

# Campus Safety and Security Policies & Procedures

## Campus Crime Statistics for Calendar Year 2015

## Annual Fire Safety Report

Compiled by the Methodist Theological School in Ohio  
as mandated by the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act  
and the Violence Against Women Reauthorization Act of 2013

September 30, 2016

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## LIST OF KEY CONTACTS FOR MTSO CAMPUS 2016-17

NAME	TITLE	PHONE EXTENSION
Keith Huffman	Facilities Manager	x3380
Kris LoFrumento	Director of Student Services	x3126
<b>ADMINISTRATIVE COUNCIL OF MTSO</b>		
Jay Rundell	President	x3121
Leigh Precise	Executive Assistant to the President	x3121
Lisa Withrow	Vice President of Academic Affairs and Dean	x3343
April Casperson	Vice President for Institutional Advancement	x3372
Danny Russell	Director of Communications	x3322
James Summers	Controller	x3335
Grace Welch	Title IX Coordinator, Director of Human Resources, Compliance, and Risk Management	x3366

### BUILDING MANAGERS 2016-17

LOCATION	NAME AND APT	PHONE EXTENSION
Dewire Residence Hall	David Harris #107 & 109	x3479
Helen Werner Apartment Building	Emily Howard #104	x3461
Kleist Manor	Joel Wildermuth #A7	x3846

**From off-campus, dial 740-362-+ phone extension.**

**Email addresses are first initial first name + last name @mtso.edu**

NOTE: Building Managers all have cell phones, those numbers are posted on campus and listed in the Student Handbook.

## LOCAL LAW ENFORCEMENT, FIRE DEPARTMENT, AND EMERGENCY PERSONNEL

**IN CASE OF EMERGENCY, DIAL 911 (or 9-911 from a campus landline phone)**

### Non-emergency service numbers:

Delaware Police Department: 740-203-1111  
 Delaware Fire Department: 740-203-1300  
 Delaware County Sheriff's Office: 740-833-2800

# CAMPUS SAFETY AND SECURITY POLICIES & PROCEDURES

## ***Introduction***

As a condition of maintaining institutional eligibility for access to federal financial aid programs for students, colleges and universities in the United States are required to comply with the provisions of the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act.

Jeanne Clery was murdered in her Lehigh University residence hall room in 1986. In 1990, Jeanne was memorialized through federal legislation that bears her name. The Clery Act requires that students, prospective students, employees and prospective employees have a realistic sense of their potential for exposure to crime while on, or in the vicinity of, any given college or university campus, as well as an understanding of the institution's policies and systems for providing campus security.

On March 7th, 2013, President Obama signed the Violence Against Women Reauthorization Act of 2013 (VAWA), which, among other provisions, amended section 485(f) of the HEA, otherwise known as the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act). Notably, VAWA amended the Clery Act to require institutions to compile statistics for incidents of dating violence, domestic violence, sexual assault, and stalking and to include certain policies, procedures, and programs pertaining to these incidents in their annual security reports (<https://www.federalregister.gov/articles/2014/10/20/2014-24284/violence-against-women-act> ).

Methodist Theological School in Ohio has a history of being a very safe and secure campus. MTSO is committed to maintaining this history as a safe place for all who choose to study, work, and visit here. To that end, the campus safety and security policies, procedures and practices set forth in this document have been adopted.

This document is reviewed by Administrative Council annually; adjustments to policies and procedures are made as necessary and appropriate.

## ***Campus Security Authority***

The City of Delaware provides police and fire protection for Methodist Theological School in Ohio. As such, the Delaware Police Department holds the law enforcement authority for the campus. The campus is also under the jurisdiction of the Delaware County Sheriff's Office. Though not a law enforcement official, the MTSO Facilities Manager serves as MTSO's chief campus security authority. The Facility Manager is expected to:

- Walk or drive the grounds of the campus several times each day, checking for and addressing any security risks/concerns.
- Direct all maintenance staff to report any suspicious activity and question any suspicious persons observed on the campus.
- Maintain regular contact with the City of Delaware Police Department and other law enforcement agencies.
- Lock and unlock academic and administrative buildings, or designate a person to do so.
- Maintain the official record of incidents that involve crime or security concerns.
- Manage the key system for all campus buildings.

The Facilities Manager has a cell phone in his possession at all times. The number is listed as one of several "Emergency Contact" numbers in the Student and Housing Handbooks, and is posted throughout the campus.

The Building Managers who live in the School's on-campus housing units are part of the campus security system in that their responsibilities include the following duties:

- Serve as first contact in case of emergency in the building.
- Know emergency procedures and room/unit assignments of residents.
- Record and report after hour incidents to appropriate personnel.
- Participate in scheduled safety training programs.

Each Building Manager has a cell phone so they can be reached and/or call out in case of emergency. Their cell phone

numbers are published in the Student Handbook, and are posted on campus.

**No School official has law enforcement or arrest authority.**

**No School-recognized student organizations are housed or otherwise operate from an off-campus location.**

### ***Building Security and Access***

The MTSO campus is private property. Accordingly, school officials have the right to ask anyone not engaged in the official business of the School to leave the campus at any time.

Through traffic is prohibited. Notice is posted at both campus entrances.

In general, MTSO's academic and administrative buildings are accessible to the general public between 6:30 a.m.-9:30 p.m., Monday-Friday. Library staff members lock and unlock the Library building according to the posted hours for any given week. The exterior doors to the Apartment Building and Residence Hall are locked and unlocked daily by a Building Manager or a Maintenance staff member. Access to individual offices, residence hall rooms, and apartment units is the responsibility of the occupant.

Upon request, each student will be issued a swipe card that allows access to the Coffee Shop, mailboxes and exercise facility outside of the School's normal hours of operation. Some students, such as commuters, may not have a need for after-hours access to these facilities.

### ***Timely Warnings***

The Facilities Manager is responsible both for initiating communication with and responding to communication from law enforcement officers to determine occasions when there may be a need for an alert/warning to be issued to the MTSO community.

MTSO uses global e-mail distribution lists (to MTSO students, MTSO faculty and MTSO staff) to alert the campus community to any situation or criminal activity on or near the campus that is perceived by School officials to pose an ongoing threat to the campus. If classes are in session when such a warning is issued, announcements may be made in classes. Flyers may be posted in key locations in campus buildings. **All enrolled students should check their MTSO e-mail account frequently for official communication.**

The school also uses the MTSO Alert system for major emergencies requiring notification to community members both on and off campus. MTSO Alert is a free service to members of the MTSO community that requires on-line subscription at <http://www.mtso.edu/alert>. Emergency messages through MTSO Alert can be received via e-mail, voice mail, and/or cell phone text (SMS) based on the subscriber's preferences.

E-mail distribution lists for residence units are maintained and will be used to issue timely warnings that pertain primarily to those who reside in campus housing facilities. Building Managers will attempt to personally contact any campus housing resident who does not have access to e-mail.

### ***Firearms, Fireworks, Weapons, Explosives and Projectiles Policy***

No person shall store, possess or detonate dangerous weapons, have under the person's control, convey, or attempt to convey devices or substances including, but not limited to, fireworks, firearms, ammunition, pellet guns, bow and arrows, martial arts equipment, switchblade knives, brass knuckles, swords, large knives, stun and shock devices, projectile devices (i.e. sling shot), and clubs. This prohibition includes all land, campus buildings, residence, in vehicles, and off campus at an MTSO-related activity, unless permitted on the basis of the person's position as a recognized public safety official or appointed peace officer, even if otherwise permitted by law. A valid license does not authorize the licensee to carry a weapon onto the school premises. Use or misuse of weapons, devices, or substances in a manner that causes or threatens serious harm to the safety or security of others is expressly prohibited. Violations of this policy by students will result in consideration for expulsion upon the first offense. Violations of this policy by employees will result in consideration for immediate dismissal upon the first offense. All violators of this policy, whether affiliated with MTSO or not, will be subject to prosecution to the fullest extent of the law. Further, toy guns (i.e., dart, paint ball, foam darts, squirt, cap, and other projectile devices) are also forbidden which could reasonably be mistaken for a firearm or explosive. The use of these items on campus is prohibited.

### ***Drug Free/Substance Abuse Policies***

Pursuant to the Drug-Free Schools and Communities Act Amendments of 1989, MTSO is required to establish a drug and alcohol prevention program for its students and employees. A biennial review of this program will be done to determine its effectiveness, to implement changes to the program if they are needed and to ensure that the School's disciplinary sanctions are consistently enforced.

#### ***Smoke, Tobacco, and Vape-Free Policy:***

This Smoke-Free Policy amends the current policy to cover any tobacco products or the use of electronic nicotine delivery systems also known as e-cigarettes, e-pipes, e-cigars and e-hookahs, and it applies to all staff members, faculty, adjunct, students, and non-employee visitors. Smoking, smokeless (e.g., "chewing") tobacco and vaping are prohibited in all buildings on the MTSO campus, including all campus-housing units.

Smoking, smokeless tobacco and vaping are generally prohibited on campus within 30 feet of the doors, windows and ventilation systems of enclosed areas to prevent tobacco smoke or emissions from entering those areas. Smoking, smokeless tobacco and vaping are permitted outside of buildings in designated smoking areas. All materials used for smoking in designated areas, including cigarette butts, matches and tobacco, must be extinguished and disposed of properly.

