as to responsibility and imposition of any sanction, should there be a finding of responsibility. The Disciplinary Authority will review the investigative report and any written statements provided by the parties in response to the investigative report, all exhibits, and any additional relevant evidence introduced at the hearing. The Disciplinary Authority will determine whether there is sufficient evidence, by a Preponderance of the Evidence, to support a finding of responsibility as to each element of each Policy violation at issue. The Disciplinary Authority may reach credibility determinations, but may not base credibility determinations on a person's status as a Complainant, Respondent or witness. Where a Complainant or Respondent declines to participate in a hearing, the Disciplinary Authority may not make an adverse inference against that party.

The Institutional Equity and Title IX Coordinator is administratively responsible for coordinating all aspects of the formal resolution process. For cases involving student Respondents, the Institutional Equity and Title IX Coordinator may utilize the Office of the Dean of Students for administrative assistance in coordinating the disciplinary process. For cases involving employee-Respondents, the Institutional Equity and Title IX Coordinator may utilize the Office of Human Resources for administrative assistance in coordinating the disciplinary process.

The Executive Director of Human Resources and Institutional Equity, or their designee, will serve as an advisor to the Disciplinary Authority. In all instances, the Disciplinary Authority may consult with the Executive Director of Human Resources and Institutional Equity or their designee to ensure that the sanction(s) and/or remedies satisfy the University's obligation to eliminate the Prohibited Conduct, prevent its recurrence, and address its effects.

*For tenured and tenure track faculty Respondents who may be subject to termination or suspension, the Disciplinary Authority is outlined below in the Adjudication and Appeal Process for Tenured and Tenure Track Faculty section.

C. Impact or Mitigation Statements

In the time frame directed by the Institutional Equity and Title IX Coordinator, the Complainant and Respondent may submit a written impact or mitigation statement for consideration by the Disciplinary Authority. The decision whether to provide an impact or mitigation statement is completely voluntary.

An impact statement is written information from the Complainant regarding how the Prohibited Conduct has affected them and the Complainant's views on an appropriate sanction. Impact statements may include a description of: emotional impacts caused by the Prohibited Conduct; negative social or educational consequences arising from the Prohibited Conduct; medical or psychological consequences sustained as a result of the Prohibited Conduct; the Complainant's view on the Prohibited Conduct; or the Complainant's view on the appropriate sanction.

A mitigation statement is written information from the Respondent regarding any potential mitigating factors. Mitigation statements may include a description of: the Respondent's previous good character; worthy social or academic contributions and public service; whether the Respondent accepted responsibility for the Prohibited Conduct; cooperation with the investigation; the Respondent's mental or physical health; the Respondent's view on an appropriate sanction; and the likely effect of the sanctions on Respondent.

The Institutional Equity and Title IX Coordinator will review all information submitted in an impact statement or mitigation statement for relevance and appropriateness and may determine that some or all of the information submitted will not be provided to the Disciplinary Authority. Both parties will receive a copy of the impact or mitigation statement provided to the Disciplinary Authority.

D. Adjudication and Appeal Process for Tenured and Tenure Track Faculty

An external Disciplinary Authority will review the investigative report for tenured and tenure track faculty Respondents prior to a Disciplinary Authority hearing to assess whether the reported conduct could result in the termination or suspension of the faculty member. If the external Disciplinary Authority determines termination or suspension could be an appropriate sanction if the tenured and tenure track faculty Respondent is found responsible, the adjudication and appeal of the case will be handled in accordance with the University's Tenure/Tenure Track Faculty Suspension and Termination Policy.

If the external Disciplinary Authority determines that termination or suspension may not be an appropriate sanction for reported conduct of a tenured and tenure track faculty Respondent, the Disciplinary Authority will be the external Disciplinary Authority and the faculty member will be subject to the adjudication and appeal policies outlined below. However, if at any time during the Disciplinary Authority hearing, the external Disciplinary Authority determines termination or suspension could be an appropriate sanction, the adjudication and appeal of the case will be handled in accordance with the University's Tenure/Tenure Track Faculty Suspension and Termination Policy.

For faculty members who are not tenured or tenure track, the Disciplinary Authority will be the external Disciplinary Authority and the faculty member will be subject to the adjudication and appeal policies outlined below, regardless of the sanctions that may be imposed.

E. Disciplinary Authority Hearing

Hearings will be conducted either in-person or virtually with technology that enables the Disciplinary Authority and parties to simultaneously see and hear all participants.

The hearing is an opportunity for the parties to address the Disciplinary Authority. The parties may address any information in the investigative report and supplemental statement submitted in response to the investigative report. The University will make all evidence directly related to the allegations, as shared in the evidence review, available to the parties at the hearing, including for the purposes of cross-examination.

The Disciplinary Authority has the discretion to determine the format for the hearing and its deliberations. Typically, the Complainant and Respondent will have an opportunity to provide an

opening statement to the Disciplinary Authority. Each party will then have an opportunity to address the Disciplinary Authority and respond to questions by the Disciplinary Authority, or as described below, the other party's Advisor. The Disciplinary Authority will also hear from relevant witnesses, including the Investigator(s). Each party will have the opportunity to question the other party, the witnesses, and the Investigator(s) through their Advisor of choice or hearing Advisor provided by the University directly, orally, and in real time. If a party does not have an Advisor present at the live hearing, the University will provide an Advisor, free of charge, who may be, but is not required to be, an attorney, for questioning on behalf of that party.

Only relevant questions may be asked of a party or witness. Before a Complainant, Respondent, or witness responds to a question, the Disciplinary Authority will first determine whether the question is relevant and briefly explain any decision to exclude a question as not relevant as defined above. If a party or witness does not submit to questioning by the other party's Advisors at the hearing, the Disciplinary Authority may rely on statements made by that party or witness in reaching a determination regarding responsibility, after assessing the relevance of each statement and weighing the reliability of the statement against the fact that the statement was not further tested through questioning at a hearing. The Disciplinary Authority may not draw any inference from the decision of a party or witness to not participate at the hearing.

After all parties and witnesses have been heard, the parties will have an opportunity to provide a closing statement. The Advisor may not provide the opening or closing statement and may not provide answers or responses on behalf of a party. The Advisor's role during the hearing is to conduct questioning of the other party and any witnesses. A party may never conduct questioning of the other party themselves.

An audio recording will be made of the hearing. The recording will be maintained by the Office of Institutional Equity for at least 10 years from the date of the hearing. A written transcript of the hearing will not be prepared. Requests to listen to the audio recording of a hearing should be made to the Institutional Equity and Title IX Coordinator.

F. Determination of Violation and Possible Sanctions

At the conclusion of the hearing, the Disciplinary Authority will determine whether there is sufficient information, by a Preponderance of the Evidence, to support a finding of responsibility for a violation(s) of the Policy. A Respondent is presumed to be not responsible for the alleged conduct unless and until a determination regarding responsibility is made at the conclusion of the resolution process. If a Respondent is found responsible, the Disciplinary Authority will determine the appropriate sanction(s) and may be given access to the Respondent's discipline/criminal history for consideration.

The Policy prohibits a broad range of conduct, all of which is serious in nature. In keeping with the University's commitment to foster an environment that is safe, inclusive, and free from discrimination and harassment, the Disciplinary Authority has great latitude in the imposition of sanctions tailored to the facts and circumstances of each report, the impact of the conduct on the Complainant and surrounding community, and accountability for the Respondent. Sanctions should support the University's educational mission and federal obligations.

In determining the appropriate sanction(s) and/or remedies, the Disciplinary Authority will consider a number of factors, including:

- The nature of the conduct at issue;
- The impact of the conduct on the Complainant;
- The impact or implications of the conduct on the University community;
- Prior misconduct by the Respondent, including the Respondent's relevant prior discipline history, both at the University or elsewhere, and any criminal convictions, if such information is available and known;
- Any expression of remorse or acceptance of responsibility by the Respondent;
- Maintenance of a safe and respectful environment conducive to learning;
- Protection of the University community;
- The necessity of any specific action in order to eliminate the Prohibited Conduct, prevent its recurrence and remedy its effects on the Complainant or other University community members; and,
- Any mitigating, aggravating, or compelling circumstances in order to reach a just and appropriate resolution in each case.

The Disciplinary Authority may also consider restorative outcomes that, taking into account the safety of the University community as a whole, allow a Respondent to develop insight about their responsibility for the behavior, learn about the impact of the behavior on the Complainant and the community, and identify how to prevent or change the behavior. Sanctions may be issued individually, or a combination of sanctions may be imposed. Sanctions will typically be imposed immediately, although the Institutional Equity and Title IX Coordinator in consultation with the Dean of Students (if a student) or Executive Director of Human Resources and Institutional Equity (if an employee) has the discretion to stay imposition of some or all sanctions pending an Appeal.

(1) Sanctions and Corrective Action for Student Respondents

Sanctions and corrective actions for student Respondents include, but are not limited to, censure, disciplinary probation, restitution, suspension, expulsion, educational program attendance, educational project, professional assessment, transcript notation and/or notification to other institutions, and withholding or delaying the conferral of a degree.

Student-employees who are reported to have engaged in Prohibited Conduct in their employment capacity may be subject to sanctions both in connection with their employment and in connection with their student status, as appropriate under applicable processes. If a student is employed through a financial aid package, such as work study, any modification to the employment will not result in a decrease in student aid funds.

(2) Sanctions and Corrective Action for Employee Respondents

Sanctions and corrective actions for employee Respondents include, but are not limited to, verbal or written warning, disciplinary probation, suspension, termination of

employment, training, guidance, adjustment of supervisory or evaluative responsibilities, other reasonable sanctions and corrective actions, and measures to protect health and safety. Sanctions of a faculty member may be subject to procedures outlined in the Faculty Manual. Those Procedures will be implemented in a manner consistent with the requirements of Title IX and the Clery Act.

G. Written Notice of Outcome

Upon request, the institution may disclose the results of any disciplinary proceeding conducted by the institution against a student who is the alleged perpetrator of any crime of violence or a non-forcible sex offense (incest or statutory rape) to the alleged victim or next of kin if the victim is deceased. The Disciplinary Authority will prepare a written decision and rationale, including the finding of responsibility or non-responsibility, and, if applicable, the sanction and rationale. The Complainant and Respondent will receive simultaneous written notification of the outcome (typically via e-mail to each party's University e-mail address) from the Institutional Equity and Title IX Coordinator or their designee, including:

1. Identification of the allegations potentially constituting Prohibited Conduct;
2. A description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held;
3. Findings of fact supporting the determination;
4. Conclusions regarding the application of the Policy to the facts;
5. A statement of, and rationale for, the result as to each alleged Policy violation, including a determination regarding responsibility, any disciplinary sanctions, and whether remedies designed to restore or preserve equal access to the University's education program or activity will be provided to the Complainant; and
6. The procedures and permissible bases for the Complainant and Respondent to appeal.

The Institutional Equity and Title IX Coordinator will also document individual remedies provided to the Complainant and other steps the University took or will take to eliminate a hostile environment, if one is found to exist. That documentation may be provided to the Complainant and/or Respondent as appropriate.

H. Appeals

(1) Grounds for Appeal

A Complainant or Respondent may appeal the decision of the Disciplinary Authority on one or more of the following grounds:

- Procedural irregularity that affected the outcome of the matter;
- New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could materially affect the outcome;

- The Institutional Equity and Title IX Coordinator, Investigators, and/or Disciplinary Authority had a conflict of interest or bias for or against Complainants or Respondents generally or the individual Complainant or Respondent that affected the outcome of the matter.

The Complainant or Respondent may appeal the outcome by submitting a written appeal within five business days of the date of the Notice of Outcome to the Institutional Equity and Title IX Coordinator in person or via e-mail.

If the Disciplinary Authority determines termination or suspension could be an appropriate sanction if the tenured and tenure track faculty Respondent is found responsible, the adjudication and appeal of the case will be handled in accordance with the University's Tenure/Tenure Track Faculty Suspension and Termination Policy, which complies with the most current version of the AAUP guidelines and Title IX Final Rule regulations.

When a party appeals either the determination of the Disciplinary Authority or the dismissal of a Formal Complaint, the Institutional Equity and Title IX Coordinator will do the following:

- a. Notify the other party in writing when an appeal is filed;
- b. Ensure that the External Reviewer for the appeal is not the Disciplinary Authority and ensure that this individual is trained appropriately;
- c. Allow both parties the opportunity to submit a written statement in regards to the appeal; and
- d. Issue the External Reviewer's written decision regarding the appeal and rationale to both parties.

(2) External Reviewer

The appeal for students and all employees that are not subject to the University's Tenure/Tenure Track Faculty Suspension and Termination Policy will be conducted by an External Reviewer. The External Reviewer will be a neutral party outside of the University, most often an attorney with legal experience, training, and knowledge regarding sexual and gender-based harassment and interpersonal violence. The External Reviewer will be free from bias or conflict of interest for or against Complainants and Respondents and receive annual training on: (a) the definition of Prohibited Conduct, including Sexual Harassment; (b) the scope of the University's education program or activity; (c) how to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias; (e) the presumption of "not responsible" until any appropriate process concludes; and, (f) how to conduct an investigation and hearing process that protects the safety of complainants and promotes accountability.

The University will maintain a pool of External Reviewers selected through an inclusive committee process under the direction of the Institutional Equity and Title IX Coordinator. The External Reviewers will serve for a limited term, unless reappointed by the selection committee.

Within ten (10) working days of receipt of the appeal, the External Reviewer will render a written decision to the Institutional Equity and Title IX Coordinator, who will simultane-

ously share the written decision with the parties and their Advisors.

The options available to the External Reviewer are to: (a) affirm the findings, disciplinary decision and/or the sanction(s); (2) modify the findings, disciplinary decision and/or sanction(s); or (3) in the event of significant new evidence, order a new hearing based on the totality of the evidence.

The decision by the External Reviewer is final. No further appeals are available.

Document History

Policy Revision Date: July 1, 2026

Policy Origination Date: August 1, 2019

This Policy supersedes the following policy:

- Sexual Harassment and Misconduct Policy

HARASSMENT AND DISCRIMINATION POLICY

Applies to All Forms of Harassment and Discrimination Outlined in the University's Non-Discrimination Statement, Excluding Conduct Prohibited By the Title IX and other Sexual Harassment and Misconduct Policy for Students, Staff, Faculty, Trustees, and Third Parties

Reason for Policy

The University of Evansville (the "University") is committed to fostering an atmosphere free from harassment and creating an inclusive campus for all members of the University community regardless of their race, color, age, religion, ethnicity, country of origin, ability or veteran status. Harassment and discrimination are destructive to such a climate and will not be tolerated in the University community. The Harassment and Discrimination Policy (the "Policy") informs members of the University community about the University's prohibition against harassment and discrimination based on protected classes. It provides information about resources, reporting options, and prompt and equitable resolution options. The Policy reinforces the University's commitment to: (1) preventing and responding to Prohibited Conduct in a manner consistent with applicable federal, state and local law; (2) cultivating a climate where all individuals are well-informed and comfortable in reporting Prohibited Conduct; and (3) identifying the standards by which potential violations of this Policy will be evaluated. As outlined in this Policy, the University will take steps to eliminate harassment and discrimination, prevent their recurrence, and remedy any effects for members of the University community.

Policy Statement

Consistent with the University's Non-discrimination Statement, the University does not discriminate against any person in any of its education or employment programs and activities on any basis prohibited by federal law or other applicable law, including on the basis of race, color, age, religion, ethnicity, country of origin, ability or veteran status. This Policy is also drafted to comply with requirements from Title VII of the Civil Rights Act of 1964, which prohibits discrimination on the basis of race, color, religion, or national origin in employment; the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (the "Clery Act"), as amended by relevant provisions of the Violence Against Women Reauthorization Act of 2013 ("VAWA"), which governs certain aspects of the University's response to hate or bias crimes.

This Policy encourages prompt reporting of Prohibited Conduct; identifies persons to whom Prohibited Conduct may be reported; prohibits retaliation against persons who bring reports under this Policy; assures privacy to the extent possible consistent with the need to address and resolve Prohibited Conduct appropriately and foster a safe learning, living and working environment; assures all members of the University community that each report of Prohibited Conduct will receive a prompt, equitable, impartial and thorough investigation and/or resolution; and provides for appropriate disciplinary or other corrective action.

A person who is determined at the conclusion of an investigation to have committed Prohibited Conduct in violation of this Policy may be subject to disciplinary action, up to and including expulsion or termination. In some circumstances, the University reserves the right to remove a student from the University's education program or activity, or place an employee on administrative leave prior to the conclusion of the Formal Resolution Process. Some forms of Prohibited Conduct may also violate federal, state and/or local law, and criminal prosecution may occur independently of any disciplinary action imposed by the University. The University's ultimate goal is to prevent Prohibited Conduct through prevention and education. It is the responsibility of every member of the University community to foster an environment free of Prohibited Conduct. However, if Prohibited Conduct occurs, the University will respond firmly, fairly and in a timely manner, using both informal and formal procedures designed to eliminate the conduct, prevent its recurrence, and remedy any adverse effects of the conduct on individuals, members of the campus community, or University-related programs or activities. All members of the University community are encouraged to take reasonable and prudent actions to prevent or stop an act of Prohibited Conduct. Taking action may include direct intervention when safe to do so, enlisting the assistance of friends, contacting law enforcement or seeking assistance from a person in authority. Retaliation against community members who make good faith reports of Prohibited Conduct or who participate in an investigation under this Policy is prohibited. Nothing in this Policy shall be deemed to revoke any right a faculty member may have to file a grievance outlined in the Faculty Manual.

Scope and Jurisdiction

This Policy governs the conduct of faculty, staff, students, alumni, members of the Board of Trustees (Trustees), volunteers, and other participants in University programs and activities that occur on the campuses of the University of Evansville, the Stone Family Center for Health Sciences. It also governs the conduct of third parties, including visitors and third-party contractors and vendors.

In this Policy, the individual reported to have experienced Prohibited Conduct is referred to as the Complainant. The individual who is reported to have committed Prohibited Conduct is referred to as the Respondent.

This Policy applies to acts of Prohibited Conduct that occurs both in the United States and in the University's education program or activity. The term "education program or activity" includes all of the University's operations, including the Stone Family Center for Health Sciences, and other locations, events, or circumstances over which the University exercises substantial control over both the Respondent and the context in which the conduct occurs; and any building owned or controlled by a student organization that is officially recognized by the University. The University's education program or

activity can include on-campus, off-campus, or online conduct, and applies to employment and admissions. Examples include University-sponsored, University-funded or otherwise University-supported study off campus, research, internship, mentorship, summer session, conferences, meetings, social events, or other affiliated programs or premises.

The Policy also applies to Prohibited Conduct that occurs outside of the United States, but in connection with the University's education program or activities, such as University-sponsored, University-funded or otherwise University-supported study abroad programs. Under certain circumstances, the Policy may also apply to instances in which the conduct occurred outside of the education program or activity, but where the University otherwise regulates the conduct, the conduct has or could have a continuing impact within the University's education program or activity, or the conduct may have the effect of posing a serious threat to the University community.

If the Respondent is not an employee or student, the University of Evansville's ability to take disciplinary action will be limited and is determined by the context of the Prohibited Conduct and the nature of the relationship of the third-party Respondent to the University. A visitor or third-party who is accused of violating this Policy may have their relationship with the University of Evansville terminated and/or be permanently barred from the University or subject to other restrictions for failing to comply with this Policy.

In instances where the University does not have disciplinary authority over the Respondent or the conduct is unconnected to a University education program or activity, the University will take steps to support a Complainant or other campus community members by offering reasonably available Supportive Measures and provide assistance in identifying external reporting mechanisms.

Intersection and Coordination with Other Policies and Procedures

Discrimination or harassment on the basis of sex, gender, sexual orientation or other behavior that is covered by Title IX do not fall under this Policy.

In addition, student, staff and faculty conduct is governed by applicable University policies and by the following:

- University of Evansville Employee Code of Conduct
- University of Evansville Drug and Alcohol Policies
- University of Evansville Student Handbook
- Harlaxton College Student Handbook
- University of Evansville Staff Manual
- University of Evansville Administrator Manual
- University of Evansville Faculty Manual
- University of Evansville Adjunct Faculty Manual
- Harlaxton College Employee Manual
- University of Evansville Protection of Children and Vulnerable Person Policy

Where conduct involves the potential violation of both this Policy and another University policy, the University may choose to investigate other potential misconduct under the procedures set forth in this Policy, provided that it does not unduly delay a prompt or equitable resolution of the report. The classification of the Respondent's primary role (student or employee) will direct the processes that will be followed for resolution.

This Policy applies to all reports of Prohibited Conduct that are received by the University on or after the effective date of this Policy, regardless of when the Prohibited Conduct occurred. Where the date of the Prohibited Conduct precedes the effective date of this Policy, the definitions of Prohibited Conduct in existence at the time of the alleged incident(s) will be used. The procedures under this Policy, however, will be used to investigate and resolve all reports made on or after the effective date of this Policy, regardless of when the incident(s) occurred.

The Director of Institutional Equity and Title IX Coordinator

The University has designated a Director of Institutional Equity and Title IX Coordinator (Coordinator) to oversee the implementation of this Policy and to ensure compliance with Title IX, relevant portions of VAWA and Title VII, and to work with the University's Office of Public Safety to ensure compliance with the Clery Act and other applicable laws. The Coordinator is inclusive of any designee of the Coordinator. The Coordinator is also charged with providing education and training; overseeing complaints; coordinating the University's investigation, response, and resolution of all reports of Prohibited Conduct under this Policy; maintaining centralized records of all reports, investigations and resolutions in accordance with the Office of Institutional Equity's Document Retention Policy. The University's Institutional Equity and Title IX Coordinator is:

Ms. Annie Sills

Director of Institutional Equity and Title IX Coordinator
Room 150, University Libraries
812-488-5261
cs175@evansville.edu
titleIX@evansville.edu

Ms. Megan Clouse

Deputy, Institutional Equity and Title IX Coordinator
Room 152, University Libraries
812-488-5267
mc661@evansville.edu

To request disability accommodations, students should contact the University's Office of Counseling Services at 812-488-2663 or counselingservices@evansville.edu. Employees and other members of the University community should contact the Office of Human Resources at 812-488-2943 or hr@evansville.edu.

Prevention and Awareness Programs

The University is committed to the prevention of Prohibited Conduct through regular and ongoing education and awareness programs. Incoming students and new employees receive primary prevention and awareness programming, and returning students and current employees receive ongoing training and related programs.

The Coordinator maintains broad oversight responsibility, but responsibility but may delegate responsibilities under this Policy to designated administrators or external professionals who will have appropriate training and/or experience. When used in this Policy, the term Coordinator may include an appropriate designee.

