



DAYMAR
— COLLEGE —

HUSSIAN  COLLEGE
CLARKSVILLE

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INTRODUCTION

Daymar and Hussian College submit campus crime statistics to the U.S. Department of Education. Each year, the Annual Campus Security Report (ACSR) is sent to all enrolled students, faculty and staff. The notification provides information on how to access the ACSR online. Copies of this report may also be obtained by making a request with the Director of Education. The policies in the report apply to all College campuses unless otherwise stated in a particular section of the report. The crime statistics in this report are presented in separate crime statistics charts for each campus, as required by law.

The college attempts to provide students, prospective students, parents, faculty and staff with a safe and secure environment in which to study, work and visit.

Campus Policies and Statistics

All policies published in this report apply to all campuses. If a campus has a separate policy, it will be clearly identified within the policy. All statistics provided in this report are identified by campus.

Report Preparation

The school prepares this report to comply with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act (Clery Act) in cooperation with local law enforcement agencies.

This 2021 ACSR includes statistics for the previous three years concerning reported crimes that occurred on campus; in certain off-campus buildings or property owned or controlled by the college; and on public property within, or immediately adjacent to and accessible from college property.

Campus crime, arrests and referral statistics include those reported to the designated campus officials (including but not limited to Director of Education/Dean, Department Leaders, Legal Services Department, Human Resources), and local law enforcement agencies.

The college will follow the guide below when analyzing and reporting the crime statistics:

- The school will compile the crime statistics for murder and nonnegligent manslaughter, negligent manslaughter, rape, robbery, aggravated assault, burglary, motor vehicle theft, arson, liquor law violations, drug law violations, and illegal weapons possession using the definitions of those crimes from the “Summary Reporting System (SRS) User Manual” from the FBI’s UCR Program, as provided in [Appendix A of Subpart D](#) of 34 CFR 668.
- The school will compile the crime statistics for fondling, incest, and statutory rape using the definitions of those crimes from the “National Incident-Based Reporting System (NIBRS) User Manual” from the FBI’s UCR Program, as provided in [Appendix A of Subpart D](#) of 34 CFR 668.
- The school will compile the crime statistics for the hate crimes of larceny-theft, simple assault, intimidation, and destruction/damage/vandalism of property using the definitions provided in the “Hate Crime Data Collection Guidelines and Training Manual” from the FBI’s UCR Program, as provided in [Appendix A of Subpart D](#) of 34 CFR 668.
- The school will compile the crime statistics for dating violence, domestic violence, and stalking using the definitions provided in [34 CFR 668.46\(a\)](#).
- In counting crimes when more than one offense was committed during a single incident, the school will conform to the requirements of the Hierarchy Rule in the “[Summary Reporting System \(SRS\) User Manual](#)”.
- If arson is committed, the school will always record the arson in its statistics, regardless of whether or not it occurs in the same incident as another crime.
- If rape, fondling, incest, or statutory rape occurs in the same incident as a murder, the school will record both the sex offense and the murder in its statistics.

Relationship with Local Law Enforcement Agencies

The college maintains working relationships with local law enforcement agencies with periodic contact initiated by college administrative personnel to ensure the college is aware of criminal offenses and arrests occurring on or near the campus so they can be properly reported, and if necessary, provide for timely warning reports on crimes that represent a continuing threat.

Also, the campus refers criminal incidents to the local agencies having jurisdiction over such matters. The campus does not have a written agreement with state or local agencies to investigate alleged criminal offenses.

Reporting Area

The college reports crimes that occur on campus, on public property within or immediately to the campus and in or on non-campus buildings or property the college owns or controls. Information relative to areas adjacent to or contiguous was requested from the local law enforcement agencies.

For the purposes of the Clery Act, each campus is defined by the physical building location and includes any sidewalks and streets around the building. The physical location for each campus is:

- **Ohio**
Columbus campus: 2745 Winchester Pike, Columbus, OH 43232
- **Tennessee**
Clarksville campus: 2691 Trenton Rd., Clarksville, TN 37040
Murfreesboro campus: 855 W. College Street, Suite H, Murfreesboro, TN 37129
Nashville campus: 750 Envious Lane, Nashville, TN 37217

Security is Everyone's Responsibility

Our Vision is to provide a warm, friendly, nurturing atmosphere where students can learn the skills required, to obtain the careers they need, to have the lives they want. Unfortunately, no community is immune from crime. Our hope is the information in this report will enhance awareness and help everyone to stay safe while they live, learn and prepare for career success on each of our campuses. Safety tips to always remember:

- Always lock your car doors and roll up the windows.
- Never leave personal property in plain sight or unattended.
- Trust your instincts! If you feel uncomfortable about someone or a situation, head for a populated area or yell for help.
- Make sure your cell phone is charged and/or you carry a battery charger.
- Put an ICE (In Case of Emergency) in your cell phone, along with a name and contact number of a loved one, to enable emergency services personnel to contact your family in the event of an emergency.
- Be aware of your surroundings, listening to headphones or focusing on your phone while walking can be distracting.

Voluntary and Confidential Reporting

If you are the victim or witness of a crime and do not want to pursue action through the college or the criminal justice system, you may still want to consider a confidential report. With your permission, the Director of Education 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.

The reporting of all crime allows the college to 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 disclosed in the annual crime statistics for the institution.

The college does not employ or contract with any licensed mental health professionals or pastoral counselors. The college does encourage all licensed mental health professionals and pastoral counselors to refer persons they are counseling to report crimes on a voluntary, confidential basis by contacting the Director of Education, if and when they deem appropriate.

Campus Law Enforcement Policies / Security Personnel

The college does not employ its own campus law enforcement department. The college supports the enforcement of all local, state, and federal laws and regulations. The school will cooperate with appropriate law enforcement agencies in the investigation of any illegal activity occurring on campus or at a school related activity. The school encourages accurate and prompt reporting of all crimes to local authorities. Misrepresenting criminal activity or falsely reporting an incident could result in prosecution. The school does not have a written agreement with state or local law enforcement agencies to investigate alleged criminal offenses.

In all situations, an Incident Report must be completed by the aggrieved person and/or witnesses. A copy of the Incident Report is to be forwarded immediately to Campus Director of Education.

Some campuses may use a private security firm. These security personnel have the authority to determine if individuals have lawful business at the school and may request identification to make that determination. In addition, they have the authority to ensure school policies are followed concerning parking and building access. They do not have authority to make arrests.

Campus Access and Maintenance

It is the policy of the college that access to all campus facilities be limited to authorized personnel, students, and invited visitors. Visitors are at all times subject to college policies and conduct codes. Students and employees are responsible for the conduct of their guests at all times. Identification badges and cards are provided so all students, staff and faculty can be easily identified on campus.

The Director of Education is responsible for physical security and determining access rights and hours. In general, campus doors are locked after the last class and normal business hours. The campus is unavailable for student use on Saturdays, Sundays and holidays. Certain laboratories and equipment are available for student use under proper supervision. See the LRC Coordinator, Director of Education, or front desk to determine the accessibility to labs and/or equipment.

If there is a need for security maintenance to the building, classroom or equipment, the Director of Education should be notified.

Student Housing Facilities:

The college does not maintain school-operated student housing facilities.

Student Housing Fire Safety Reporting

The college is not required to maintain a log of all fire related incidents.

Missing Persons

The college is not required to publish a missing student notification policy. Students are encouraged to contact the local authorities if they have information about a missing person.

Off-Campus Student Organizations

At the present time, the college does not have any off-campus student organizations.

CRIME

Reporting Crimes and Other Emergencies

All students and employees can help to keep their campus safe by reporting incidents of theft, misuse and/or abuse of college property. They should promptly notify the campus Director of Education/Dean or a school official.

In situations like a fire, criminal activity or other emergency situations which require the assistance of local emergency personnel, promptly dial 911 and notify the closest campus personnel.

Any suspicious activity or person seen in the parking lots or loitering around vehicles, inside buildings, or around campus grounds should be reported to the campus Director of Education or a designated school security official immediately. If you witness a crime, it is your responsibility to report the crime to a campus official and/or local law enforcement agencies. Local agencies can be found under the [Resource Contact Information](#) section within this document.

Emergency Response & Evacuation Procedures:

The school will immediately alert the campus community in a timely manner of any natural disasters or other emergency situations like crimes involving murder, homicide/manslaughter, rape, sexual offenses (i.e., incest, fondling, statutory rape), robbery, aggravated assault, burglary, motor vehicle theft, arson, and/or any of these crimes believed to show evidence of prejudice as prescribed by the Hate Crimes Statistics Act.

The college will immediately notify the campus community upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on campus. The college community will receive text messages and e-mail messages regarding the nature of the threat and the security measures in place. Community members are advised to check e-mail frequently. Administration will also make individualized classroom announcements if time permits.

The institution will, without delay, and taking into the account the safety of the community, determine the content of the notification and initiate the Canvas Global Announcements notification system, unless the notification will, in the professional judgment of responsible authorities, compromise efforts to assist victims or to contain, respond to, or otherwise mitigate the emergency. As a backup system, the college will notify the campus via Ring Central.