#### ***Programs***

For employees: MTSO utilizes the "Employee Assistance Program" offered through the Principal Life Insurance Company which can be accessed 24/7 via phone or online assistance. Services offered include: counseling around alcohol and drug dependencies by licensed professionals. Employees, as per the Employee Handbook, are also encouraged to contact the Title IX Coordinator, Director of Human Resources, Compliance and Risk Management for additional resources.

For students: The Director of Student Services and the Title IX Coordinator, Director of Human Resources, Compliance and Risk Management are able to provide local resources.

#### ***Standards of Conduct***

MTSO seeks to be a drug-free community and to promote good health practices. Therefore, School policies prohibit the unlawful use, possession, distribution, and sale of alcoholic beverages or illicit drugs by students, faculty and staff on any School-owned or controlled property, or as part of any School-sponsored or supervised activities.

Within the MTSO community, the unlawful use, possession or distribution of alcoholic beverages or illicit drugs may result in disciplinary action even if it occurs off campus. This approach reflects the unique nature and mission of a seminary community.

### **Sanctions**

MTSO will impose sanctions on students and employees who violate this policy, consistent with local, State, and Federal law. School-imposed sanctions for violation of these policies can include expulsion or termination of employment, and referral for prosecution for employees and drug and alcohol assessment, counseling and rehabilitation, potential suspension and/or expulsion for students. In addition, the School may elect to report incidents to the appropriate judiciary or professional licensing authority.

Local, state and federal laws also prohibit the unlawful possession, use, distribution, and sale of illicit drugs and alcohol. Criminal penalties for violations of such laws range from fines up to \$20,000 to imprisonment for terms up to and including life.

MTSO's policies distinguish between the unlawful use or possession of alcoholic beverages or illicit drugs and the unlawful distribution of them. Referral for counseling/treatment may be considered for first-time violators of policies regarding the unlawful use or possession of alcoholic beverages or controlled substances; referral to law enforcement officers is automatic when unlawful distribution is involved.

### **Health Risks**

Health risks associated with use of illicit drugs and alcohol include temporary and permanent physical and psychological dysfunction as well as shortened life expectancy. Some of the major health risks are listed below:

**Alcohol and other depressants:** Addiction; accidents as a result of impaired ability and judgment; overdose when used with other depressants; damage to a developing fetus; heart and liver damage.

**Marijuana:** Panic reaction; impaired short-term memory, increased risk of lung cancer and emphysema, particularly in cigarette smokers; impairment of driving ability.

**Cocaine:** Addiction, heart attack, seizures, lung damage, severe depression, paranoia, psychosis. Similar risks are associated with other stimulants, such as speed and uppers.

### **Resources**

There are local resources for drug or alcohol counseling, treatment or rehabilitation programs. The School's Title IX Coordinator, Director of Human Resources, Compliance & Risk Management, as administrator of the School's health insurance programs, is available to provide information to faculty, students or staff members who seek resources to assist with existing or potential drug or alcohol dependency problems.

#### **Delaware-Morrow Mental Health & Recovery Services Board** – <http://www.dmmhrsb.org/>

40 North Sandusky Street, Suite 301, Delaware, OH 43015; (740) 368-1740

DMMHRB's mission is to assess community needs in partnership with community representatives to plan, fund, evaluate and monitor **high quality, cost-effective** mental health and substance abuse treatment and prevention services that are accessible to the residents of Delaware and Morrow Counties.

#### **Maryhaven** (Delaware location) - <https://www.maryhaven.com/>

88 North Sandusky St Delaware, OH 43015; (740) 203-3800

The Delaware office provides addiction recovery and mental health programs and services to adults and adolescents. Providing high quality behavior healthcare and prevention services enhances the health and safety of the communities.

**Central Ohio Mental Health Center** - <http://www.comhc.net/>

250 South Henry Street, Delaware, OH 43015; (740) 369-4482

Strives to promote and preserve outstanding behavioral health for Central Ohio citizens through readily acceptable, cost-effective, high-quality behavioral health services through multiple service focus areas including: Psychiatric, Counseling/Psychotherapy, Emergency prescreening and 24-hour crisis intervention.

**HelpLine of Delaware and Morrow Counties, Inc.** - <http://helplinedelmor.org>

11 North Franklin Street, Delaware, OH 43015; **Hotline (740) 369-3316 or 1-800-684-2324 or 2-1-1;**

More information about HelpLine is available on pages 10-11 of this report.

### ***Reporting a Crime or Safety Concern***

All members of the MTSO community are encouraged to report any possible criminal activity occurring on campus in an accurate and timely manner. The City of Delaware provides police and fire protection for Methodist Theological School in Ohio.

All MTSO faculty, staff and students have a role to play in ensuring campus safety. All should feel free to direct concerns about unusual or suspicious activity to the Delaware City Police (9-911 if you are calling from any campus building or 740-203-1111), and/or to the Facilities Manager, Director of Student Services or any member of Administrative Council. Any such activity should be reported AT THE TIME that it is observed. You can also call the Campus Conduct Hotline (confidentially and anonymously) at 1-866-943-5787 to report activity or behavior that you may observe or experience on campus that is harmful, unethical, questionable, or causes you or someone else personal injury.

#### ***To Report a Fire, Medical Emergency or Life-Threatening Situation***

##### **DURING REGULAR SCHOOL HOURS (7:30 am – 4:30 pm, Monday through Friday):**

1. **FIRST CALL 911 (9-911 if you are calling from any campus building)** to contact the Delaware Fire Department.
2. Call Keith Huffman, Facilities Manager, at 740-360-7628 (Cell). If no answer, leave a message AND try campus extension 3380.
3. Call the Building Manager for your housing facility. (See Page 3 of this report.)

##### **ON WEEKENDS OR AT TIMES OTHER THAN REGULAR SCHOOL HOURS AS LISTED ABOVE:**

1. **FIRST CALL 911 (9-911 if you are calling from any campus building)** to contact the Delaware Fire Department.
2. Call the Building Manager for your housing facility. (See Page 3.)
3. Call Keith Huffman, Facilities Manager, at 740-360-7628 (Cell).

#### ***If You Are a Victim of a Crime Committed On Campus***

1. SEEK medical attention if it is needed.
2. CALL the Delaware Police (Emergency: 911; non-emergency: 740-203-1111)
3. CONTACT Keith Huffman, Facilities Manager, at 740-360-7628 (Cell).

### ***Hospital***

The nearest Hospital Emergency Room is at OhioHealth Grady Memorial Hospital, 561 W. Central Avenue (Rt. 37 W) in Delaware. The most direct route from campus: U.S. 23 North to William Street exit. Left on William; right on Sandusky; left on Central (Rt. 37 West). Note: Grady Hospital has specially trained staff who will care for victims of sexual assault. (See page 11 of this report for more information.)

### ***If You Observe Suspicious Activity***

**YOU MAY CALL 911(9-911 if you are calling from any campus building), or the NON EMERGENCY SERVICE NUMBERS**

- Delaware Police Department: 740-203-1111
- Delaware Fire Department: 740-203-1300
- Campus Conduct Hotline: 1-866-943-5787

**AND/OR CONTACT**

- Director of Facilities, Keith Huffman (740-360-7628), Maintenance (x3380), or
- Director of Student Services, Kris LoFrumento (x3126), or
- Any member of Administrative Council.

***AFTER BUSINESS HOURS, you may go to the Library Circulation Desk during evening hours when the Library is open. The person on duty will have a telephone phone contact list and will assist you as appropriate.***

***Sexual Violence/Sexual Assault***

If a member of the MTSO community is sexually assaulted, the Complainant will be encouraged to file criminal charges. If the Respondent is another member of the MTSO community, the applicable disciplinary procedures outlined in the MTSO student handbook, General Policies Governing Faculty, or Personnel Policies for Staff Employees can also be invoked.

A sexual assault survivor's academic and living situations (if the student is living on campus) WILL be changed on request. (Note: If a survivor prefers to remain in the same housing unit, locks can be changed by maintenance staff.)

If an MTSO student is accused of sexual assault against another member of the MTSO community, the Complainant will be encouraged to file criminal charges.

In campus disciplinary proceedings, the Complainant and the Respondent have the same rights to be present during the disciplinary hearing, and the Complainant and the Respondent shall both be notified of the outcome of a campus disciplinary proceeding.

***Registered Sex Offenders Living In Delaware County***

For a list (and photographs, if available) of sex offenders living in Delaware County, go to <http://www.delawarecountysheriff.com/> and click on "Sex Offenders". The site features a link through which you can request to receive an e-mail alert when the Sheriff's office updates the website to include an offender living within a mile of your address.

***General Information on Sexual Violence***

According to the National Institute of Justice (<https://www.ncjrs.gov/pdffiles1/nij/grants/221153.pdf>):

- 25% of college-aged women report experiences that meet the legal definitions of rape or attempted rape
- One in five women are raped while attending college
- 85% of rapes are committed by a person the victim knows

According to the National Sexual Violence Resource Center

([http://www.nsvrc.org/sites/default/files/publications\\_nsvrc\\_factsheet\\_media-packet\\_statistics-about-sexual-violence\\_0.pdf](http://www.nsvrc.org/sites/default/files/publications_nsvrc_factsheet_media-packet_statistics-about-sexual-violence_0.pdf))

- One in five women and one in 71 men will be raped at some point in their lives
- 46.4% lesbians, 74.9% bisexual women and 43.3% heterosexual women reported sexual violence other than rape during their lifetimes, while 40.2% gay men, 47.4% bisexual men and 20.8% heterosexual men reported sexual violence other than rape during their lifetimes.
- Nearly one in 10 women has been raped by an intimate partner in her lifetime, including completed forced

penetration, attempted forced penetration or alcohol/drug-facilitated completed penetration. Approximately one in 45 men has been made to penetrate an intimate partner during his lifetime.