Definitions of Key Terms

- **Advisor:** The parties may be accompanied by an Advisor at any meeting or proceeding related to the resolution of a report under the Policy. The Advisor may be any person, including an attorney, and need not be affiliated with the University.

- **Complainant:** A student, employee, visitor, guest, or program participant who reports they have been the victim of sexual misconduct.
- **Confidential Resource:** Any University employee or independent contractor who has the ability to maintain the confidentiality of communications under applicable law or by designation. Confidential Resources include medical, clinical, and mental-health professionals, and clergy when acting in that professional role in the provision of services; and any employee providing administrative, operational and/or related support for such providers in their performance of such services.
- **Disciplinary Authority:** An disciplinary authority, who may be an external professional appointed by the University or an internal administrator, who is designated to review the investigative report and preside over the hearing to determine if a preponderance of the evidence exists to warrant the imposition of appropriate sanction(s) and/or remedies. The Disciplinary Authority for Respondents who are tenured or tenured track faculty is addressed below.
- **Exculpatory Evidence:** Evidence that indicates that a Respondent did not engage in Prohibited Conduct.
- **Formal Complaint:** A signed document filed by a Complainant or signed by the Coordinator alleging sexual harassment against a Respondent and requesting that the University investigate the allegation of sexual harassment.
- **Formal Grievance Process:** The investigation and adjudication of prohibited conduct resulting in a formal hearing and determination of responsibility, and if appropriate, accompanying sanctions.
- **Inculpatory Evidence:** Evidence that indicates that a Respondent engaged in Prohibited Conduct.
- **Informal Resolution:** A voluntary, structured interaction between the Complainant and Respondent to resolve concerns prior to a determination by the Disciplinary Authority. The informal resolution process is intended to be flexible while also providing for a full range of possible outcomes. Informal resolution may include mediation between the parties.
- **Preponderance of the Evidence:** The standard of evidence applied to determine whether Respondent is responsible for violating the policy. This means that the University will decide whether it is more likely than not, based upon the available information, that the Respondent is responsible for the alleged Policy violation(s).
- **Prohibited Conduct:** Reported conduct that is a violation of the Title IX and other Sexual Harassment and Misconduct Policy.
- **Respondent:** A student, employee, visitor, guest of program participant who is alleged by the Complainant to have committed Prohibited Conduct.
- **Responsible Employee:** A University of Evansville employee, who is not designated as a Confidential Resource, and is required to report incidents of Sexual Harassment and Misconduct to the Coordinator.
- **Supportive Measure:** A non-disciplinary, non-punitive individualized service offered as appropriate, as reasonably available, and without fee or charge to the Complainant or Respondent at any time before or after a Formal Complaint is filed or where no Formal Complaint has been filed.

Definitions of Prohibited Conduct

This Policy prohibits a broad range of behaviors, which are referred to collectively as “Prohibited Conduct.” In determining whether reported conduct violates this Policy, the University will consider the totality of the facts and circumstances involved in the incident, including the nature of the reported conduct and the context in which it occurred. Lack of familiarity with University policy is not a defense to a violation of this Policy. Unless specifically noted, intent is not a required element to establish a policy violation. Additionally, intoxication or impairment from alcohol, drugs or other substances is not a defense to a violation of this Policy.

Prohibited Conduct may include, among other things, telling jokes or making offensive or derogatory remarks about another person’s race, ancestry, national origin, age, disability, veteran status, or membership in another protected group. Prohibited conduct may occur through:

- Direct oral expression and/or physical gestures or actions;
- Notes, letters and other forms of written communication distributed via US mail, campus mail, or otherwise made visible to the public;
- Phone calls, phone messages, or other forms of electronic verbal communication;
- Email, text messages, instant messaging, social networks, or other means of electronic communication.

Definitions/Glossary

The following definitions are University-wide definitions and will be used as a reference for all cases involving harassment and discrimination covered by this Policy:

Protected Characteristics – Includes race, color, religion, national origin, age, disability status, genetic information, veterans’ status, ethnic origin, ancestry, sex, gender, sexual orientation, gender identity or any other basis protected by applicable federal, state or local laws, but not covered by the University’s Title IX and other Sexual Harassment and Misconduct Policy.

Discrimination Based on Protected Characteristics – Discrimination based on Protected Characteristics involves treating someone (an applicant, student, or employee) unfavorably because he/she is of a certain protected or because of personal characteristics associated with a protected class (e.g., hair texture, skin color, or certain facial features).

Harassment Based on Protected Characteristics – Harassment based on Protected Characteristics is a form of prohibited discrimination. Harassment often takes the form of verbal statements regarding an individual’s Protected Characteristics, such as epithets, derogatory comments or slurs, profanity, gestures, innuendo, jokes, or forms of address. Harassment can also take the form of other adverse conduct motivated by a person’s Protected Characteristics, such as teasing or tricks, physical abuse or bullying.

Race, Color, National Origin, or Ethnicity Harassment is any verbal or physical conduct that is directed at an individual because of their race, color, national origin or ethnicity, and that is sufficiently severe or pervasive so as to have the effect of creating an intimidating, hostile, or offensive work or educational environment, which unreasonably interferes with work or educational performance, or negatively affects an individual’s employment or educational opportunities. Such harassment is prohibited.

Disability Harassment* is any verbal or physical conduct or a pattern of a lack of reasonable accommodation that is directed at an individual because of their mental or physical impairment, and that is sufficiently severe or pervasive so as to have the effect of creating an intimidating, hostile, or offensive work or educational environment which unreasonably interferes with work or educational performance, or negatively affects an individual’s employment or educational opportunities. Such harassment is prohibited.

** If a student is dissatisfied with the accommodations recommended by a Disability Services staff member, they are not receiving the recommended accommodations from their instructor, or they feel they have been unjustly denied eligibility for Disability Services, the student should first follow the Disability Services Grievance Procedure.*

Religious Harassment is any verbal or physical conduct that is directed at an individual because of their religion and/or religious beliefs pertaining to religion and that is sufficiently severe or pervasive as to have the effect of creating an intimidating, hostile, or offensive work or educational environment, which unreasonably interferes with work or educational performance, or negatively affects an individual’s employment or educational opportunities. Such harassment is prohibited.

Veteran Status Harassment is any verbal or physical conduct that is directed at an individual because of their status as a person who serves or has served in the Armed Forces, Reserve, National Guard, or other uniformed Services, and that is sufficiently severe or pervasive as to have the effect of creating an intimidating, hostile, or offensive work or educational environment, which unreasonably interferes with work or educational performance, or negatively affects an individual’s employment or educational opportunities. Such harassment is prohibited.

Intent vs. Impact – It is the impact of the behavior, not the intent of the person who exhibited the behavior, that determines whether or not Prohibited Conduct has occurred. According to the law, actual intent is irrelevant. Courts have found a hostile environment exists if the victim believes the environment to be abusive and a reasonable person would find it to be an abusive environment.

Retaliation includes words or acts, as described below, committed against an individual or group of individuals involved in a protected activity. Protected activity includes making a good faith report under this Policy; filing an external complaint; or opposing in a reasonable manner and consistent with University policy an action reasonably believed to constitute a violation of this Policy. Retaliation may also include words or acts committed against an individual or group of individuals because they have participated in proceedings under this Policy. Retaliation can take many forms, including, but not limited to, adverse action or violence, threats and intimidation that would discourage a reasonable person (under similar circumstances and with similar identities to the targeted individual or group) from engaging in protected activity.

Complicity is any deliberate act or failure to act that knowingly or intentionally aids, attempts, or assists the commission of a specific act of Prohibited Conduct by another person.

Violation of University Directive is the failure to abide by the terms of an Interim Protective Measure or comply with a requirement of this Policy.

Understanding Privacy and Confidentiality

The University encourages all individuals who believe they have experienced or witnessed Prohibited Conduct to share information with the Coordinator or to a Responsible Employee (defined below), who will make a referral to the Coordinator. The Coordinator will provide the Complainant with information about resolution options and supports and resources. The Coordinator will also consult with the Complainant to determine whether and how the University should respond.

If a Complainant or witness does not wish to report to the University but wishes to seek support or information in a confidential setting, they should seek such support from one of the Confidential Resources listed below.

The following information about Privacy and Confidentiality is intended to differentiate these two terms as they are used in the Title IX process.

Privacy refers to the discretion that will be exercised by the University, including the Office of Institutional Equity, in the course of any investigation or disciplinary processes under this Policy. Information related to a report of Prohibited Conduct will be handled discreetly and shared with a limited circle of University employees or designees who need to know in order to assist in the assessment, investigation and resolution of the report and related issues. Individuals in the Office of Institutional Equity, along with Investigators, Disciplinary Authority members, and External Reviewers will receive training in how to safeguard private information. The University will make reasonable efforts to investigate and address reports of Prohibited Conduct under this Policy, and information may be disclosed to participants in an investigation as necessary to facilitate the thoroughness and integrity of the investigation. In all such proceedings, the University will maintain the privacy of the parties to the extent reasonably possible. The privacy of student education records will be protected in accordance with the university's Policy on the Access to Student Records in accordance with the Family Educational Rights and Privacy Act (FERPA). Access to an employee's personnel records is also governed by University policy and by applicable local laws.

Confidentiality refers to the level of protection that must be applied to statutory protections provided to individuals who disclose information in legally protected or privileged relationships, including professional mental health counselors, medical professionals, and ordained clergy (see Confidential Resources below). These Confidential Resources must maintain the confidentiality of communications disclosed within the scope of the provision of professional services. When an individual shares information with a Confidential Resource (on campus or in the community) as a confidential communication in the course of a protected relationship, the Confidential Resource cannot disclose the information (including information about whether an individual has received services) to any third party without the individual's written permission or unless permitted or required consistent with ethical or legal obligations. Similarly, medical and counseling records cannot be released without the individual's written permission or unless permitted or required consistent with ethical or legal obligations.

Release of Information by the University: Pursuant to the Clery Act, the University must disclose statistics about Clery Act crimes in its daily crime log and Annual Security Report and provides those statistics to the U.S. Department of Education. If a report of Sexual

Assault, Dating Violence, Domestic Violence or Stalking discloses a serious or continuing threat to the campus community, the University will issue a timely notification to the campus community to protect the health and safety of the campus community as required by the Clery Act. In all of these instances, the information is reported in a manner that does not include personally identifying information about persons involved in an incident. In addition, Confidential Resources may submit anonymous statistical information for Clery Act purposes unless they believe it would be harmful to their client, patient or student.

The University will not release the name of the Complainant, the Respondent or witnesses to the general public except as otherwise permitted or required by law. The University will also maintain the confidentiality of any Supportive Measures provided to a Complainant, to the extent that maintaining such confidentiality would not impair the University's ability to provide the Supportive Measures. The University may also share non-personally identifying information about reports received in aggregate form, including data about outcomes and sanctions. All University proceedings are conducted in compliance with the requirements of FERPA, the Clery Act (as amended by VAWA), Title IX, state and local law, and University policy.

Reporting Responsibility of University Employees

It is important to understand the different responsibilities of University employees. Some employees are designated as Confidential Resources, meaning that they will maintain the Confidentiality of information shared with them, as described above. All other employees are designated as Responsible Employees, meaning that they are required to promptly share all information about Prohibited Conduct with the Coordinator.

Confidential Resources include any University employee or independent contractor who has the ability to maintain the confidentiality of communications under applicable law or by designation. Confidential Resources include medical, clinical, and mental-health professionals, and clergy when acting in that professional role in the provision of services; and any employee providing administrative, operational and/or related support for such providers in their performance of such services. Confidential Resources will not disclose information about Prohibited Conduct without the individual's written permission or as set forth in the Confidentiality section above. When individuals who otherwise are Confidential Resources receive information outside of the provision of services, the Confidential Resource is required to share that information with the Coordinator. For example, a licensed counselor who receives a disclosure in the context of speaking at a prevention program would be required to share the information with the Coordinator.

The following are on-campus confidential resources:

Office of Counseling Services

Room 200, Ridgway University Center
812-488-2663
counselingservices@evansville.edu
evansville.edu/counseling/

The Office of Counseling Services is staffed by professional, licensed counselors and is available to all students. The office is open from 8:00 a.m. - 5:00 p.m. Monday through Friday, with reduced hours in the summer. These hours may be adjusted by the University at any time. Appointments can be made by calling 812-488-2663.

Emergency counseling services are available after hours by calling the Office of Public Safety at 812-488-2051, and asking for the counselor on call.

Spiritual Formation Coordinator

Room 101, Neu Chapel

812-488-5265

spiritualformation@evansville.edu

evansville.edu/spiritual-formation/index.cfm

The Office of Spiritual Formation is staffed with a certified Spiritual Director who provides pastoral care and directional resources to the University of Evansville.

Project SafeSpace

Room 118, Olmsted Administration Hall

812-488-5823

ah193@evansville.edu

evansville.edu/safespace/

The Project SafeSpace Initiative is housed in the Office of Human Resources in Olmsted Hall. The Initiative is staffed by a Project Coordinator and professional certified Victim Advocates. Services are available to all students, faculty, & staff. The office is open from 8:00 a.m. - 5:00 p.m. Monday through Friday, with reduced hours in the summer. These hours may be adjusted by the University at any time. Appointments can be made by calling 812-488-5823. Crisis Intervention and Victim Advocacy Services are available after hours by calling the Albion Fellows Bacon Center at 812-422-5622. Immediate safety concerns can be addressed by contacting the Office of Public Safety at 812-488-2051.

Crayton E. and Ellen Mann Health Center

Sampson Hall

812-488-2033

healthcenter@evansville.edu

evansville.edu/offices/healthcenter

The Health Center is staffed and operated by Tri-State Community Clinics, LLC (TSCC) and is available to all full-time students, as well as employees who are enrolled on UE health insurance. The University of Evansville Health Center is staffed by nurse practitioners registered nurses and medical assistants who are under the supervision of R. Chad Perkins, MD, Chief Medical Officer of TSCC. The Health Center is open from 8:00 am to 5:00 pm Monday through Friday during the fall and spring semesters, with reduced hours in the summer.

While these Confidential Resources will ordinarily be able to maintain the confidentiality of the information shared with them in the course of their duties, there are certain limited circumstances where they may be required by law to share information. Those circumstances include:

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

Employees may obtain confidential counseling from the University's Employee Assistance Program, which can be accessed by contacting 1-888-293-6948.

Responsible Employees are expected to promptly report any information they learn about suspected Prohibited Conduct or potential violations of this Policy. All University employees, except for those that are designated as Confidential Resources, are considered Responsible Employees. For the purpose of this policy, Trustees and Residential Assistants are required to report potential violations of this Policy to the Office of Institutional Equity, notwithstanding the fact that they may not be considered employees of the University.

Responsible Employees are expected to report all known information, including the identities of the parties, the date, time and location and any details about the reported incident to the Coordinator. The Coordinator may share reports with other University employees to ensure a coordinated institutional response.

Responsible Employees may provide support and assistance to a Complainant, witness or Respondent; but they cannot promise Confidentiality or withhold information about Prohibited Conduct. Failure by a Responsible Employee to report known or suspected Prohibited Conduct in a timely manner may subject them to appropriate discipline. The Executive Director of Human Resources and Institutional Equity will work directly with the employee's supervisor to address the matter as appropriate, include that which is within bounds per the Tenured Faculty Manual. Discipline may include, but is not limited to the following: oral or written warning, administrative leave with or without pay, removal from a position, or termination of employment. These disciplinary consequences may be imposed against any Responsible Employee, regardless of rank and whether that Responsible Employee is an administrator, faculty member, staff member, or student-employee. Disciplinary consequences for Trustees include, but are not limited to, removal from the Board of Trustees.

Responsible Employees are not required to report information disclosed at public awareness events (e.g., "Take Back the Night," candlelight vigils, protests, "survivor speak-outs" or other public forums in which students may disclose Prohibited Conduct (collectively, public awareness events). The University may provide information about Title IX and available University and community resources and support at public awareness events. When individuals who are designated as Responsible Employees also serve, at times, a dual role as Confidential Resources, the individuals should not report information that they receive while providing services as Confidential Resources (except as set forth in the Confidentiality section above). In addition, a Complainant may choose not to make a report in their own case, even if the Complainant would otherwise have reporting obligations as a Responsible Employee.

Clery Act Reporting

Pursuant to the Clery Act, the University includes statistics about certain offenses in its Annual Security Report and provides those statistics to the United States Department of Education in a manner that does not include any personally identifying information about individuals involved in an incident. The Clery Act also requires the University to issue timely warnings to the University community about certain crimes that have been reported and may continue to pose a serious or continuing threat to campus safety. Consistent with the Clery Act, the University withholds the names and other personally identifying information of Complainants when issuing timely warnings to the University community.

Mandatory Reporting of Child Abuse and Neglect

In addition to the above reporting responsibilities, all University employees have an obligation to report known or suspected child abuse and neglect consistent with Indiana state law and the University's Protection of Children and Vulnerable Persons Policy. Child Abuse can be reported to the Indiana Department of Child Services hotline at 1-800-800-5566.

Campus and Community Resources

A Complainant or witness has many options, including seeking counseling or assistance from a Confidential Resource, making a report under this Policy, and/or making a report to law enforcement. The University encourages prompt reporting of Prohibited Conduct to the Coordinator and law enforcement. The University also recognizes that deciding among these options can be difficult and is an intensely personal decision. Complainants and witnesses are encouraged to seek assistance from a Confidential Resource and to explore all potential reporting and support options.

Emergency Resources and Law Enforcement

Emergency medical assistance and campus Safety and Security assistance are available 24/7 both on and off campus. Individuals are encouraged to contact law enforcement and seek medical treatment as soon as possible following an incident that may pose a threat to safety or physical well-being or following a potential criminal offense.

To report Prohibited Conduct that is imminent, in progress, or threatened, call:

University of Evansville: the University's Office of Public Safety at 812-488-2051 or the Evansville Police Department at 812-436-7896 or 911.

Stone Center for Health Sciences: IU Police Department/G4S Security at 812-855-2425 or 812-855-2421 or the Evansville Police Department at 812-436-7896 or 911.

Medical Treatment and Preservation of Evidence

Regardless of whether a report is filed with local law enforcement, individuals should preserve all evidence that could be relevant to any criminal charges that may be brought or that might be needed to obtain a protection order.

University of Evansville and Stone Center for Health Sciences Deaconess Hospital

deaconess.com/Services/Emergency-Care/S-A-N-E

Hours: 24/7

812-450-3405

St. Vincent Hospital

stvincent.org/Locations/Hospitals/Evansville

Hours: 24/7

812-485-4491

Campus Resources

Members of the University community may obtain information about resources relating to prohibited conduct from:

- Annie Sills, *Director Institutional Equity and Title IX Coordinator*
812-488-5261, cs175@evansville.edu
- Megan Clouse, *Deputy of Institutional Equity and Title IX Coordinator*
812-488-5267, mc661@evansville.edu
- Keith Gehlhausen, *Executive Director of Human Resources and Institutional Equity*
812-488-2943, kg77@evansville.edu

- Kristen Strandberg, *Interim Vice President of Student Affairs/Dean of Students*
812-488-2500, rc35@evansville.edu
- Rob Shelby, *Vice President for Talent & Community and Chief Inclusion & Equity Officer*
812-488-2949, rs262@evansville.edu
- Kevin Corbin, *Director of Public Safety*
812-488-2054, kc450@evansville.edu

The Coordinator will provide Complainants with written notice about existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance and other services, as well as options and available assistance for changing academic, living, transportation and working situations, if requested, if reasonably available and regardless of whether reports are made to law enforcement. These supports are described in greater detail in the section on Supportive Measures.

Reporting Options

The University encourages all individuals to report Prohibited Conduct or a potential violation of this Policy to the Coordinator, the Office of Public Safety, and/or to local law enforcement. A Complainant has the right to report, or decline to report, potential criminal conduct to law enforcement. Upon request, the University will assist a Complainant in contacting law enforcement at any time. Under limited circumstances (posing a threat to health or safety of any individual or to comply with applicable law), the University may independently notify law enforcement.

An individual may make a report to the University, to law enforcement, to neither, or to both. Campus Title IX processes and law enforcement investigations operate independently of one another, although the Coordinator may coordinate information with law enforcement as part of the Initial Assessment. Anyone can make a report as follows:

- Make a report to the institutional equity and Title IX coordinator in person, by telephone, by email, or online at:

Ms. Annie Sills

Director of Institutional Equity and Title IX Coordinator

Room 150, University Libraries

812-488-5261

cs175@evansville.edu

titleIX@evansville.edu

Ms. Megan Clouse

Deputy, Institutional Equity and Title IX Coordinator

Room 152, University Libraries

812-488-5267

mc661@evansville.edu

- Make a report to local law enforcement

A Complainant has the right to report, or decline to report, to law enforcement at any time. The University's investigation and adjudication processes are distinct from the criminal justice/law enforcement process. The University will assist a Complainant in contacting law enforcement or the Complainant may contact law enforcement directly.

University of Evansville and Stone Center for Health Sciences:

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

- Make an anonymous report

A complainant is not required to reveal their identity in order to report an incident; however, an anonymous report may limit the ability

to respond with an investigation or disciplinary action. An incident can be anonymously reported to University administration at:

- University of Evansville Office of Public Safety Report A Concern Form
- University of Evansville Bias Incident Report
- Campus Conduct Hotline

Although providing anonymous information may limit the ability of the University to investigate or impose discipline, it can help the University maintain accurate records regarding the number of incidents involving students, employees, and third parties; determine if there is a pattern of conduct with regard to a particular location, group or Respondent; and alert the campus community to potential dangers when appropriate.

A Complainant or witness also has the ability to make an anonymous report to local law enforcement by contacting:

University of Evansville and Stone Center for Health Sciences

Evansville Police Department offers an anonymous report line at 812-435-6194.

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

An individual may pursue some or all of these steps at the same time (e.g., one may simultaneously pursue a Title IX report and a criminal complaint). When initiating any of the above options, an individual does not need to know whether they wish to request any particular course of action nor how to label what happened. As part of a report to the Coordinator, an individual can also request Supportive Measures.

Timeframe for Reporting

Complainants and witnesses are encouraged to report Prohibited Conduct as soon as possible in order to maximize the University's ability to respond promptly and effectively. The University does not, however, limit the timeframe for reporting. Depending on the relationship of the Respondent to the University, the University may not have the authority to impose disciplinary action. Where the University does not have Disciplinary Authority (for example, a report is made after a student has left or graduated or an employee no longer works for the University), the University will still seek to meet its Title IX obligations by evaluating the reported conduct, providing reasonably available Supportive Measures to the Complainant, assisting the Complainant in identifying external reporting options, and may take other appropriate action to address the reported conduct.