The institution will test the emergency response and evacuation procedures on at least an annual basis, including publicizing its procedures in conjunction with at least one test per calendar year, and documenting a description of the exercise as well as the date & time of the exercise and whether it was announced or unannounced. In the event of an emergency evacuation please follow the evacuation charts posted in each classroom and listen to instructions given by the staff, faculty, administration, and other members of emergency services personnel.

Timely Warning Communication to the Community

As required by federal law, the college provides “Timely Warnings” to faculty, staff and students when crimes occur on campus or in the immediate vicinity and appear to pose a threat to the campus members’ personal safety.

Timely Warnings are issued in compliance with the Higher Education Act which requires that a timely warning be issued when a: (A) Criminal homicide; (B) Sex Offense, forcible or non-forcible; (C) Robbery; (D) Aggravated Assault; (E) Burglary; (F) Motor Vehicle Theft; or (G) Arson occurs on college facilities/property and there is reason to believe that there is a continued threat to students and/or employees.

The determination on whether an incident is considered a continued threat is based upon the following four questions:

- Is the incident in one of the above categories (A–G)?
- Did the incident occur in an area for which the college must report?
- Is the suspect known or unknown and still at large?
- Did the incident by its nature (A–D) or during the commission of the intended incident involve a crime against a person (E–F) or in the event of arson (G) occur in an occupied building?

If all of the above questions can be answered “yes,” then a Timely Warning will be issued. To determine an emergency, the Chancellor and the campus leadership must agree. Upon confirming a significant emergency or dangerous situation has occurred, any member of the campus leadership and support team is authorized to use the Canvas Global Announcement notification system to alert members of the campus. The member(s) of the team will determine the message content, message recipients, and initiate the notification system.

Access to the Canvas Global Announcement notification system in an emergency include, but are not limited to, members of campus leadership team including the Director of Education, Director of Admissions, Director of Financial Services, Director of Career and Student Services or designee. When emergency notifications and announcements need to be made to members of the larger community, the school will alert the local media when necessary and appropriate. In addition, upon the discretion of the campus Director of Education, a Timely Warning may be issued for any crime where there is a compelling need to get information to or from the college community about a specific crime.

Timely Warnings should contain as much of the following information as possible:

- Date, time, location (general or specific) and summarized event description
- Suspect description and/or vehicle description
- Any special instructions that may be needed
- Important contact telephone numbers

Timely Warnings will be issued as soon as possible after the specific event. If the incident is a delayed report (more than 24 hours) by the victim, then the time and date the victim reported the incident will also be included in the report. Provided the above guidelines are met, nothing should be included in the Crime Alert that would hinder an ongoing police investigation. The Timely Warning will not identify the victim by name or address. The general description of the location may be provided.

In addition to Timely Warnings, “Security Notices” when a pattern of criminal activity develops at nearby off campus locations that involve damage to or theft of property may be sent. The purpose of this notice is to inform the campus community of such a pattern in order to increase awareness and safety preparedness.

Crime Prevention/Safety Tips

Prevention is your best protection against crime. Here are some precautions you can take to assure greater security.

At Home

- Leave at least one light on, inside and out when you are away. If possible, use a timer to turn lights on and off.
- Keep your doors and windows locked when at home and even if you leave for a few minutes.

- NEVER open the door without knowing who is there. Require the caller to identify themselves. Use a chain bolt when checking ID. If a stranger asks to use the phone, DO NOT PERMIT THEM TO ENTER. Make the call for that person if you believe it is an actual emergency.
- Get to know your neighbors. Watch each other's property and let each other know of anything suspicious.
- Report threatening or harassing calls to the police or telephone company.

When Walking

- Plan the safest route to your destination and use it. Choose well-lighted busy pathways and streets, avoiding alleys, vacant lots, or construction sites. Take a longer way if it is safer.
- Know your neighborhood and the campus. Find out which buildings are open late (or early) and where you go to summon help if needed.
- Have your car or house key in hand and ready as you approach your vehicle or home.
- Never hitchhike.

While Traveling

- Keep doors locked and windows rolled up, especially at stoplights. Always lock your car and take the keys. Keep valuables out of sight in the trunk. Park in areas that will be well-lit when you return. Check the back seat and the area around the car before getting in.
- Car Trouble: Raise the hood. Put on emergency flashers. Stay inside the car and lock the doors. Ask anyone who stops to help to call the police or the nearest service station for you.
- On public transportation, wait in well-lit areas near other people. If someone bothers you, move to a more populated area of the bus or train.

Identity Theft Prevention

- Shred sensitive documents with a personal shredder.
- Don't give personal information over the phone or in public areas.
- Do not routinely carry your social security card or birth certificate in your wallet or purse.
- Disclose your social security number ONLY when absolutely necessary.
- Closely review all credit card statements each month to detect unusual activity or unauthorized charges.
- Destroy pre-approved credit card solicitations; contact all three major credit-reporting bureaus in writing and "opt-out" of pre-screening lists.
- If you suspect that your mail is being stolen or tampered with, contact your local post office or postal inspector.

Responding to an Attack

In any situation, your goal is to get away with the least injury to yourself. If an attacker only wants your valuables, give them up. Valuables can be replaced; your life can't. Notify local police immediately.

If You Witness a Crime

If you see or suspect a crime is being committed on campus, pay particular attention to the features of the offender(s) and any vehicles involved. Try to be prepared to provide at least the following about the offenders:

When reporting a crime by telephone to 911, remain on the phone until the communications officer is fully briefed with all the information necessary to dispatch the appropriate response personnel to the scene.

1. Age, race, height, and weight;
2. Hair color and style, beard and mustache;

3. Notable characteristics (acne, scars, glasses, mental state, etc.)
4. Clothing description;
5. Location where last seen;
6. Last known direction of travel;
7. Vehicle description and distinctive markings.

Witnesses who wish to remain anonymous may do so. It is more important that a response be dispatched as quickly as possible.

TITLE IX: DATING VIOLENCE, DOMESTIC VIOLENCE, SEXUAL ASSAULT, STALKING

Statement of Policy on Sex Offender Registration

The Federal Campus Sex Crimes Prevention Act requires colleges and universities to issue a statement advising the campus community where state law enforcement agency information concerning registered sex offenders may be obtained. The Act also mandates that sex offenders who are already required to register in a state to provide notice to each institution of higher education in that state at which the offender is employed or is a student.

To learn the identity of registered sex offenders on or near a campus, or anywhere in the United States, visit the Sex Offender databases at sexoffender.com and nsopr.gov. You can search by city, county, or ZIP code. This information is collected by other agencies and this institution cannot guarantee the information will be correct or complete. The information provided here is intended to be in compliance with the Campus Security Act and for campus safety purposes only. It should not be used to intimidate, threaten, or harass. Misuse of this information may result in prosecution.

Sexual Assault Prevention Tips

These tips are provided to increase your awareness about high-risk situations and help you reduce your risk. There is no guaranteed way to protect against sexual assault or to predict all possible situations. Awareness is a great place to start.

Avoid High-Risk Situations

- Avoid poorly lit areas where an attacker might hide.
- Don't be embarrassed to ask someone to walk you to your car.
- Be careful of your use of alcohol and drugs. You are more vulnerable if you are intoxicated.
- Do not leave your food or drink unattended at a party or in a public place.
- If you feel uncomfortable in someone's presence, trust your feelings and take steps to distance yourself from him or her. Don't be afraid to make a scene if necessary. Tell someone!
- Stick together with friends, let them know where you are going. Share your location on your phone.

Myths about Sexual Assault

- *She asked for it:* No woman asks to be raped or sexually assaulted. The victim's behavior or appearance is not the issue in question. Consent is the issue.
- *It can't happen to me:* Anyone is a potential victim, regardless of age, race, educational background or income level.
- *Rape occurs only among strangers:* Only 22% of rape cases involve strangers. The other 78% are committed by individuals the victim knows well – a spouse, father, boyfriend, relative, friend or neighbor.
- *No woman can be forced to have sex against her will:* A woman can be coerced by physical force or threat of injury or death. Almost half of all rape victims fear serious injury or death during a rape.
- *A woman who says "no" usually means "yes":* Non-consensual sex is rape.

Things to Consider

- Set sexual boundaries.
- Decide early if you would like to have sex.
- Understand that consent has to be affirmative and enthusiastic.
- Accept your partner's decision to withdraw consent.

Definitions

Consent

A definition of consent to sexual activity is the voluntary agreement to engage in the sexual activity in question. Conduct short of a voluntary agreement does not constitute consent. No consent is considered:

- where the agreement is expressed by the words or conduct of one person;
- where one participant is incapable of consenting to the activity;
- where one participant induces the other participant to engage in the activity by abusing a position of trust, power or authority;
- where one participant expresses, by words or conduct, a lack of agreement to engage in the activity; or
- where one participant, having consented to engage in sexual activity, expresses, by words or conduct, a lack of agreement to continue to engage in the activity.

Dating Violence

Dating violence is controlling, abusive, and aggressive behavior in a romantic relationship. It can happen in straight or gay relationships. It can include verbal, emotional, physical, or sexual abuse, or a combination.