- 91% of the victims of rape and sexual assault are female, and 9% are male
- In eight out of 10 cases of rape, the victim knew the person who sexually assaulted them
- 8% of rapes occur while the victim is at work

### **Guidance on Taking Immediate Action**

*(from MTSO Title IX Policy, adopted by Administrative Council, August 2012; Revised August 2014 and Reviewed by Legal Counsel and Administrative Council, Updated July 2015 by Title IX Coordinator and Reviewed by EIIA Legal Counsel)*

In the event that sexual assault or violence has occurred, the survivor's **first response is to get to a safe place, and call 911 (9-911 from campus phones) if necessary**. A decision to press charges does not have to be made at this time. However, observance of the procedures that follow will help preserve this option for the future:

- Do not bathe, douche, brush your teeth, use the restroom, or drink liquids.
- Clothes should not be changed, but if they are bring all original clothing to the hospital in a paper bag. (Plastic bags damage evidence.)
- Go to a hospital. You may have serious injuries that you are not aware of, and you can receive medication to prevent pregnancy or sexually transmitted diseases (STDs). Bring a full change of clothing with you to the hospital, including shoes, for use after a medical examination.
- A SARN advocate may offer support at the hospital, if you request to speak to an advocate at the hospital.
- Survivors may choose at the hospital whether or not to speak to the police. If they do, the option to choose whether to file charges still exists.
- Private physicians are not required to notify the police. If a survivor desires police involvement, he or she may request this contact. Also, survivors treated by a private physician may have to ask for a rape kit to be completed. Having a rape exam does not mean that survivors must press charges; it only keeps the survivor's options open.

Tell a trusted person about the incident. Campus officials such as the Title IX Coordinator, Director of Human Resources, Compliance and Risk Management (740-362-3366), the Academic Dean (740-362-3343), or the Director of Student Services (740-362-3126) are available to assist you.

The Delaware Police Department (740-203-1111) holds the law enforcement authority for the campus. The campus is also under the jurisdiction of the Delaware County Sheriff's Office (740-833-2810). The School is available to assist victims of a crime with contacting the authorities, reporting claims, and pursuing restraining orders.

The Campus Conduct Hotline at 1-800-9HELPUS (1-800-943-5787) is available for students, employees, or others who prefer to contact a resource outside of the institution confidentially or anonymously.

Another helpful resource is the HelpLine of Delaware and Morrow Counties, which can be reached by dialing 211 (9-211 from campus phones), 740-369-3316 or 1-800-684-2324. (If you are hearing impaired, HelpLine uses the Ohio Relay Service). HelpLine is a 24-hour local, toll-free crisis support and information and referral hotline for people living in Delaware and Morrow Counties.

**HelpLine also has the Sexual Assault Response Network (SARN) Program which provides short and longer-term advocacy to people in Delaware, Morrow, Crawford, and Wyandot Counties.** Part of this program includes volunteer advocates who have been specially trained to do crisis intervention, offer emotional support, make referrals, and answer questions for survivors of sexual assault who present to the emergency department of Grady Memorial Hospital, the Delaware City Police Department or the Delaware County Sheriff's Office, as well as other local emergency departments. The SARN program also has staff who provide longer-term advocacy, for those who've experienced sexual assault and need support through a

process (e.g. the criminal justice system or even student judiciary). SARN assistance is also provided, regardless of when the sexual assault occurred, if it was reported and what the need may be. The SARN program also provides therapeutic workshops & materials (e.g. books) for those who've experienced sexual assault and peer-led, staff-facilitated support groups, depending on need. We help connect people with needed information and support.

SARN advocates respond 24 hours a day, 7 days a week and will automatically be called by emergency department personnel. They may also be called by law enforcement to be available to the survivor and/or their family and friends. HelpLine serves **all** individuals. At the emergency department survivors will be offered services by the advocate, but always have the option of declining. HelpLine staff and volunteers are required to keep all information confidential. A SARN advocate can be requested by calling HelpLine's 24-hour hotline at 740-369-3316 or 1-800-684-2324. The hotline worker on duty will contact the appropriate on-call advocate. The volunteer advocate will do everything possible to ensure that the survivor feels positive about seeking help. The advocate is not a "fact finder" or interviewer, but is trained to be supportive during medical and forensic interviews without jeopardizing the effectiveness of the interview. An advocate may be a more effective support person than a friend or relative during this time. However, it is always the right of the survivor to decide who is to be in the room with him/her/them. The first step in recovery after an assault is empowerment. The SARN advocate, and medical and law enforcement agencies all have the goal of providing a supportive environment conducive to the healing process.

Law Enforcement officers and detectives have received special training and observe a special investigation protocol in dealing with survivors of sexual assault, in immediate/short-term situations (assault has occurred within the past 96 hours) AND in situations where there has been an extended delay in reporting the offense (more than 96 hours following the assault).

**Sexual Assault Nurse Examiners (SANE)** are on duty or on call at Grady Memorial Hospital in Delaware, OH. SANE nurses are trained to provide compassionate, comprehensive care so that a sexual assault survivor does not perceive a re-victimization by the healthcare system. The SANE nurse will conduct a medical forensic examination, provide treatment and follow-up care referrals.

### ***Guidance on Timely Reporting***

*(from MTSO Title IX Policy, adopted by Administrative Council, August 2012; Revised August 2014 and Reviewed by Legal Counsel and Administrative Council, Updated July 2015 by Title IX Coordinator and Reviewed by EIIA Legal Counsel)*

All incidents of sex discrimination, including sexual misconduct or retaliation, should be reported as soon as possible after they occur by Complainants and third party witnesses in order to maximize the School's ability to respond promptly and effectively. MTSO encourages all students and employees who believe they have experienced any form of sex discrimination to: notify a School official promptly; seek all available assistance; and, as appropriate, pursue School misconduct charges and criminal prosecution of the alleged offender.

In order to pursue action through MTSO's grievance procedure, an aggrieved student, or employee should meet with a School official of his/her choosing or the Title IX Coordinator as soon as possible after the alleged act of sex discrimination, harassment, or retaliation occurs, to discuss the complaint. In any case, MTSO **does not** limit the timeframe for student reporting. To that end, if the Respondent is no longer a student or employee, the School will seek to meet its Title IX obligations by taking steps to end the harassment, prevent its reoccurrence, and address its effects.

Employees who have experienced conduct they believe is contrary to this policy have an obligation to make a report. An employee's failure to fulfill this obligation may affect his or her rights in pursuing legal action. **Timely reporting is necessary for employees.**

### ***Options for Reporting and Confidentially Disclosing Sexual Discrimination, including Sexual Violence, to MTSO officials***

The purpose of this section is to make victims aware of the various reporting and confidential disclosure options

available to them so they can make informed choices about where to turn should they become a victim of sexual violence. Different employees on campus have different abilities to maintain a victim's confidentiality.

### **“Responsible Employees”**

Some employees are required to report all the details of an incident (including the identities of both the Complainant and Respondent) to the Title IX Coordinator. A report to these employees (called “responsible employees”) constitutes a formal report to the School, and generally obligates the School to investigate the incident and take appropriate steps to address the situation. A “responsible employee” is a School employee who has the authority to redress sexual violence, who has the duty to report incidents of sexual violence or other student misconduct, or who a student could reasonably believe has this authority or duty.

At MTSO, “responsible employees” under Title IX include the following persons:

- Title IX Coordinator, Grace Welch, Office: 740-362-3366, Email: [gwelch@mtso.edu](mailto:gwelch@mtso.edu)
- Director of Student Services, Kris LoFrumento, Office: 740-362-3126, Email: [klofrumento@mtso.edu](mailto:klofrumento@mtso.edu)
- Faculty or member of Administrative Council.

Students and employees who wish to make formal reports of incidents are encouraged to speak to one of these MTSO officials. Notice to them is formal notice to the institution. Students and employees have the right to expect incidents of sexual misconduct to be taken seriously by the institution when formally reported, and to have those incidents properly investigated and resolved through administrative procedures. Formal reporting means that only people who need to know will be told and information will only be shared as necessary with investigators, witnesses, and the accused individual.

Before a victim reveals any information to a responsible employee, the employee should ensure that the victim understands the employee's reporting obligations and, if the victim wants to maintain confidentiality, direct the victim to confidential resources.

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

“Responsible employees” will not pressure a victim to request confidentiality, but will honor and support the victim's wishes, including for the School to fully investigate an incident. By the same token, “responsible employees” will not pressure a victim to make a full report if the victim is not ready or does not wish to do so.

If a victim discloses an incident to a “responsible employee” but wishes to maintain confidentiality or requests that no investigation into a particular incident be conducted or disciplinary action taken, the School will take all reasonable steps to investigate and respond to the complaint consistent with the request for confidentiality or request not to pursue an investigation. If a Complainant insists that his or her name or other identifiable information not be disclosed to the alleged perpetrator, the School should inform the complainant that its ability to respond may be limited. If the School cannot take disciplinary action against the Respondent because the Complainant insists on confidentiality, it will take any available steps to limit the effects of the alleged harassment and prevent its recurrence.