Amnesty

The University encourages reporting and seeks to remove barriers to reporting by providing amnesty for Complainants and witnesses who report Prohibited Conduct for potential conduct violations occurring at or near the time of the incident. In general, the University will not pursue disciplinary action against a student who makes a good faith report to the University as a Complainant or witness to Prohibited Conduct for personal consumption of alcohol or other drugs (underage or illegal) which would otherwise be a violation of the University's Drug and Alcohol Policies, provided the misconduct did not endanger the health or safety of others. The University may initiate an assessment or educational discussion or pursue other non-disciplinary options regarding alcohol or other drug use.

Requests for Anonymity

Once a report has been shared with the Coordinator, a Complainant may request that their identity not be shared with the Respondent (request for anonymity), that no investigation occur, or that no disciplinary action be pursued. The University will carefully balance this request in the context of the University's commitment to provide a safe and non-discriminatory environment for all University community members. The University will take all reasonable efforts to investigate and respond to the report consistent with a Complainant's request, but in order to pursue disciplinary action against a Respondent, the Respondent must be provided with sufficient notice of the reported conduct. In some circumstances, the Coordinator may arrange for limited preliminary fact-finding by an Investigator to gain a better understanding of the context of the report or take other appropriate steps, including consulting with appropriate administrators. For more information, see the section on Balancing Complainant Autonomy with University Responsibility to Investigate.

Coordination with Law Enforcement

A Complainant has the right to report, or decline to report, potential criminal conduct to law enforcement. Upon request, the University will assist a Complainant in contacting law enforcement at any time. Under limited circumstances posing a threat to health or safety of any University community member, the University may independently notify law enforcement. An individual may make a report to the University, to law enforcement, to neither, or to both. The University's resolution process and law enforcement investigations may be simultaneously pursued, but will operate independently of one another. The University will, when appropriate, coordinate information with law enforcement if law enforcement is notified, in accordance with FERPA privacy regulations.

Supportive Measures

Upon receipt of a report of Prohibited Conduct, the University will provide reasonable and appropriate Supportive Measures. A Supportive Measure is a non-disciplinary, non-punitive individualized service offered as appropriate, as reasonably available, and without fee or charge to the Complainant or Respondent at any time before or after a Formal Complaint is filed or where no Formal Complaint has been filed. Supportive Measures are designed to preserve access to the University's educational programs and activities without unreasonably burdening the other party, including measures designed to protect the safety of the Complainant, the Respondent or broader University community; maintain the integrity of the investigative and/or resolution process; and deter retaliation.

Supportive measures may include counseling, extensions of deadlines or other course related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between the parties, changes in work or housing locations, leaves of absence, increased security and monitoring of certain areas of the campus, and other similar measures.

Available Supportive Measures include, but are not limited to:

- Facilitating access to counseling and medical services.
- Guidance in obtaining a sexual assault forensic examination.
- Assistance in arranging rescheduling of exams and assignments and extensions of deadlines.
- Academic support.

- Assistance in requesting long-term academic accommodations through the Office of Counseling Services if the individual qualifies as an individual with a disability.
- Change in class schedule, including the ability to transfer course sections or withdraw from a course.
- Allow either a Complainant or a Respondent to drop a class in which both parties are enrolled in the same section.
- Voluntary changes in the Complainant's or Respondent's University work schedule or job assignment.
- Change in campus housing.
- Escort and other safety planning steps.
- Mutual "no contact order," an administrative remedy designed to curtail contact and communications between two or more individuals.
- Voluntary leave of absence.
- Referral to resources to assist in obtaining a protective order.
- Referral to resources to assist with any financial aid, visa or immigration concerns.
- Any other remedial measure that does not interfere with either party's access to education can be used to achieve the goals of this Policy.
- Reasonable Change in the Respondent's class schedule.
- Reasonable Change in the Respondent's University work schedule or job assignment.
- Reasonable Change in the Respondent's campus housing.
- Any other reasonable restrictive measure that can be used to achieve the goals of this Policy

The availability of Supportive Measures will be determined by the specific circumstances of each report. The University will consider a number of factors in determining which Supportive Measures to take, including the needs of the student or employee seeking Supportive Measures; the severity or pervasiveness of the alleged conduct; any continuing effects on the parties; whether the Complainant and the Respondent share the same residence hall, academic course(s), or job location(s); and whether court proceedings have been used to protect any parties (e.g., protective orders). The University will work in good faith to implement the requirements of judicially issued protective orders and similar orders, to the extent that doing so is within its authority.

The Coordinator is responsible for ensuring the implementation of Supportive Measures and coordinating the University's response with the appropriate offices on campus. The Coordinator has the discretion to impose and/or modify any Supportive Measure based on all available information and is available to meet with a Complainant or Respondent to address any concerns about the provision of Supportive Measures. The University will maintain the privacy of any Supportive Measures provided under this Policy to the extent practicable.

The University will provide reasonable Supportive Measures to third parties as appropriate and available, taking into account the role of the third party and the nature of any contractual relationship with the University.

Emergency Removal

Certain circumstances may warrant removing a student Respondent from a University education program or activity. The University may remove a student Respondent on an emergency basis from University property or employment, education or research

programs or activities. The determination of whether to remove a student may be made by the Coordinator in consultation with other University employees, as necessary. This decision may be made at any point in the process.

Before imposing an emergency removal, the University will undertake an individualized analysis of safety and risk for the campus community to determine whether the Respondent's presence in the program or activity poses an immediate threat to the physical health or safety of any student or other individual arising from the allegations of Prohibited Conduct and justifies removal of the Respondent from the University program or activity.

The Coordinator will promptly provide the Respondent with written notice of any removal and an opportunity to challenge the removal. During any challenge, the Respondent will remain off-campus and must comply with the notice of removal. That notice shall include a statement that the use of any information the Respondent chooses to provide may subsequently be used in implementing any aspect of this Policy, including the investigation and adjudication. The Respondent will have 72 hours to submit a written challenge of the safety and risk analysis to the Coordinator. The Coordinator will assign the matter to be reviewed by a decision-maker to evaluate the information in support of the individualized safety and risk analysis and any information provided by the Respondent and the Complainant, as applicable. The decision-maker will submit a final decision in writing to the Respondent and the Complainant within three (3) business days, with a copy to the Coordinator.

Administrative Leave

Following a report of Prohibited Conduct, the University may place a non-student employee Respondent on administrative leave, with or without pay.

Overview of the University's Resolution Processes

The University is committed to providing a prompt, thorough, equitable, and impartial resolution of all reported violations of this Policy. To implement this Policy, the University has developed a formal and an informal resolution process to resolve reports of Prohibited Conduct:

- **Informal Resolution:** an informal framework that includes informal or restorative options for resolving reports that typically do not involve disciplinary action against a Respondent.
- **Formal Resolution:** formal procedures that involve an investigation, adjudication and, if appropriate, the imposition of sanctions.

In all formal and informal resolution processes, the University will treat Complainants and Respondents equitably by offering Supportive Measures to a Complainant when the University has notice of potential Prohibited Conduct, and by following either the formal or informal resolution process before the imposition of any disciplinary sanction against a Respondent. Upon receipt of a report of Prohibited Conduct, the University will conduct an initial assessment of the available information and consider the Complainant's stated interests, as well as the University's compliance obligations, in determining how to proceed. A report of Prohibited Conduct may be resolved through: provision of Supportive Measures only; pursuing the formal resolution process, which involves a prompt, equitable and impartial investigation, a live hearing, and an appeal; or, pursuing an informal resolution process, which requires the voluntary and written consent of the Complainant, the Respondent and the University. A Complainant is always entitled to reasonably

available Supportive Measures, regardless of whether a formal or informal resolution process is initiated.

Time Frame for Resolution

The University will seek to complete the appropriate resolution process as promptly as possible, consistent with the need to conduct sensitive and informed fact-gathering to ensure an equitable resolution. The Policy designates reasonably prompt timeframes for the major stages of the investigation and resolution process (typically set forth in business days), but the University may extend any timeframe in this Policy for good cause. An extension may be required for good cause to ensure the integrity and thoroughness of the investigation; to comply with a request by law enforcement; in response to the unavailability of the parties or witnesses; or for other legitimate reasons, such as intervening breaks in the University calendar, University finals periods, the complexity of the investigation, the volume of information, number of witnesses, length of the written record, and/or the severity and extent of the alleged misconduct. While requests for delays by the parties may be considered, the University cannot unduly or unreasonably delay the prompt resolution of a report under this Policy. Reasonable requests for delays by the parties may serve to extend the time period for resolution of the report.

The Coordinator, in consultation with the Investigators, has the authority to determine whether an extension is required or warranted by the circumstances. The University will notify the parties in writing of any extension of the timeframes for good cause, the reason for the extension and the length of the extension. Although cooperation with law enforcement may require the University to suspend the fact-finding portion of a Title IX investigation temporarily, the University will promptly resume its Title IX investigation as soon as it is notified by the law enforcement agency that the agency has completed the evidence gathering process. The University will not, however, wait for the conclusion of a criminal proceeding to begin or conclude its own investigation and, if needed, will take immediate steps to provide appropriate Supportive Measures.

Investigations will proceed according to the timeframes in this Policy to the extent possible during the summer and at other times when classes at the University are not in session. The Coordinator will work with the parties to balance the need for promptness and the preference for in-person meetings regarding the investigation.

Timeframes for all phases of the disciplinary process, including the investigation, any related disciplinary proceedings and any related review of the finding, apply equally to both the Complainant and the Respondent.

Advisor

Throughout the informal or formal resolution process, each party has the right to be accompanied at any meeting or hearing by an Advisor of their choice. The Advisor may be any person, including an attorney. A party may decline to use an Advisor for any or all stages of the formal or informal resolution process, with the exception of the hearing, where any questioning of the other party must be conducted by the party's Advisor. If a party does not have an Advisor for the hearing, the University will provide an Advisor, free of charge, who may be, but is not required to be, an attorney, to attend the hearing and conduct questioning on behalf of that party.

The Advisor may observe, provide support, and provide guidance or advice to the party (in a non-disruptive manner). With the exception of

the Advisor's live questioning during the hearing, they may not speak on behalf of the parties or otherwise participate in, or in any manner delay, disrupt or interfere with meetings and/or proceedings. An Advisor should plan to make themselves reasonably available; the University will not unduly delay the scheduling of meetings or proceedings based on an Advisor's unavailability. An Advisor may be asked to meet with a University administrator in advance of any proceedings to understand the expectations of the role, privacy considerations and appropriate decorum. An Advisor may be removed for failure to follow these expectations.

The Advisor is entitled to review all information gathered in the investigation that is directly related to the allegations (as part of evidence review), access to the investigation report, and to cross-examine the other party and all witnesses during the hearing.

Obligation to Provide Truthful Information

All University community members are expected to provide truthful information in any proceeding under this Policy. Submitting or providing false or misleading information in bad faith or with a view to personal gain or intentional harm to another in connection with an incident of Prohibited Conduct is prohibited and subject to disciplinary sanctions, in accordance with the Students' Rights and Responsibilities section of the University of Evansville Student Handbook, Student Code of Conduct section of the Harlaxton College Student Handbook, the University of Evansville Employee Code of Conduct, and other applicable University policies and procedures. This provision does not apply to reports made or information provided in good faith, even if the facts alleged in the report are not later substantiated.

Intake and Initial Assessment

Response to a Report of Prohibited Conduct

Any person may report Prohibited Conduct to the Coordinator, the Office of Public Safety, or the other reporting options cited above. Upon receipt of a report of Prohibited Conduct, the Coordinator will contact the Complainant to discuss the availability of Supportive Measures with or without the filing of a Formal Complaint, explain to the Complainant the process for filing a Formal Complaint, and consider the Complainant's wishes with respect to Supportive Measures.

During the Initial Assessment, a Complainant may request Supportive Measures only, or may file a Formal Complaint. Alternatively, as described below, the Coordinator may determine that it is appropriate to file a Formal Complaint on behalf of a Complainant. After the filing of a Formal Complaint, the Complainant may decide to seek Informal Resolution in lieu of a formal resolution process (investigation, hearing and appeal). A Complainant is always entitled to reasonably available Supportive Measures, regardless of whether a formal or informal resolution process is initiated.

The Coordinator will also determine whether the Policy applies to the report and whether the reported conduct falls within the jurisdiction and scope of the Policy and/or Title IX.

(1) Overview of Initial Assessment

As part of the Initial Assessment, the Coordinator will:

- Promptly contact the Complainant to discuss the availability of Supportive Measures.
- Consider the Complainant's wishes with respect to Supportive Measures.

- Assess the nature and circumstances of the report, including whether it provides the names and/or any other information that identifies the Complainant, the Respondent, any witness and/or any other individual with knowledge of the reported incident.
- Address immediate physical safety and emotional well-being needs.
- Conduct an individualized analysis of safety and risk for the campus community to determine whether a student Respondent's presence in the University's education programs or activities poses an immediate threat to the physical health or safety of any student or other individual that justifies removal.
- Notify the Complainant of their right to contact (or decline to contact) law enforcement or seek a civil protection order.
- Notify the Complainant of the right to seek medical treatment.
- Notify the Complainant of the importance of preservation of evidence.
- Refer the report to the Office of Public Safety to assess the reported conduct for any Clery Act obligations, including entry in the daily crime log or issuance of a timely warning.
- Provide the Complainant with written information about on and off campus resources.
- Provide the Complainant with a copy of this Policy and an explanation of the procedural options, including seeking Supportive Measures, the process for filing a Formal Complaint, the formal resolution process and informal resolution.
- Notify the Complainant of the right to be accompanied at any meeting or proceeding by an Advisor of their choice, and that the University will provide an Advisor, without fee or charge, to conduct questioning on behalf of that party at the hearing if they do not have an Advisor.
- Assess the available information for any pattern of conduct by Respondent.
- Discuss the Complainant's expressed preference for manner of resolution and any barriers to proceeding (e.g., confidentiality concerns).
- Explain the University's policy prohibiting retaliation and how to report acts of retaliation.
- Determine the age of the Complainant; and if the Complainant is a minor, make the appropriate report of suspected abuse consistent with Indiana state law.

The Initial Assessment will be conducted promptly and the time frame for the initial assessment will be tailored to the context and circumstances. The University will seek to complete the Initial Assessment within 10 business days, but recognizes that there may be circumstances in which the Initial Assessment takes longer based on the availability of the Complainant or other necessary information, a Complainant's request to maintain privacy or not seek disciplinary action, or other factors outside of the University's control. The University understands that a Complainant may engage in delayed decision-making, which may impact the timing of the conclusion of the initial assessment.

Formal Complaint

The formal resolution process (investigation, hearing and appeal) is initiated by the filing of a Formal Complaint. A Formal Complaint is a written document submitted to the Coordinator by the Complainant alleging that a Respondent engaged in Prohibited Conduct and requesting an investigation. The Formal Complaint may be submitted to the Coordinator in person, by mail, or by electronic mail. The Coordinator can be reached at:

Ms. Annie Sills

Director of Institutional Equity and Title IX Coordinator
Room 150, University Libraries
812-488-5261
cs175@evansville.edu
titleIX@evansville.edu

Ms. Megan Clouse

Deputy, Institutional Equity and Title IX Coordinator
Room 152, University Libraries
812-488-5267
mc661@evansville.edu

The Complainant may also contact the Coordinator directly for assistance in making a Formal Complaint. Where a Complainant files a Formal Complaint and the reported conduct falls within the scope and jurisdiction of the Policy, the Coordinator must pursue either a formal or informal resolution process.

Dismissal of a Formal Complaint

The Coordinator will determine whether the conduct alleged in the Formal Complaint falls within the scope of the Policy and the definitions of Prohibited Conduct.

In addition, the Coordinator may dismiss a Formal Complaint, at any stage of the process, in any of the following three circumstances: (1) the Complainant notifies the Coordinator in writing that the Complainant would like to withdraw the Formal Complaint or any allegations therein; (2) the Respondent is no longer enrolled or employed by the University; (3) or specific circumstances, including a Complainant's decision not to respond to outreach from the University, prevent the University from gathering evidence sufficient to reach a determination as to the Formal Complaint or allegations therein.

The decision about whether to dismiss a Formal Complaint, in whole or in part, may be made at any time in the process and will be communicated to all parties in writing. If some or all of the allegations in the Formal Complaint have been dismissed, the parties will receive written information about how to appeal the dismissal of the Formal Complaint.

Balancing Complainant Autonomy with University Responsibility to Investigate

The University endeavors to respect the wishes of a Complainant to not pursue a Formal Complaint. If a Complainant requests that their name or other personally-identifiable information not be shared with a Respondent, that no investigation into a particular incident be pursued, and/or that no disciplinary action be taken against the Respondent, the University will balance this request against its commitment to a safe, non-discriminatory learning, living, and working environment for all community members, including for the Complainant. In particular, the Coordinator will take into account the Complainant's articulated concerns, the safety of the campus community, fairness to all individuals involved, and the University's obligations under Title IX.

In these instances, before taking any further investigative steps, the Coordinator will discuss any concerns with the Complainant and seek to address and remedy barriers to reporting based upon concerns about retaliation or questions about procedural options and potential outcomes.

In evaluating the appropriate manner of resolution, including whether the Coordinator will file a Formal Complaint in the absence of a Formal Complaint by the Complainant, the Coordinator will consider a range of factors, including:

- The totality of the known circumstances;

- The nature and scope of the alleged conduct, including whether the reported behavior involves the use of a weapon;
- The respective ages and roles of the Complainant and Respondent;
- The risk that the Respondent may commit additional acts of Prohibited Conduct or other violence, taking into consideration, among other matters, any known history of arrests, violence, or other complaints of Prohibited Conduct involving the Respondent, any threats of future violence made by the Respondent, and whether multiple Respondents were involved in the reported incident;
- Whether the report reveals a pattern of misconduct related to Prohibited Conduct (e.g., illicit use of drugs or alcohol) at a given location or by a particular group;
- The Complainant's interest in the University not pursuing an investigation or disciplinary action and the impact of such actions on the Complainant;
- Whether the University possesses other means to obtain relevant evidence;
- Fairness considerations for both the Complainant and the Respondent;
- The University's obligation to provide a safe and non-discriminatory environment; and
- Any other available and relevant information.

Where possible based on the facts and circumstances, the University will take all reasonable steps to respond to the report consistent with the Complainant's requested course of action, but its ability to do so may be limited based on the reported information. Where the balance of factors requires the Coordinator to file a Formal Complaint on behalf of the Complainant, the Coordinator will inform the Complainant in writing about the chosen course of action.

Consolidation of Formal Complaints

The University may consolidate Formal Complaints against more than one Respondent, or by more than one Complainant against one or more Respondents, or by one party against the other party, where the allegations of Prohibited Conduct arise out of the same facts or circumstances. All parties will receive simultaneous, timely notification of any such consolidation. During the course of the investigation, the investigation may reveal the existence of additional or different potential policy violations, which may also be consolidated following notification to the parties of the amended notice of investigation.

Determination after the Initial Assessment: Scope and Manner of Resolution

The Coordinator will consider the nature of the report, the safety of the individual and the campus community, and the Complainant's expressed preference for the manner of resolution in determining the appropriate course of action to achieve the goals of Title IX and the Policy. The range of available resolution options include:

No Further Action (which may involve referral to another University policy)	Supportive Measures Only (regardless of whether a Formal Complaint is filed)	Formal Resolution (following a Formal Complaint by the Complainant or the Coordinator)	Informal Resolution (following a Formal Complaint by the Complainant or the Coordinator)
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At the conclusion of the Initial Assessment, the Complainant will receive a written notice of the determination about how the University will proceed.

Informal Resolution

The University may resolve reports through Informal Resolution (which may include the possibility of mediation), as appropriate based on the circumstances. Informal Resolution is not appropriate for all cases of Prohibited Conduct, and the University retains the discretion to determine which cases may be appropriate for Informal Resolution and the type of Informal Resolution process that may be appropriate in a specific case.

Informal Resolution is available only once a Formal Complaint has been filed, prior to a determination of responsibility, and if the Complainant, Respondent and the University voluntarily consent to the process in writing. Informal Resolution is not available in cases in which an employee is alleged to have sexually harassed a student. Informal Resolution may involve agreement to pursue individual and/or community remedies that are designed to address a report of Prohibited Conduct; targeted or broad-based educational programming or training; requiring counseling; providing housing accommodations for student Complainants; making academic accommodations for student Complainants or providing workplace accommodations for employee Complainants; and/or any other remedy that can be tailored to the involved individuals to achieve the goals of the Policy. With the voluntary consent of the parties, Informal Resolution may be used to impose agreed-upon disciplinary sanctions. Any person who facilitates an Informal Resolution will be trained on the definition of Prohibited Conduct, including Sexual Harassment; the scope of the University's education program or activity; how to conduct an informal resolution process, including how to serve impartially, and be free from conflicts of interest or bias for or against either party.

If the parties are interested in pursuing Informal Resolution, the Coordinator will send written notice to the parties describing:

1. The allegations at issue;
2. The requirements of the Informal Resolution;
3. The circumstances under which the parties are precluded from resuming a Formal Complaint arising from the same allegations;
4. The right to end the Informal Resolution process at any time prior to resolution and resume the Formal Complaint process;
5. The consequences resulting from participating in the Informal Resolution, including that the records and communications created or maintained as part of the Informal Resolution process may be viewed by parties, or later used or considered in the Formal Complaint process, including at a hearing.

If an agreement acceptable to the University, the Complainant and the Respondent is reached through Informal Resolution, the matter is considered to be resolved, and the parties will be precluded from filing another Formal Complaint arising from the same set of facts or circumstances. Prior to reaching a resolution, any party can withdraw from the Informal Resolution process and resume the Formal Complaint process. The Coordinator will maintain records of all reports and conduct referred for Informal Resolution. Records are maintained in accordance with the Office of Institutional Equity's Record Retention Policy.

Formal Resolution Process: Investigation

The University will conduct a prompt and equitable investigation to gather information relevant to the determination of whether there is sufficient information, by a Preponderance of the Evidence, to determine that a Policy violation occurred. The investigation will be impartial and will be conducted by trained Investigators who have no actual bias or conflict of interest for or against the Complainant or Respondent.

During the investigation and disciplinary proceedings, both the Complainant and Respondent have equitable opportunities, including the opportunity to receive a written notice of investigation; to participate in the investigation; to review and present information and evidence; to be accompanied by an Advisor of their choice to any meeting; to timely and equal access to information that will be used in disciplinary proceedings; to timely notice of meetings at which their presence will be requested or required; to simultaneous written notice of the outcome, sanction and rationale; and to appeal the outcome.