Domestic Violence

Domestic violence is a pattern of abusive behavior in any relationship that is used by one partner to gain or maintain power and control over another partner. Domestic violence can be physical, sexual, emotional, economic, or psychological actions or threats of action that influence another person. This includes any behaviors that intimidate, manipulate, humiliate, isolate, frighten, terrorize, coerce, threaten, blame, hurt, injure, or wound someone.

Sexual Assault

Sexual assault is any type of sexual contact or behavior that occurs without the explicit consent of the recipient. Falling under the definition of sexual assault are sexual activities such as forced sexual intercourse, forcible sodomy, child molestation, incest, fondling, and attempted rape.

Stalking

Stalking is a distinctive form of criminal activity composed of a series of actions that taken individually might constitute legal behavior. For example, sending flowers, writing love notes, and waiting for someone outside her place of work are actions that, on their own, are not criminal. When these actions are coupled with the intent to instill fear or injury, however, they may constitute a pattern of behavior that is illegal.

Bystander Intervention

Bystander intervention is an important role in preventing, defusing or distracting the aggressor in situations when other individuals are being harassed and sexually assaulted. Being an active bystander can include:

- Being aware of your environment and noticing the event;
- Speaking out against statements, attitudes or behavior that may perpetuate a culture endorsing violence as acceptable or inevitable;
- Intervening in situations that could lead to a sexual assault;
- Supporting and believing others when they feel uncomfortable or hurt;
- Helping others respond to problematic situations;
- Doing what is necessary to keep all safe;
- Calling in others to assist which may include authority figures.

Dating Violence, Domestic Violence, Sexual Assault, Stalking

If you are a victim of dating violence, domestic violence, sexual assault, or stalking—whether the offense occurred on or off campus—there are multiple [resources](#) available to you.

Dating violence, domestic violence, sexual assault, and stalking are criminal acts and you are NOT responsible for another's act that violates your freedom. Dating violence, domestic violence, sexual assault, and stalking are violations of the law and campus policy.

If you are the victim of dating violence, domestic violence, sexual assault, or stalking, know that the college is here to help and is able to take certain protective measures to ensure your safety on campus during and after a college investigation. The following explains what you should do if you become a victim.

Seek Medical Attention Immediately: If you are a victim of sexual violence or sexual assault. You can request a sexual assault examination by contacting the police or by visiting any hospital emergency room for a referral to have a sexual assault examination completed. The examination provides care to minimize the risk of sexually transmitted diseases and preserves evidence that will be important if you decide to pursue criminal charges or wish to obtain a protective order against the person who assaulted you.

Preserve Evidence: This can be done by not bathing, showering, or using toothpaste or mouthwash after an incident of sexual assault. Do not wash clothing, bed sheets, pillows, or other potential evidence. However, if you do, you should still seek medical attention as soon as possible—even if some time has passed since the assault.

Seek Support: Please do not feel you need to deal with this situation alone. Call a friend, family member, or someone with whom you feel you can talk.

Reporting The Crime: Making the decision whether or not to report dating violence, domestic violence, sexual assault, or stalking may be difficult. Making a report to law enforcement is a decision left entirely up to you. As a victim, you may decline to notify law enforcement if you choose.

The school will assist victims of sexual assault in notifying appropriate authorities, if requested. The school administration can assist victims of sexual assault in seeking counseling, health, mental health, victim advocacy, legal assistance, visa/immigration assistance, student financial aid and/or other related services. The college will attempt to assist with victim requested changes in academic situations whenever reasonably possible. If you feel you are being sexually harassed or a victim of a sexual assault, contact the campus Director of Education/Dean or Director of Education. If requested by the victim, written information will be provided concerning available options for assistance and their rights.

Law enforcement can help you with orders of protection, “no-contact” orders, and restraining orders. Please note that the college cannot represent you in legal proceedings; see the list of Community Resources below for assistance.

Definition of Sexual Harassment

Sexual harassment consists of unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature where:

- a. Submission to such conduct is an explicit or implicit term or condition of a person's status in a course, program or activity or in admission or an academic decision;
- b. Submission to or rejection of such conduct is used as a basis for an academic decision; or

- c. Such conduct has the purpose or effect of unreasonably interfering with an individual's work or academic performance or creating an intimidating, hostile, or offensive work or educational environment.

Sexual violence is considered to be a form of sexual harassment and is defined as physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent due to the victim's use of drugs or alcohol.

Examples of sexual harassment include but are not limited to: unwanted sexual advances; demands for sexual favors in exchange for favorable treatment; verbal abuse of a sexual nature; graphic commentary about an individual's body, sexual prowess, or sexual deficiencies; leering; whistling; touching; pinching; assault; coerced sexual acts; suggestive, insulting or obscene comments or gestures; stalking; and displaying sexually suggestible objects or pictures. The college prohibits all conduct of this nature whether or not such conduct violates any applicable laws.

Other Forms of Harassment

Verbal abuse, insulting comments and gestures, and other harassing conduct are also forbidden under this policy when directed at an individual because of his or her race, color, sex, sexual orientation, familial status, age, religion, ethnic origin, genetic marker, or disability. It is the responsibility of each employee and each student to conduct themselves in a professional manner at all times and to refrain from such harassment.

Anyone who believes he or she has been the victim of sexual harassment, violence or denied any service or benefit because of sex discrimination while at the college may follow the steps outlined here. Victims may also attempt to resolve the matter informally or immediately file a formal grievance.

Complaint Policy

Protection from Retaliation: The purpose of this policy is to encourage members of the college community to report compliance and ethical concerns or to seek guidance on compliance and ethical concerns and to reinforce that the college prohibits retaliation against those individuals who report or seek guidance on possible ethical or compliance issues in good faith. In addition, no faculty or staff member may be adversely affected because they refused to carry out a directive that constitutes fraud or is a violation of local, state, federal or other applicable laws and regulations. The college will not retaliate against anyone bringing forward allegations of harassment or discrimination.

The college provides equal opportunity in admissions and employment decisions.

Student Grievance Procedure for Internal Complaints: General Student Complaint Policy

Step 1. Informal Complaint. Complainant should raise his or her concerns with the staff or faculty member who has direct responsibility and the ability to address the matter in question to try to achieve a satisfactory resolution. If the complainant is unable or unwilling to raise his or her concern with the individual directly involved, the complaint should be made to the individual's immediate supervisor. This individual will respond to the complaint within five working days. If the complainant does not feel that his or her concerns have been adequately addressed, then he or she should make a formal complaint to the Dean/Director of Education; this includes complaints that fall outside of the academic realm.

Step 2. Formal Complaint The complainant should submit his or her complaint in writing to the Program Director or Dean/Director of Education. The recipient will acknowledge the complaint within five working days. The Program Director or Dean/Director of Education will investigate the

complaint, and provide a reply to the complainant in writing, within 15 working days. A copy of the response will be forwarded to the Executive Director of Compliance and Accreditation to be kept on file for five years.

Step 3. Appeals Process Should the complainant be unsatisfied with the resolution decided upon by the College, he or she may appeal the decision within 7 working days of the receipt of the resolution by sending the appeal to regulatory@hussiancollege.edu. The Regulatory department will convene a committee of up to three members to review the appeal, participate in a hearing, and make a decision. At the hearing, all parties have the opportunity to be heard, present supporting documents and bring witnesses. The committee will notify complainant(s) of the decision regarding the appeal no later than 15 working days following the hearing. All decisions made by the committee are final.

Documentation of the complaint submitted following the published Student Grievance Policy, supporting documentation of the investigation, and the College's response, is maintained by the Executive Director of Compliance and Accreditation.

Students may contact the Campus Site Director/Director of Education directly through electronic mail, telephone, or by sending a written complaint to the campus address.

The contact information for the Campus Site Director/Director of Education is:

Clarksville:
Laurene Collins
2691 Trenton Road
Clarksville, TN 37040
(931) 552 – 7600
Laurene.Collins@hussiancollege.edu

Columbus:
Kyra Nielsen
2745 Winchester Pike
Columbus, OH 73232
(614) 643-6680
Kyra.Nielsen@hussiancollege.edu

Murfreesboro:
Teresa Tarkington
415 Golden Bear Court
Murfreesboro, TN 37128
(615) 217 - 9347
Teresa.tarkington@hussiancollege.edu

Nashville:
Logan Hudspeth
750 Envious Lane
Nashville, TN 37217
(615) 361–7555
Logan.Hudspeth@hussiancollege.edu

Title IX Complaints-Discrimination

Students who believe they have been subjected to discrimination, harassment, dating violence, domestic violence, sexual assault or stalking in violation of the the college policy should follow the procedure outlined below. This complaint procedure is intended to provide a fair, prompt and reliable determination about whether the college policy has been violated.

