

2026

Annual Campus Security and Fire Safety Report

Main Campus: 1 South Grove Street Westerville, Ohio 43081

And

Annual Campus Security and Fire Safety Report

Equine Facility: 600 North Spring Street Westerville, Ohio 43081

Prepared by the Otterbein Police Department



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General Crime and Arrest and Referral Statistics:

The following crime and arrest statistics compiled by OPD are from calendar years 2023, 2024, and 2025. The statistics do not reflect reports that might have been made to other departments or individuals at the University unless those individuals or departments informed OPD of the incidents. Victims or witnesses may report crimes on a voluntary, confidential basis for inclusion in the annual disclosure of crime statistics. Professional counselors, when acting as a counselor, are not required to report crimes or incidents; however, the University urges counselors to provide "statistical information" should they become aware of a sexual assault incident.

Comprehensive crime statistics for Otterbein University are also available online at the U.S. Department of Education http://ope.ed.gov/security/ and the Federal Bureau of Investigation Uniform Crime Reports (UCR) https://www.fbi.gov/about-us/cjis/ucr/ucr **Crime definitions under the Clery Act and UCR may be different, so crime statistics provided in Clery and UCR reports may differ.**

Institutions of higher education are required to compile and report crime statistics in four categories by location. The categories are: "On-Campus", "On Campus Student Housing Facilities", "Non-Campus Buildings or Property", and "Public Property".

"On Campus" means any building or property owned or controlled by the University within the same reasonable contiguous geographic area and used by the University in direct support of, or in a manner related to the University's educational purposes, including residence halls; and

Any building or property that is within a reasonably contiguous to the previous paragraph that is owned by the University but controlled by another person, is frequently used by students, and supports University purposes (such as food or other retail vendor).

"On Campus Student Housing Facilities" means any student housing facility that is owned or controlled by the University, or is located on property that is owned or controlled by the University, and is within a reasonable contiguous area that makes up the campus.

"Non-Campus Buildings or Property" is defined as buildings or property not part of the main campus or a separate campus, which is: owned or controlled by the University; and used in support or in relation to the University's educational purposes, including student-housing areas.

"Public Property" relates to offenses occurring on: All public property, including thoroughfares, streets, sidewalks, parks, and parking facilities, that are within the campus, or immediately adjacent to and accessible from the campus. "Public Property" crime information is collected by OPD and the Westerville Police Department.

The table below lists eleven categories of crime as required by the Jeanne Clery Act. Each category is subdivided by where the criminal incident took place: On-Campus, in a Residence Hall, on a Non-Campus Property, or on adjoining Public Property

OTTERBEIN UNIVERSITY MAIN CAMPUS CRIME STATISTICS

Type of Offense	Year	On Campus	On-Campus Residential Facility	Non-Campus Buildings or Properties	Public Property
Murder and Non-Negligent Manslaughter	2023	0	0	0	0
	2024	0	0	0	0
	2025	0	0	0	0
Manslaughter by Negligence	2023	0	0	0	0
	2024	0	0	0	0
	2025	0	0	0	0
Rape	2023	0	0	0	0
	2024	4	1	0	0
	2025	4	4	0	0
Fondling	2023	0	0	0	0
	2024	0	0	0	0
	2025	1	0	0	1
Incest	2023	0	0	0	0
	2024	0	0	0	0
	2025	0	0	0	0
Statutory Rape	2023	0	0	0	0
	2024	0	0	0	0
	2025	0	0	0	0
Robbery	2023	0	0	0	0
	2024	0	0	0	0
	2025	0	0	0	0

Aggravated Assault	2023	0	0	0	0
	2024	0	0	0	0
	2025	0	0	0	0
Burglary	2023	3	3	0	0
	2024	1	0	0	0
	2025	1	1	0	0
Motor Vehicle Theft	2023	1	0	0	0
	2024	1	0	0	0
	2025	0	0	0	0
Arson	2023	0	0	0	0
	2024	0	0	0	0
	2025	0	0	0	0
Stalking	2023	2	2	0	0
	2024	4	2	1	1
	2025	1	1	0	0
Dating Violence	2023	1	1	0	0
	2024	1	1	0	0
	2025	0	0	0	0
Domestic Violence	2023	0	0	0	0
	2024	0	0	0	0
	2025	0	0	0	0

HATE CRIME STATISTICS FOR MAIN CAMPUS

Hate crimes for Clery purposes are defined as any of the crimes from the previous page, plus the crimes of larceny-theft, simple assault, intimidation, vandalism, and any other crime involving bodily injury to any person in which the victim was intentionally selected because of the offender's bias against the victim's actual or perceived race, gender, religion, ethnicity/national origin, sexual orientation or disability.