The Investigators, not the parties, are responsible for gathering relevant evidence. The Complainant and Respondent will be asked to identify witnesses and provide other relevant information, such as documents, communications and other evidence, if available. The parties are encouraged to provide all relevant information as promptly as possible to facilitate prompt resolution and are encouraged to preserve relevant evidence. In the event that a party declines to voluntarily provide material information, the University's ability to conduct a prompt, thorough and equitable investigation may be impacted.

Initiating an Investigation

When the decision is made to initiate an investigation, the University will designate one external Investigator or two internal Investigators to conduct a prompt, thorough, fair and impartial investigation. The Investigators may be University employees and/or external Investigators. Any Investigator used by the University will receive annual training on trauma informed investigative practices; the scope of the University's education program and activity; how to conduct an investigation that is fair and impartial, providing the parties with notice and a meaningful opportunity to be heard, protecting the safety of all participants while promoting accountability; how to create an Investigative report that fairly summarizes relevant evidence; and, how to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias. The Investigators will be impartial and free from actual bias or conflict of interest for or against the Complainant or Respondent. If either party believes an assigned Investigator has a conflict of interest or bias, they may notify the Coordinator, who will determine if a different Investigator should be appointed.

Notice of Investigation

The Coordinator will notify the Complainant and the Respondent, in writing (typically via email to each party's University e-mail address) of the following information: (1) the names of the Complainant and the Respondent; (2) the date, time (if known), location, and a brief summary of the reported conduct; (3) the reported Policy violation(s); (4) the presumption that the Respondent is not responsible unless determined by the Disciplinary Authority; (5) the right to an Advisor of their choice, who may or may not be an attorney; (6) the name of the Investigators; (7) information about the parties' participation options in the process; (8) the prohibition against Retalia-

tion; (9) the importance of preserving any potentially relevant evidence in any format; (10) how to challenge participation by the Investigators on the basis of a conflict of interest or bias; (11) access to Counseling Services for students and/or Employee Assistance Program for employees; (12) a list of Supportive Measures available to parties and (13) a copy of this Policy. If, at any time, the investigation reveals the existence of additional or different potential violations of this Policy, the Coordinator will issue a supplemental notice of investigation.

Acceptance of Responsibility

At any point during the investigation, the Respondent may elect to accept responsibility for some or all of the Policy violations at issue. Where there is an acceptance of responsibility as to some but not all of the charges, the investigation will continue to conclusion. Where there is an acceptance of responsibility as to all of the potential Policy violations, the Investigators will complete an investigative report of all information gathered to date and refer the matter to the Disciplinary Authority for sanctioning as described below. Where both parties and the University agree, the matter may also be resolved through the Informal Resolution process.

Investigative Steps

During an investigation, the Investigators will seek to meet separately with the Complainant, Respondent and relevant witnesses. The Investigators are responsible for gathering inculpatory and exculpatory evidence directly related to the Formal Complaint. The Investigators will send written notice of the interview date, time, and location, name of participants and purpose of the interview to the parties and witnesses, in sufficient time for the party to prepare and participate.

The Investigators will interview the parties, and any witnesses likely to have information directly related to the Formal Complaint. The Investigators will also gather other related information or evidence, including documents, photographs, communications between the parties, medical records (subject to the consent of the applicable person), and other electronic records as appropriate.

At the conclusion of the investigation, the Complainant and the Respondent will both have the opportunity to review and respond to all information gathered in the investigation that is directly related to the allegations, including information shared by the Complainant or the Respondent during their interviews or through evidence either provides.

(1) Witnesses

Both the Complainant and Respondent have the option to provide names of potential witnesses to the Investigators. Witnesses are individuals who may have information relevant to the incident, including individuals who may have observed the acts in question, may be able to provide contextual information, or may have other information related to the incident, the disclosure, the parties or related matters. Witnesses may also be offered to provide subject matter expert information (See Other Evidence: Site Visits and Experts below).

Where witnesses are interviewed as part of the investigation, the name of the witness and the information gathered in the interviews will be included in the written investigation report, which the parties will have the opportunity to review at the conclusion of the investigation. Witnesses may be asked to participate in the hearing in response to the information gathered by the Investigators.

(2) Additional Evidence

Both the Complainant and the Respondent are permitted to provide other relevant evidence to the Investigators. Evidence may be inculpatory or exculpatory. Evidence includes any facts or information presented in support of an assertion and may include text messages, email exchanges, timelines, receipts, photographs, etc. Any documentation shared by the Complainant or the Respondent with the Investigators will be provided to the other party. The Investigators may also consider additional documents, items or other relevant information.

During the course of the investigation, the parties should bring any new or evolving evidence, such as harassing or retaliatory conduct, to the attention of the Investigators. The Investigators may consider such information in the investigation and will also share any information about retaliation or violation of the terms of a Supportive Measure with the Coordinator for further action.

(3) Relevance

The University will not restrict the ability of either party to gather and present relevant evidence. Evidence is relevant if it makes a material fact more or less probable than it would be without the evidence. In general, the Investigators have the discretion to determine the relevance and probative value of information proffered or received. At the live hearing, as further described below, the Disciplinary Authority has the discretion to determine whether questions posed by the party's Advisor are relevant, and only relevant questions may be asked of parties or witnesses at the hearing. In addition, the Investigators and Disciplinary Authority will be guided by the following evidentiary considerations:

- **Prior or Subsequent Conduct of the Respondent:** Prior or subsequent conduct of the Respondent may be considered in determining pattern, knowledge, intent, motive, or absence of mistake. For example, evidence of a pattern of Prohibited Conduct by the Respondent, either before or after the incident in question, regardless of whether there has been a prior finding of a Policy violation, may be deemed relevant to the determination of responsibility for the Prohibited Conduct under investigation. The determination of relevance of pattern evidence will be based on an assessment of whether the previous or subsequent conduct was substantially similar to the conduct under investigation or indicates a pattern of similar Prohibited Conduct so distinctive and so closely resembling either party's account of the encounter as to tend to prove a material fact may be considered. The Investigators will determine the relevance of this information, and both parties will be informed if evidence of prior or subsequent conduct is deemed relevant.

(4) Social Media and Personal Communications

The Investigators may also consider information publicly available from online sources that comes to the attention of Investigators. The University does not actively monitor online sources, however, and as with all potentially relevant information, the Complainant, Respondent or witness should bring online information to the attention of the Investigators if they believe it is relevant. The Investigators may also consider communications involving or relating to one or both parties that either party brings to the attention of the Investigators or that is provided by the parties in response to a request by the Investigators. The Investigators may also seek a review of information available on University devices or servers, consistent with the University's technology policies.

(5) Other Evidence: Site Visits and Experts

The Investigators may visit relevant sites or locations and record observations through written, photographic or other means. In some cases, the Investigators may consult with relevant experts when deemed appropriate and necessary by the University. If the Investigators or the Disciplinary Authority determine that expert witness testimony is necessary, then the University would secure attendance and be responsible for costs. If either party wishes to provide expert testimony or evidence, they are solely responsible for securing attendance of any expert witness at a hearing, and for the costs or fees associated with any expert report or testimony.

(6) Medical and Counseling Records

The Investigators will not require, allow, rely upon, or otherwise use questions or evidence that constitute, or seek disclosure of, information protected under a legally recognized privilege, unless the person holding such privilege has waived the privilege. If a person voluntarily chooses to share medical or counseling records with the Investigators, they must sign a written consent that acknowledges that relevant information from the medical or counseling records must be shared with the other party to ensure the other party has notice of that information and an opportunity to respond.

(7) Expectations of the Parties

The University expects all members of the University community to cooperate fully with the investigation and disciplinary procedures. It is understood that there may be circumstances in which a Complainant or Respondent wish to limit their participation, and the University will respect the choice of the Complainant or Respondent as to how to engage in proceedings under this Policy. The University may, however, move forward with formal resolution without the participation of a party or parties.

The University will not draw any adverse inference solely from a Complainant's or Respondent's decision not to participate in the investigation or any form of resolution under this Policy; however, the Complainant or Respondent should be aware that declining to participate in the investigation may impact the timing and outcome of the case.

(8) Effect of Withdrawal

At any time, the University may place an administrative hold on the Respondent's University transcript, or defer or withhold the award of the Respondent's degree. Even if a Respondent withdraws from the University, the Coordinator may proceed with further action as necessary to eliminate, prevent or address any impacts of the reported conduct.

(9) Safeguarding the Privacy of Complainants and Respondents

As stated above, the University will not restrict the ability of either party to gather and present relevant evidence. Individuals involved in investigations or disciplinary proceedings under this Policy are encouraged to exercise discretion in sharing information in order to safeguard the integrity of the process and to avoid the appearance of retaliation.

While discretion regarding the process is important, Complainants and Respondents are not restricted from discussing and sharing information with others who may support or assist them during the process. All parties, however, are encouraged to maintain the privacy of Family Educational Rights and Privacy Act (FERPA)-protected and/or sensitive information gathered or learned in the process.

(10) Timing of Investigation

The Investigators will provide periodic updates to the parties about the status of the investigation, with a goal to complete the fact-gathering portion of the investigation within approximately 50 business days.

(11) Coordination with Law Enforcement

If there is a concurrent criminal investigation, the University will seek to work in a collaborative manner in order to respect the integrity of external investigations and University investigations. This may include contacting the law enforcement agency that is conducting any investigation to inform that agency that a University investigation is also in progress, attempting to ascertain the status of the criminal investigation, and seeking to determine the extent to which any evidence collected by law enforcement may be available to the University in its investigation.

(12) Evidence Review

At the conclusion of their fact-gathering, the Investigators will make information gathered in the investigation available for review by the parties and their Advisors. Both parties and their Advisors will be given equal opportunity to inspect and review, either in hard copy or an electronic format, any evidence obtained by the Investigators that is directly related to the allegations submitted in the Formal Complaint. This includes evidence that the University does not intend to rely on in reaching a determination regarding responsibility and inculpatory or exculpatory evidence, whether obtained from a party or other source, so that each party can meaningfully respond to the evidence prior to conclusion of the investigation. Each party will have ten business days to submit a written response to the Investigators, which the Investigators will consider prior to the completion of the investigative report. In the written submission, the parties may offer additional comment or feedback on the facts as gathered, clarify information previously shared, suggest additional witnesses, suggest additional lines of questioning or inquiry, or identify any other relevant information or evidence to assure the thoroughness, sufficiency and reliability of the investigation. All collected evidence, regardless of inclusion in the investigative report, should be available during the hearing.

As necessary, the Investigators will designate reasonably prompt timeframes to ensure a timely completion of the process while also providing an adequate opportunity for both parties to respond thoroughly to the information gathered during the investigation. In the absence of good cause, information that could have been learned that is not provided to the Investigators upon review of the information gathered will not be considered in the determination of responsibility for a violation of the Policy.

(13) Investigative Report

Upon the conclusion of the evidence review by the Complainant and Respondent (including any additional investigative steps requested by the parties or identified by the Investigators, normally within ten business days after receipt and consideration of additional comments, questions and/or information from the parties), the Investigators will provide the Coordinator with an investigative report, who will then simultaneously share with the Complainant, Respondent, and appropriate Disciplinary Authority in writing (typically via e-mail to each party's University e-mail address).

The investigative report will include both inculpatory and exculpatory facts. As noted above, the Investigators have the discretion to determine the relevance of any witness or other evidence. The investigative report will be sent to each party and their Advisors in

an electronic format or a hard copy, for their review and written response. If a party disagrees with the Investigators determinations about relevance, the party can make that argument in the party's written response to the investigative report and to Disciplinary Authority at any hearing held.

Formal Resolution Process: Hearing and Appeal

The University's formal resolution process is designed to identify and implement a tailored and individual response intended to address Prohibited Conduct, while supporting the University's educational mission, legal obligations and commitment to Title IX.

A. Notice of Hearing

The Complainant and Respondent will be notified in writing of the date, time, and location of the hearing; the charges to be reviewed by the Disciplinary Authority, including the date, time, location and factual allegations concerning the violation; the provisions of the Policy alleged to have been violated; the name of the Disciplinary Authority; how to challenge participation of the Disciplinary Authority on the basis of conflict of interest or bias; the right to have an Advisor present at the hearing and conduct questioning on the party's behalf; that the University will provide an Advisor, without fee or charge, to conduct questioning on behalf of the party at the hearing if the party does not have an Advisor present for the hearing; how to request that witnesses be present at the hearing; information about the hearing format; and the sanctions that may be imposed. The Respondent and Complainant will be provided the Notice of Hearing at least ten days prior to the date of the hearing. The time frame in which the hearing is conducted may be extended for good cause at the discretion of the Coordinator. Good cause may include the availability of the parties, the availability of witnesses, the timing of semester breaks, or any other extenuating circumstances. Hearings may be scheduled whenever the University is officially open (including summer and winter breaks).

B. Selection of Disciplinary Authority

The Disciplinary Authority will be either an external professional appointed by the University or an internal administrator. Any Disciplinary Authority used by the University will be free from conflicts of interest and bias for or against either party; receive annual training on issues related to sexual and gender-based harassment, sexual assault, dating violence, domestic violence and stalking; the scope of the University's education program or activity; how to conduct a hearing and adjudicate in a manner that is fair and impartial by avoiding prejudgment of the facts at issue; technology that will be used at a live hearing; and on issues of relevance of questions and evidence. Training materials will be posted on the University's Office of Institutional Equity webpage. If either party believes the Disciplinary Authority has a conflict of interest or bias, they may notify the Coordinator, who will determine if a designee should be appointed.

The role of the Disciplinary Authority is to provide all parties with an equitable opportunity to be heard, to make relevance determinations, and to objectively evaluate all relevant inculpatory and exculpatory evidence in order to reach a full and fair determination as to responsibility and imposition of any sanction, should there be a finding of responsibility. The Disciplinary Authority will review the investigative report and any written statements provided by the parties in response to the investigative report, all exhibits, and any additional relevant evidence introduced at the hearing. The Disciplinary Authority will determine whether there is sufficient evi-

dence, by a Preponderance of the Evidence, to support a finding of responsibility as to each element of each Policy violation at issue. The Disciplinary Authority may reach credibility determinations, but may not base credibility determinations on a person's status as a Complainant, Respondent or witness. Where a Complainant or Respondent declines to participate in a hearing, the Disciplinary Authority may not make an adverse inference against that party.

The Coordinator is administratively responsible for coordinating all aspects of the formal resolution process. For cases involving student Respondents, the Coordinator may utilize the Office of the Dean of Students for administrative assistance in coordinating the disciplinary process. For cases involving employee-Respondents, the Coordinator may utilize the Office of Human Resources for administrative assistance in coordinating the disciplinary process.

The Executive Director of Human Resources and Institutional Equity, or their designee, will serve as an advisor to the Disciplinary Authority. In all instances, the Disciplinary Authority may consult with the Executive Director of Human Resources and Institutional Equity or their designee to ensure that the sanction(s) and/or remedies satisfy the University's obligation to eliminate the Prohibited Conduct, prevent its recurrence and address its effects.

*For tenured and tenure track faculty Respondents who may be subject to termination or suspension, the Disciplinary Authority is outlined below in the Adjudication and Appeal Process for Tenured and Tenure Track Faculty section.

C. Impact or Mitigation Statements

In the time frame directed by the Coordinator, the Complainant and Respondent may submit a written impact or mitigation statement for consideration by the Disciplinary Authority. The decision whether to provide an impact or mitigation statement is completely voluntary.

An impact statement is written information from the Complainant regarding how the Prohibited Conduct has affected them and the Complainant's views on an appropriate sanction. Impact statements may include a description of: emotional impacts caused by the Prohibited Conduct; negative social or educational consequences arising from the Prohibited Conduct; medical or psychological consequences sustained as a result of the Prohibited Conduct; the Complainant's view on the Prohibited Conduct; or the Complainant's view on the appropriate sanction.

A mitigation statement is written information from the Respondent regarding any potential mitigating factors. Mitigation statements may include a description of: the Respondent's previous good character; worthy social or academic contributions and public service; whether the Respondent accepted responsibility for the Prohibited Conduct; cooperation with the investigation; the Respondent's mental or physical health; the Respondent's view on an appropriate sanction; and the likely effect of the sanctions on the Respondent.

The Coordinator will review all information submitted in an impact statement or mitigation statement for relevance and appropriateness and may determine that some or all of the information submitted will not be provided to the Disciplinary Authority. Both parties will receive a copy of the impact or mitigation statement provided to the Disciplinary Authority.

D. Adjudication and Appeal Process for Tenured and Tenure Track Faculty

A Disciplinary Authority will review the investigative report for tenured and tenure track faculty Respondents prior to a Disciplinary Authority hearing to assess whether the reported conduct could result in the termination or suspension of the faculty member. If the Disciplinary Authority determines termination or suspension could be an appropriate sanction if the tenured and tenure track faculty Respondent is found responsible, the adjudication and appeal of the case will be handled in accordance with the University's Tenure/Tenure Track Faculty Suspension and Termination Policy.

If the Disciplinary Authority determines that termination or suspension may not be an appropriate sanction for reported conduct of a tenured and tenure track faculty Respondent, the Disciplinary Authority will be the Disciplinary Authority and the faculty member will be subject to the adjudication and appeal policies outlined below. However, if at any time during the Disciplinary Authority hearing, the Disciplinary Authority determines termination or suspension could be an appropriate sanction, the adjudication and appeal of the case will be handled in accordance with the University's Tenure/Tenure Track Faculty Suspension and Termination Policy.

For faculty members who are not tenured or tenure track, the Disciplinary Authority will be the external Disciplinary Authority and the faculty member will be subject to the adjudication and appeal policies outlined below, regardless of the sanctions that may be imposed.

E. Disciplinary Authority Hearing

Hearings will be conducted either in-person or virtually with technology that enables the Disciplinary Authority and parties to simultaneously see and hear all participants.

The hearing is an opportunity for the parties to address the Disciplinary Authority. The parties may address any information in the investigative report and supplemental statement submitted in response to the investigative report. The University will make all evidence directly related to the allegations, as shared in the evidence review, available to the parties at the hearing, including for the purposes of cross-examination.

The Disciplinary Authority has the discretion to determine the format for the hearing and its deliberations. Typically, the Complainant and Respondent will have an opportunity to provide an opening statement to the Disciplinary Authority. Each party will then have an opportunity to address the Disciplinary Authority and respond to questions by the Disciplinary Authority, or as described below, the other party's Advisor. The Disciplinary Authority will also hear from relevant witnesses, including the Investigator(s). Each party will have the opportunity to question the other party, the witnesses, and the Investigator(s) through their Advisor of choice or hearing Advisor provided by the University directly, orally, and in real time. If a party does not have an Advisor present at the live hearing, the University will provide an Advisor, free of charge, who may be, but is not required to be, an attorney, for questioning on behalf of that party.

Only relevant questions may be asked of a party or witness. Before a Complainant, Respondent, or witness responds to a question, the Disciplinary Authority will first determine whether the question is relevant and briefly explain any decision to exclude a question as not relevant as defined above. If a party or witness does not submit to questioning by the other party's Advisors at the hearing, the Dis-

disciplinary Authority may rely on statements made by that party or witness in reaching a determination regarding responsibility, after assessing the relevance of each statement and weighing the reliability of the statement against the fact that the statement was not further tested through questioning at a hearing. The Disciplinary Authority may not draw any inference from the decision of a party or witness to not participate at the hearing.

After all parties and witnesses have been heard, the parties will have an opportunity to provide a closing statement. The Advisor may not provide the opening or closing statement and may not provide answers or responses on behalf of a party. The Advisor's role during the hearing is to conduct questioning of the other party and any witnesses. A party may never conduct questioning of the other party themselves.

An audio recording will be made of the hearing. The recording will be maintained by the Office of Institutional Equity for at least 10 years from the date of the hearing. A written transcript of the hearing will not be prepared. Requests to listen to the audio recording of a hearing should be made to the Coordinator.

F. Determination of Violation and Possible Sanctions

At the conclusion of the hearing, the Disciplinary Authority will determine whether there is sufficient information, by a Preponderance of the Evidence, to support a finding of responsibility for a violation(s) of the Policy. A Respondent is presumed to be not responsible for the alleged conduct unless and until a determination regarding responsibility is made at the conclusion of the resolution process. If a Respondent is found responsible, the Disciplinary Authority will determine the appropriate sanction(s) and may be given access to the Respondent's discipline/criminal history for consideration.

The Policy prohibits a broad range of conduct, all of which is serious in nature. In keeping with the University's commitment to foster an environment that is safe, inclusive, and free from discrimination and harassment, the Disciplinary Authority has great latitude in the imposition of sanctions tailored to the facts and circumstances of each report, the impact of the conduct on the Complainant and surrounding community, and accountability for the Respondent. Sanctions should support the University's educational mission and federal obligations.

In determining the appropriate sanction(s) and/or remedies, the Disciplinary Authority will consider a number of factors, including:

- The nature of the conduct at issue;
- The impact of the conduct on the Complainant;
- The impact or implications of the conduct on the University community;
- Prior misconduct by the Respondent, including the Respondent's relevant prior discipline history, both at the University or elsewhere, and any criminal convictions, if such information is available and known;
- Any expression of remorse or acceptance of responsibility by the Respondent;
- Maintenance of a safe and respectful environment conducive to learning;
- Protection of the University community;

- The necessity of any specific action in order to eliminate the Prohibited Conduct, prevent its recurrence and remedy its effects on the Complainant or other University community members; and,
- Any mitigating, aggravating or compelling circumstances in order to reach a just and appropriate resolution in each case.

The Disciplinary Authority may also consider restorative outcomes that, taking into account the safety of the University community as a whole, allow a Respondent to develop insight about their responsibility for the behavior, learn about the impact of the behavior on the Complainant and the community, and identify how to prevent or change the behavior. Sanctions may be issued individually, or a combination of sanctions may be imposed. Sanctions will typically be imposed immediately, although the Coordinator in consultation with the Dean of Students (if a student) or Executive Director of Human Resources and Institutional Equity (if an employee) has the discretion to stay imposition of some or all sanctions pending an Appeal.

(1) Sanctions and Corrective Action for Student Respondents

Sanctions and corrective actions for student Respondents include, but are not limited to, censure, disciplinary probation, restitution, suspension, expulsion, educational program attendance, educational project, professional assessment, transcript notation and/or notification to other institutions, and withholding or delaying the conferral of a degree.

Student-employees who are reported to have engaged in Prohibited Conduct in their employment capacity may be subject to sanctions both in connection with their employment and in connection with their student status, as appropriate under applicable processes. If a student is employed through a financial aid package, such as work study, any modification to the employment will not result in a decrease in student aid funds.