How to Make a Report or Formal Complaint of an Alleged Title IX Violation

Any person may report alleged sex discrimination, sexual harassment, or retaliation to the Title IX Coordinator, irrespective of whether the reporting person is the alleged victim of such conduct. A report is differentiated from a Formal Complaint ("Complaint"), which is a document filed/signed by the Complainant or signed by the Title IX Coordinator alleging sexual harassment and requesting that the School investigate the allegation(s) and implement the School's Grievance Process. A report or complaint may be filed with the Title IX Coordinator in person, by mail, or by electronic mail at any time (including during non-business hours), using the contact information in the section immediately above or as described below:

- 1) To the Title IX Coordinator, Kyra Nielsen:
 - a. Via email at Kyra.Nielsen@hussiancollege.edu
 - b. Via phone at 310-622-4136 ext. 115 or 323-448-3888
 - c. By mail at 1500 Spring Garden Street, Suite 101, Philadelphia, PA 19130
- 2) Through the School's third-party hotline using one of the following avenues:
 - a. Website: www.lighthouse-services.com/hussiancollege
 - b. Toll free number: English speaking: 833-687-0005; Spanish speaking: 800-216-1288
 - c. Email: reports@lighthouse-services.com (must include school name with report).

After Making a Report or Formal Complaint

Upon receipt of a report or Complaint, the Title IX Coordinator shall undertake an initial assessment to determine appropriate next steps as required under this Policy, including making an initial threat assessment to ensure there is no immediate danger to Complainant or the campus community and, if there is, to take appropriate action, which may include emergency removal of Respondent as described below.

The Coordinator shall contact Complainant to discuss the availability of appropriate supportive measures that may be implemented with input from the Complainant irrespective of, and in addition to, any resolution process including the formal Grievance Process, and will notify Complainant about the right to have an advisor.

If the report has been made without filing a Complaint, the Title IX Coordinator will review the allegations and discuss options with the Complainant, including the option of proceeding with a Complaint. If the Complainant does not want to proceed with a Complaint, the Coordinator may initiate a Complaint if the Coordinator determines that a Complaint is warranted.

If the Complainant files a Complaint, or the Title IX Coordinator initiates a Complaint, the matter will proceed as described under the Grievance Process.

After submission of a Complaint and after notifying the Respondent of the Complaint's allegations, the parties will be notified of the availability of informal resolution, as applicable. All parties must voluntarily consent in writing to any informal resolution process. The parties may withdraw such consent at any time and resume the formal Grievance Process.

At all stages of the process, irrespective of any resolution or grievance process which may be implemented, responsive and reasonable supportive measures will be implemented to ensure continued access to the college's educational program or activities.

Emergency Removal of Respondent

The college reserves the right to remove a Respondent from its education program or activities on an emergency basis when the Respondent poses an immediate threat to the health or safety of any student or campus community member. The college will implement the least restrictive emergency actions possible in light of the circumstances and safety concerns. If an emergency removal is imposed, the

Respondent will be given notice of the removal and the option to meet with the Title IX Coordinator prior to such action/removal being imposed, or as soon thereafter as reasonably possible, to show cause why the removal should not be implemented. Emergency removal decisions are not subject to Appeal.

Administrative Leave of Employee Respondent

Respondents that are college employees may be placed on administrative leave during the pendency of a grievance process as determined by the college and the Title IX Coordinator.

Complainant's Decision to Pursue a Complaint

If a Complainant does not wish to be identified, does not wish for an investigation to take place, or does not want a Complaint to be pursued, the Complainant may make such a request to the Title IX Coordinator, who will evaluate the request in light of the duty to ensure campus safety and compliance with state and federal law. The college will comply with Complainant's wishes unless the Coordinator determines that initiating a Complaint is warranted under the circumstances.

If the Coordinator independently initiates a Complaint, the Complainant may have as much or as little involvement in the process as the Complainant desires. The Complainant retains all rights of a Complainant under this Policy irrespective of participation level. Irrespective of whether a Complaint is filed, the college shall offer supportive measures to ensure Complainant's continued access to the college's educational program and activities. If the Complainant elects not to file a Complaint, the Complaint shall retain the right to file a Complaint later.

Complaint Dismissal

Mandatory Dismissal

The college must dismiss a Complaint if, at any time during the investigation or hearing, it is determined that:

- 1) The conduct alleged in the Complaint does not constitute sexual harassment as defined in under Title IX; and/or
- 2) The conduct did not occur in an educational program or activity controlled by the college (including buildings or property controlled by recognized student organizations); and/or
- 3) The college does not have jurisdiction over the Respondent; and/or
- 4) The conduct did not occur against a person in the United States; and/or
- 5) At the time of filing a Complaint, the Complainant is not participating in or attempting to participate in the education program or activity of the college.

Discretionary Dismissal

The college may dismiss a formal complaint or any allegations therein if at any time during the investigation or hearing:

- 1) A Complainant notifies the Title IX Coordinator in writing that the Complainant would like to withdraw the Complaint or any allegation therein: or
- 2) The Respondent is no longer enrolled in or employed by the college; or
- 3) Circumstances prevent the college from gathering evidence sufficient to reach a determination as to the Complaint or allegations therein.

Upon any dismissal, the college shall promptly send written notice of the dismissal and its rationale simultaneously to the parties. This dismissal decision is appealable by any party under the procedures for appeal below.

Dismissed Complaints may include conduct that could be considered a potential violation of the School's Student Code of Conduct or Employee Handbook and may be addressed through other applicable, non-Title IX conduct policies and procedures accordingly.

Consolidated Complaints

If a Complaint involves one or more Complaint, Complainant and/or Respondent and allegations arising out of the same set of circumstances, the college may elect to consolidate complaints.

Time Limits on Reporting

There is no time limitation on making a report or Complaint. However, acting on reports or Complaints is significantly impacted by the passage of time and occurrence of other events (including, but not limited to, the rescission or any revision of this Policy), and is at the discretion of the Title IX Coordinator, who may, among other things, document allegations for future reference, offer supportive measures and/or Remedies, and/or engage in informal or formal action, as appropriate. Additionally, if the Respondent is no longer subject to the college's jurisdiction and/or significant time has passed, the ability to investigate, respond, and provide Remedies may be more limited or impossible.

Anonymous Report or Complaint

If a Complainant makes a report anonymously, it will be investigated by the college to the extent possible, both to assess the underlying allegation(s) and to determine if supportive measures or Remedies can be provided. Anonymous reports typically limit the college's ability to investigate and respond, depending on what information is shared. In some situations, the Title IX Coordinator may proceed with the issuance of a Formal Complaint even when the Complainant's report has been made anonymously.

Confidentiality

The college shall undertake reasonable efforts to preserve the confidentiality of reports and Complaints. The college shall not disclose any report or Complaint except as provided herein and as necessary to effectuate this Policy, or as permitted by the Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. 1232g; FERPA regulations, 34 CFR part 99, or as required under applicable law.

Certain professionals have a legal and/or ethical responsibility to maintain communications made in the scope of their professional roles in strict confidence.³ Some of these roles include licensed professional counselors/mental health providers, licensed medical and health care providers, victim advocates, ordained/licensed clergy, licensed attorneys and rape crisis or domestic violence resources. Complainants or Respondents wishing to speak to someone confidentially are encouraged to seek out such resources. Communications with such professionals are considered legally privileged and cannot be revealed without a party's express written consent.

Supportive Measures

Supportive measures are non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the parties to restore or preserve access to the college's education program or activity, including measures designed to protect the safety of all parties or the college's educational environment, and/or deter harassment, discrimination, and/or retaliation.

The Title IX Coordinator promptly makes supportive measures available upon receipt of a report or a complaint alleging possible sexual harassment. At the time that supportive measures are offered, the college will inform the Complainant, in writing, that they may file a formal complaint with the School either at that time or in the future, if they have not done so already. The Title IX Coordinator works with the Complainant to ensure that their wishes are taken into account with respect to the supportive measures that are planned and implemented.

The college shall maintain the confidentiality of the supportive measures to the greatest extent reasonably practicable, provided that confidentiality does not impair the college's ability to provide supportive measures or otherwise fulfill its obligations under this Policy. The college will implement measures in a way that does not unreasonably burden the other party.

Supportive measures may include, but are not limited to, counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, referral to medical or healthcare services, referral to community-based services, 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.

A witness or victim of an incident of sexual harassment or sexual violence who reports the incident in good faith will not be sanctioned by the college for admitting in the report to a violation of the institution's student conduct policy on the personal use of drugs or alcohol.

The college encourages the reporting of misconduct and crimes by Complainants and witnesses. Sometimes, Complainants or witnesses are hesitant to report or participate in grievance processes because they fear that they themselves may be in violation of certain policies, such as underage drinking or use of illicit drugs at the time of the incident. Respondents may hesitate to be forthcoming during the process for the same reasons.

It is in the best interests of the college community that Complainants choose to report misconduct to School officials, that witnesses come forward to share what they know, and that all parties be forthcoming during the process.

To encourage reporting and participation in the process, the college may offer parties and witnesses amnesty from minor violations of other school policies – such as underage alcohol consumption or personal use of illicit drugs – that may be associated with the incident.

Amnesty is not applicable to more serious allegations, such as physical abuse of another or illicit drug distribution.