In 2025 there was one (1) incident of Hate Crimes reported.

In 2024 there was one (1) incident of Hate Crimes reported.

In 2023 there were no incidents of Hate Crimes reported.

Arrest statistics for three offense categories for 2023, 2024, and 2025 are also listed below. "Liquor violations" primarily consist of underage possession or consumption of alcoholic beverages, and do not include driving while impaired or under the influence of alcohol, or public drunkenness. The University is also required to report referrals for campus disciplinary proceedings for alcohol, drug, and weapons law violations in these statistics.

ARREST AND DISCIPLINE REFERRAL STATISTICS MAIN CAMPUS

Persons Arrested: Liquor Law Violations	**On Campus**	**On Campus Residential Facility**	**Non-Campus**	**Public Property**
2023	0	0	0	0
2024	0	0	0	0
2025	0	0	0	0
Drug Law Violations				
2023	0	0	0	1
2024	0	0	0	0
2025	0	0	0	0
Illegal Weapon Violations				
2023	0	0	0	1
2024	0	0	0	0
2025	0	0	0	0
Persons Referred for Discipline: Liquor Law Violations				
2023	26	25	0	0
2024	24	24	0	0
2025	21	21	0	0
Drug Law Violations				
2023	3	3	0	0

2024	0	0	0	0
2025	0	0	0	0
Illegal Weapon Violations				
2023	0	0	0	0
2024	0	0	0	0
2025	1	0	0	0

UNFOUNDED CRIMES FOR MAIN CAMPUS

2023	0	0	0	0
2024	0	0	0	1
2025	0	0	0	0

MAIN CAMPUS FIRE STATISTICS REPORTING TABLE: 2025, 2024, 2023

Statistics and Related Information Regarding Fires in Residential Facilities for 2025						
Residential Facilities	Total Fires in Each Building	Fire Number	Cause of Fire	Number of Injuries That Required Treatment at a Medical Facility	Number of Deaths Related to Fire	Value of Property Damage Caused by Fire
25 W. Home (Kerr Hall)	0	0	NA	0	0	0
85 West Home Street (Clements Hall)	0	0	NA	0	0	0
96 West Home Street (DeVore Hall)	0	0	NA	0	0	0
170 Martin Drive (Davis Hall)	0	0	NA	0	0	0
193 West Main Street (Dunlap-King)	0	0	NA	0	0	0
92 West Home Street (Engle Hall)	0	0	NA	0	0	0
98 West Home Street (Garst Hall)	0	0	NA	0	0	0

65 West Home Street (Hanby Hall)	0	0	NA	0	0	0
86-90 West Home Street (Home St. Commons I & II)	0	0	NA	0	0	0
86-90 West Home Street (Home St. Commons III & IV)	0	0	NA	0	0	0
65 North Grove Street (Mayne Hall)	0	0	NA	0	0	0
180-190 West Park Street (Park St. Commons I & II)	0	0	NA	0	0	0
180-190 West Park Street (Park St. Commons III & IV)	0	0	NA	0	0	0
94 West Home Street (Scott Hall)	0	0	NA	0	0	0

Statistics and Related Information Regarding Fires in Academic Facilities for 2025						
Academic Facilities	Total Fires in Each Building	Fire Number	Cause of Fire	Number of Injuries That Required Treatment at a Medical Facility	Number of Deaths Related to Fire	Value of Property Damage Caused by Fire
33 Collegeview Road (Art & Communications Building)	0	0	NA	0	0	0
170 West Park Street (Battelle Fine Arts Center)	0	0	NA	0	0	0
180 North Center Street (Clements Recreation Center)	0	0	NA	0	0	0
60 Collegeview Road (The Point)	0	0	NA	0	0	0
138 West Main Street (Courtright Memorial Library)	0	0	NA	0	0	0