(2) Sanctions and Corrective Action for Employee Respondents

Sanctions and corrective actions for employee Respondents include, but are not limited to, verbal or written warning, disciplinary probation, suspension, termination of employment, training, guidance, adjustment of supervisory or evaluative responsibilities, other reasonable sanctions and corrective actions, and measures to protect health and safety. Sanctions of a faculty member may be subject to procedures outlined in the Faculty Manual. Those Procedures will be implemented in a manner consistent with the requirements of Title IX and the Clery Act.

G. Written Notice of Outcome

The Disciplinary Authority will prepare a written decision and rationale, including the finding of responsibility or non-responsibility, and, if applicable, the sanction and rationale. The Complainant and Respondent will receive simultaneous written notification of the outcome (typically via email to each party's University email address) from the Coordinator or their designee, including:

1. Identification of the allegations potentially constituting Prohibited Conduct;
2. A description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held;

3. Findings of fact supporting the determination;
4. Conclusions regarding the application of the Policy to the facts;
5. A statement of, and rationale for, the result as to each alleged Policy violation, including a determination regarding responsibility, any disciplinary sanctions, and whether remedies designed to restore or preserve equal access to the University's education program or activity will be provided to the Complainant; and
6. The procedures and permissible bases for the Complainant and Respondent to appeal.

The Coordinator will also document individual remedies provided to the Complainant and other steps the University took or will take to eliminate a hostile environment, if one is found to exist. That documentation may be provided to the Complainant and/or Respondent as appropriate.

H. Appeals

(1) Grounds for Appeal

A Complainant or Respondent may appeal the decision of the Disciplinary Authority on one or more of the following grounds:

- Procedural irregularity that affected the outcome of the matter;
- New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could materially affect the outcome;
- The Coordinator, Investigators, and/or Disciplinary Authority had a conflict of interest or bias for or against Complainants or Respondents generally or the individual Complainant or Respondent that affected the outcome of the matter.

The Complainant or Respondent may appeal the outcome by submitting a written appeal within five business days of the date of the Notice of Outcome to the Coordinator in person or via e-mail.

If the Disciplinary Authority determines termination or suspension could be an appropriate sanction if the tenured and tenure track faculty Respondent is found responsible, the adjudication and appeal of the case will be handled in accordance with the University's Tenure/Tenure Track Faculty Suspension and Termination Policy, which complies with the most current version of the AAUP guidelines and Title IX Final Rule regulations.

When a party appeals either the determination of the Disciplinary Authority or the dismissal of a Formal Complaint, the Coordinator will do the following:

- a. Notify the other party in writing when an appeal is filed;
- b. Ensure that the External Reviewer for the appeal is not the Disciplinary Authority and ensure that this individual is trained appropriately;
- c. Allow both parties the opportunity to submit a written statement in regards to the appeal; and
- d. Issue the External Reviewer's written decision regarding the appeal and rationale to both parties.

(2) Reviewer

The appeal for students and all employees that are not subject to the University's Tenure/Tenure Track Faculty Suspension and Termination Policy will be conducted by a Reviewer. The Reviewer will be a neutral party inside or outside of the University, sometimes an attorney with legal experience, training and knowledge regarding sexual and gender-based harassment and interpersonal violence. The Reviewer will be free from bias or conflict of interest for or

against Complainants and Respondents and receive annual training on: (a) the definition of Prohibited Conduct, including Sexual Harassment; (b) the scope of the University's education program or activity; (c) how to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias; (e) the presumption of "not responsible" until any appropriate process concludes; and, (f) how to conduct an investigation and hearing process that protects the safety of complainants and promotes accountability.

The University will maintain a pool of Reviewers selected through an inclusive committee process under the direction of the Coordinator. The External Reviewers will serve for a limited term, unless reappointed by the selection committee.

Within ten (10) working days of receipt of the appeal, the Reviewer will render a written decision to the Coordinator, who will simultaneously share the written decision with the parties and their Advisors.

The options available to the Reviewer are to: (a) affirm the findings, disciplinary decision and/or the sanction(s); (2) modify the findings, disciplinary decision and/or sanction(s); or (3) in the event of significant new evidence, order a new hearing based on the totality of the evidence.

The decision by the Reviewer is final. No further appeals are available.

Document History

Policy Revision Date: July 1, 2026

Policy origination date: August 1, 2019

ADDITIONAL INFORMATION REGARDING VICTIM SUPPORT AND OUTCOMES

For any individual who reports that they are a victim of a crime, including a Title IX/VAWA, harassment or discrimination offense and regardless of whether the offense occurred on or off campus, verbal and written information regarding the student's and employee's rights and options, as well as the resources and existing counseling and mental health resources, medical assistance, victim advocacy, VISA and immigration assistance, interim measures, legal assistance and student financial aid and other services available within the community will be provided as part of the intake process.

Additional information specific to possible sanctions can be found on the institutional Equity/Title IX website at evansville.edu/offices/titleix/additional-resources.cfm regarding cases that are adjudicated through the University institutional equity/Title IX process.

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.

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 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 Campus Safety 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 this incident shall be made to students and employees by means described in the "timely warning" section of this brochure. Positions who generally meet the criteria for being campus security authorities include:

- University president
- Executive VP for academic affairs/provost
- Vice president of student affairs/dean of students
- Chief inclusion and equity officer
- Title IX coordinator
- Residence Life staff
- Student Engagement staff
- Fitness Center staff
- International Support
- Athletics director and all coaches
- Greek Life staff
- University Advisors to student organizations

HAZING

Reporting Hazing

Hazing should always be taken seriously—there is no such thing as harmless hazing. All incidents must be reported as soon as they occur. If you are aware of any hazing activity, please report it to the one of the following sources:

- Call 911 if you or someone else is in danger
- Office of Public Safety: 812-488-2051 or 6911
- Office of the Dean of Students: 812-488-2500
- Reports can be submitted anonymously through the hazing reporting form, which is available by scanning the QR code.



Reports can be submitted by anyone, and every report will be thoroughly investigated and handled with discretion.

Scope of Hazing Policies

This policy applies to all students, faculty, staff, student organizations, volunteers, and short-term contracted employees. It covers conduct that occurs both on- and off-campus and applies regardless of whether the individual subjected to hazing has given consent. Hazing behavior falls within the scope of this policy when it involves two or more enrolled students and is connected to university-related business or activities. This includes, but is not limited to, conduct occurring during approved internships, student teaching placements, clinical rotations, study-away programs, activities of recognized student organizations, athletic events (home or away), university-affiliated trips, or events hosted at university facilities.

What is Hazing?

The University of Evansville is committed to fostering a safe, respectful, and inclusive campus environment that empowers each student to think critically, act bravely, serve responsibly, and live meaningfully in a changing world. Hazing is antithetical to our values and mission and is strictly prohibited. This policy is established to prevent hazing in all forms and to promote accountability, transparency, and education across the campus community. The University of Evansville strictly prohibits hazing in any form. Student organizations which participate in hazing will face University and/or legal disciplinary action that may result in loss of privileges or status as a recognized student organization.

- **Hazing** includes any intentional, knowing, or reckless act committed by a person (whether individually or in concert with other people) against another person or persons regardless of the willingness of such other person or persons to participate. Hazing can occur with or without the consent of the person being hazed.

While not all hazing incidents rise to the level of a criminal offense, behavior that does not violate criminal law may still constitute a violation of University policy and result in disciplinary action through the Office of the Dean of Students. Conversely, some acts of hazing may also meet the threshold for criminal prosecution under state or federal law (see definitions of the Stop Campus Hazing Act and Indiana Code 35-42-2-2.5 below). The University of Evansville distinguishes between policy violations and legal definitions, ensuring that all reported incidents are addressed appropriately through institutional processes, and, when applicable, referred to law enforcement.

- **Student Organization**, for the purposes of this hazing policy, is defined by the Stop Campus Hazing Act as "an organization at an institution of higher education (such as a club, society, association, varsity or junior varsity athletic team, club sports team, fraternity, sorority, band, or student government) in which two or more of the members are students enrolled at the institution of higher education, whether or not the organization is established or recognized by the institution."

Prohibited Conduct

Per the Stop Campus Hazing Act, prohibited hazing activities include but are not limited to:

- "Whipping, beating, striking, electronic shocking, placing of a harmful substance on someone's body, or similar activity;
- Causing, coercing, or otherwise inducing sleep deprivation, exposure to the elements, confinement in a small space, extreme calisthenics, or other similar activity;

- Causing, coercing, or otherwise inducing another person to consume food, liquid, alcohol, drugs, or other substances;
- Causing, coercing, or otherwise inducing another person to perform sexual acts;
- Any activity that places another person in reasonable fear of bodily harm through the use of threatening words or conduct;
- Any activity against another person that includes a criminal violation of local, State, Tribal, or Federal law; and
- Any activity that induces, causes, or requires another person to perform a duty or task that involves a criminal violation of local, State, Tribal, or Federal law.”

Educational Programs and Prevention

The University of Evansville proactively incorporates hazing prevention education into the following programs:

- **Student Organization Training:** All Student Organization Presidents and Vice Presidents are trained annually during the Student Leadership Retreat.
- **Athletics:** Student-athletes attend annual hazing prevention presentations and are required to sign a **Hazing Awareness and Accountability Agreement**. All athletic staff members receive hazing prevention training each semester.
- **National Hazing Prevention Week programming:** Open to all students and employees.
- **Faculty Guide**
- **Greek Life Education:**

- All Greek Life officers and new members (individuals who joined during that academic year) attend a University-led leadership conference called Greek Advance, held each spring semester. This conference features a variety of sessions on topics including but not limited to: hazing prevention, bystander intervention, alcohol and drug awareness, and ethical leadership. These sessions are led by both internal and external professionals, using research-based approaches.
- New Greek members receive hazing prevention education during Primary Recruitment Orientation, including:

– The Hazing Prevention Network Facts

- The Hazing Prevention Network’s “Hazing Facts” page highlights the widespread nature and serious consequences of hazing in both high school and college settings. It emphasizes that hazing is not limited to fraternities or sororities, but occurs across many types of student groups and organizations. The page also underscores the physical, emotional, and academic harms associated with hazing, reinforcing the importance of awareness, education, and proactive prevention.

– The Spectrum of Hazing

- Developed by Dr. Elizabeth Allan and Dr. Dave Kerschner of the University of Maine’s StopHazing research initiative, The Spectrum of Hazing is a research-informed model that helps individuals and organizations better understand the range of hazing behaviors and their impact.
- Rather than viewing hazing as a single type of misconduct, the Spectrum illustrates that hazing exists along a continuum—from subtle and seemingly benign behaviors to violent and dangerous acts. This framework enables students, staff, and campus leaders to identify and address hazing at all levels, not just in its most extreme forms.

- The Spectrum is typically divided into three categories:
 - **Subtle Hazing:** Behaviors that may appear harmless but reinforce power dynamics or group hierarchy (e.g., mandatory tasks unrelated to group goals, social isolation).
 - **Harassment Hazing:** Actions that cause emotional distress or discomfort, often under the guise of tradition or bonding (e.g., verbal abuse, threats, humiliation).
 - **Violent Hazing:** Acts that risk physical harm or involve illegal behavior (e.g., forced alcohol consumption, physical assault, branding).
- By recognizing hazing as a spectrum, this model encourages early intervention, promotes safer group cultures, and helps fulfill legal and ethical obligations under the Stop Campus Hazing Act. Learn more at: stophazing.org

– The Hidden Harm of Hazing

- While some hazing practices may appear harmless or are often dismissed as “tradition” or “bonding,” research and lived experiences show that hazing can cause deep and lasting harm—even when no physical injury is visible. The Gordie Center highlights the hidden harms of hazing to help students, staff, and campus leaders understand that the impact of hazing often goes far beyond what meets the eye.

– These hidden harms include:

- Emotional and psychological distress: Anxiety, depression, and trauma are common in those subjected to hazing—often worsening over time.
- Academic disruption: Fear, stress, or exhaustion caused by hazing can lead to declining academic performance or disengagement from school.
- Loss of trust and belonging: Instead of fostering community, hazing can alienate students and damage peer relationships and group cohesion.
- Barriers to seeking help: Fear of retaliation, shame, or normalization of abuse often prevents students from reporting hazing or accessing support.
- Substance misuse and risk-taking: Hazing often involves forced or coerced alcohol and drug use, increasing the risk of overdose, injury, or death.
- By raising awareness of these hidden harms, campuses can shift cultural norms away from hazing and toward safer, more inclusive practices that support student well-being and meaningful connection. This message aligns with the goals of the Stop Campus Hazing Act, which requires institutions to take active steps in educating and protecting students from the full spectrum of hazing’s impact.
- For more on hazing harm prevention, visit the Gordie Center.
- All Greek chapters must comply with National Organization hazing prevention requirements.
- Chapter Presidents and New Member Educators must sign a Responsibility Agreement acknowledging that they understand UE’s policies and Indiana’s laws regarding hazing and agree to follow them throughout the New Member Education/Intake process.

Bystander Intervention Training

Bystander training is a key component of our prevention strategy. These programs teach students how to:

- Recognize hazing behaviors
- Safely intervene and support peers
- Report violations to university officials

Investigating Hazing Violations

When a hazing complaint is received by any University Campus Security Authority or "Responsible Employee," the information is forwarded to the University's Office of Public Safety for an initial inquiry. A report is completed along with a safety assessment to determine any need for a campus timely warning or other intermediate actions to protect student and employee safety. The report is then referred to the appropriate follow-up office for determination of potential sanctions based on the affiliation of the individuals involved:

- If the complaint involves behavior that may fall under the University's Title IX or sexual and gender-based harassment policy, the case is forwarded to the Office of Institutional Equity and Title IX for investigation.
- If the report involves student-athletes, the investigation is coordinated with the Athletics Department.
- If it concerns members of a fraternity or sorority, the matter is referred to the Student Affairs office overseeing Greek Life for determination of potential sanctions following the conclusion of the investigation.
- If the report involves a registered student organization, it will be routed to the Center for Student Engagement for determination of potential sanctions following the conclusion of the investigation.
- Those complaints involving a University staff or faculty member will be referred to Human Resources.
- For cases involving individual students, the Dean of Students is notified to coordinate student support and potential conduct processes.
- Appeals to sanctions levied by the above offices can be directed to the Dean of Students.

This process ensures coordination among key offices and outlines investigative steps, including risk assessments, possible interim measures, and formal investigations, all guided by applicable university policy.

Reports will be addressed promptly and handled with strict confidentiality. In accordance with investigative procedures, individuals found responsible will be informed of the outcome of the hazing investigation. To maintain the integrity of confidentiality standards, reporting parties will not receive outcome notifications.

Responsible Good Neighbor Exemption

To prioritize health and safety, the University offers limited amnesty from disciplinary sanctions to students who:

1. Seek emergency medical assistance on behalf of someone harmed in a hazing incident;
2. Remain with the individual until help arrives;
3. Cooperate with emergency personnel and University officials.

Enforcement and Sanctions

Violation of this policy may result in:

- Individual or group disciplinary action (up to suspension or expulsion)
- Revocation of recognition and/or funding for student organizations
- Referral to law enforcement and prosecution under Indiana Code 35-42-2-2.5

Stop Campus Hazing Act (Federal Public Law No: 118-173)

The University of Evansville's Hazing Policy works in concert with both federal and state anti-hazing laws. The **Stop Campus Hazing Act** is a federal statute aimed at increasing transparency and prevention around hazing in higher education. Colleges and universities that receive federal funding are required to publish information about hazing incidents that occur on their campuses in a Transparency Report that is updated annually, beginning December 23, 2025. These reports must be made available to the public and included in the institution's annual campus security report. Additionally, institutions must provide a thorough, evidence-based hazing prevention program. This program must cover awareness, prevention strategies, and the institution's current policies addressing hazing. Read the Stop Campus Hazing Act in its entirety online.

Indiana Hazing Law (State Code 35-42-2-2.5)

Under Indiana law 35-42-2-2.5, hazing is a criminal offense defined as forcing or requiring another person (with or without the consent of the individual, and as a condition of association with a group or organization) to perform an act that creates a substantial risk of bodily injury. Violations can result in criminal charges, including misdemeanors or felonies depending on the severity of the act and whether serious bodily injury occurs. Read the Indiana Hazing Law in its entirety online.

Characteristics of Hazing

Such activities and situations include, but are not limited to, one or more of the following:

- Creation of excessive fatigue
 - **Please note:** the University of Evansville strictly prohibits any member-related activity between the hours of midnight - 8:00 a.m. Sunday through Thursday and between 1:00 - 9:00 a.m. Friday and Saturday. Any activity during this time will be deemed hazing, including those that may occur during overnight retreats.
 - For more information, please visit UEngage at <https://uengage.evansville.edu/> to find the following documents:
 - University of Evansville Student Organization Guide (found on the Center for Student Engagement page)
 - University of Evansville Greek Life Services and Expectations for Fraternities and Sororities (found on the Fraternity & Sorority Life page)
 - Formal Recruitment New Member Education/Intake Informational and Outline Packet (found on the Fraternity & Sorority Life page)
- Forced engagement in public stunts meant to humiliate or degrade participants
- Morally degrading or humiliating games

- Forced consumption of food or beverages or other substances
- Or any other forced activity which would subject the individual to extreme mental stress or adversely affect the physical or mental health or dignity of the individual, for the purposes of initiation or admission into or affiliation with any organization, formal, or informal.

The Spectrum of Hazing

The Spectrum of Hazing™, developed by Dr. Elizabeth Allan and Dr. Dave Kerschner, is a research-based framework that categorizes hazing behaviors into three types—intimidation, harassment, and violence—based on their visibility, frequency, and potential harm. The spectrum illustrates that less recognized behaviors, such as intimidation, occur more frequently and are often dismissed as harmless traditions, while more severe acts of violence, though less common, are more readily identified as hazing. All forms, regardless of type, involve power imbalances and carry the potential for psychological and physical harm. By increasing awareness of the more frequently occurring, yet often overlooked, behaviors, the model aims to enhance prevention and intervention efforts.

Review and Revision

This policy will be reviewed annually by the Dean of Students in collaboration with Human Resources, the Center for Student Engagement, Athletics Compliance Office, and the Office of Public Safety, to ensure compliance with applicable laws and evolving best practices.

Last revised: 06/13/2025.

CRIME STATISTICS REPORTED TO THE UNIVERSITY OF EVANSVILLE OFFICE OF PUBLIC SAFETY

The statistics in this annual report were prepared by the Office of Public Safety based on information gathered from reports filed with the Office of Public Safety, Campus Security Authorities (CSAs): OPS, Title IX, Dean of Students, ResLife staff to include RAs and RCs, and athletic coaches. Office of Residence Life, Title IX Office, Evansville Police Department, State Excise Police, and the IU Police Department. The University of Evansville solicits and monitors reports from local police agencies to learn of criminal activity involving University of Evansville students at non-campus property. This includes, but is not limited to, off-campus student organizations and housing facilities. The Clery Act mandates statistics be gathered on the following crimes:

- Murder and non-negligent manslaughter
- Negligent manslaughter
- Sex offenses
 - Rape
 - Fondling
 - Incest
 - Statutory rape
- Robbery
- Aggravated assault
- Burglary
- Motor vehicle theft
- Arson

VAWA (Violence Against Women Act)

- Domestic violence
- Dating violence
- Stalking

Note that sexual assault is also a VAWA crime, but is included in the criminal offense category for Clery Act Purposes.

Hate Crimes (Associated with race, religion, sexual orientation, gender, gender identity, ethnicity, national origin, and disability)

- All of the previously listed crimes
- Larceny
- Vandalism
- Intimidation
- Assault

Also reportable are statistics for students arrested or referred for disciplinary sanctions for:

- Liquor law violations
- Drug law violations
- Illegal weapons possessions
- When the violations are violations of criminal law

DISTRIBUTION OF ANNUAL SECURITY AND FIRE SAFETY REPORT

The Clery Act mandates the University distribute an annual security report to all currently enrolled students and all current employees by October 1 each year. This report must also be provided to any prospective student or prospective employees upon request. When the annual security report has been completed, and is available for viewing, every currently enrolled student and current employee will receive an email prior to October 1 each year, notifying them the annual security report is available for viewing. The notification will include a list and brief description of the information contained in the annual security report and the exact URL that provides a direct link to the annual security report. Every prospective student and employee will be provided with a notice containing a statement of the report's availability, a brief description of its contents, the URL that provides a direct link to the annual security report and the opportunity to request a hard copy. The Clery Act also mandates the university submit the crime statistics and fire safety report information from the annual security report to the Department of Education via the annual Campus Safety and Security Survey.

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

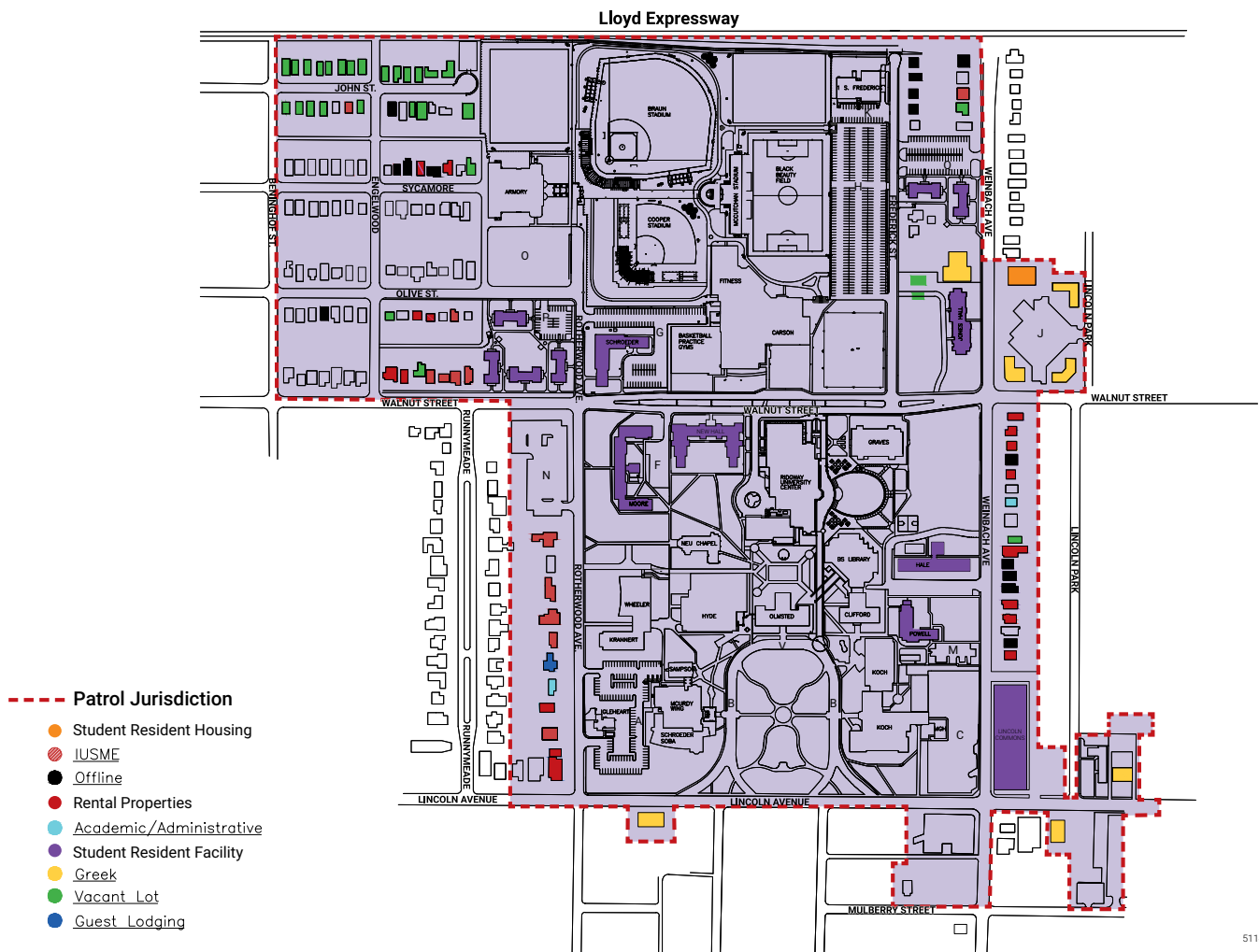
1. Any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of or in a manner related to the institution's educational purposes, including residence halls; and
2. Any building or property that is 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.