Right to an Advisor

The parties have the right to select an advisor of their choice to accompany them to any or all meetings and interviews during the resolution process. There are no limits on who can serve as an

advisor; it may be a friend, mentor, family member, attorney, or any other individual a party chooses to advise, support, and/or consult with them throughout the resolution process. Under Title IX, cross-examination is required during the hearing, and must be conducted by the parties' advisors. If a party selects an advisor of their choice, this advisor must perform cross-examination on their behalf during the hearing, as the parties are not permitted to directly cross-examine each other or any witnesses. If a party does not have an advisor, or the advisor does not appear for a hearing, the college will provide one for the limited purpose of conducting cross-examination on behalf of the party.

An advisor who is also a witness to the allegations in the complaint creates potential for bias and conflict-of-interest. A party who chooses an advisor who is also a witness can anticipate that issues of potential bias will be explored by the hearing Decision-maker(s) and may, but will not necessarily, impact the Final Determination.

The college cannot guarantee equal advisory rights, meaning that if one party selects an advisor who is an attorney, but the other party does not select or retain an attorney or cannot afford an attorney, the School is not obligated to provide the other party with an attorney.

Conflict-of-Interest & Bias

Title IX Personnel are trained to ensure they have no conflict of interest and are not biased for or against any party in a specific case, or for or against Complainants and/or Respondents, generally. To raise any concern involving bias, conflict of interest or other misconduct by any Title IX Personnel contact the School's President, Jeremiah Staropoli, via email at jeremiah.staropoli@hussiancollege.edu to report your concern.

Resolution Timeline

The School will make a good faith effort to complete the resolution process fairly and promptly. Duration of a matter that proceeds through the Formal Grievance Process is determined by many factors including, but not limited to, the cooperation and availability of the parties and witnesses, potential concurrent criminal investigations, and the School closures, among others. The School will avoid all undue delays within its control and will grant reasonable extensions of time, upon written request and showing of good cause, by a party. The School shall provide the parties written notice of delays and/or extensions, including appeal, which can be extended as necessary for appropriate cause by the Title IX Coordinator, who will provide notice and rationale for any extensions or delays to the parties as appropriate, as well as an estimate of how much additional time will be needed to complete the process.

Notifications to Parties

All notifications to the parties noted herein will be made by one or more of the following methods: in person, mailed to the local or permanent address of the parties as indicated in official School records, or emailed to the parties' School-issued email or otherwise approved account. Once mailed, e-mailed and/or received in-person, notice will be presumptively delivered.

Clery Act Reporting

Reports or complaints of sexual assault, domestic violence, dating violence, and/or stalking that pose a serious or continuing threat of bodily harm or danger to members of the campus community may trigger a timely warning obligation by the School under the Clery Act. If a warning is deemed necessary, the School will ensure that a Complainant's name and other identifying information is

not disclosed, while still providing enough information for community members to make safety decisions in light of the potential danger.

In addition, the School is obligated to report and disclose crimes under the Clery Act, including the crimes of sexual assault, domestic violence, dating violence and stalking as defined in this Policy, for statistical reporting purposes only. Reports of these crimes do not include personally identifiable information and therefore preserves the confidentiality of any involved parties.

Retaliation

The School prohibits retaliation under this Policy. Retaliation may include intimidating, threatening, coercing, harassing, or discriminating against any individual for the purpose of interfering with any right or privilege secured by law or policy, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under this Policy and procedure. Alleged retaliation should be reported immediately to the Title IX Coordinator and will be promptly investigated. The School will take appropriate action to protect individuals who fear that they may be subjected to retaliation.

Charging an individual with a code of conduct violation for making a materially false statement in bad faith in the course of a grievance proceeding under this Policy and procedure does not constitute retaliation. Relatedly, a determination of responsibility, alone, is not sufficient to conclude that any party has made a materially false statement in bad faith.

The School's Mandatory Response Obligations

Hussian College's mandatory response obligations under this Policy arise when Hussian College has Actual Knowledge of conduct that may constitute sexual discrimination, harassment, or retaliation, as defined herein. Actual Knowledge occurs when the Title IX Coordinator or a School official with authority to implement corrective measures ("OWA")⁴ becomes aware of the potential occurrence of such conduct. Actual notice received by any of these OWAs constitutes Actual Knowledge upon which the School's mandatory response obligations arise under this Policy. Additionally, the School has identified Mandated Reporters⁵ who are required under the School's policy to report known or suspected discrimination to the Title IX Coordinator. In these cases, the School must act to stop, remedy and prevent future recurrence of prohibited conduct through application of this Policy.

Notice, Dissemination and Publication of Policy

Title IX requires Hussian College to notify applicants for admission or employment as well as students, employees, and, if applicable, unions or professional organizations holding collective bargaining of collective agreements with the School, of this Policy. Hussian College complies with Title IX's notice requirements, including prominently publishing its Non-Discrimination & Grievance Process Policy and contact information for the Title IX Coordinator on its website and in other publications.

⁴ The following have been identified and designated as OWAs: The Campus Dean of Academic Affairs; any Vice President; or any C-level Executive.

⁵ The School has identified the following as Mandated Reporters: The Campus Dean of Academic Affairs

FORMAL GRIEVANCE PROCESS

If a Formal Complaint is filed, the matter will proceed through the Grievance Process as outlined below and will include an objective investigation, live hearing with opportunity for cross-examination and the right to appeal. This process will treat complainants and Respondents equitably. Any provisions, rule or practice adopted by the School as part of the grievance process, other than those required under Title IX and its implementing regulations will apply equally to both parties. The process will include an objective evaluation of all relevant evidence (inculpatory and exculpatory), will be conducted by trained Title IX Personnel, free from any known conflict of interest or bias, and presumes Respondent's non-responsibility until and unless demonstrated otherwise by the evidence and after a Final Determination as been rendered. Disciplinary sanctions or punitive measures will not be imposed against a Respondent unless and until there has been a finding of responsibility after application of the process. If at any stage of the investigation it is determined that conditions exist warranting dismissal, the complaint will be dismissed. Complainant will continue to be entitled to appropriate supportive measures in such cases.

The School requires impartiality in the process by ensuring there are no actual or apparent conflicts of interest or disqualifying biases of any Title IX Personnel. The parties may, at any time during the resolution process, raise a concern regarding bias, conflict of interest, or any irregularity which may taint the impartiality of the process. Such concerns should be reported in writing to the Title IX Coordinator, or President of the College, who will evaluate the concern and take appropriate corrective action to ensure integrity of the process.

Notice of Allegations

The Title IX Coordinator will provide written notice of the allegations to the Respondent and Complainant upon receipt of a Formal Complaint. The notice will be provided prior to any initial meeting or interview with the Respondent and their advisor, if applicable, allowing sufficient advanced notice to prepare.

The notice will include:

- A meaningful summary of all allegations,
- The identity of the parties (if known),
- The precise misconduct being alleged,
- The date and location of the alleged incident(s) (if known),
- The specific policies alleged to have been violated,
- A description of the applicable procedures,
- A statement of the potential sanctions/responsive actions that could result,
- A statement that Respondent is presumed not responsible for the reported misconduct unless and until a Final Determination has been rendered at the conclusion of the process,
- Notice that the parties will be given an opportunity to inspect and review all directly related and relevant evidence obtained during the investigation,
- The School's policy on retaliation,
- Information about the privacy of the process,
- The right to have an advisor of their choice, who may be, but is not required to be, an attorney,
- A statement informing the parties that the School's policy prohibits knowingly making false

- statements, including knowingly submitting false information during the resolution process,
- Detail on how the party may request disability accommodations during the interview process,
 - An instruction to preserve any evidence that is directly related to the allegations.

Investigation

Trained Investigators will be assigned to investigate allegations contained in a Formal Complaint and will do so objectively. The burden to collect all evidence related to the allegations, including both inculpatory and exculpatory, rests on the School, and not on the parties. Investigators must be free from bias and conflicts of interest. Depending on the complexity of the case, more than one Investigator may be assigned.

Investigation Timeline

The School will make a good faith effort to complete investigations as promptly as circumstances permit and will communicate regularly with the parties to update them on the progress and timing of the investigation. The School may undertake a reasonable delay in its investigation under appropriate circumstances. Such circumstances include, but are not limited to, a concurrent law enforcement investigation, the need for language assistance, the absence of parties and/or witnesses, and/or accommodations for disabilities or health conditions. The School will communicate in writing the anticipated duration of the delay and reason to the parties and provide the parties with status updates as warranted. The School will promptly resume its investigation and resolution process as soon as feasible. During such a delay, the School will implement supportive measures as deemed appropriate.

Concurrent Law Enforcement Investigation or Criminal Proceedings

The School's grievance process is an administrative procedure required under Title IX to address sexual discrimination, and therefore is separate and independent of any law enforcement investigation or criminal proceedings. While a law enforcement investigation may necessitate a temporary delay in the School's grievance process, such law enforcement investigation does not replace the School's grievance process, as the School is legally obligated to address and remedy potential sexual harassment in its educational programs and activities as set forth in this Policy.