30 South Grove Street (Cowan Hall)	0	0	NA	0	0	0
160 North Center Street (Rike Athletic Center)	0	0	NA	0	0	0
27 South Grove Street (Roush Hall)	0	0	NA	0	0	0
155 West Main Street (Science Center)	0	0	NA	0	0	0
1 South Grove Street (Towers Hall)	0	0	NA	0	0	0
140 North Center Street (Center for Sports Health Science)	0	0	NA	0	0	0

Statistics and Related Information Regarding Fires in Administrative Facilities for 2025						
Academic Facilities	Total Fires in Each Building	Fire Number	Cause of Fire	Number of Injuries That Required Treatment at a Medical Facility	Number of Deaths Related to Fire	Value of Property Damage Caused by Fire
88 Cochran Alley (Barlow Hall Chapel/Career Center/Financial Aid)	0	0	NA	0	0	0
25 West Home Street (Business Office and Human Resources)	0	0	NA	0	0	0
100 West Home Street (Campus Center)	0	0	NA	0	0	0
141 West Park Street (Cellar House)	0	0	NA	0	0	0
82 West Main Street (Center for Community Engagement/Chaplain)	0	0	NA	0	0	0
102 West College Ave (Clippinger Hall)	0	0	NA	0	0	0
39 South Vine Street (Frank Museum)	0	0	NA	0	0	0
111 West Park Street (Hancock House)	0	0	NA	0	0	0
78 West Home Street (Health Center)	0	0	NA	0	0	0
172/174 West Main (Administrative/Faculty Offices)	0	0	NA	0	0	0

181 North West Street (Rowland Property)	0	0	NA	0	0	0
131 West Park Street (Howard House)	0	0	NA	0	0	0
130 North Center Street (Memorial Stadium)	0	0	NA	0	0	0
194 West Main Street (Police Department)	0	0	NA	0	0	0
111 North West Street (President's Home)	0	0	NA	0	0	0
55 North Grove Street (Psychology House)	0	0	NA	0	0	0
195 West Park Street (Service Department Office & Shop)	0	0	NA	0	0	0
197 West Park Street (Service Department Heating Plant in rear)	0	0	NA	0	0	0
65 West Home Street (Student Affairs)	0	0	NA	0	0	0
177 West Park Street (Thrift Shop)	0	0	NA	0	0	0
146 West Home Street (Counseling Center)	0	0	N/A	0	0	0

Statistics and Related Information Regarding Fires in Other Otterbein Owned Properties for 2025						
Academic Facilities	Total Fires in Each Building	Fire Number	Cause of Fire	Number of Injuries That Required Treatment at a Medical Facility	Number of Deaths Related to Fire	Value of Property Damage Caused by Fire
5 South West Street	0	0	NA	0	0	0
40 West Home Street	0	0	NA	0	0	0
44 West Home Street	0	0	NA	0	0	0
150 West Main Street	0	0	NA	0	0	0
145 West Park Street	0	0	NA	0	0	0
299 North West Street (Athletics Fields)	0	0	NA	0	0	0
McFadden Parking Lot	0	0	NA	0	0	0
55 West Home Street (Vacant Lot)	0	0	NA	0	0	0
72 West Main Street (Vacant Lot)	0	0	NA	0	0	0
149 West Park Street (Vacant Lot)	0	0	NA	0	0	0

100 South Cleveland Avenue (Vacant Lot)	0	0	NA	0	0	0
100 Collegeview Road (Vacant Lot)	0	0	NA	0	0	0
76 West Park Street (Vacant Lot)	0	0	NA	0	0	0
South of 47 University Street (Vacant Lot)	0	0	NA	0	0	0

Statistics and Related Information Regarding Fires in Sororities for 2025						
Residential Facilities	Total Fires in Each Building	Fire Number	Cause of Fire	Number of Injuries That Required Treatment at a Medical Facility	Number of Deaths Related to Fire	Value of Property Damage Caused by Fire
94 West Main Street (Epsilon Kappa Tau)	0	0	NA	0	0	0
121 West Home Street (Sigma Alpha Tau)	0	0	NA	0	0	0
166 West Main Street (Tau Delta)	0	0	NA	0	0	0
64 West Home Street (Theta Nu)	0	0	NA	0	0	0