Clery Jurisdictional Categories



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.

Boundaries of the University of Evansville Clery Geography

South on Englewood Street from Lloyd Expressway to Walnut Street

East on Walnut Street to Rotherwood Avenue

South on Rotherwood Avenue to Lincoln Avenue

East on Lincoln Avenue to Lincoln Park Drive

North on Weinbach Avenue from Lincoln Avenue to Walnut Street

East on Walnut Street to Lincoln Park Drive

North on Lincoln Park Drive to Lloyd Expressway

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 is usually 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; safe-cracking; 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 a 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.

Hazing includes any intentional, knowing, or reckless act committed by a person (whether individually or in concert with other people) against another person or persons regardless of the willingness of such other person or persons to participate. Hazing can occur with or without the consent of the person being hazed.

Liquor law violations are defined as the violation of laws or ordinance prohibiting the manufacture, sale, transporting, furnishing, and 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) is 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 the manufacturing, 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

The University of Evansville evaluates all reported crimes in the defined Clery geography of murder/non-negligent manslaughter, rape, fondling, incest, statutory rape, robbery, aggravated assault, burglary, motor vehicle theft, and arson, as well as the crimes of simple assault, intimidation, larceny-theft, and destruction, damage or vandalism of property for hate crimes.

Hate crimes included in these statistics are any of the above crimes categorized by a preformed negative opinion or attitude toward a group of persons based on the categories of race, gender, gender identity, religion, sexual orientation, ethnicity, national origin, and disability.

ARRESTS FOR CAMPUS DISCIPLINARY ACTION

	On-Campus	Campus Housing	Public Property	Non Campus	Year
Liquor Law Violations	2	0	2	0	2025
	0	0	0	0	2024
	0	0	0	0	2023
Drug Law Violations	1	0	6	0	2025
	0	0	5	0	2024
	0	0	5	0	2023
Weapons Violations	0	0	0	0	2025
	0	0	0	0	2024
	0	0	0	0	2023

REFERRALS FOR CAMPUS DISCIPLINARY ACTION

	On-Campus	Campus Housing	Public Property	Non Campus	Year
Liquor Law Referrals	15	14	0	0	2025
	21	15	0	0	2024
	25	25	1	5	2023
Drug Law Referrals	4	4	0	3	2025
	5	4	0	0	2024
	11	7	0	0	2023
Weapons Law Referrals	0	0	0	0	2025
	0	0	0	0	2024
	0	0	0	0	2023

REPORTED CRIMES

Crimes reported that occurred in student residences are included in the “campus” crime column.

Crime	Campus	On Campus Residential Facility	Public Property	Non-Campus	Year	
Aggravated Assault	0	0	0	0	2025	
Assault	0	0	0	0	2024	
	0	0	0	0	2023	
Arson	1	1	0	0	2025	
	0	0	0	0	2024	
	0	0	0	0	2023	
Burglary	1	0	0	0	2025	
	5	3	0	0	2024	
	2	1	0	0	2023	
Hazing	1	0	0	2	2025	
Murder/Non-negligent Manslaughter	0	0	0	0	2025	
Manslaughter by Negligence	0	0	0	0	2024	2024 Fondling totals adjusted from 2-1-1-0 to 0-0-1-1 to accommodate location classification change.
	0	0	0	0	2023	
	0	0	0	0	2025	
Robbery	0	0	0	0	2025	2023 Fondling totals adjusted from 3-3-0-0 to 2-2-0-1 for same reason.
	0	0	0	0	2024	
	0	0	0	0	2023	
Sex Offenses						
(2025 Total)	1	1	0	2	2025	
Rape	0	0	0	0	2025	These changes impacted the totals for each year.
Fondling	1	1	0	2	2025	
Incest	0	0	0	0	2025	
Statutory Rape	0	0	0	0	2025	

(2024 Total)	1	1	1	1	2024	*2024 Stalking totals adjusted from 5-4-0-0 to 4-3-0-1 to accommodate location classification change for one incident.
Rape	1	1	0	0	2024	
Fondling	0	0	1	1	2024	
Incest	0	0	0	0	2024	
Statutory Rape	0	0	0	0	2024	
(2023 Total)	4	4	0	1	2023	
Rape	2	2	0	0	2023	
Fondling	2	2	0	1	2023	
Incest	0	0	0	0	2023	
Statutory Rape	0	0	0	0	2023	
Vehicle Theft	1	0	0	0	2025	
	0	0	0	0	2024	
	0	0	0	0	2023	

VAWA CRIMES

Crime	Campus	On Campus Residential Facility	Public Property	Non-Campus	Year
Dating	1	1	0	0	2025
Violence	1	1	0	0	2024
	1	1	0	0	2023
Domestic	1	0	0	1	2025
Violence	0	0	0	0	2024
	0	0	0	0	2023
Stalking	1	1	0	0	2025
	4	3	0	1	2024
	7	3	0	0	2023

Note that sexual assault is also a VAWA crime, but is included in the criminal offense category for Clery Act purposes.

HATE CRIMES

Crime	Campus	On Campus Residential Facility	Public Property	Non-Campus	Year
Vandalism	0	0	0	0	2025
	0	0	0	0	2024
	0	0	0	0	2023

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 2023, 2024, and 2025 calendar years.

CRIME STATISTICS FOR NON-CAMPUS FACILITIES STONE FAMILY CENTER FOR HEALTH SCIENCES – IU/UE/USI

CRIMINAL OFFENSES

Offense	On Campus	On Campus Residential Facilities	On Campus Total	Non-Campus	Public Property	Year
Murder/Non-negligent Manslaughter	0	0	0	0	0	2025
	0	0	0	0	0	2024
	0	0	0	0	0	2023
Manslaughter by Negligence	0	0	0	0	0	2025
	0	0	0	0	0	2024
	0	0	0	0	0	2023
Rape	0	0	0	0	0	2025
	0	0	0	0	0	2024
	0	0	0	0	0	2023
Fondling	0	0	0	0	0	2025
	0	0	0	0	0	2024
	0	0	0	0	0	2023
Incest	0	0	0	0	0	2025
	0	0	0	0	0	2024
	0	0	0	0	0	2023
Statutory Rape	0	0	0	0	0	2025
	0	0	0	0	0	2024
	0	0	0	0	0	2023
Robbery	0	0	0	0	0	2025
	0	0	0	0	0	2024
	0	0	0	0	0	2023
Aggravated Assault	0	0	0	0	0	2025
	0	0	0	0	0	2024
	0	0	0	0	0	2023
Burglary	0	0	0	0	0	2025
	0	0	0	0	0	2024
	0	0	0	0	0	2023
Motor Vehicle Theft	0	0	0	0	0	2025
	0	0	0	0	0	2024
	0	0	0	0	0	2023
Arson	0	0	0	0	0	2025
	0	0	0	0	0	2024
	0	0	0	0	0	2023

VAWA OFFENSES

Domestic Violence	1	0	1	0	0	2025
	0	0	0	0	0	2024
	0	0	0	0	0	2023
Dating Violence	0	0	0	0	0	2025
	0	0	0	0	0	2024
	0	0	0	0	0	2023
Stalking	1	0	1	0	0	2025
	0	0	0	0	0	2024
	0	0	0	0	0	2023

ARRESTS AND REFERRALS FOR DISCIPLINARY ACTION

Weapons Law Arrests	0	0	0	0	0	2025
	0	0	0	0	0	2024
	0	0	0	0	0	2023
Drug Law Arrests	1	0	1	0	0	2025
	1	0	1	0	0	2024
	0	0	0	0	0	2023
Liquor Law Arrests	0	0	0	0	0	2025
	0	0	0	0	0	2024
	0	0	0	0	0	2023
Weapons Law Violations Referred for Disciplinary Action	0	0	0	0	0	2025
	0	0	0	0	0	2024
	0	0	0	0	0	2023
Drug Law Violations Referred for Disciplinary Action	0	0	0	0	0	2025
	0	0	0	0	0	2024
	0	0	0	0	0	2023
Liquor Law Violations Referred for Disciplinary Action	0	0	0	0	0	2025
	0	0	0	0	0	2024
	0	0	0	0	0	2023

HATE CRIMES

There were 0 (zero) hate crimes reported in 2023, 2024, and 2025.

UNFOUNDED CRIMES

There were 0 (zero) unfounded crimes reported in 2023, 2024, and 2025.

HARLAXTON CRIME STATISTICS

	On Campus			On Campus Residential Halls			Public Property		
	2023	2024	2025	2023	2024	2025	2023	2024	2025
Murder/Non-negligent Homicide	0	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0	0
Sexual Assault	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0*	0
Fondling	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0
Domestic Violence	0	0	0	0	0	0	0	0	0
Stalking	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0

*2024 rape total changed from 1 to 0 since it was not stemming from a school-sponsored trip.

HARLAXTON CRIME STATISTICS (continued)

	On Campus			On Campus Residential Halls			Public Property		
	2023	2024	2025	2023	2024	2025	2023	2024	2025
Arrests	0	0	0	0	0	0	0	0	0
Weapon related	0	0	0	0	0	0	0	0	0
Drug related	0	0	0	0	0	0	0	0	0
Alcohol related	0	0	0	0	0	0	0	0	0
Referrals for Disciplinary Action	0	0	0	0	0	0	0	0	0
Weapon related	0	0	0	0	0	0	0	0	0
Drug related	0	0	0	0	0	0	0	0	0
Alcohol related	0	0	0	0	0	0	0	0	0

SECURITY AWARENESS AND CRIME PREVENTION PROGRAMS

Public Safety utilizes a variety of tools and outlets to share timely information about campus crime, crime-related problems, and crime prevention. UE conducts yearly identification and training of Campus Security Authorities (CSA), annual orientation for new students, yearly Crime Prevention Through Environmental Design (CPTED) assessments of the UE campus. The below tools not only inform students and employees but also encourage them to be responsible for their own security and the security of others:

- **Annual Report:** A comprehensive annual report of crime-related and fire safety information is compiled, and all current students and employees are emailed an electronic copy of the report on October 1 each year. The report is also available online at 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 Public Safety.
- **Student Media:** Has a dedicated page for "Campus Crime" on its website, crescent.evansville.edu/campus-crime, providing information about all criminal reports received by the Office of Public Safety during the previous month during each semester.
- **Daily Crime/Fire Safety Log:** The Office of Public Safety 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. Crime and fire logs for the most recent 60-day period can also be viewed anytime online at evansville.edu/safety/crime-and-fire-log.cfm. 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 Public Safety 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.
- **Office of Public Safety Webpage:** Members of the campus community can visit evansville.edu/Safety to learn more about the Office of Public Safety, its staff, information in the annual security brochure, crime prevention tips, weekly crime reports, and security alerts. The page also includes a form for direct questions and comments or for providing information concerning safety or security issues electronically to the attention of the Office of Public Safety.
- **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.

- **National Campus Safety Awareness Month (NCSAM):** September has been designated National Campus Safety Awareness Month. Information and tips on a variety of topics related to campus safety and security will be distributed via Purple Pulse throughout the month.

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 Public Safety, in cooperation with other University organizations and departments, is responsible for presenting programs to the campus community on an on going basis.
- **Evening Campus 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 Public Safety 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:** UE offers 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 Public Safety website at evansville.edu/safety.
- **Campus Patrol:** Routine patrol of the campus is conducted on a daily basis by members of the Office of Public Safety both inside and outside buildings, and through the entire campus, including parking areas. Patrols are conducted by foot, bicycle, golf cart, and automobile.

PREVENTION PROGRAMS FOR DATING VIOLENCE, DOMESTIC VIOLENCE, SEXUAL ASSAULT, AND STALKING

The University Office of Counseling Services, Office of Risk Management, and the Office of Institutional Equity provide education programming pertaining to all areas of sexual misconduct, including the prevention of dating violence, domestic violence, sexual assault, and stalking to employees and students during the school year. Project SafeSpace, which is educational programming supplemented by the Project SafeSpace Initiative, funded through the Office on Violence Against Women (OVW) grant. Some of the programs provided are:

For Employees Employment Orientation

- **Sexual Harassment: Staff-to-Staff (Online):** This course provides staff members with a basic understanding of staff-to-staff sexual harassment as well as strategies to maintain a harassment-free environment in the workplace. Topics covered include defining sexual harassment and sexual harassment in the workplace. The content in this course was designed with care and sensitivity. However, some may find certain topics personally upsetting, especially for survivors of sexual abuse or assault.
- **Campus SaVE Act for Employees – Sexual Violence Awareness (Online):** The goal of this course is to inform employees about the requirements of the Campus SaVE Act. This includes the identification of and response to incidents of sexual violence against students. This course will cover sexual violence awareness, risk reduction and bystander intervention to take after sexual violence has occurred, and student disciplinary proceedings, victim protections, and sanctions. The content in this course was designed with care and sensitivity. However, some may find certain topics personally upsetting, especially for survivors of sexual abuse or assault.
- **Report=Support training from Catharsis Productions (Online):** Online training that addresses being a Responsible Employee. Topics include, employee reporting requirements, what is sexual harassment/sexual assault, what is DV/stalking, and sexual harassment in the workplace.
- **In-person new hire training that covers:** prohibited conduct definitions for sexual violence, reporting requirements, and reporting requirements for employees.

For Students

- **Welcome Week/New Student Surveys – (sexual assault awareness component):** Orientation leaders perform skits portraying sexual misconduct situations, and discussed the traumatic impact on students involved. Safe and positive options for bystander intervention concepts and prevention strategies are reviewed in small groups led by trained peer facilitators.
- **RA Training – Behind Closed Doors:** Resident assistants participate in a roleplay activity that portrays a student who had experienced sexual misconduct. The roleplay is followed by feedback and discussion on appropriate responses and interventions with students in this situation. Policy reporting and resources are also reviewed.
- **U Got This-** Catharsis program that provides students with definitions and examples of sexual violence, stalking, dating violence, consent, and healthy relationships. The training also teaches bystander intervention.
- **Orientation Leaders and International Ambassadors Training:** Learn about the dynamics of sexual assault and misconduct behaviors and how they relate to their roles and responsibilities as an OL and IA. They also receive training about University policies, reporting issues, and bystander intervention strategies. Information about opportunities for additional training is provided.
- **Albion Center/Evansville Police Department:** Albion and EPD detectives present on sexual violence, domestic violence, and stalking. They give definitions, warning signs, and talk about characteristics of unhealthy relationships. Discussed reporting options and ways to remain safe in potential dangerous situations.

- **It's On Us Table/Pledge Campaign (Online):** Counselor facilitates Ridgway table, presenting about sexual assault awareness. Students are also able to take a pledge to step up and be part of the solution in high-risk situations. This is handled through online programming through the Office of Institutional Equity.
- **Bike Race:** Students attending the annual Bike Race are provided information about BAC levels and predictable effects along with warning signs of alcohol poisoning. Students are encouraged to engage in fun activities that do not involve alcohol consumption.
- **Healthy Behaviors Programming:** Info tables and workshops set up in Ridgway provide multiple programs throughout the year, including safe Spring Break tips, to encourage healthy behaviors when it comes to substance use as well as warning signs of alcohol poisoning, overdose, and appropriate responses.
- **Brochures:** Provides brochures to RAs for different programs or bulletin boards on topics such as consent, healthy relationships, and sexual health. These brochures were available in the counseling office for all members of the campus community.

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 Public Safety 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 five residence halls and one apartment complex, as well as University Villages, consisting of 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. Members of the University Residence Life staff are on call 24 hours a day via a rotation schedule. 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 resi-

dent 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.

Three of the residence halls, Jones Hall, Lincoln Commons, 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. - 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 Public Safety.

Types of housing, policies, room selection, and other matters concerning residential life are published in the residence life section of the student handbook.

MISSING PERSON POLICY

Missing Persons Confidential Contact

Students living in on-campus University housing, including University-approved housing, have the option to identify a confidential contact person or persons whom the institution shall notify within 24 hours of the determination that the student is missing by the Office of Public Safety or by the Evansville Police Department. This information will be kept confidential and will be accessible only to authorized campus officials and law enforcement personnel in the furtherance of a missing person investigation. Students living in on-campus University or University-approved housing may register their confidential contact person(s) at selfservice.evansville.edu/student.

Missing Persons Protocol

If a student residing in an on-campus University or University-approved housing is believed to be missing for a period of 24 hours, the Office of Public Safety should be immediately notified at 812-488-2051(x2051). The Office of Public Safety will prepare a missing person's report and initiate an investigation, including an internal search of the campus. This may include using residence life staff, verifying class attendance with faculty members, and interviewing friends of the missing student.

All reports of missing students made to the University Office of Public Safety will be investigated.

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

- Notify the individual(s) identified as the missing student's confidential missing person contact.
- If under 18 years of age, and not emancipated, notify a parent or guardian and any other designated 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 Evansville Police Department.

EMERGENCY CONTACT REGISTRATION

Each year, the University will request all students, on a voluntary basis, provide the University with an emergency contact person(s). This person(s) would be contacted in case of an emergency, medical or otherwise, occurring with the student. The student has the option to use the same contact person(s) that they selected as their missing person contact, or they can select a different person(s). Students can register their emergency contact person(s) at selfservice.evansville.edu/student.

DRUG AND ALCOHOL ABUSE POLICY AND PREVENTION PROGRAM FOR EMPLOYEES AND STUDENTS

CAMPUS POLICY

The purpose of this policy is to communicate the concern of the University regarding the health and safety of its employees and students, and the intent to comply with the Drug Free Schools and Communities Act Amendment of 1989 (P.L. 101-226) 20 U.S.C. Section 11458.

This policy shall apply to all employees (i.e., faculty members, administrators, and staff members) and students of the University of Evansville at all locations. This includes all "direct charge" employees, (i.e., those whose services are directly and explicitly paid for by grant funds) and "indirect charge" employees, (i.e., those members who perform support or overhead functions related to the grant and for which the federal government pays its share of expenses). Any other person who is on the payroll and works in any activity under the grant, even if not paid from grant funds, is also considered to be an employee.

The following statement formalizes the University's policy regarding the effects of drug and alcohol use and the unlawful possession of controlled substances on University property:

The University strictly prohibits the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance (as defined in schedule I through V of section 202 of the Controlled Substances Act (21 U.S.C. 812) and by regulations 21 CFR 1300.00 through 1300.15 and Title 35, and Article 48 of the 1990 Indiana Code) and alcohol on University property or as part of any University activity. Violations of this policy will result in disciplinary action, up to and including expulsion and termination, and may have legal consequences.

Employees and students are expected and required to report for work and classes in an appropriate mental and physical condition. Our intent is to provide a drug and alcohol-free, healthful, safe, and secure learning environment.

Legal Sanctions

(1) Alcohol Use

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 evansville.edu/alcoholpolicy.

Under no circumstances is it acceptable for an individual or group to possess, consume, or distribute alcohol in violation of Indiana State law (iga.in.gov/legislative/laws/2016/ic/titles/7.1), or the University's alcohol use guidelines, or disrupts the educational mission of the University, or contribute to behaviors in violation of the student code of conduct.

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.

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.

(2) Drug Use

The University of Evansville prohibits the possession, consumption, use, or sale of unauthorized prescription drugs, illegal drugs. Unauthorized manufacture, distribution, possession of controlled substances including marijuana, cocaine, and LSD are prohibited by both state and federal law and are punishable by severe penalties. The University does not condone or tolerate such conduct. Employees or students determined to violate the University's policy or state or federal laws may be referred by University authorities for criminal prosecution.

Article 48 of the 1990 Indiana Criminal Code contains the laws which apply to controlled substances. Employees and students should be aware that most drug offenses are classified as felonies and that conviction of such an offense can have serious consequences, including imprisonment.

Disciplinary Action

Whether or not a criminal charge is brought, employees and students are also subject to University disciplinary action for illegal manufacture, distribution, use, or possession of any controlled substance or for violating the university's alcohol use guidelines: (1) on University-owned or leased property, or (2) at University-sponsored or supervised functions, or (3) off-campus under certain circumstances involving a direct and substantial connection to the University.

Any employee or student found in violation of University policy regarding drugs or alcohol is subject to the entire range of actions specified in the employee manuals or the student handbook, including but not limited to suspension or expulsion, probation, termination of employment, and/or referral to a prescribed counseling/rehabilitation program at the employee's or student's expense. Complete information on the University's disciplinary process may be found in the employee manuals or the student handbook.

Responsible Good Neighbor Exemption

If students find themselves in a situation where they believe someone's health and safety is at risk due to excessive alcohol consumption, they should always call for emergency assistance, regardless of concern about the university disciplinary process. Students should call the Office of Public Safety at ext. 6911 or 812-471-6911 or 911 immediately if there is any possibility that professional medical assistance is necessary for the health and safety of another person. The University has made an amnesty provision for students through the responsible good neighbor exemption. This exemption provides students the opportunity for University disciplinary action to be waived if medical or other emergency assistance for another has been sought. The decision to grant the exemption shall be at the discretion of the dean of students or her appointee and may be contingent upon participation in an educational program focusing on risky behaviors in college. Students should also be aware that the state of Indiana provides similar immunity from some alcohol-related criminal charges under the Indiana Lifeline Law. More information about the Indiana Lifeline Law can be found at indianalifeline.org.