The Investigation Process

Investigators serve free from conflict of interest, objectively and without bias. All investigations are thorough, reliable, impartial, prompt, and fair. Investigations involve interviews with all relevant parties and witnesses and obtaining available, relevant evidence. The School, not the parties, bears the burden of gathering evidence and burden of proof. Parties have equal opportunity, through the investigation process, to suggest witnesses and questions, to provide evidence and expert witnesses, and to fully review and respond to all evidence on the record.

The investigation will be conducted within a reasonably prompt timeframe, allowing for thorough collection and evaluation of all evidence related to the allegations. The investigator will keep the parties informed as to estimated timelines, and any delays.

Prior to the conclusion of the investigation, the parties will be provided with an electronic or hard copy of the draft investigation report as well as an opportunity to inspect and review all of

the evidence obtained as part of the investigation that is directly related to the allegations in the Formal Complaint, (whether or not it will be used in reaching a determination. The parties will have a ten (10) business day review and comment period so that each party may meaningfully respond to the evidence.

The Investigator will incorporate any relevant feedback provided by the parties during the review process, and the final report is then shared with all parties and their advisors through electronic transmission or hard copy at least ten (10) business days prior to a hearing.

Role and Participation of Witnesses in the Investigation

Witnesses who are School employees are expected to cooperate with and participate in the School's investigation and resolution process. Failure of such witnesses to cooperate with and/or participate in the investigation or resolution process constitutes a Policy violation and may warrant discipline.

Interviews may occur in-person or remotely. Skype, Zoom, FaceTime, WebEx, or similar technologies may be used. The School will take appropriate steps to reasonably ensure the security/privacy of remote interviews.

Recording of Interviews

No unauthorized audio or video recording of any kind is permitted during investigation meetings. If Investigator(s) elect to audio and/or video record interviews, all involved parties must be made aware of and consent to audio and/or video recording.

Evidentiary Considerations in the Investigation

The investigation includes collection of all evidence directly related to the allegations, which is not otherwise privileged. Only evidence which is also deemed relevant is summarized in the investigative report which is considered by the Decision-Maker(s), in rendering a determination of responsibility. All parties are provided the opportunity to review all non-privileged evidence gathered during the investigation which is directly related to the allegations in the complaint, whether or not it is also included in the investigative report. All parties are also provided with a copy of the investigative report summarizing relevant evidence only.

Relevant evidence does not include evidence about the Complainant's sexual predisposition or prior sexual behavior, unless such evidence is offered to prove that someone other than the Respondent committed the conduct alleged by the Complainant, or if the evidence concerns specific incidents of the Complainant's prior sexual behavior with respect to the Respondent, and are offered to prove consent.

Privileged evidence is likewise excluded from both the investigation, investigative report and hearing unless a party expressly waives this privilege in writing and consents to the release of this information during the grievance process.

Investigative Report

Upon conclusion of the investigation, the Investigator will create an investigative report that fairly summarizes relevant evidence and, at least ten (10) days prior to a hearing, will send the report to each party and the party's advisor, if any, the investigative report in an electronic format or hard copy, for their review and written response.

The Hearing

Upon conclusion of the investigation and distribution of the investigative report to the parties, the matter will proceed to the hearing stage of the grievance process. The hearing will be offered live, in real-time and will include cross-examination. A Decision-maker(s) will be appointed to preside over the hearing, evaluate the evidence and make a determination as to each allegation in the complaint. The Decision-maker will be independent and neutral, and will not have had any previous involvement with the investigation. Investigators, Title IX Coordinator (or designee) or advisors are prohibited from serving as Decision-makers.

The School reserves the right to adopt any hearing protocols, which will be applied and be made available equally to both parties, to ensure the efficiency, order and decorum of the hearing process. Any such protocols will be provided in writing to the parties, witnesses and participating individuals at least ten (10) days prior to the scheduled hearing date.

The School may designate an administrative facilitator of the hearing, which may include the Title IX Coordinator, as long as they do not have a conflict of interest.

The School may conduct the hearing virtually at their discretion or upon request of a party. Request for remote participation by any party or witness should be directed to the Title IX Coordinator made at least five (5) business days prior to the hearing.

The Decision-maker may question the parties and any witness at the hearing.

Only relevant questions, testimony and evidence may be proffered at the hearing, and the Decision-maker will make determinations as to relevancy of every question posed by an advisor during cross-examination before it is answered, and of any evidence offered.

Privileged evidence or testimony, likewise, may not be proffered during the hearing, without a party's waiver and written consent allowing its consideration at the hearing.

Parties may not conduct cross-examination. Advisors only will conduct cross-exam on a party's behalf. Only relevant questions will be allowed.

Parties, advisors, witnesses, and all participating individuals are expected to behave respectfully during the hearing. Harassing, intimidating or disruptive behavior will not be tolerated, and the School reserves the right to exclude anyone from participation in the process that fails to comport themselves accordingly.

An audio or audiovisual recording, or transcript will be made of the hearing, and will be made available to the parties for inspection and review. No other recording of the hearing will be allowed.

Evidentiary Considerations in the Hearing

Only Relevant Evidence Allowed

Any evidence that the Decision-maker(s) determine(s) is relevant and credible may be considered. Only evidence, which is directly related to the allegations, not subject to an s of enforceable legal privilege and not otherwise excludable as described here is considered relevant.

The hearing does not consider the following which are deemed not relevant: 1) incidents not directly related to the possible violation, unless they evidence a pattern; or 3) questions and evidence about the Complainant's sexual predisposition or prior sexual behavior, unless such questions and evidence about the Complainant's prior sexual behavior are offered to prove that someone other than the Respondent committed the conduct alleged by the Complainant, or if 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.

Privileged Evidence Must be Excluded

Evidence subject to any recognized legal privilege will not be allowed in the hearing without the prior written waiver of the privilege and consent for its consideration during the grievance process.

When a Party/Witness Refuses to Submit to Cross-Examination

If a party or witness does not attend, or chooses not to submit to cross-examination at the hearing, the Decision-maker may not rely on any prior statement made by that party or witness in the ultimate determination of responsibility. The Decision-maker(s) may not draw any inference solely from a party's or witness's absence from the hearing or refusal to answer cross-examination or other questions.

Final Determination as to Responsibility and Standard of Proof

Upon completion of the hearing, the Decision-maker will deliberate privately and will render a finding as to each allegation in the complaint by applying the standard of preponderance of the; whether it is more likely than not that the Respondent violated the Policy as alleged. The decision will be provided simultaneously to the parties through the issuance of a written determination letter, delivered by one or more of the following methods: in person, mailed to the local or permanent address of the parties as indicated in official the School records, or emailed to the parties' the School-issued email or otherwise approved account. Once mailed, emailed, and/or received in-person, notice will be presumptively delivered.

The determination letter will include:

1. Identification of the allegations potentially constituting sexual harassment as defined under the Policy;
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 evidence, and hearing held;
3. Findings of fact supporting the determination;
4. Conclusions regarding application of the School's code of conduct to the facts;
5. A statement, and rationale for, the results as to each allegation, including a determination regarding responsibility, and disciplinary sanctions the School imposes on the Respondent and whether remedies designed to restore or preserve equal access to the Schools' education program or activity will be provided by the School to the Complainant; and
6. The School's permissible bases for the Complainant and Respondent to appeal.

The determination regarding responsibility becomes final after expiration or exhaustion of any appeal rights.

Sanctions, Disciplinary Action & Remedies

The School may consider a number of factors when determining a sanction and/or remedy and will focus primarily on actions aimed at ending, and preventing the recurrence of, discrimination, harassment, and/or retaliation and the need to remedy the effects its effects on the Complainant and campus community. Sanctions will be imposed upon either expiration of the appeal window, or after Final Determination on any appeal filed.

Sanctions or actions may include, but are not limited to, those listed below. These may be applied individually or in combination and the School may assign sanctions not listed, as deemed appropriate.

Students:

- *Warning:* A formal statement that the conduct was unacceptable and a warning that further violation of any School policy, procedure, or directive will result in more severe sanctions/responsive actions.
- *Required Counseling:* A mandate to meet with and engage in either School-sponsored or external counseling to better comprehend the misconduct and its effects.
- *Probation:* A written reprimand for violation of School policy, providing for more severe disciplinary sanctions in the event that the student or organization is found in violation of any School policy, procedure, or directive within a specified period of time. Terms of the probation will be articulated and may include denial of specified social privileges, exclusion from co- curricular activities, exclusion from designated areas of campus, no-contact orders, and/or other measures deemed appropriate.
- *Suspension:* Termination of student status for a definite period of time not to exceed two years and/or until specific criteria are met. Students who return from suspension are automatically placed on probation through the remainder of their tenure as a student at the School.
- *Expulsion:* Permanent termination of student status and revocation of rights to be on campus for any reason or to attend School-sponsored events.
- *Withholding Diploma:* The School may withhold a student's diploma for a specified period of time and/or deny a student participation in commencement activities if the student has an allegation pending or as a sanction if the student is found responsible for an alleged violation.
- *Other Actions:* In addition to or in place of the above sanctions, the School may impose any other sanction as deemed appropriate.