Statistics and Related Information Regarding Fires in Fraternities for 2025						
Residential Facilities	Total Fires in Each Building	Fire Number	Cause of Fire	Number of Injuries That Required Treatment at a Medical Facility	Number of Deaths Related to Fire	Value of Property Damage Caused by Fire
94 West Park Street (Lambda Gamma Epsilon)	0	0	NA	0	0	0
188 West Main Street (Sigma Delta Phi)	0	0	NA	0	0	0

Statistics and Related Information Regarding Fires in Theme Houses for 2025						
Residential Facilities	Total Fires in	Fire Number	Cause of Fire	Number of Injuries That Required	Number of Deaths	Value of Property

	Each Building			Treatment at a Medical Facility	Related to Fire	Damage Caused by Fire
46 W. Home St.	0	0	NA	0	0	0
154 W. Home St.	0	0	NA	0	0	0
155 W. Home St.	0	0	NA	0	0	0
162 W. Home St.	0	0	NA	0	0	0

Statistics and Related Information Regarding Fires in Residential Facilities for 2024						
Residential Facilities	Total Fires in Each Building	Fire Number	Cause of Fire	Number of Injuries That Required Treatment at a Medical Facility	Number of Deaths Related to Fire	Value of Property Damage Caused by Fire
25 W. Home (Kerr Hall)	0	0	NA	0	0	0
85 West Home Street (Clements Hall)	0	0	NA	0	0	0
96 West Home Street (DeVore Hall)	0	0	NA	0	0	0
170 Martin Drive (Davis Hall)	0	0	NA	0	0	0
193 West Main Street (Dunlap-King)	0	0	NA	0	0	0
92 West Home Street (Engle Hall)	0	0	NA	0	0	0
98 West Home Street (Garst Hall)	0	0	NA	0	0	0
65 West Home Street (Hanby Hall)	0	0	NA	0	0	0
86-90 West Home Street (Home St. Commons I & II)	0	0	NA	0	0	0
86-90 West Home Street	0	0	NA	0	0	0

(Home St. Commons III & IV)						
65 North Grove Street (Mayne Hall)	0	0	NA	0	0	0
180-190 West Park Street (Park St. Commons I & II)	0	0	NA	0	0	0
180-190 West Park Street (Park St. Commons III & IV)	0	0	N/A	0	0	0
94 West Home Street (Scott Hall)	0	0	NA	0	0	0

Statistics and Related Information Regarding Fires in Academic Facilities for 2024						
Academic Facilities	Total Fires in Each Building	Fire Number	Cause of Fire	Number of Injuries That Required Treatment at a Medical Facility	Number of Deaths Related to Fire	Value of Property Damage Caused by Fire
33 Collegeview Road (Art & Communications Building)	0	0	NA	0	0	0
170 West Park Street (Battelle Fine Arts Center)	0	0	NA	0	0	0
180 North Center Street (Clements Recreation Center)	0	0	NA	0	0	0
60 Collegeview Road (The Point)	0	0	NA	0	0	0
138 West Main Street (Courtright Memorial Library)	0	0	NA	0	0	0
30 South Grove Street (Cowan Hall)	0	0	NA	0	0	0

160 North Center Street (Rike Athletic Center)	0	0	NA	0	0	0
27 South Grove Street (Roush Hall)	0	0	NA	0	0	0
155 West Main Street (Science Center)	0	0	NA	0	0	0
1 South Grove Street (Towers Hall)	0	0	NA	0	0	0
140 North Center Street (Center for Sports Health Science)	0	0	NA	0	0	0

Statistics and Related Information Regarding Fires in Administrative Facilities for 2024						
Academic Facilities	Total Fires in Each Building	Fire Number	Cause of Fire	Number of Injuries That Required Treatment at a Medical Facility	Number of Deaths Related to Fire	Value of Property Damage Caused by Fire
88 Cochran Alley (Barlow Hall Chapel/Career Center/Financial Aid)	0	0	NA	0	0	0
25 West Home Street (Business Office and Human Resources)	0	0	NA	0	0	0
100 West Home Street (Campus Center)	0	0	NA	0	0	0
141 West Park Street (Cellar House)	0	0	NA	0	0	0
82 West Main Street (Center for Community Engagement/Chaplain)	0	0	NA	0	0	0
102 West College Ave (Clippinger Hall)	0	0	NA	0	0	0
39 South Vine Street (Frank Museum)	0	0	NA	0	0	0