NOTE: The responsible good neighbor exemption does not apply to any criminal charges that might be incurred as a result of an offense.

Drug and Alcohol Violation Disclosures

According to the Higher Education Amendments of 1998, nothing in the General Education Provisions Act or the Higher Education Act of 1965 shall be construed to prohibit an institution of higher education from disclosing, to a parent or legal guardian of a student, information regarding any violation of any federal, state, or local law, or of any rule or policy of the institution, governing the use or possession of alcohol or a controlled substance, regardless of whether that information is contained in the student's education records, if (A) the student is under the age of 21; and (B) the institution determines that the student has committed a disciplinary violation with respect to such use or possession.

Suspension of Eligibility for Drug-Related Offenses

The Higher Education Amendments of 1998 states the following:

(1) In general – A student who has been convicted of any offense under any federal or state law involving the possession or sale of a controlled substance shall not be eligible to receive any grant, loan, or work assistance under this title during the period beginning on the date of such conviction and ending after the interval specified below.

If convicted of an offense involving:

The possession of a controlled substance, ineligibility period is:

First offense	One year
Second offense	Two years
Third offense	Indefinite

The sale of a controlled substance, ineligibility period is:

First offense	Two years
Second offense	Indefinite

(2) Rehabilitation – A student whose eligibility has been suspended under paragraph (1) may resume eligibility before the end of the ineligibility period determined under such paragraph if:

- (A) The student satisfactorily completes a drug rehabilitation program that
 - (i) Complies with such criteria as the secretary of education shall prescribe in regulations for purposes of this paragraph; and
 - (ii) Includes two unannounced drug tests; or
 - (B) The conviction is reversed, set aside, or otherwise rendered nugatory.
- (3) Definitions – In this subsection, the term “controlled substance” has the meaning given the term in section 102(6) of the Controlled Substances Act (21 U.S.C. 802[6]).

Health Risks

Many areas of a person's life can be affected by drug or alcohol use and abuse. The negative physical and mental effects of the use of alcohol and other drugs are well documented.

Abusers have higher than normal incidents of illness, ranging from lethargy, depression, irritability, malnutrition, high blood pressure, blackouts, deterioration of brain cells, cirrhosis of the liver, heart collapse, damage to major organs, and sexually transmitted diseases including HIV complex (AIDS). The onset of these effects can be immediate. The withdrawal from chemical dependency may also cause serious physical and psychological problems.

In addition to the physical risks, drug or alcohol use is often associated with increased social isolation, public embarrassment, date/acquaintance rape, vandalism, financial problems, and the deterioration of personal relationships and work or school performance. Alcohol use and abuse is also associated with poor academic performance.

Resources and Assistance

The University recognizes drug and alcohol dependency and abuse as illness and major health problems. The University also recognizes drug and alcohol abuse as a potential health, safety, and security problem. The counselors in the Office of Counseling Services are available for consultation, intervention services, and referral information. Campus resources available for assistance and referral are:

Office of Counseling Services

812-488-2663
Ridgway University Center

Coordinator of Health Education and Wellness

812-488-1082
Ridgway University Center

Crayton E. and Ellen Mann Health Center

812-488-2033
Sampson Hall

Office of Public Safety

812-488-2051
1 South Frederick Avenue

Crisis Lines Available

Emergency Room, St. Vincent Hospital	812-485-4491
Emergency Room, Deaconess Hospital	812-450-3405
Deaconess Cross Pointe Center	812-476-7200
Southwestern Behavioral Healthcare	812-423-7791

Albion Fellows Bacon Center	800-339-7752
Rape Crisis Line	812-424-7273
Domestic Violence Line	812-422-5622
Alcoholics Anonymous	812-434-4952
Narcotics Anonymous	877-642-5831
National Council on Alcoholism Information Line	800-NCA-CALL
Indiana Prevention Resource Center	800-346-3077
AIDS Hotline	800-232-4636

All University of Evansville students and employees are expected to abide by this policy and cooperate with the University in complying with the Drug Free School and Communities Act. Please contact the director of human resources or dean of students for further information or assistance.

ALCOHOL/DRUG AWARENESS PROGRAMS

The University's Office of Counseling Services provides educational sessions on alcohol and substance use for students on an on-going basis. The coordinator of health education focuses on providing programming related to these topics, as well as other health and wellness issues. Some of the programs that are offered include:

Alcohol eCheckup to Go: This is a self-report inventory which measures personal and risk patterns for counseling review. This assessment/educational tool was used with new members of Greek organizations and with students individually.

Choices Alcohol Education Program: This is an interactive alcohol education program which is used for groups of three to 15 students for awareness and prevention purposes, and also as an intervention with some students who receive campus violations. Choices involves having all student participants complete a pre-test and post-test to measure change in student understanding of risk factors associated with alcohol use.

Choices Marijuana: This is an interactive alcohol education program which is used for groups of three to 15 students for awareness and prevention purposes, and also as an intervention with some students who receive campus violations. Choices involves having all student participants complete a pre-test and a post-test to measure change in student understanding of risk factors associated with alcohol use.

New Member Greek Orientation: Every year, at least one program is offered to Greek new members in order to educate the group regarding risks associated with excessive alcohol use and binge drinking, including the link between alcohol use and sexual assault.

TIPS Training: This program is designed for students who intend to host or monitor campus parties where alcohol is allowed for students over 21 years of age. Participants are provided with education about alcohol consumption, intoxication, intervention strategies, and state specific alcohol-related laws. This program also provides a skills training portion that allows students the opportunity to engage in realistic scenarios. The students have the opportunity to role-play their own scenarios and practice interventions. Participants must pass the required exam for certification, which is graded by Health Communications, INC. (Management Company of TIPS).

Behind Closed Doors: Training for resident assistants in how to handle various alcohol situations including person with alcohol poisoning. Facilitated discussion regarding alcohol poisoning, the link between excessive alcohol use and sexual assault, RA role, and response.

National Collegiate Alcohol Awareness Week – Safe Drinking Tips: PurplePulse article detailing safe drinking tips, E-Checkup link for online assessment, and contact information for counseling/health education.

Delta Sigma Business Fraternity Risk Management: Alcohol and marijuana education.

WEAPONS POSSESSION

The Office of Public Safety enforces all federal, state, local statutes and University regulations pertaining to the possession and/or use of firearms, ammunitions, explosive devices, 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.

EMPLOYEE AND STUDENT RESPONSIBILITIES

While the Office of Public Safety is responsible for coordinating campus safety and security, the primary responsibility for crime prevention and personal safety rests with each individual. At the University of Evansville, we sincerely believe safety begins with you. The cooperation and involvement of all members of the campus community in a campus security program is absolutely necessary. Each person must assume responsibility for his or her own personal belongings and safety by taking simple common sense precautions.

RISK REDUCTION

Following are some strategies to reduce your risk of being a victim of a crime.

Personal Safety

Be aware of your surroundings and of those people around you.

- Walk in well-lighted areas.
- Avoid walking or jogging alone.
- Try to avoid isolated areas. It is more difficult to get help if no one is around.
- Walk with a purpose. Even if you do not know where you are going, act like you do.
- Avoid putting headphones in both ears so that you can be more aware of your surroundings, especially if you are walking or jogging alone.
- Call Public Safety for an escort across campus late at night.
- Trust your instincts. If a situation or location feels unsafe or uncomfortable, it probably is not the best place to be.
- Make sure your cell phone is with you and charged at all times.
- Know the location of the campus emergency blue light telephones and other emergency phones on campus.

- Do not allow yourself to be isolated with someone you do not trust or someone you do not know.
- Do not leave your drink unattended while talking, dancing, using the restroom, or making a phone call. If you have left your drink alone, get a new one.
- Do not accept drinks from people you do not know or trust. If you choose to accept a drink, go with the person to the bar to order it, watch it being poured, and carry it yourself. At parties don't drink from the punch bowls or other large, common open containers.

Personal Property Safety

- 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.
- Do not prop open locked doors.
- Secure valuables left in your residence hall room, apartment, or vehicle.
- Engrave all valuables with a unique number such as your social security number or driver's license number.
- Secure your bicycle with a quality bicycle lock.
- Use a lock on your gym locker.
- Do not loan or give your keys to anyone else to use.
- 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.
- Invest in a car alarm; kill switch, and/or steering wheel locking device.

ANNUAL CAMPUS FIRE SAFETY REPORT OVERVIEW

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

The Higher Education Opportunity Act (PL 110-315) became law in August 2008, requiring all United States academic institutions 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 Public Safety maintains an electronic 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 and off-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.

Hale, Moore, 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 Public Safety. 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 Public Safety.

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 Public Safety. 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.

Lincoln Commons

The University's newest apartments, Lincoln Commons, are located on campus at the corner of Weinbach Avenue and Lincoln Avenue. This space houses up to 123 upperclassman students with a mix of one, two, and four-bedroom apartments. The structure is four levels with apartments on each floor. The first level features 3,500 square feet of retail space that includes an outdoor patio. Each apartment includes a full kitchen with appliances; a washer and dryer; and full-size beds, couch(es), chair(s) and desk(s). A parking lot for Lincoln Commons is located across the street, just south of Lincoln Avenue. It includes 96 spaces.

New Hall

New Hall can house up to 293 first and second-year students across a mixture of four and six-person pod structures. There are also a few single-person pods throughout residence hall. New Residence Hall is divided into two coed wings: Brentano Wing and Morton Wing, to honor the former residence halls that once stood in the same place. The first floor features a spacious lobby with plenty of

seating and study spots. Residents can also use the kitchen complete with modern appliances and equipment. You can also find the mail room and the laundry room on the first floor, but each level includes a study room. Six-person pods consist of three double bedrooms with two bathrooms and a separate vanity/sink area. These are primarily for first-year students. Four-person pods contain four single bedrooms with two bathrooms. These pods are typically for second-year students. All pods feature a shared living room and kitchenette, which includes a sink and refrigerator. They are also furnished with beds, desks, couch(es), and coffee table(s). Four-person deluxe corner pods are furnished with a kitchen table and four chairs, as they have a separate living area in the corner.

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.

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 Public Safety.

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, Public Safety, and Risk Management conduct fire drill exercises in the residence halls, Jones 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 e-cigarettes. This policy includes the inside and outside of buildings, and in vehicles parked in University 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 812-488-6911 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 tabletop 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. Fires and other emergencies may also be reported directly to the Evansville Fire Department by calling **911**. 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 firefighters 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 Public Safety 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.

EVANSVILLE STATISTICS AND RELATED INFORMATION REGARDING FIRES IN RESIDENTIAL FACILITIES

FREDERICK COMMONS 200 S. FREDERICK ST.

Year	Total Number OF Fires	Fire Incident	Cause of Fire	Number of Injuries Requiring Treatment at a Medical Facility	Number of Fire Related Deaths	Value of Property Damage Caused by Fire
2023	0	0	0	0	0	0
2024	0	0	0	0	0	0
2025	0	0	0	0	0	0

FREDERICK COMMONS 201 S. WEINBACH AVE.

Year	Total Number OF Fires	Fire Incident	Cause of Fire	Number of Injuries Requiring Treatment at a Medical Facility	Number of Fire Related Deaths	Value of Property Damage Caused by Fire
2023	0	0	0	0	0	0
2024	0	0	0	0	0	0
2025	0	0	0	0	0	0

LINCOLN COMMONS 2024 LINCOLN AVE.

Year	Total Number OF Fires	Fire Incident	Cause of Fire	Number of Injuries Requiring Treatment at a Medical Facility	Number of Fire Related Deaths	Value of Property Damage Caused by Fire
2023	0	0	0	0	0	0
2024	0	0	0	0	0	0
2025	1	1	Carboard box left on stove	0	0	\$0

WEINBACH APARTMENTS 216 S. WEINBACH AVE.

Year	Total Number OF Fires	Fire Incident	Cause of Fire	Number of Injuries Requiring Treatment at a Medical Facility	Number of Fire Related Deaths	Value of Property Damage Caused by Fire
2023	0	0	0	0	0	0
2024	0	0	0	0	0	0
2025	0	0	0	0	0	0

JONES HALL 301 S. WEINBACH AVE.

Year	Total Number OF Fires	Fire Incident	Cause of Fire	Number of Injuries Requiring Treatment at a Medical Facility	Number of Fire Related Deaths	Value of Property Damage Caused by Fire
2023	0	0	0	0	0	0
2024	0	0	0	0	0	0
2025	0	0	0	0	0	0

NEW HALL 1761 E. WALNUT ST.

Year	Total Number OF Fires	Fire Incident	Cause of Fire	Number of Injuries Requiring Treatment at a Medical Facility	Number of Fire Related Deaths	Value of Property Damage Caused by Fire
2023	0	0	0	0	0	0
2024	0	0	0	0	0	0
2025	1	1	Paper on door lit on fire	0	0	\$0

EVANSVILLE STATISTICS AND RELATED INFORMATION REGARDING FIRES IN RESIDENTIAL FACILITIES

HALE HALL 451 S. WEINBACH AVE.

Year	Total Number OF Fires	Fire Incident	Cause of Fire	Number of Injuries Requiring Treatment at a Medical Facility	Number of Fire Related Deaths	Value of Property Damage Caused by Fire
2023	0	0	0	0	0	0
2024	0	0	0	0	0	0
2025	0	0	0	0	0	0

MOORE HALL 400 S. ROTHERWOOD AVE.

Year	Total Number OF Fires	Fire Incident	Cause of Fire	Number of Injuries Requiring Treatment at a Medical Facility	Number of Fire Related Deaths	Value of Property Damage Caused by Fire
2023	0	0	0	0	0	0
2024	0	0	0	0	0	0
2025	0	0	0	0	0	0

POWELL HALL 501 S. WEINBACH AVE.

Year	Total Number OF Fires	Fire Incident	Cause of Fire	Number of Injuries Requiring Treatment at a Medical Facility	Number of Fire Related Deaths	Value of Property Damage Caused by Fire
2023	0	0	0	0	0	0
2024	0	0	0	0	0	0
2025	0	0	0	0	0	0

SCHROEDER HALL 1700 E. WALNUT ST.

Year	Total Number OF Fires	Fire Incident	Cause of Fire	Number of Injuries Requiring Treatment at a Medical Facility	Number of Fire Related Deaths	Value of Property Damage Caused by Fire
2023	0	0	0	0	0	0
2024	0	0	0	0	0	0
2025	0	0	0	0	0	0

WALNUT COMMONS 1651 E. OLIVE ST.

Year	Total Number OF Fires	Fire Incident	Cause of Fire	Number of Injuries Requiring Treatment at a Medical Facility	Number of Fire Related Deaths	Value of Property Damage Caused by Fire
2023	0	0	0	0	0	0
2024	0	0	0	0	0	0
2025	0	0	0	0	0	0

WALNUT COMMONS 315 S. ROTHERWOOD AVE.

Year	Total Number OF Fires	Fire Incident	Cause of Fire	Number of Injuries Requiring Treatment at a Medical Facility	Number of Fire Related Deaths	Value of Property Damage Caused by Fire
2023	0	0	0	0	0	0
2024	0	0	0	0	0	0
2025	0	0	0	0	0	0

EVANSVILLE STATISTICS AND RELATED INFORMATION REGARDING FIRES IN RESIDENTIAL FACILITIES

WALNUT COMMONS 1650 E. WALNUT ST.

Year	Total Number OF Fires	Fire Incident	Cause of Fire	Number of Injuries Requiring Treatment at a Medical Facility	Number of Fire Related Deaths	Value of Property Damage Caused by Fire
2023	0	0	0	0	0	0
2024	0	0	0	0	0	0
2025	0	0	0	0	0	0

WALNUT COMMONS 1660 E WALNUT ST.

Year	Total Number OF Fires	Fire Incident	Cause of Fire	Number of Injuries Requiring Treatment at a Medical Facility	Number of Fire Related Deaths	Value of Property Damage Caused by Fire
2023	0	0	0	0	0	0
2024	0	0	0	0	0	0
2025	0	0	0	0	0	0

*Values are in dollars.

FIRE DRILLS

Date of Fall Drill	Date of Spring Drill	Location
9/17/2025	2/20/2025	Jones Hall
9/15/2025	2/20/2025	Hale Hall
9/15/2025	2/20/2025	Powell Hall
9/15/2025	2/18/2025	Lincoln Commons
9/17/2025	2/18/2025	New Hall
9/29/2025	2/19/2025	Moore Hall
9/29/2025	2/19/2025	Schroeder Hall
9/17/2025	2/19/2025	Townhouses

HARLAXTON STATISTICS AND RELATED INFORMATION REGARDING FIRES IN RESIDENTIAL FACILITIES

CARRIAGE HOUSE

Year	Total Number OF Fires	Fire Incident	Cause of Fire	Number of Injuries Requiring Treatment at a Medical Facility	Number of Fire Related Deaths	Value of Property Damage Caused by Fire
2023	0	0	0	0	0	0
2024	0	0	0	0	0	0
2025	0	0	0	0	0	0

MANOR HOUSE

Year	Total Number OF Fires	Fire Incident	Cause of Fire	Number of Injuries Requiring Treatment at a Medical Facility	Number of Fire Related Deaths	Value of Property Damage Caused by Fire
2023	0	0	0	0	0	0
2024	1	0	Paint Rag	0	0	\$0
2025	0	0	0	0	0	0

HARLAXTON COLLEGE

The University of Evansville currently maintains a study abroad location in Grantham, England, called Harlaxton. Harlaxton students are all enrolled as UE students and are treated as UE students in both rights and responsibilities. All UE policies, procedures, rights, and resources are available to current Harlaxton students, with any modifications being related to Harlaxton's location. Those instances where Harlaxton differs from UE are outlined in the Harlaxton College Guidance. This public document is posted on the Harlaxton website, distributed electronically to each student prior to arrival, and available in hard copy at the Manor. Students can utilize both the UE and Harlaxton resources in any way that is most helpful to them. Staff members are available to assist students with any issues that may arise while on campus or traveling abroad.

Contact Information

Harlaxton
Rachel Carpenter
Executive Director and Dean of Harlaxton
44-1476-403014

Emergency Phone Numbers

Harlaxton Reception: 44-147640-3000
Police: 999
Ambulance: 999
Fire Department: 999
Non-emergency police: 101
Non-emergency medical: 111
US Embassy: 020-7499-9000

Harlaxton coordinates its own campus safety and security that is based from the Manor reception area. General reception operates from 10:00 a.m. until 2:00 p.m. and the security team carry on through the evenings from 4:30 p.m. until 8:30 a.m. during weekdays. Weekends have continuous cover (24 hours) by the security team. The security team comprises five part-time officers who report directly to the estates manager (maintenance office) and are in regular communication with the Student Experience Manager (Student Experience Manager -SEO). The security team keeps a daily log of all suspicious and/or potentially criminal activity.

Most campus buildings and facilities are open via key access to members of the campus community and to guests and visitors during normal business hours, Monday through Friday. Some areas of the buildings are open on weekends for limited hours if special events are taking place. The buildings are secured 24 hours a day, with reserved access to guests. All guests must report to reception, sign in, and display a visitor badge while on the premises. Residents have 24-hour access to most facilities through a pre-allocated electronic ID system. Individual lost or stolen ID cards can be deleted from the system and no longer used to gain access. Deliveries all report to reception and must be buzzed in.

The Manor has a total of 15 CCTV cameras covering major ingress and egress routes from the grounds and major buildings. Reception staff and security officers monitor the CCTV displays at Reception, which have approximately 45 to 60 days of recording capacity. One of the cameras also has number plate recognition (NPR) capabilities.

Fire prevention and response actions are carried out by The Estates team. A fire log records, by date, any fire or fire alarm that occurs on campus and is maintained in the reception area. This log includes the nature, date, time, and general location of each fire or fire alarm. This log is maintained in conjunction with the required crime log located at reception. Each full semester, the campus community participates in an unannounced fire drill at the beginning of the term and monthly drills thereafter. The monthly drills are used to test the sounders in all residential and classroom spaces. A detailed description of fire prevention education and response procedures can be found in the Harlaxton safety guide.

Crime statistics from Harlaxton are contained in this report and are obtained directly from the site program administrators. Crimes statistics can be found on page 45 of the report. Note that the legal drinking age in the United Kingdom is 18 years of age. As the Manor follows the laws of the area, issues with consuming alcohol under the age of 21 is not a legal matter. All Harlaxton students are required to be above the age of 18.

HARLAXTON SAFETY GUIDE

Introduction

Harlaxton, as part of the University of Evansville, is committed to providing as safe and secure an environment as possible for all members of the campus community. The record for personal safety on campus has been outstanding for many years; unfortunately, there are no risk-free environments. This comprehensive guide serves to educate and provide resources for safety on campus and away.

All members of the campus community must share some responsibility for ensuring that they, the Manor, and subsequent possessions are adequately protected and to take all matters of safety seriously. The Manor 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. But it starts with personal safety and accountability. Questions or suggestions about college safety programs or procedures may be directed to the Security team/reception: 01476 403000, or the Student Experience Office 01476 403023. To reduce potential risks in the campus community, the Manor provides competent student experience staff and trained security officers to assist students, faculty, and employees in maintaining a safe campus environment.

Overview of Safety and Security

All members of the Harlaxton community are expected to take safety seriously and report any suspected crimes to the relevant authorities. Anyone may call 999 for direct access to Grantham police or fire response units.

Harlaxton coordinates its own campus safety and security that is based from the reception area. General reception operates from 8:30 a.m. - 4:30 p.m. and the security team carry on through the evenings from 4:30 p.m. - 8:30 a.m. during weekdays. Weekends have continuous cover (24 hours) by the security team. The campus security officers follow British and local laws along with the policies of Harlaxton and the University of Evansville.

In addition to campus safety and emergency procedures, the officers also provide the following services:

- Supervise parked vehicles for members of the Manor community.
- Prepare and distribute identification cards for visitors.
- Accompany residents who may feel unsafe walking alone.
- Inspect and maintain fire protection equipment and alarms.
- Serve as campus telephone operator during the evening and weekend hours.
- Inspect buildings and grounds for safety compliance.
- Protect residents, staff, visitors, guests, events, buildings, and equipment from fire, theft, and other internal and external security risks.
- Regularly patrol all college property, buildings, and grounds.
- The service reception area – monitors phones, CCTV cameras, and other specialised security equipment, logs visitors, and accepts payment for accommodation.
- Maintain a lost and found department.

- Attend to and log unusual events and accidents and report extraordinary behaviour to the relevant authorities – internal (e.g. student experience staff) and external (e.g. fire/police/ambulance).
- Security officers do not have the legal right to make arrests.