Employees:

Warning – Verbal or Written
Performance Improvement/Management
Process Required Counseling
Required Training or
Education Probation
Loss of Annual Pay Increase
Loss of Oversight or Supervisory
Responsibility Demotion
Suspension with pay
Suspension without pay

Termination

False Allegations and Evidence

Making deliberately false and/or malicious accusations, knowingly providing false evidence, tampering with or destroying evidence, or deliberately misleading an official conducting an investigation are policy violations subject to discipline.

Long-Term Remedies/Other Actions

Following the conclusion of the resolution process, and in addition to any sanctions imposed, the Title IX Coordinator may implement additional long-term Remedies or actions with respect to the parties and/or the campus community that are intended to stop the harassment, discrimination, and/or retaliation, remedy the effects, and prevent reoccurrence.

These Remedies/actions may include, but are not limited to:

- Referral to counseling and health services
- Referral to the Employee Assistance Program
- Education to the individual and/or the community
- Alteration of work arrangements for employees
- Provision of campus safety escorts
- Climate surveys
- Policy modification
- Training or awareness campaigns
- Provision of transportation accommodations
- Implementation of long-term contact limitations between the parties
- Adjustments to academic deadlines, course schedules, etc.
- Modified campus security measures

At the discretion of the Title IX Coordinator, certain long-term support or measures may also be provided to the parties even if no Policy violation is found.

The School will maintain the privacy of any long-term Remedies, provided privacy does not impair the School's ability to provide these services.

Failure to Comply with Disciplinary Sanctions or other Remedies

Respondents are expected to comply with any disciplinary sanction or remedy as set forth in the Final Determination or in response to a final outcome. Failure to abide by the sanction(s)/action(s) whether by refusal, neglect, or any other reason, may result in additional disciplinary action, including suspension, or expulsion.

Appeals

Any party may file an Appeal on the following grounds. Appeals must be submitted in writing to the Title IX Coordinator within five (5) calendar days of the delivery of the Notice of Outcome. After expiration of the appeal window, the determination will be considered final, and any applicable sanctions will be imposed.

Grounds for Appeal

Appeals may be made on the following bases:

1. Procedural irregularity that affected the outcome of the matter;
2. New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; and
3. The Title IX Coordinator, Investigator(s), or Decision-maker(s) had a conflict of interest or bias for or against Complainants or Respondents generally or the specific Complainant or Respondent that affected the outcome of the matter.

Any sanctions imposed as a result of the Final Determination are stayed during the appeal process.

Title IX personnel with prior involvement in the matter will not be permitted to serve as a Decision-maker in the appeal. Appeals will not include a hearing. A decision on the merits will be based on information provided in the appeal document. If an appeal is based on the availability of new evidence, this evidence must be described with specificity and must be available for review within a reasonably prompt timeframe for consideration.

The appeal outcome will specify the finding on each ground for appeal, any specific instructions for remand or reconsideration, and the rationale supporting the findings. Appeal decisions will be made within seven (7) business days, barring exigent circumstances, including the review of new evidence not immediately available for submission with the appeal request. Decisions on appeal will be made by applying the preponderance of the evidence standard.

Notification of the appeal outcome will be made in writing and will be delivered simultaneously to the parties by one or more of the following methods: in person, mailed to the local or permanent address of the parties as indicated in official School records, or emailed to the parties' School-issued email or otherwise approved account. Once mailed, e-mailed and/or received in-person, notice will be presumptively delivered. Decisions on appeal are considered final.

Record Retention

The School shall maintain the following records related to the implementation of this Policy for at least seven years:

1. Reports or Formal Complaints alleging sexual discrimination, including harassment.
2. Records of any dismissal of a Formal Complaint.
3. Each sexual harassment investigation including any determination regarding responsibility and any audio or audiovisual recording or transcript required under federal regulation;
4. Any disciplinary sanctions imposed on the Respondent;
5. Any Remedies implemented by the School designed to restore or preserve equal access to the School's education program or activity;
6. Any appeal and the result therefrom;
7. Any Informal Resolution and the result therefrom;
8. All materials used to train Title IX Coordinators, Investigators, Decision-makers, and any person who facilitates an Informal Resolution process. The School will make these training materials publicly available on the School's website. (Note: If the School does not maintain a website, the School must make these materials available upon request for inspection by members of the public.); and
9. Any actions, including any supportive measures, taken in response to a report or formal complaint of sexual harassment, including:
 - a. The basis for all conclusions that the response was not deliberately indifferent;
 - b. Any measures designed to restore or preserve equal access to the School's education program or activity; and
 - c. If no supportive measures were provided, document the reasons why such a response was not clearly unreasonable in light of the known circumstances.

Revision of this Policy

This Policy and procedures supersede any previous policy(ies) addressing harassment, sexual misconduct, discrimination, and/or retaliation under Title IX and will be reviewed and updated subject to any relevant change in law or School policy, and on a recurring periodic basis, by the Title IX Coordinator. The School reserves the right to make changes to this Policy as necessary, which become effective when published.

This Policy will not restrict any rights guaranteed against government action by the U.S. Constitution and should be interpreted accordingly and should also be construed to comply with the most recent government regulations or applicable judicial decisions.

This document does not create legally enforceable protections beyond the protection of the background state and federal laws which frame such policies and codes, generally.

This Policy and procedures are effective August 14, 2020.

DRUG AND ALCOHOL

Alcohol and Drug Policy

The unlawful possession, use or distribution of drugs and alcohol by students or employees is absolutely prohibited on the college premises or at any of its activities. By college regulations and by Federal law, state law, and local ordinances, students, faculty and staff are prohibited from the unlawful possession, use dispersion, distribution or manufacture of illicit drugs on college property or at college sponsored activities.

In compliance with campus policy, being under the influence, use, possession of, or the distribution of alcohol or illegal drugs is not permitted on campus, or at any school related activity. Students, staff, or visitors in violation of these rules as well as other local or underage drinking laws, will be dealt with in compliance to local, state and federal law. Local law enforcement authorities will also be notified and sanctions include but not limited to: expulsion, termination of employment, and referral for prosecution.

For information on health risks, please refer to the Drug and Alcohol Abuse Prevention Program.

Information on Preventing Drug and Alcohol Abuse (DAAPP)

The college publishes a separate Drug and Alcohol Abuse Prevention Program. Information concerning the program can be found on the college website under the [Student Information](#) section, by going to <http://www.daymarcollege.edu/admissions/student-information> or requesting the printed version from the campus Director of Education.

Biennial Review of the DAAPP

The college publishes a separate Biennial Drug and Alcohol Abuse Prevention Program Review. Information concerning the review of the DAAPP can be found on the college website under the [Student Information](#) section, by going to <http://www.daymarcollege.edu/admissions/student-information> or requesting the printed version from the campus Director of Education.

RESOURCE CONTACT INFORMATION

Crime

In the event of imminent danger, the use of the **911** emergency call number is strongly recommended.

It is the policy of the college that all criminal actions detected during school operating hours are to be reported to the Campus Director of Education. If the Campus Director of Education is not available crimes can be reported directly to the Compliance Office at compliance@hussiancollege.edu.

Criminal actions detected other than during school operating hours are to be reported directly to:

Ohio:

-
- **Columbus:** Columbus Police – (614) 645-4545
-

Tennessee:

-
- **Clarksville:** Clarksville Police Department – (931) 648-0656
 - **Murfreesboro:** Murfreesboro Police Department – (615) 893-1311
 - **Nashville:** Nashville Police Department – (615) 862-8600
-

If you are the victim of or witness a crime, a voluntary confidential report can be filed which will allow for the inclusion in the annual crime statistics.

Title IX: Resources for Victims of Dating Violence, Domestic Violence, Sexual Assault, Stalking

The college does not provide onsite counseling. There are off-campus organizations that provide support and specialized services. The college does not have a contractual relationship with any of the resources nor does it recommend these agencies. These agencies are listed as a courtesy and individuals should determine for themselves whether they feel the agency will meet their needs. The agencies listed below may provide assistance with living, transportation and protective measures.

- National Sexual Assault Hotline (rainn.org) 800-656-4673
- The National Domestic Violence Hotline (thehotline.org) 800-799-7233
- YWCA (ywca.org)
- National Suicide Prevention Lifeline (suicidepreventionlifeline.org) 800-273-8255
- Domestic Shelters (www.domesticshelters.org)

Drug or Alcohol Counseling, Treatment or Rehabilitation

The college does not provide onsite counseling, treatment or rehabilitation services. The college does not have a contractual relationship with any of the resources nor does it recommend these agencies. These agencies are listed as a courtesy and individuals should determine for themselves whether they feel the agency will meet their needs.

- Substance Abuse and Mental Health Services Administration (samhsa.gov) 800-662-4357

Legal Services

The college does not provide legal assistance and/or representation. The college does not have a contractual relationship with any of the resources nor does it recommend these agencies. These agencies are listed as a courtesy and individuals should determine for themselves whether they feel the agency will meet their needs. The agencies listed below may provide assistance with protective measures and immigration assistance.