Those who have experienced sex discrimination should know that all MTSO employees, including

faculty, administrative staff, support staff, and students working as building managers in campus residences, **must report known felonies to the police, unless the communication is protected by law.**

### ***Employees with “Privileged communication” credentials***

Some employees are permitted to maintain near complete confidentiality. MTSO employees who are licensed counselors and/or credentialed clergy fall into this category **PROVIDED THAT** the victim and the employee share an explicit understanding that the report is being made to the employee as a practicing counselor or clergy member, and not in their capacity as an employee of MTSO. Under those conditions only, the employee is not required to report any information about an incident to the Title IX Coordinator without a victim’s permission. A victim who speaks under these conditions must understand that, if they want to maintain confidentiality, the School will be unable to conduct an investigation into the particular incident, pursue disciplinary action against the alleged perpetrator, or include the incident in the School’s Clergy Report, an annual reporting of statistics for various criminal offenses that is submitted to the federal government. The counselor or clergyperson may be able to assist the Complainant in receiving other necessary protection and support, such as victim advocacy, academic support or accommodations, disability, health or mental health services, and changes to living, working, or course schedules. A Complainant who at first requests confidentiality may later decide to file a complaint with the School or report the incident to local law enforcement, and thus have the incident fully investigated.

Note: While these employees may maintain a victim’s confidentiality vis-à-vis the School, they may have reporting or other obligations under state law. Also, if the School determines that the alleged Respondent(s) pose a serious and immediate threat to the campus community, it will be necessary to issue a timely warning to the community. Any such warning will not include any information that identifies the Complainant.

### ***A third option***

Employees who neither are “responsible employees” nor entitled to “privileged communication” may talk to a Respondent in confidence. Although the employee must report to their supervisor and to the Title IX Coordinator that an incident occurred, they may do so without revealing any personally identifying information. Disclosures to these employees will not trigger a School investigation into an incident against the Complainant’s wishes, but will ensure that the incident will be included in the School’s Clergy Report, the annual reporting of statistics for various criminal offenses that is submitted to the federal government.

### ***Anonymous Reporting***

Although the School encourages victims to talk to a School employee about any incident of sexual discrimination, the School also provides for the anonymous reporting of incidents through the confidential, anonymous hotline (Campus Conduct Hotline) at 1-866-9HELPUS (1-866-943-5787) and through the School’s ombudsperson, an independent counsel who serves as an impartial dispute resolution practitioner. Procedures for contacting the ombudsperson are available by contacting the Title IX Coordinator or the President’s Office.

### ***Reporting to the Department of Education’s Office of Civil Rights***

At any time, victims of sex discrimination are free to file a complaint with the Department of Education’s Office of Civil Rights, the federal agency charged with interpreting and enforcing Title IX. For more information, please see <http://www2.ed.gov/about/offices/list/ocr/docs/howto.html> .

### ***Coordination with Law Enforcement***

The School fully supports Complainants who wish to pursue criminal action for incidents of alleged sexual harassment and/or misconduct that may also be considered crimes under Ohio criminal statutes. The "Responsible Employee" will assist the Complainant in making a criminal report and will cooperate with law enforcement agencies if the Complainant decides to pursue the criminal process to the extent permitted by law. **In a case of suspected child abuse, the School and its members have a responsibility and duty to report the concern.**

A Complainant may seek resolution through the School's conduct and corrective action process, may pursue criminal action, may choose one but not the other, or may choose both. Neither law enforcement's determination whether or not to prosecute a Respondent, nor the outcomes of any criminal prosecution, are determinative of whether sexual discrimination, of any kind, exists under this policy.

### ***Bystander Intervention***

The School is concerned for the welfare of students, faculty, and staff. It recognizes that at times people, on and off campus, may need help. The School urges all community members to offer grace and assistance to others in need and take reasonable and prudent steps to prevent or stop an action of sexual misconduct. Taking actions may include indirect or direct interventions **WHEN SAFE TO DO SO**, enlisting the assistance of friends, contacting law enforcement, and/or seeking assistance from a person in authority, such as the Title IX Coordinator, member of Administrative Council, Faculty, Director of Student Services, Facilities Manager, or police.

### ***False Reporting/Frivolous Allegations***

The School takes the validity of information extremely seriously, as a charge of sexual harassment and sexual misconduct (of any kind) may have severe consequences. A Complainant who makes a report that is later found to be intentionally false or made maliciously without regard for truth may be subject to misconduct action. This provision does not apply to reports made in good faith, even if the allegations in the report are not substantiated through an investigation.

### ***Additional reporting obligation***

In addition to direct notification/complaints by victims, employees are expected to report known acts of sex discrimination they have witnessed or of which they have knowledge. Employees can make an initial report directly to the Title IX Coordinator or to their immediate supervisor, who will notify the Title IX Coordinator. **Employees who have knowledge that a felony has been committed or who have reasonable cause to believe that a minor or a disabled individual has been abused are expected to immediately report that fact to the Title IX Coordinator and to the proper authorities.**

### ***Off Campus Incidents***

An incident does not have to occur on campus to be reported to the School. Off-campus conduct that is likely to have a substantial effect on the Complainant's campus life and activities or poses a threat or danger to members of the MTSO community can also be addressed under this policy.

Because sexual misconduct frequently involves interactions between people that are not witnessed by others, reports of sexual harassment cannot always be substantiated by additional evidence. Lack of corroborating evidence or "proof" SHOULD NOT discourage individual from reporting sexual harassment under this policy.

### ***Responding to Reports of Sex Discrimination***

The Title IX Coordinator will provide for the adequate, reliable, and impartial review and/or investigation of all formal complaints of sex discrimination, including sexual misconduct, and will maintain all information pertaining to a complaint or investigation in secure files.

As soon as the Title IX Coordinator is made aware of a report of sex discrimination, the Coordinator will work with the Complainant both to ensure his/her safety and to remedy the situation. To minimize the reach of whatever pain and disruption is caused by misconduct, and to protect the privacy of all persons, MTSO regards all allegations of personal and professional misconduct as matters to be handled with the greatest possible degree of confidentiality. In some instances, however, (e.g., when there is a threat to the safety of the victim or others), it may not be possible to withhold names of individuals.

MTSO has developed both an informal and formal complaint resolution procedure to respond to reports of sex discrimination. Within **seven (7) working days** of receiving a report of sex discrimination, the Title IX Coordinator will make a determination of whether the informal resolution procedure is appropriate.

### ***Informal Procedures***

The Informal procedures are optional except in cases involving violence or non-consensual sexual intercourse, when they are never applied. An informal procedure is also not applied if the victim does not wish to engage it, or if MTSO determines it is not appropriate.

Informal resolutions may be appropriate if the conduct is isolated and does not involve sexual assault or other forms of violence. The means for seeking an informal resolution will vary from case to case, but could include the following:

The ***Direct approach*** may be appropriate when the Complainant is comfortable confronting the Respondent and chooses to take personal action after a discussion with the Title IX Coordinator. The goal is to stop the behavior rather than sanction the person accused of sexual misconduct or harassment.

The ***Third party approach*** involves having the Title IX Coordinator intermediate between the Complainant and Respondent informally to resolve the matter.

The ***Indirect approach*** taken by the Title IX Coordinator is intended to alter the Respondent's inappropriate behavior in such a way that the behavior stops without the Complainant having to take any action other than talking to the Title IX Coordinator. This option has advantage of maintaining anonymity of the Complainant and Respondent. This option has the disadvantage that the desired message may not be "heard" by the Respondent.

If an informal process is pursued, the Title IX Coordinator (or her/his designee) will attempt to facilitate a resolution that is agreeable to all parties. Under the informal process, the School will only conduct such fact-finding as is useful to resolve the conflict and as is necessary to protect the interests of all the parties, the School, and the School community.

Any party to the complaint has the option to discontinue the information process and request a formal investigation at any point. The School always has the discretion to initiate a formal investigation.

**Once the informal resolution procedure is complete**, the Title IX Coordinator shall, **within seven (7) business days** (unless unusual or complex circumstances exist in which case this process will take place as soon as practicable), issue written notification of the determination of findings to all parties. If all parties to the complaint and the School agree in writing to the terms and conditions of a recommended resolution **within seven (7) business days**, the case will be resolved without further process under this procedure. If not all parties to the complaint agree in writing to the terms and conditions of the recommended resolution **within seven (7) business days**, the complaint will be referred to the formal resolution procedure.

### **Formal Procedures**

As soon as it is determined that the informal procedure will not be applied, or its outcome is appealed, the Title IX Coordinator will open a formal investigation of the complaint.

The School will strive to complete a thorough, fair, impartial, and timely investigation.

To ensure a prompt and thorough investigation, the Complainant should provide as much of the following information as possible:

- The name (and, if applicable, the department, and position) of the person or persons allegedly causing the sex discrimination (which includes sexual misconduct, sexual violence, and harassment) or retaliation.
- A description of the incident(s), including the date(s), location(s), and the presence of any witnesses. If the Complainant is an employee: the alleged effect of the incident(s) on the Complainant's position, salary, benefits, promotional opportunities, or other terms or conditions of employment.
- The names of other students or employees who might have been subject to the same or similar sex discrimination or retaliation.
- Any steps the Complainant has taken to try to stop the sex discrimination or retaliation.
- Any other information the Complainant believes to be relevant to the sex discrimination, harassment, or retaliation.
- A description of the desired solution sought by the Complainant.