Maintenance

Maintaining a safe environment is important to the Harlaxton community. If something is broken, missing, or out of place, there are appropriate ways to report this issue. For non-emergencies, there is a "fix it" list in the main area of reception. This list is checked daily during the work week. Issues that need a more immediate response should be reported at reception. Maintenance personnel, and the security team stay vigilant and are trained in detecting problem areas within the Manor. All members of the community are encouraged to contact the reception/security team whenever they find areas on campus they believe should be of concern. Areas that need improvements are promptly corrected. Maintenance and security staff work to facilitate the active involvement of students in achieving the goal of providing a safe and secure environment.

FIRE SAFETY

Understanding fire safety at Harlaxton is extremely important. All buildings on campus have very sophisticated and sensitive detection systems in order to keep everyone safe. Things that would not normally set off a fire alarm (i.e. hairspray, heat from a hair straightener, body spray, etc.) will trigger the system and result in a full evacuation. Although it may be a false alarm, it is imperative that you take every alarm seriously and follow the evacuation protocol. This document is available on the Harlaxton website and distributed to every incoming student and faculty member prior to arrival on campus.

Evacuation Procedures

The following action should be taken in the event of a fire:

- When the fire alarm sounds, all staff, faculty, students, and any visitors should evacuate the building along the nearest fire escape route as quickly as possible, without stopping to take equipment or possessions.
- Lifts must not be used.
- Since the Manor and Carriage House have separate fire alarms, only the building in which the alarm is sounding will be evacuated. Evacuation of other buildings will be authorized, if necessary, by the fire marshal.
- As a rule, all firefighting should be left to the professionals (i.e. the fire service). Attempts to fight a fire should be done only with the firefighting equipment available and only if authorized and trained to do so, and where the fire is very small in nature or impinging on an exit route. The first priority is to raise the alarm and evacuate.
- All occupants should proceed to the designated fire assembly point. This assembly point is indicated on fire action notices throughout the Manor, Carriage House, and sports hall.
- Once at the assembly point, occupants should locate their color-coded board that is designated for each residential student floor. Visitors and staff use "white" as their color designation.

- It is important the staff, faculty, students, and visitors do not remain near the entrances of buildings which have been evacuated; this can restrict the evacuation and hinder access for fire service personnel.
- At all times during the emergency, staff, faculty, students, and visitors should comply with all instructions given to them by the fire marshal, security officers, student experience staff.
- Residents should not re-enter the building until advised to do so by the fire marshal.

Notes: The fire marshal can be identified by a high visibility jacket. The stopping of the alarm does not mean that the fire is out or that the building is free of hazards.

Reporting a Fire

Any member of staff, faculty, or student discovering a fire should set off the alarm at the nearest available fire alarm point. Any resident having first set off the alarm should either:

- Go immediately to reception (ensuring a safe route is taken) and give details of the location of the fire (including, where possible floor and room numbers); or
- Immediately call Reception (ext. 0 or 01476-403000 if using a landline or mobile phone) giving details of the location of the fire (including, where possible floor and room numbers).

Fire Log

The security officers and maintenance team maintain a fire log that records, by date, any fire or fire alarm that occurs on campus. This log includes the nature, date, time, and general location of each fire or fire alarm. This log is maintained in conjunction with the required crime log located at Reception. Harlaxton fire statistics can be found on Page 56.

Policies on Smoking, Open Flames, and Portable Electronic Appliances

In compliance with British law, smoking is not allowed anywhere inside Harlaxton buildings, including bedrooms, nor adjacent to those buildings. The exclusive designated smoking area is between the main manor house and the Carriage House. Identified receptacles must be used for cigarettes. Cigarettes may not be discarded in trashcans or on the ground. This policy includes the use of electronic e-cigarettes. The vapours emitted from an e-cigarette will set off our detectors.

To minimize the potential for fires at Harlaxton, open or exposed flame of combustion that produces heat, light, or smoke, and has the potential to cause a fire are prohibited. Examples in residential facilities include candles, incense, or any type of device requiring kerosene or other type of flammable liquid fuel. Everyday items like curling irons, aerosol deodorant, and hairdryers can set off the alarm if used near by the detectors. It is always best to avoid the detectors and take preventative measures such as opening a window.

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 tested and approved by the maintenance team. Small refrigerators are permitted in student rooms for medical purposes only and can be acquired by request from the Student Experience Office.

Fire Safety, Education, and Training

Because of the age and interior wood construction of Harlaxton Manor and the Carriage House, fire is the greatest safety concern. All students and faculty members are asked to serve as informal “fire wardens” to help identify and correct fire hazards and to reduce fire risks. Basic fire safety instruction is provided to all students and faculty living in residence halls who attend the mandatory orientation session at the beginning of each academic term, including all summer groups. All facilities used for student housing are protected by portable fire extinguishers and there is a smoke detector in each room. Every student room has an emergency evacuation map installed as well, to direct occupants to primary and secondary exits. All residents should familiarize themselves with multiple escape routes for both living and classroom spaces.

Each semester, the Estates Team, conducts a campus-wide fire drill. During the drill, the alarms are sounded and students assemble at the designated fire assembly point outside of the Manor and Carriage House. Floor Representatives take attendance for their respective floors. Students who do not leave the buildings during the fire alarm drill are subject to referral to the Student Experience Manager for disciplinary action.

Staff also undergo regular fire awareness training sessions. A more detailed guidance on fire safety instruction and training can be found in the fire safety – instruction and training manual dated October 2024.

As facilities are added or upgraded, Harlaxton will continue to look at ways to improve fire safety on campus and distribute information accordingly via student and staff handbooks, as well as the fire emergency procedures manual and the Harlaxton safety guide.

**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 above public disclosure report details all information required by this law as it relates to Harlaxton.*

HARLAXTON POLICY ON ALCOHOL AND DRUGS

The legal drinking age in Britain is 18. Expectations around alcohol use and drugs are discussed at a mandatory orientation session on community expectations. The session clearly articulates the expectations of the policy and how students are required to behave. It outlines the policy and gives directions for further information. Residents are encouraged to exercise responsibility and moderation in their approach towards alcohol consumption.

Alcohol possession and consumption is prohibited on campus. This prohibition extends to student rooms, the grounds, Sports Hall, playing fields, and all vehicles used by the College. Student Experience staff, College drivers, and Security and Assistance Officers will confiscate any alcohol brought onto campus and the Student Experience Manager will hold accountable those deemed responsible. Room searches can and will take place, without notice throughout the semester and empty alcohol bottles in student rooms will be construed as evidence of policy violation.

Intoxicated persons will not be allowed on vehicles used by the College.

The prohibition of all these substances is for the safety and security of the Harlaxton community and campus, and any policy violations will be managed by Student Experience and subject to disciplinary action. If a student is exhibiting consistently problematic behaviours when it comes to alcohol and they are disruptive to the Harlaxton program or a danger to themselves, they can be removed from the program. Depending on the severity of the issue and timing of the dismissal, a refund may not be possible.

The use, possession, or distribution of non-prescription drugs is illegal in Britain and prohibited by Harlaxton. Under no circumstances should drugs be brought on campus. Violating this not only breaks the Harlaxton policy, but it also breaks the law. Staff reserve the right to search rooms and property (i.e. backpacks) if they have a reasonable expectation that the student is in possession of illegal drugs. Students with drug dependency problems are encouraged to ask for help prior to it becoming an issue. The matter will be treated in the strictest confidence and will not necessarily result in an immediate removal from the program. Students who violate the expectations around drugs will be subject to disciplinary action.

STUDENT RIGHTS AND RESPONSIBILITIES

The students' rights and responsibilities section of this document operates as the code of conduct for the University of Evansville. Students at Harlaxton are afforded the same rights and responsibilities as those at the University of Evansville (UE) campus. While expectations around theft and weapons aren't expressly stated in this document, their inclusion in the UE documents and policies means they apply in the Harlaxton context as well. Students participating in the Harlaxton program from other institutions are held to the same standard while enrolled in the program. The following document clearly articulates modifications of the UE judicial process for the Harlaxton campus. All policies and procedures not addressed in this document remain the same for both locations.

Policy documents in their entirety can be accessed at evansville.edu/offices/deanstudents.

It is important that all students review this policy prior to arrival at Harlaxton. It is easily accessible from the UE website or link provided above. Lack of awareness is not an excuse when it comes to being held accountable to these policies. A basic explanation is covered in the community expectations session at orientation but it is the student's responsibility to familiarize themselves with the full policy on their own time.

II. C. 2. Due Process

- a. The principal sees that the case is processed with correct procedures and with the stated elements of due process. The principal also either serves as advisor to the hearing body or appoints an advisor to do so.
 - b. Procedures
- (2) The written report is to be submitted to the principal.
 - (3) When a violation is reported to the principal, they may elect one of the following methods for disposition:
 - a) No action – note and file
 - b) Administrative action – counsel, advise, admonish, reprimand, refer, sanction; administrative action by the principal may conclude some cases without further hearing

- c) Disciplinary hearing – by the judicial board or by administrative hearing

Further, in such cases, especially those incidents which involve physical violence, firearms, drugs, or violations of US or UK laws, the University reserves the right to contact local and US authorities for action separate from or in addition to University disciplinary action.

II. C. 3. Disciplinary Hearing Structure

- a. Administrative hearing – The principal or designee will establish an administrative hearing body of no less than three members. The principal may not serve on the hearing body.

In cases where the accused admits the violation or at the request of the accused student, the administrative hearing may consist only of a hearing with the Student Experience Manager

- b. University judicial board – If a judicial board is deemed appropriate by the principal or UE Dean of Students, Harlaxton will facilitate a virtual hearing. All procedures will follow the UE process via a visual and auditory communication platform (i.e. Skype).

II. C. 4. University Appeals Structure

Following the hearing, the alleged violator has the right to appeal the decision to a higher level. The desire to appeal must be submitted in writing to the principal within one week of the date of the notice of decision.

If an appeal is submitted to the principal, the person submitting the appeal may choose to have the appeal heard by the UE Appeals Board (under the direction of the UE Dean of Students) or by the Harlaxton principal, provided they have not been more than an advisor to the process. If the appeals board is chosen, Harlaxton will facilitate a virtual hearing. All procedures will follow the UE process via a visual and auditory communication platform (i.e. Skype).

DISCRIMINATION AND SEXUAL MISCONDUCT POLICY AND RESOURCES

Harlaxton College is committed to maintaining a learning, living, and working environment that is free from harassment, discrimination, sexual misconduct, domestic abuse, stalking, sexual exploitation, and victimisation. Harlaxton prohibits a broad range of conduct collectively referred to as "Prohibited Conduct," including discrimination and harassment based on a protected characteristic, sexual assault, sexual harassment, domestic abuse, coercive and controlling behaviour, stalking, sexual exploitation, and victimisation. The College responds to reports through procedures that are consistent with applicable United Kingdom law, including the Equality Act 2010, the Protection from Harassment Act 1997, and the Sexual Offences Act 2003.

As a UK campus of the University of Evansville, Harlaxton also fulfills certain reporting obligations required by the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act and the Violence Against Women Act (VAWA). These US reporting requirements do not alter the legal framework governing conduct occurring in the United Kingdom.

A complete copy of the Harlaxton Harassment, Discrimination and Sexual Misconduct Policy is available at evansville.edu/offices/titleix/downloads/harlaxton-harassment-policy.pdf.

Reporting Prohibited Conduct

Any person may report Prohibited Conduct to the College's Senior Responsible Officer (SRO), Deputy Senior Responsible Officer (Deputy SRO), Designated Safeguarding Lead (DSL), or local law enforcement. Reports may be made in person, by telephone, in writing, electronically, or anonymously. The College encourages prompt reporting but there is no time limit for making a report.

Students and employees may choose to:

- Make a report to Harlaxton College.
- Make a report to local law enforcement.
- Make both reports simultaneously.
- Seek supportive measures without requesting a formal investigation.

Senior Responsible Officer (SRO)

Ms. Annie Sills

*Director of Institutional Equity and Title IX Coordinator**

+1 812-488-5621

asills@harlaxton.ac.uk

cs175@evansville.edu

titleix@evansville.edu

*Title IX does not have jurisdiction at Harlaxton College.

Deputy Senior Responsible Officer

Lydia Coupe

HR Officer

01476 403042

lcoupe@harlaxton.ac.uk

Local Law Enforcement

Lincolnshire Police

Emergency: 999

Non-Emergency: 101

Local Law Enforcement

Lincolnshire Police

Emergency: 999

Non-Emergency: 101

Confidential Resources

Harlaxton provides confidential resources for students and employees who wish to seek support, discuss options, or receive information without automatically initiating a misconduct process. Confidential resources will maintain confidentiality to the extent permitted by law but may be required to share information in situations involving significant risk of harm, safeguarding concerns, or legal reporting obligations.

Harlaxton Confidential Resources

Amelia Fox

Counsellor

counselling@harlaxton.ac.uk

Lesley Selby

Nurse

lselby@harlaxton.ac.uk

Mindhamok

24/7 online counselling and emotional support service for students.

hello@mindhamok.com

Supportive Measures

Upon receiving a report of Prohibited Conduct, Harlaxton will offer appropriate supportive measures designed to promote safety, wellbeing, and continued access to educational or employment opportunities. Supportive measures are available regardless of whether a formal complaint is filed and do not imply any finding of responsibility. Examples may include:

- Counselling and wellbeing support
- Academic or workplace adjustments
- Modifications to schedules
- Housing changes
- No-contact directions
- Enhanced security measures
- Temporary changes to supervision or reporting structures
- Leave of absence or reduced study arrangements
- Other measures reasonably necessary to support safety and access

Supportive measures are determined by the Senior Responsible Officer or Deputy Senior Responsible Officer and are tailored to the circumstances of each report.

Staff with a Duty to Report

Harlaxton College designates most employees as Staff with a Duty to Report. Staff with a Duty to Report play an important role in supporting the safety and wellbeing of students and employees and in ensuring the College meets its safeguarding obligations. When these staff members become aware of information that may involve discrimination, harassment, sexual misconduct, domestic abuse, stalking, sexual exploitation, victimisation, or other safeguarding concerns, they are required to promptly share that information with the College's Deputy Senior Responsible Officer (Deputy SRO), Designated Safeguarding Lead (DSL), or another authorized safeguarding official.

Staff with a Duty to Report are not confidential resources and cannot promise confidentiality. Their role is to ensure that concerns are referred to trained safeguarding professionals who can assess risk, coordinate support, and determine appropriate next steps.

Staff with a Duty to Report generally include:

- Faculty members
- Administrators
- Professional staff
- Student-facing staff
- Coaches and activity leaders
- Other College employees who receive disclosures in the course of their duties

Confidential Resources, including designated counseling and medical personnel, have different reporting obligations and may maintain confidentiality subject to applicable legal and safeguarding exceptions.

Staff with a Duty to Report are expected to share concerns as soon as reasonably possible, ordinarily on the same day the information is received. Reports may involve disclosures or allegations of

harassment, discrimination, sexual misconduct, abuse, stalking, domestic abuse, retaliation, concerns involving vulnerable individuals, or behaviors that may indicate a risk of harm to self or others. Staff are expected to report information as it was observed or disclosed and should not attempt to investigate or independently verify allegations before making a report.

Reports should be directed to:

Lydia Coupe

HR Officer

01476 403042

lcoupe@harlaxton.ac.uk

Ms. Annie Sills

Director of Institutional Equity and Title IX Coordinator*

+1 812-488-5621

asills@harlaxton.ac.uk

cs175@evansville.edu

titleix@evansville.edu

Resolution Processes

Harlaxton provides both informal and formal pathways for resolving reports of Prohibited Conduct. Informal Resolution is a voluntary, non-disciplinary process that may be used where appropriate and safe. Formal Resolution includes investigation and adjudication procedures designed to determine whether a violation of College policy occurred using the balance of probabilities standard. Both parties are provided equitable opportunities to participate in the process and may be accompanied by an advisor of their choice.

Sexual Assault Referral Centre

Students and employees may access specialist medical and forensic services through the:

Topaz Centre Sexual Assault Referral Centre (SARC)

Oxclose Lane, Nottingham NG5 6FZ

24-hour hotline: 0330 223 0099

topazcentre.org/

Additional Community Resources

Lincolnshire Rape Crisis

18 Melville Street

Lincoln LN5 7HW

0800 334 5500

lincolnshirerapecrisis.org.uk/

GENERAL SAFETY

Because of the importance of personal safety, multiple sessions during orientation week cover this topic in different ways. All of these sessions are mandatory and important for keeping safe while at Harlaxton and abroad.

Grantham is a relatively safe town. However, when venturing out to travel, petty theft such as pickpocketing and bag snatching is possible. A heightened awareness of surroundings and belongings when out traveling is encouraged. Students are advised to only carry the essential items when traveling and be wary of their surroundings. Tips to avoid becoming a victim of crime:

- Do not carry a wallet in a back pocket.
- Do not keep valuables in a backpack – or take it off and hold it in busy areas.

- Fasten a purse and wear it across your body if it has a strap, so that it is not easily accessible.
- Do not leave your belongings on the floor in a pub, restaurant, shop, theatre, or movie theatre. Use the handbag clips available in many pubs, or loop the strap around your ankle or under a chair leg.
- Be aware of people trying to distract your attention.
- Cover your PIN number at cash points.
- Don't use an ATM if it looks strange or is in a nondescript area.
- Do not carry your passport with you, except when traveling out of the country.
- Make copies of all your important documents and credit card numbers, including the numbers to call to cancel your cards and have them replaced. Keep these copies in a safe place in your room.
- Be conscious of your belongings in busy places and tourist spots.
- Think about what you need to take with you – do you really need all your credit cards and all your cash?
- Remember that alcohol consumption impairs your judgment.
- Set aside some money separate from your wallet, so you can always get home.
- Do not walk alone at night – take a licensed cab or a streetcar (Harlaxton-approved taxi company).
- Never accept a ride from someone offering you a taxi. Only use clearly marked cabs for transportation.

Staying Connected in an Emergency

There are multiple ways to stay in contact in the event of an emergency on or off campus. Each initiative is listed below. Students are asked to familiarize themselves with all reporting expectations and follow them accordingly. If students have any questions or issues with the technology or the process in general, they are asked to reach out to the Student Experience Office. The following processes ensure that we are able to support students in an emergency situation. The likelihood of using these systems for an actual emergency are slim, but the systems are in place for the collective safety of the Harlaxton community. In the event of a serious emergency, staff will use this information to offer support and to communicate back with the home campus and potential family members.

Alert Traveller

The Alert Traveller app is a great way to monitor the current safety situation and to stay connected with the manor. It is available in the app store or the google play store and should work on most devices. All students should download and activate the app before arriving in the UK. There are many great features of the app, including real time safety alerts and immediate connection to emergency services, based on GPS location. The Alert Traveller app is used for both travel and campus-based warnings. Staff can and will use this app to notify the campus of any major safety issues on campus. There is a session during orientation that helps students understand the app and how it fits into the expectations of travel at Harlaxton. A test of the system will take place each semester during the safety session. This is the best opportunity for students to familiarize themselves with the notification process in case of an emergency.

Weekend Checkout

The weekend checkout process is a mandatory and necessary part of life at Harlaxton. There is an orientation session that will explain the process in detail but requires a high level of personal accountability. Each week, students will complete the Weekend Checkout process by following the link provided in the daily email to access the form. Always double check for the email to be certain that the form was submitted. This is required as part of the Harlaxton program. Failure to complete the form by the stated deadline will result in a loss of house points. Continual failures to submit on time may result in a financial penalty. If at any point students have trouble with the system, they must reach out to the Student Experience Office for assistance. They cannot help you after hours, so it is in the best interest of the student to complete the form as soon as travel plans are solidified.

Crime

Harlaxton is a safe environment but there is still the possibility of experiencing or witnessing a crime taking place. Anyone that feels they are the victim of a crime or witness a crime taking place should call the police at 999. The non-emergency police number is 101. This will work from any phone in the UK, regardless of data or call allowances. Please report the incident to a member of staff as soon as possible. A crime report will be recorded for reporting purposes but can be anonymous if the reporting party so chooses.

Emergency Protocol

In the event of an emergency, the relevant staff members will begin the emergency response protocol. Based on the situation, the campus community may be notified via verbal announcement, fire alarm, or electronic notification. Electronic notifications will come from both Alert Traveller and the semester Facebook group. It is imperative that each member of the campus community follow the messages and react accordingly.

Timely Warning

In some cases, a "timely warning" may be issued to notify campus community members of the following crimes: aggravated assault; criminal homicide; robbery; burglary; rape; fondling; incest; statutory rape; and hate crimes. They may also be issued for other crimes if necessary. The following questions help guide the Executive Director and Dean of Harlaxton decide when to issue a timely warning:

Was the suspect identified?

Was the suspect apprehended?

If known, does the suspect have prior arrests, reports or complaints or any other history of violent behaviour?

If known, does the suspect have a history of failure to comply with a University no-contact directive, other protective measures or judicial protective order?

Did the incident involve physical violence?

Has the suspect threatened to commit physical violence?

Did the incident involve multiple victims?

Does it appear to be an isolated incident involving a specifically "targeted" victim?

Does the report reveal a pattern of behaviour (e.g., by the suspect, by a particular group or organization, around a particular recurring event or activity or at a particular location)?

Did the suspect use date-rape or similar drugs or intoxicants?

Did the incident occur while the victim was unconscious, physically helpless or unaware that it was occurring?

Was the victim under 18 years of age?

Were there other aggravating circumstances or signs of predatory behaviour that may constitute a serious or ongoing threat?

Missing Student

The nature of Harlaxton lends itself to spontaneous travel and exploration. Students must follow the outlined travel notification processes to ensure safety. Anyone who suspects that a student is missing should notify the student experience team (during regular working hours) or reception (after hours) with as much detail as possible. If the student has been missing for more than 24 hours, then within the next 24 hours, the Student Experience Manager or their designee will begin search procedures. Among others, these steps will be taken, depending on the circumstances:

- The student experience team (SEO) will attempt to contact the student through all reasonable and available means.
- SEO may notify appropriate University personnel and seek their aid in investigation.
- SEO will contact appropriate law enforcement as necessary to aid in the investigation.

If the student has not been located within 24 hours of the report, the Executive Director and Dean of Harlaxton will reach out to UE and where relevant the student's home university to notify the designated emergency contact and document the date and time of the notification. If the missing student is under the age of 18 and not emancipated, a member of the Cabinet will notify the student's custodial parent or guardian and document the date and time of the notification.

Harlaxton, Grantham Police, and any other relevant law enforcement will coordinate their efforts to locate the missing student. When the student is located, the Student Experience Office will contact the student to offer any appropriate support. They will then notify the emergency contact that had been previously contacted that the student has been located. If the initial investigation is unsuccessful in locating the missing student, Harlaxton will continue to work with the authorities in accordance with police procedures. The Executive Director and Dean of Harlaxton will decide further action, if any, by Harlaxton.