111 West Park Street (Hancock House)	0	0	NA	0	0	0
78 West Home Street (Health Center)	0	0	NA	0	0	0
172/174 West Main (Administrative/Faculty Offices)	0	0	NA	0	0	0
181 North West Street (Rowland Property)	0	0	NA	0	0	0
131 West Park Street (Howard House)	0	0	NA	0	0	0
130 North Center Street (Memorial Stadium)	0	0	NA	0	0	0
194 West Main Street (Police Department)	0	0	NA	0	0	0
111 North West Street (President's Home)	0	0	NA	0	0	0
55 North Grove Street (Psychology House)	0	0	NA	0	0	0
195 West Park Street (Service Department Office & Shop)	0	0	NA	0	0	0
197 West Park Street (Service Department Heating Plant in rear)	0	0	NA	0	0	0
65 West Home Street (Student Affairs)	0	0	NA	0	0	0
177 West Park Street (Thrift Shop)	0	0	NA	0	0	0
146 West Home Street (Counseling Center	0	0	NA	0	0	0

Statistics and Related Information Regarding Fires in Other Otterbein Owned Properties for 2024						
Academic Facilities	Total Fires in	Fire Number	Cause of Fire	Number of Injuries That Required	Number of Deaths	Value of Property

	Each Building			Treatment at a Medical Facility	Related to Fire	Damage Caused by Fire
5 South West Street	0	0	NA	0	0	0
40 West Home Street	0	0	NA	0	0	0
44 West Home Street	0	0	NA	0	0	0
150 West Main Street	0	0	NA	0	0	0
145 West Park Street	0	0	NA	0	0	0
299 North West Street (Athletics Fields)	0	0	NA	0	0	0
McFadden Parking Lot	0	0	NA	0	0	0
55 West Home Street (Vacant Lot)	0	0	NA	0	0	0
72 West Main Street (Vacant Lot)	0	0	NA	0	0	0
149 West Park Street (Vacant Lot)	0	0	NA	0	0	0
100 South Cleveland Avenue (Vacant Lot)	0	0	NA	0	0	0
100 Collegeview Road (Vacant Lot)	0	0	NA	0	0	0
76 West Park Street (Vacant Lot)	0	0	NA	0	0	0
South of 47 University Street (Vacant Lot)	0	0	NA	0	0	0

Statistics and Related Information Regarding Fires in Sororities for 2024						
Residential Facilities	Total Fires in Each Building	Fire Number	Cause of Fire	Number of Injuries That Required Treatment at a Medical Facility	Number of Deaths Related to Fire	Value of Property Damage Caused by Fire
94 West Main Street (Epsilon Kappa Tau)	0	0	NA	0	0	0
121 West Home Street (Sigma Alpha Tau)	0	0	NA	0	0	0
166 West Main Street (Tau Delta)	0	0	NA	0	0	0
64 West Home Street (Theta Nu)	0	0	NA	0	0	0

Statistics and Related Information Regarding Fires in Fraternities for 2024						
Residential Facilities	Total Fires in Each Building	Fire Number	Cause of Fire	Number of Injuries That Required Treatment at a Medical Facility	Number of Deaths Related to Fire	Value of Property Damage Caused by Fire
94 West Park Street (Lambda Gamma Epsilon)	0	0	NA	0	0	0
188 West Main Street (Sigma Delta Phi)	0	0	NA	0	0	0

Statistics and Related Information Regarding Fires in Theme Houses for 2024						
Residential Facilities	Total Fires in Each Building	Fire Number	Cause of Fire	Number of Injuries That Required Treatment at a Medical Facility	Number of Deaths Related to Fire	Value of Property Damage Caused by Fire
46 W. Home St.	0	0	NA	0	0	0
154 W. Home St.	0	0	NA	0	0	0
155 W. Home St.	0	0	NA	0	0	0
162 W. Home St.	0	0	NA	0	0	0