If upon receipt of the complaint the Title IX Coordinator determines that the allegation outlined is the complaint does not meet the definition of discrimination or sexual harassment, the Title IX Coordinator will provide written notice to the Complainant that he/she does not intend to investigate the complaint. The written notice will clarify the reason the complaint has been rejected for investigation. The Complainant, **within seven (7) business days** of the date of notice, may ask to meet with the President to discuss the decision of the Title IX Coordinator. If the Complainant provides the President new or additional information regarding his or her complaint, the matter will be referred to the Title IX Coordinator who will reconsider the case. The President may accept the decision of the Title IX Coordinator, or request an investigation by a specially designated official. The President will provide *written notice* of his/her decision to the Complainant and to the Title IX Coordinator and/or her/his designee.

When the Title IX Coordinator or her/his designee, conducts an investigation, the investigation shall be concluded as quickly as possible, and **no later than 60 days after receipt of the initial report**.

The investigation will be conducted in a manner that is adequate, reliable, and impartial. The investigation may include interviews of the parties involved, including witnesses, and the gathering of other relevant information. Parties to the complaint may present witnesses and other evidence. At any time during the investigation, the investigator may recommend that appropriate MTSO officials provide interim protections or remedies for the parties involved or witnesses. Failure to comply with the terms of interim protections may be considered a separate violation of standards of conduct. Additionally, the Respondent will be advised that any retaliatory action taken against the Complainant during or after the investigation will subject the Respondent to corrective action. Likewise, the Complainant will be advised that any retaliatory action taken against the Respondent during or after the investigation will subject the Complainant to corrective action.

MTSO will comply with a law enforcement request for cooperation, and such cooperation may require MTSO to temporarily suspend the fact-finding aspect of a Title IX investigation while a law enforcement agency is in the process of gathering evidence. MTSO will promptly resume its Title IX investigation as soon as notified by the law enforcement agency that it has completed the evidence gathering process. MTSO will implement interim steps during the law enforcement agency's investigation period to provide for the safety of victim(s) and the campus community and the avoidance of retaliation.

A resolution shall be determined at the conclusion of the investigation. The Title IX Coordinator will give parties involved simultaneous written notice of the outcome of the complaint **within seven (7) business days**.

Following the communication of the decision, parties to the complaint may request an appeal of the decision. **The request for an appeal must be submitted in writing to the Title IX Coordinator within seven (7) business days of receiving the notice of outcome.** Failure to file a timely appeal constitutes a waiver of any right to an appeal.

All grounds for appeal shall be based on the emergence of new evidence that was previously unavailable, or based on the grounds that some aspect of this policy or procedure was not adequately followed which substantially affected the outcome of the adjudication. All appeals will be conducted in an impartial manner by an MTSO official or external investigator who did not conduct the initial investigation. Typically, this will be the President of MTSO or a senior administrative official designated by the President.

Appeals should not be requested frivolously. An appeal represents a procedural safeguard for the parties. In an appeal, the burden of proof is on the appealing party to show by a preponderance of evidence that one or more of the above grounds for appeal are satisfied.

If the Title IX Coordinator, or his or her designee, determines that the appealing party has demonstrated that it is more likely than not that one of the above grounds for appeal is satisfied, the matter will be returned for further review of the investigation file by a new investigator(s). If the grounds for appeal relate to the investigation, or warrant additional investigation, the new investigator(s) may refer the matter to further investigation before proceeding. Upon further review, the new investigator(s) shall utilize the same process as required for adjudication under this policy.

If there is not adequate reason to believe that one or more grounds for appeal have been satisfied, the Title IX Coordinator may dismiss the appeal. This decision is final and is not appealable.

### ***Possible Title IX Sanctions***

Sanctions imposed upon students who are determined to have violated this policy may include a variety of institutional responses or requirements, including, but not limited to, the following; warning, removal from campus housing, not being allowed to represent the school in volunteer or paid work, restitution, required attendance at educational programs, required assessments or counseling, restriction of privileges, probation, suspension and/or expulsion, and any other sanctions deemed appropriate under the circumstances.

Sanctions against an employee found to have violated this policy may include, but are not limited to, verbal or written warnings, suspension, or termination from employment with MTSO. If termination of a faculty member is contemplated, the applicable rules set forth in the Faculty Handbook governing dismissal for serious cause will be followed.

A student returning to school after a suspension for misconduct under this policy may be subject to certain class scheduling and residential arrangements so that the offender and complainant avoid, to the greatest extent possible, contact, unless the complainant agrees otherwise.

### ***Rights of the Complainant***

A person bringing forward a complaint of sex discrimination or sexual misconduct has the right to request and/or expect the following:

- an explanation of the available options for redress;
- freedom from harassment and retaliation;
- use of all available internal and external support services in dealing with the aftermath of the offense;
- the ability to speak on one's own behalf;
- the presence of an advisor of their choosing, who may confer with the person they are advising but who may not actively participate in the process;
- the opportunity to present witnesses who can speak about the charges, character witnesses excluded;
- freedom from having irrelevant sexual history discussed during the proceedings;
- information about the outcome of the decision;
- to have the process take no longer than 60 days, under ordinary circumstances; and
- the opportunity to appeal the outcome of the decision.

A person bringing forward a complaint of sex discrimination or sexual misconduct also has the right to file a criminal or administrative complaint simultaneously.

### ***Rights of the Respondent***

MTSO will treat an accused person with fairness throughout the proceedings. Accused persons are entitled to:

- an explanation of the allegations;
- freedom from harassment by the Complainant (or supporters of the Complainant);
- an explanation of the process and possible outcomes;
  
- the presence of an advisor of their choosing, who may confer with the person they are advising but who may not actively participate in the process;
- the ability to speak on one's own behalf;
- the opportunity to present witnesses who can speak about the charges, character witnesses excluded;
- freedom from having irrelevant sexual history discussed during the proceedings;
- information about the outcome of the decision; and
- the opportunity to appeal the outcome of the decision.

### ***Rights of the Institution***

With respect to allegations, reviews, investigations, decisions and findings in instances of sex discrimination and sexual misconduct, MTSO reserves its right to:

- take whatever measures it deems necessary in response to an allegation of sex discrimination in order to protect students' rights, employees' rights, and/or the personal safety of students or employees;

- impose differing sanctions depending on its judgment of the severity of the offense, ranging from oral warning to expulsion or dismissal;
- treat attempts to commit any of the violations listed in this policy as if those attempts had been completed;
- initiate a complaint, or serve as Complainant, and initiate proceedings without a formal complaint by the victim or Complainant;
- dismiss unsubstantiated allegations, and take appropriate action against any party found to engage in intentionally false reporting of incidents. Making an intentionally false report of sexual misconduct may also violate state criminal statutes and civil defamation laws.

### ***Remedies and Interim Measures***

MTSO reserves the right to take any steps it deems necessary to remedy the discriminatory effects on the victim and others. Remedies and accommodations may be applied to the Complainant and/or the Respondent or others at the discretion of the Title IX Coordinator and include but are not limited to:

- imposition of campus No-Contact order
- rescheduling of exams and assignments
- providing alternative course completion options
- a change in work schedule or job assignment
- access to counseling services and assistance in setting up initial appointment
- a change in student's assigned housing
- limiting an individual or group access to certain School facilities or activities pending resolution of the matter
- a voluntary leave of absence
- an interim suspension pending the outcome
- a change of office space
- providing an escort to ensure safe movement between classes and activities
- providing academic support service, such as tutoring
- any other remedy which can be tailored to the involved individuals to achieve the goals of this policy

### ***Information Regarding Advisers***

#### ***Rights to an Adviser***

Both parties to a dispute may have an adviser attend the appeal hearing. The adviser's role is to help the complainant or respondent prepare, advise on the procedural aspects of the hearing, and to be a non-participating supporter at the hearing. The Complainant and Respondent are expected to speak for themselves, to present their own case, and to ask and answer questions.

There are some individuals who are prohibited from serving as advisers to complainants and/or respondents: the President of the Seminary, the Dean and Vice President of Academic Affairs, and any staff member of Student Services and Academic Affairs.

#### ***Advisors in Sexual Harassment and Misconduct Disputes***

Advisors in appeal hearings for sexual harassment and misconduct disputes may be a support person, an attorney, or an advocate. The adviser may accompany the student to any meeting with a School employee and/or official, external investigator, and to the hearing. The adviser may not address the panel during the hearing or otherwise delay, disrupt, or interfere with any meeting or proceeding. If a Complainant or Respondent

chooses to have an attorney as his/her advisor, they do so at their own expense. The attorney must meet with the President (or designee) in advance of any participation in the proceedings to understand the expectations of the role, privacy and appropriate decorum. Attorneys serving as advisors must adhere to the expectation of the role described in this policy. The School will not recognize or enforce agreements between the parties made outside of these procedures.

Absent extenuating circumstances, witnesses and others involved in an investigation or hearing are not entitled to have a support person. However, if the support person is to act as a witness, the support person testifies before the Complainant testifies.