- American Bar Association (apps.americanbar.org/legalservices/probono/directory.html)
- National Center for Victims of Crime (www.victimsofcrime.org)
- Domestic Shelters (www.domesticshelters.org)

Academic and Financial Aid

Students who have questions or need assistance with either academics or student loans may contact the following staff at their campus:

- **Academic:** Director of Education/Dean or Student Services Coordinator
- **Financial Aid:** Director of Financial Services

Other Places to Consider

In addition to the agency listed above, consider contacting your doctor's office. If you are in immediate danger or thinking about harming yourself, tell someone who can help right away or dial **911**.

Local Hospitals:

Ohio

Columbus

Columbus Community Hospital, 1430 S High St., Columbus, OH 43207 | 614-437-5000

Tennessee

Clarksville

Tennova Healthcare – Clarksville, 651 Dunlop Ln., Clarksville, TN 37040 | 931-502-1000

Murfreesboro

St. Thomas Rutherford Hospital, 1700 medical Center Pkwy, Murfreesboro, TN 37129 | 615-396-4100

Nashville

TriStar Summit Medical Center, 5655 Frist Blvd., Hermitage, TN 37076 | 615-316-3000

EDUCATION AWARENESS AND PREVENTION PROGRAMS

Onboarding Orientation

The college strives to provide training to students and employees to ensure they understand the Policy and the topics as well as issues related to maintaining an education and employment environment free from harassment, discrimination and how to reduce risk.

Students and staff are requested to review the college's Campus Security Report sections discussing Crime Awareness and Campus Security. Students are additionally asked to review the Student Conduct Policy disclosed in the catalog. Employees are additionally requested to review their Employee Handbook where information regarding Standards of Conduct and Safety can be found.

Ongoing Programs

Programs are currently provided on request by the campus Academic Department. The college conducts annual awareness and prevention programs with topics that include:

- **Awareness and Prevention of Sexual Assault** – Presents information on how to recognize consent/non consent, signs of sexual assault and awareness of rape/acquaintance rape/forcible and non-forcible sex offenses.
- **Crime Prevention and Security Awareness** – Presents safety tips for how to deter crime while at home and away.
- **Emergency Preparedness and Response** – Presents information on how to be prepared for emergencies and how to respond in those situations.
- **Drug and Alcohol Abuse Awareness** – Presents information on preventing drug and alcohol abuse and the risks associated with abuse.

Violation Arrests									
	On-Campus			Non-Campus			Public Property		
	2021	2020	2019	2021	2020	2019	2021	2020	2019
Liquor Law	0	0	0	0	0	0	0	0	0
Drug Abuse	0	0	0	0	0	0	0	0	0
Illegal Weapons	0	0	0	0	0	0	0	0	0

Disciplinary Referrals									
	On-Campus			Non-Campus			Public Property		
	2021	2020	2019	2021	2020	2019	2021	2020	2019
Liquor Law	0	0	0	0	0	0	0	0	0
Drug Abuse	0	0	0	0	0	0	0	0	0
Illegal Weapons	0	0	0	0	0	0	0	0	0

Violence Against Women Act Crimes									
	On-Campus			Non-Campus			Public Property		
	2021	2020	2019	2021	2020	2019	2021	2020	2019
Domestic Violence	0	0	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0
Stalking	0	0	0	0	0	0	0	0	0

Unfounded Crimes

Unfounded crimes are those crimes that are removed or withheld from the annual security report after it has been determined the reported crime was false or baseless. Only sworn or commissioned law enforcement personnel may “unfound” a crime report for purposes of reporting under this section only after having fully investigated the reported crime and, based on the results of this full investigation and evidence, have made a formal determination that the crime report is false or baseless and therefore “unfounded.” The recovery of stolen property, the low value of stolen property, the refusal of the victim to cooperate with the prosecution, and the failure to make an arrest do not “unfound” a crime report.

There were no reported crimes for the years 2019, 2020, and 2021 that are determined to have been unfounded.

Tennessee Campuses

Clarksville

Crime Reported									
	On-Campus			Non-Campus			Public Property		
	2021	2020	2019	2021	2020	2019	2021	2020	2019
Murder / Non-Negligent Manslaughter	0	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0	0
Sex Offenses (Rape)	0	0	0	0	0	0	0	0	0
Sex Offenses (Fondling)	0	0	0	0	0	0	0	0	0
Sex Offenses (Incest)	0	0	0	0	0	0	0	0	0
Sex Offenses (Statutory Rape)	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
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0

Hate Crimes									
	On-Campus			Non-Campus			Public Property		
	2021	2020	2019	2021	2020	2019	2021	2020	2019
Murder / Non-Negligent Manslaughter	0	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0	0
Sex Offenses (Rape)	0	0	0	0	0	0	0	0	0
Sex Offenses (Fondling)	0	0	0	0	0	0	0	0	0
Sex Offenses (Incest)	0	0	0	0	0	0	0	0	0
Sex Offenses (Statutory Rape)	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
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0
Simple Assault	0	0	0	0	0	0	0	0	0
Larceny-Theft	0	0	0	0	0	0	0	0	0
Intimidation	0	0	0	0	0	0	0	0	0
Destruction/Damage/Vandalism of Property	0	0	0	0	0	0	0	0	0

Violation Arrests

	On-Campus			Non-Campus			Public Property		
	2021	2020	2019	2021	2020	2019	2021	2020	2019
Liquor Law	0	0	0	0	0	0	0	0	0
Drug Abuse	0	0	0	0	0	0	1	0	0
Illegal Weapons	0	0	0	0	0	0	0	0	0

Disciplinary Referrals									
	On-Campus			Non-Campus			Public Property		
	2021	2020	2019	2021	2020	2019	2021	2020	2019
Liquor Law	0	0	0	0	0	0	0	0	0
Drug Abuse	0	0	0	0	0	0	0	0	0
Illegal Weapons	0	0	0	0	0	0	0	0	0

Violence Against Women Act Crimes									
	On-Campus			Non-Campus			Public Property		
	2021	2020	2019	2021	2020	2019	2021	2020	2019
Domestic Violence	0	0	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0
Stalking	0	0	0	0	0	0	0	0	0

Unfounded Crimes

Unfounded crimes are those crimes that are removed or withheld from the annual security report after it has been determined the reported crime was false or baseless. Only sworn or commissioned law enforcement personnel may “unfound” a crime report for purposes of reporting under this section only after having fully investigated the reported crime and, based on the results of this full investigation and evidence, have made a formal determination that the crime report is false or baseless and therefore “unfounded.” The recovery of stolen property, the low value of stolen property, the refusal of the victim to cooperate with the prosecution, and the failure to make an arrest do not “unfound” a crime report.

There were no reported crimes for the years 2019, 2020, and 2021 that are determined to have been unfounded.

Violation Arrests									
	On-Campus			Non-Campus			Public Property		
	2021	2020	2019	2021	2020	2019	2021	2020	2019
Liquor Law	0	0	0	0	0	0	0	0	0
Drug Abuse	0	0	0	0	0	0	0	0	0
Illegal Weapons	0	0	0	0	0	0	0	0	0

Disciplinary Referrals									
	On-Campus			Non-Campus			Public Property		
	2021	2020	2019	2021	2020	2019	2021	2020	2019
Liquor Law	0	0	0	0	0	0	0	0	0
Drug Abuse	0	0	0	0	0	0	0	0	0
Illegal Weapons	0	0	0	0	0	0	0	0	0

Violence Against Women Act Crimes									
	On-Campus			Non-Campus			Public Property		
	2021	2020	2019	2021	2020	2019	2021	2020	2019
Domestic Violence	0	0	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0
Stalking	0	0	0	0	0	0	0	0	0

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Violation Arrests									
	On-Campus			Non-Campus			Public Property		
	2020	2019	2018	2020	2019	2018	2020	2019	2018
Liquor Law	0	0	0	0	0	0	0	0	0
Drug Abuse	0	0	0	0	0	0	0	0	0
Illegal Weapons	0	0	0	0	0	0	0	0	0

Disciplinary Referrals									
	On-Campus			Non-Campus			Public Property		
	2020	2019	2018	2020	2019	2018	2020	2019	2018
Liquor Law	0	0	0	0	0	0	0	0	0
Drug Abuse	0	0	0	0	0	0	0	0	0
Illegal Weapons	0	0	0	0	0	0	0	0	0

Violence Against Women Act Crimes									
	On-Campus			Non-Campus			Public Property		
	2020	2019	2018	2020	2019	2018	2020	2019	2018
Domestic Violence	0	0	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0
Stalking	0	0	0	0	0	0	0	0	0

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Unfounded crimes are those crimes that are removed or withheld from the annual security report after it has been determined the reported crime was false or baseless. Only sworn or commissioned law enforcement personnel may “unfound” a crime report for purposes of reporting under this section only after having fully investigated the reported crime and, based on the results of this full investigation and evidence, have made a formal determination that the crime report is false or baseless and therefore “unfounded.”. The recovery of stolen property, the low value of stolen property, the refusal of the victim to cooperate with the prosecution, and the failure to make an arrest do not “unfound” a crime report.

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