### **Records**

The Title IX Coordinator will retain records of all reports, allegations, and complaints, regardless of whether the matter is resolved by means of Title IX applicability, informal procedures, or formal procedures. Complaints resolved by means of the Title IX applicability or informal procedures are not part of a student's conduct file and/or academic record.

Affirmative findings of responsibility in matters resolved by means of formal resolution are part of a student's conduct record. Such records shall be used in reviewing any further misconduct or developing educational outcomes and shall remain a part of the student's conduct record.

Generally, dismissals are permanently noted on a student's transcript. Suspensions and withdrawal pending disciplinary action are removed from a student's transcript after the student successfully completes one semester upon his/her return with no further incident. The conduct files of students who have been suspended or dismissed from the School are permanently maintained in the Office of the Dean and Vice President of Academic Affairs. Conduct files of students who have not been suspended or dismissed are maintained for a period of seven years after the end of the academic year of said violation(s).

Student conduct records may be released to School officials on a "need-to-know" basis. Records may be released to persons and agencies external to the School with the student's permission, or in compliance with the law (FERPA). Records that are lawfully subpoenaed or ordered by a judge may be released in connection with a health and/or safety emergency. Further questions about student conduct record retention should be directed to the Dean and Vice President of Academic Affairs.

The Title IX Coordinator, Director of Human Resources, Compliance and Risk Management, in accordance with the School's record-retention policy, maintains employee records.

### **Reoccurrence**

MTSO shall take reasonable steps to prevent the recurrence of sex discrimination or retaliation in any form. If such recurrence takes place, those responsible for such behavior may be subject to a variety of actions under the Student Handbook or MTSO Personnel Policies manual, up to and including expulsion from School or dismissal from employment.

### **Definitions and Examples**

#### **Coercion**

Coercion is unreasonable pressure for sexual activity. Coercive behavior differs from seductive behavior based on the type of pressure someone uses to get consent from another. When someone makes clear that he or she does not want sex, wants to stop an encounter, or does not want to proceed past a certain point of interaction, continued pressure beyond that point can be coercive.

### **Consent**

Effective consent is the basis of the analysis applied to unwelcome sexual contact. Lack of consent is the critical factor in any incident of sexual misconduct.

- Consent is informed, freely and actively given, and requires clear communication between all persons involved in the sexual encounter.
- Consent is active, not passive. Consent can be communicated verbally or by actions. But in whatever way consent is communicated, it must be mutually understandable. Silence or lack of resistance, in and of themselves, cannot be interpreted as consent.
- It is the responsibility of the initiator of sexual contact to make sure he or she fully understands what the person(s) with whom they are involved want(s) or do(es) not want sexually.
- Consent to one form of sexual activity does not imply consent to other forms of sexual activity.
- Previous relationships or consent does not imply consent to future sexual acts.
- Consent cannot be procured by use of physical force, compelling threats, intimidating behavior, or coercion.
- Minors, mentally disabled individuals, or persons incapacitated as a result of drugs or alcohol, cannot give effective consent.
- If you have sexual activity with someone you know to be, or should know to be, mentally or physical incapacitated (by alcohol or drug use, unconsciousness or blackout), you are in violation of this policy.
- This policy also covers someone whose incapacity results from mental disability, sleep, involuntary physical restraint, or from the taking of a so-called "date-rape" drug. Possession, use and/or distribution of any such substances, including Rohypnol, Ketamine, GHB, Burundanga, etc. is prohibited, and administering one of these drugs to another person for the purpose of inducing incapacity is a violation of this policy. More information on these drugs can be found at <http://www.911rape.org/drug-facilitated-sexual-assault-dfsa/overview>.

**Use of alcohol or drugs will never function to excuse behavior that violates this policy.**

**Violence Against Women Reauthorization Act of 2013 (VAWA)**, which, among other provisions, amended section 485(f) of the HEA, otherwise known as the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act). Notably, VAWA amended the Clery Act to require institutions to compile statistics for incidents of dating violence, domestic violence, sexual assault, and stalking and to include certain policies, procedures, and programs pertaining to these incidents in their annual security reports (<https://www.federalregister.gov/articles/2014/10/20/2014-24284/violence-against-women-act>).

### **Dating violence**

Dating violence as defined by the VAWA is violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim where the existence of such a relationship shall be determined based on the reporting party's statement and with consideration of:

- The length of the relationship
- The type of relationship
- The frequency of interaction between the person involved in the relationship

Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. Dating violence does not include acts covered under the definition of domestic violence.

### **Domestic violence**

Domestic violence as defined by VAWA, includes felony or misdemeanor crimes of violence committed:

- By a current or former spouse or intimate partner of the victim
- By a person with whom the victim shares a child in common

- By a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner
- By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies
- By any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred

### ***Force***

Force is the use or threat of physical violence or intimidation and/or imposing on someone physically to gain sexual access. Force also includes threats, intimidation (implied threats), and coercion that overcome an individual's freedom to choose whether to participate in sexual activity, resist or produce consent.

### ***Hostile environment***

A hostile environment exists when a reasonable person is rendered unable to function for fear of ridicule, threats, derogatory comments, unwelcome jokes, insults, slurs, and other similar conduct. A variety of related factors are considered in determining if a hostile environment has been created, with subjective and objective perspectives taken into account. Conduct is evaluated from the perspective of a reasonable person in the alleged victim's position, considering all the circumstances. The more severe the conduct, the less need there is to show a repetitive series of incidents to prove a hostile environment, particularly if the conduct is physical. Indeed, a single or isolated incident of sexual violence may create a hostile environment.

### ***Incapacitation***

Incapacitation is a state where one cannot make a rational, reasonable decision because he or she lacks the ability to give knowing consent, or to understand the "who, what, when, where, why, or how" of his or her sexual interaction because an individual is mentally and/or physical helpless, unconscious, or unaware that the sexual activity is occurring. Where alcohol and other substances, including prescription drugs, are involved, incapacitation is a state beyond drunkenness or intoxication. Warning signs that a person may be nearing incapacitation may include vomiting, slurred speech, unsteady gait, odor of alcohol or other drugs, combativeness, and/or emotional volatility.

### ***Retaliation***

It is unlawful to retaliate against an individual for interfering with any right or privilege secured by Federal civil rights laws, including Title IX. Any individual or group of individuals, not just a Respondent or Complainant, can commit retaliation. Retaliation includes, but is not limited to, intimidating, threatening, coercing or in any way discriminating against the individual because of the individual's complaint of sexual discrimination or violence.

### ***Sex Discrimination***

Sex discrimination consists of behaviors and actions that deny or limit a person's ability to benefit from and/or fully participate in the educational programs or activities or employment opportunities because of a person's sex. Examples of sex discrimination under Title IX include, but are not limited to, sexual harassment, sexual violence, failure to provide equal opportunity in education programs and co-curricular programs, discrimination based on pregnancy, and employment discrimination.

### ***Sexual Activity***

Sexual activity is defined as intentional contact with the breasts, buttock, groin or genitals, or

touching another with any of these body parts, or making another touch you or themselves with or on any of these body parts; or any intentional bodily contact in a sexual manner, though not involving contact with/of/by breasts, buttocks, groin, genitals, mouth or other orifice; or intercourse however slight, meaning vaginal penetration by a penis, object, tongue or finger, anal penetration by a penis, object, tongue or finger, and oral copulation (mouth to genital contact or genital to mouth contact).

### ***Sexual Assault***

Sexual assault is defined as having or attempting to have sexual intercourse or sexual contact with another individual without consent. This includes sexual intercourse or sexual contact achieved by the use or threat of force or coercion, where an individual does not consent to the sexual act, or where an individual is incapacitated. Sexual assault includes the following two acts:

**Related to Non-consensual Sexual Intercourse:** Having or attempting to have sexual intercourse with another individual without consent. Sexual intercourse includes vaginal or anal penetration, however slight, with a body part or object, or oral copulation by mouth-to-genital contact.

**Related to Non-consensual Sexual Contact:** Having or attempting to have sexual contact with another individual without consent. Sexual contact includes kissing, touching the intimate parts of another, causing the other to touch one's intimate parts, or disrobing or exposure of another without permission. Intimate parts may include the breasts, genitals, buttocks, mouth, or any other part of the body that is touched in a sexual manner.

### ***Sexual Battery***

Sexual Battery is a felony. No person shall engage in sexual conduct with another when any of the following applies: 1) the offender knowingly coerces the other person to submit by any means that would prevent resistance by a person of ordinary resolution, or 2) the offender knows that the other person's ability to appraise the nature of, or control, his or her own conduct is substantially impaired, or 3) the offender knows that the other person submits because he or she is unaware that the act is being committed, or 4) the offender has supervisory or disciplinary authority over such person. A victim need not prove physical resistance to the offender.

### ***Sexual Exploitation***

Sexual exploitation occurs when a person takes non-consensual or abusive sexual advantage of another for his or her own advantage or benefit, or to benefit or advantage anyone other than the one being exploited, and that behavior does not otherwise constitute one of the other sexual misconduct offenses. Examples of sexual exploitation include, but are not limited to: prostituting another person; non-consensual video or audio taping of sexual activity; going beyond the boundaries of consent (i.e., allowing others to watch you have consensual sex unbeknownst to your sexual partner); engaging in voyeurism; knowingly transmitting an STD or HIV to another; inducing incapacitation for the purpose of making another person vulnerable to non-consensual sexual activity; and exposing one's genitals in non-consensual circumstances, or inducing such exposure in another person. Sexually-based stalking or bullying may also be forms of sexual exploitation.

### ***Sexual Imposition***

Sexual imposition is a misdemeanor. No person shall have sexual contact with another, cause another to have sexual contact with the offender, or cause two or more other persons to have sexual contact when any of the following applies: 1) the offender knows that the sexual contact is offensive to the other person, or one of the other persons, or is reckless in that regard; or 2) the offender knows that the other person's, or one of the other person's, ability to appraise the nature of or control the offender's or touching person's conduct is substantially impaired; or 3) the offender knows the other person, or one of the other persons, submits because of being unaware of the sexual contact.

[ORC 2907.06] Gross sexual imposition is a felony.

### ***Sexual Harassment***

Sexual harassment is distinguished from a voluntary sexual relationship by the introduction of the element of coercion, threat, hostility, or unwanted attention of a sexual nature. Sexual harassment consists of unwanted sexual advances, requests for sexual favors, or visual, verbal, or physical conduct of a sexual nature when:

- submission to such conduct is made a term or condition of employment or the educational relationship;
- submission to or rejection of such conduct is used as a basis for employment or education decisions affecting the individual; or
- such conduct is sufficiently severe, persistent or pervasive that it has the effect of unreasonably interfering with, denying or limiting a student's or employee's work performance, ability to participate or benefit from the School's educational program or activities, or creating an intimidating, hostile, or offensive working, educational, or living environment.

While sexual harassment encompasses a wide range of conduct, some examples of specifically prohibited conduct include:

- promising, directly or indirectly, a student or employee a reward if the student or employee complies with a sexually-oriented request (quid pro quo);
- threatening, directly or indirectly, retaliation against a student or employee if the student or employee refuses to comply with a sexually-oriented request;
- denying, directly or indirectly, a student or employee an employment or education-related opportunity if the student or employee refuses to comply with a sexually-oriented request;
- engaging in sexually suggestive conversation or physical contact or touching another student or employee;
- displaying pornographic or sexually-oriented materials;
- engaging in indecent exposure;
- making sexual or romantic advances toward a student or employee and persisting despite the student's or employee's rejection of the advances;
- physical conduct such as assault, touching, or blocking normal movement;
- retaliation for making harassment reports or threatening to report harassment.

Sexual harassment can involve males or females being harassed by members of either sex. Although sexual harassment sometimes involves a person in a greater position of authority as the harasser, individuals in positions of lesser or equal authority can also be found responsible for engaging in prohibited harassment.

Sexual harassment can be physical and/or psychological in nature. An aggregation of a series of incidents can constitute sexual harassment even if one of the incidents considered separately would not rise to the level of harassment.

### ***Sexual Misconduct***

Sexual misconduct is a broad term encompassing any sexual behaviors that violate MTSO standards of conduct or policies governing work expectations. In general, any non-consensual physical contact of a sexual nature may constitute sexual misconduct. Sexual harassment and sexual exploitation are also forms of sexual misconduct. Sexual misconduct may vary in its severity and consists of a range of behaviors or attempted behaviors that may be grounds for action under MTSO policies.

Prohibited conduct under this policy includes, but is not limited to:

- non-consensual sexual contact: any intentional sexual touching, however slight, with any object or body part, by a man or woman upon a man or woman, without consent and/or by force;
- non-consensual sexual intercourse: any sexual intercourse (anal, oral, or vaginal) however slight, with any object or body part, by a man or woman upon a man or woman, without consent and/or by force;
- forced sexual intercourse: unwilling non-consensual sexual penetration (anal, oral, or vaginal) with any object or body part that is committed either by force, threat, intimidation, or through exploitation of another's mental or physical condition of which the assailant was aware or should have been aware.

### **Sexual Violence**

Sexual violence refers to physical acts perpetrated against a person's will or where a person is incapable of giving consent (e.g., due to age, use of alcohol or drugs, or because an intellectual or other disability prevents the person from having the capacity to give consent). A number of different acts fall into the category of sexual violence, including rape, sexual assault, sexual battery, sexual abuse, and sexual coercion. School employees or third parties can carry out 67 sexual violence. All such acts of sexual violence are forms of sex discrimination prohibited by Title IX.

### **Stalking**

Stalking as defined by VAWA, is, engaging in a course of conduct directed at a specific person that would cause a reasonable person to:

- Fear for his or her safety or the safety of others; or
- Suffer substantial emotional distress
  - "course of conduct": means two or more acts, including but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property
  - "reasonable person": means a reasonable person under similar circumstances and with similar identities to the victim
  - "substantial emotional distress": means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling

### **Prevention Programs**

Faculty, Student Workers/Internship/Field Education, and Staff Training, implemented prior to May 2011 – September 30, 2015: **Sexual Abuse Awareness: Creating a Safe Campus for Young People** (fulfills EIIA Risk Management requirement for Higher Education institutions). This is a one-hour on-line training program provided by in2vate.com, LLC. The training is focused on university/college personnel, key students and volunteers, and summer camp counselors/leaders to be able to know and act on the important steps to prevent sexual abuse on a campus by: learning more about sexual abuse and becoming aware; knowing how to take action to safeguard young people from abuse; and knowing how to report any suspicion of sexual abuse.

Staff & Faculty Training, effective July 1, 2015: **Bridges: Building a Supportive Community**. This course covers how to identify and report different types of sexual misconduct committed against students. It also

cover ways to prevent sexual violence and maintain a safe campus community. It is a 60 minute on-line training program developed by *LawRoom*. All MTSO Faculty and Staff employees are required to participate in Title IX/Sexual Misconduct training upon hire and every two years thereafter.

Campus SaVE Act Student Training, effective July 1, 2015: Campus Clarity's ***Think About It***. *Think About It* addresses the Campus SaVE Act's primary and ongoing prevention program requirements. Further, *Think About It* is a comprehensive two – two-and-a-half hour online training program that prepares students to confront and prevent serious campus problems. The program covers sexual misconduct along with drugs and alcohol, and it combines sexual assault and substance abuse prevention so that the student receives three separate courses during their first year on campus. As of July 1, 2016: Campus Clarity's **Think About It: Graduate Students**.

### ***Missing Student Notification Policy and Procedures***

Any institution that maintains an on-campus housing facility must establish, for students who reside in an on-campus student housing facility, both a policy and procedures for missing student notification.

Any on-campus resident who has been missing for at least 24 hours may be considered missing if there is sufficient evidence to warrant this conclusion. This does not preclude implementing missing student notification procedures in less than 24 hours if circumstances warrant a faster implementation.

### ***Whom to Contact***

An individual reporting that an on-campus student has been missing for 24 hours should contact the Facilities Manager, who serves as the chief campus security authority. Upon notification, the Manager will contact the Title IX Coordinator, the City of Delaware Police Department, and the Delaware County Sheriff's Office. Official missing student reports will be referred immediately to local law enforcement agencies with jurisdiction in this area.

### ***Confidential Contact Person***

Each student living in on-campus student housing has the option to register a confidential contact person to be notified in the case that the student is determined to be missing. Students who wish to register a confidential contact person should provide this information to the Director of Student Services. Only authorized campus officials and law enforcement officers in furtherance of a missing person investigation may have access to this information. Students living in on-campus student housing should be advised that, even in cases where a confidential contact person has not been registered, local law enforcement will be notified that the student is missing.

### ***Students under 18 years of age***

As a graduate-level institution, it is unlikely that MTSO would enroll a student under the age of 18. However, if a missing MTSO student is under the age of 18 and not emancipated, his or her parent or guardian will be notified.

### ***Preparation and Distribution of Annual Campus Safety and Crime Statistics Report***

The Director of Student Services is responsible for preparing and distributing the annual report to all members of the campus community, and for submitting statistics to the federal government. The annual report will be delivered electronically to every student, and to each member of the faculty and staff. The report also will be posted on the School's website. Applicants for admission and applicants for employment will be made aware of the availability of the report through School's Admissions & Personnel Officers.

## MTSO CAMPUS CRIME STATISTICS FOR CALENDAR YEARS 2013, 2014 & 2015

ON CAMPUS TOTAL	2	2	2	ON CAMPUS STUDENT HOUSING FACILITIES (Subset of On Campus Total)	2	2	2	PUBLIC PROPERTY	2	2	2
	0	0	0		0	0	0		0	0	0
	1	1	1		1	1	1		1	1	1
	3	4	5		3	4	5		3	4	5
<b>CRIMINAL OFFENSES</b>				<b>CRIMINAL OFFENSES</b>				<b>CRIMINAL OFFENSES</b>			
a. Murder/ Non-negligent manslaughter	0	0	0	a. Murder/ Non-negligent manslaughter	0	0	0	a. Murder/ Non-negligent manslaughter	0	0	0
b. Negligent manslaughter	0	0	0	b. Negligent manslaughter	0	0	0	b. Negligent manslaughter	0	0	0
c. Sex offenses forcible	0	0	0	c. Sex offenses forcible	0	0	0	c. Sex offenses forcible	0	0	0
d. Sex offenses non-forcible	0	0	0	d. Sex offenses non-forcible	0	0	0	d. Sex offenses non-forcible	0	0	0
e. Robbery	0	0	0	e. Robbery	0	0	0	e. Robbery	0	0	0
f. Aggravated assault	0	0	0	f. Aggravated assault	0	0	0	f. Aggravated assault	0	0	0
g. Burglary	0	0	0	g. Burglary	0	0	0	g. Burglary	0	0	0
h. Motor vehicle theft	0	0	0	h. Motor vehicle theft	0	0	0	h. Motor vehicle theft	0	0	0
i. Arson	0	0	0	i. Arson	0	0	0	i. Arson	0	0	0
<b>HATE OFFENSES</b>				<b>HATE OFFENSES</b>				<b>HATE OFFENSES</b>			
a. Murder/ Non-negligent manslaughter	0	0	0	a. Murder/ Non-negligent manslaughter	0	0	0	a. Murder/ Non-negligent manslaughter	0	0	0
b. Negligent manslaughter	0	0	0	b. Negligent manslaughter	0	0	0	b. Negligent manslaughter	0	0	0
c. Sex offenses forcible	0	0	0	c. Sex offenses forcible	0	0	0	c. Sex offenses forcible	0	0	0
d. Sex offenses non-forcible	0	0	0	d. Sex offenses non-forcible	0	0	0	d. Sex offenses non-forcible	0	0	0
e. Robbery	0	0	0	e. Robbery	0	0	0	e. Robbery	0	0	0
f. Aggravated assault	0	0	0	f. Aggravated assault	0	0	0	f. Aggravated assault	0	0	0
g. Burglary	0	0	0	g. Burglary	0	0	0	g. Burglary	0	0	0
h. Motor vehicle theft	0	0	0	h. Motor vehicle theft	0	0	0	h. Motor vehicle theft	0	0	0
i. Arson	0	0	0	i. Arson	0	0	0	i. Arson	0	0	0
j. Simple assault	0	0	0	j. Simple assault	0	0	0	j. Simple assault	0	0	0
k. Larceny - theft	0	0	0	k. Larceny - theft	0	0	0	k. Larceny - theft	0	0	0
l. Intimidation	0	0	0	l. Intimidation	0	0	0	l. Intimidation	0	0	0
m. Destruction/damage/ vandalism of property	0	0	0	m. Destruction/damage/ vandalism of property	0	0	0	m. Destruction/damage/ vandalism of property	0	0	0
<b>ARRESTS (on campus)</b>				<b>ARRESTS (in campus housing)</b>				<b>ARRESTS (on campus)</b>			
a. Weapons: carrying, possessing, etc.	0	0	0	a. Weapons: carrying, possessing, etc.	0	0	0	a. Weapons: carrying, possessing, etc.	0	0	0
b. Drug abuse violations	0	0	0	b. Drug abuse violations	0	0	0	b. Drug abuse violations	0	0	0
c. Liquor law violations	0	0	0	c. Liquor law violations	0	0	0	c. Liquor law violations	0	0	0
<b>DISCIPLINARY ACTION (on campus)</b>				<b>DISCIPLINARY ACTION (in campus housing)</b>				<b>DISCIPLINARY ACTION (public property)</b>			
a. Liquor law violations	0	0	0	a. Liquor law violations	0	0	0	a. Liquor law violations	0	0	0
b. Drug law violations	0	0	0	b. Drug law violations	0	0	0	b. Drug law violations	0	0	0
c. Illegal weapons possessions	0	0	0	c. Illegal weapons possessions	0	0	0	c. Illegal weapons possessions	0	0	0

# **ANNUAL FIRE SAFETY REPORT**

**Methodist Theological School in Ohio  
Delaware, Ohio**

**September 30, 2016**

### **Definitions**

Any institution that maintains an on-campus housing facility must collect fire statistics, publish an annual Fire Safety Report, and keep a "fire log." For the purposes of fire safety reporting, a **fire** is defined as any instance of open flame or other burning in a place not intended to control the burning or in an uncontrolled manner. **Fire-related injuries** are defined as injuries from a fire that result in treatment at a medical facility.

### **Alarm Systems**

All residence units have fire alarm systems and smoke detectors that are checked by maintenance staff on a regular basis. If you notice any problems with these alarms or detectors, please notify Maintenance (workrequest@mtso.edu). IF AN ALARM OR DETECTOR IS SOUNDING, contact Maintenance (x3380) or the Front Desk (0 from any campus phone) immediately, during business hours. After hours, the Building Managers are the contact people. (See the inside front cover of this handbook for all the telephone numbers).

Once an alarm has sounded, it needs to be re-set in the living area as well as the in the Administration Building—regardless of the time it is occurring. If the alarm is in your living area AND YOU ARE CERTAIN THERE IS NO FIRE (smoke from cooking may have set off the alarm, for example), please let maintenance, the front desk AND your Building Manager know. Fire Extinguishers are located in each hallway; however, you may want to purchase a fire extinguisher for your own apartment.

### **Fire Drills**

MTSO is required by our insurance company and the City of Delaware to have regular fire drills in all residence units. These fire drills can be announced or unannounced. Two such drills were conducted in 2015. When you hear the fire alarm sound, please evacuate your room or apartment immediately, using the nearest exit.

### **Evacuation Guidelines**

Proceed to the nearest exit. After exiting the building, go to the assigned location.

**LIBRARY** - Gather in the grassy area across the street in front of the library.

**GAULT AND WERNER HALLS** - Gather in the grassy area across the street in front of Werner Hall.

**DEWIRE RESIDENTS AND DINING HALL** - Gather in the far corner of the parking lot next to the picnic shelter.

**HELEN WERNER APARTMENT BUILDING** - Gather in the grassy area in front of the apartment building next to the sidewalk.

**KLEIST MANOR APARTMENTS** - Gather in the grassy area in front of your building next to the sidewalk.

Persons who do not evacuate a building during a fire drill can be assessed a fine by the fire marshal. If you know that someone from your building hasn't reported to the designated area, notify maintenance and/or the fire department. Be mindful of the arriving fire trucks and the firefighters with equipment and hoses.

### **Fire Doors**

The Residence Hall and Apartment Buildings have fire safety doors in hallways and stairways. In the event of fire, these doors automatically close to prevent the spread of smoke and are marked "KEEP CLOSED." DO NOT prop these doors open.

### **Fire Safety Practices**

All residents including children who live on campus should understand basic fire safety principles and procedures for reporting a fire as well as evacuating their residence in the event of a fire. Trainings for key staff, including library personnel, farm employees, building managers, Facilities Manager, maintenance, Director of Student Services, and others will include First Aid and CPR training which includes AED training.

### ***Storage of Flammable Materials***

All residents need to be careful about how and where flammable materials are stored. Paper, empty boxes, chemicals and other flammable materials should not be stored in storage bins, hallways, or Kleist Manor apartment utility areas. (Items stored in Kleist Manor utility areas must be at least three feet away from all sides of the furnace and water heater.) Inspections of the storage and utility areas will occur at least once per semester by MTSO staff. In addition, we must be responsive to fire marshal and insurance investigator requests to randomly inspect these areas on their timelines.

### ***Policy on Use of Portable Electrical Appliances***

Use of portable electrical appliances in any on-campus housing facility is limited to devices of 1200 watts or less. This policy is meant to include coffee makers and other small kitchen appliances, computers and printers, and personal grooming devices such as hair dryers, curling irons, and razors. Use of portable space heaters is prohibited. If there are questions regarding permissible use of a particular device, contact the Facilities Manager.

### ***Smoke, Tobacco, and Vape-Free Policy:***

This Smoke-Free Policy amends the current policy to cover any tobacco products or the use of electronic nicotine delivery systems also known as e-cigarettes, e-pipes, e-cigars and e-hookahs, and it applies to all staff members, faculty, adjunct, students, and non-employee visitors. Smoking, smokeless (e.g., "chewing") tobacco and vaping are prohibited in all buildings on the MTSO campus, including all campus-housing units.

Smoking, smokeless tobacco and vaping are generally prohibited on campus within 30 feet of the doors, windows and ventilation systems of enclosed areas to prevent tobacco smoke or emissions from entering those areas. Smoking, smokeless tobacco and vaping are permitted outside of buildings in designated smoking areas. All materials used for smoking in designated areas, including cigarette butts, matches and tobacco, must be extinguished and disposed of properly.

### ***Open Flame Policy***

MTSO normally allows the use of candles or open flames in worship services and other events where such use is appropriate, as long as the use is in full compliance with the requirements of applicable codes (e.g., not used near flammable or combustible materials, etc.) and where there is a continuous presence of individuals who are responsible for candle or open flame usage. However, based upon the potential fire risk for building occupants and buildings, MTSO requests that candles or other open flames not be used inside campus buildings (including housing units) outside of worship services and other appropriate events (such as birthday parties).

## FIRE STATISTICS - FOR CALENDAR YEARS 2013, 2014 & 2015

<b>Unintentional Fires (on campus including on campus housing)</b>	<b>2013 - 0</b>	<b>2014 - 0</b>	<b>2015 - 1</b>
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<b>Unintentional Fires (in campus housing)</b>	<b>2013</b>	<b>2014</b>	<b>2015</b>
Dewire Residence Hall	0	0	1
Helen Werner Apartment Building	0	0	0
Kleist Manor	0	0	0

<b>Unintentional Fires (public property)</b>	<b>2013 - 0</b>	<b>2014 - 0</b>	<b>2015 - 0</b>
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