Statistics and Related Information Regarding Fires in Residential Facilities for 2023						
Residential Facilities	Total Fires in Each Building	Fire Number	Cause of Fire	Number of Injuries That Required Treatment at a Medical Facility	Number of Deaths Related to Fire	Value of Property Damage Caused by Fire
25 W. Home (Kerr Hall)	0	0	NA	0	0	0
85 West Home Street (Clements Hall)	0	0	NA	0	0	0
96 West Home Street (DeVore Hall)	0	0	NA	0	0	0
170 Martin Drive (Davis Hall)	0	0	NA	0	0	0
193 West Main Street (Dunlap-King)	0	0	NA	0	0	0
92 West Home Street (Engle Hall)	0	0	NA	0	0	0
98 West Home Street (Garst Hall)	0	0	NA	0	0	0
65 West Home Street (Hanby Hall)	0	0	NA	0	0	0

86-90 West Home Street (Home St. Commons I & II)	0	0	NA	0	0	0
86-90 West Home Street (Home St. Commons III & IV)	0	0	NA	0	0	0
65 North Grove Street (Mayne Hall)	0	0	NA	0	0	0
180-190 West Park Street (Park St. Commons I & II)	0	0	NA	0	0	0
180-190 West Park Street (Park St. Commons III & IV)	0	0	NA	0	0	0
94 West Home Street (Scott Hall)	0	0	NA	0	0	0
25 W. Home	0	0	NA	0	0	0

Statistics and Related Information Regarding Fires in Academic Facilities for 2023						
Academic Facilities	Total Fires in Each Building	Fire Number	Cause of Fire	Number of Injuries That Required Treatment at a Medical Facility	Number of Deaths Related to Fire	Value of Property Damage Caused by Fire
33 Collegeview Road (Art & Communications Building)	0	0	NA	0	0	0
170 West Park Street (Battelle Fine Arts Center)	0	0	NA	0	0	0
180 North Center Street (Clements Recreation Center)	0	0	NA	0	0	0

60 Collegeview Road (The Point)	0	0	NA	0	0	0
138 West Main Street (Courtright Memorial Library)	0	0	NA	0	0	0
30 South Grove Street (Cowan Hall)	0	0	NA	0	0	0
160 North Center Street (Rike Athletic Center)	0	0	NA	0	0	0
27 South Grove Street (Roush Hall)	0	0	NA	0	0	0
155 West Main Street (Science Center)	0	0	NA	0	0	0
1 South Grove Street (Towers Hall)	0	0	NA	0	0	0
140 North Center Street (Center for Sports Health Science)	0	0	NA	0	0	0

Statistics and Related Information Regarding Fires in Administrative Facilities for 2023						
Academic Facilities	Total Fires in Each Building	Fire Number	Cause of Fire	Number of Injuries That Required Treatment at a Medical Facility	Number of Deaths Related to Fire	Value of Property Damage Caused by Fire
88 Cochran Alley (Barlow Hall Chapel/Career Center/Financial Aid)	0	0	NA	0	0	0
25 West Home Street (Business Office and Human Resources)	0	0	NA	0	0	0
100 West Home Street (Campus Center)	0	0	NA	0	0	0
141 West Park Street (Cellar House)	0	0	NA	0	0	0

82 West Main Street (Center for Community Engagement/Chaplain)	0	0	NA	0	0	0
102 West College Ave (Clippinger Hall)	0	0	NA	0	0	0
39 South Vine Street (Frank Museum)	0	0	NA	0	0	0
111 West Park Street (Hancock House)	0	0	NA	0	0	0
78 West Home Street (Health Center)	0	0	NA	0	0	0
172/174 West Main (Administrative/Faculty Offices)	0	0	NA	0	0	0
181 North West Street (Rowland Property)	0	0	NA	0	0	0
131 West Park Street (Howard House)	0	0	NA	0	0	0
130 North Center Street (Memorial Stadium)	0	0	NA	0	0	0
194 West Main Street (Police Department)	0	0	NA	0	0	0
111 North West Street (President's Home)	0	0	NA	0	0	0
55 North Grove Street (Psychology House)	0	0	NA	0	0	0
195 West Park Street (Service Department Office & Shop)	0	0	NA	0	0	0
197 West Park Street (Service Department Heating Plant in rear)	0	0	NA	0	0	0
65 West Home Street (Student Affairs)	0	0	NA	0	0	0
177 West Park Street (Thrift Shop)	0	0	NA	0	0	0

146 West Home Street (Counseling Center)	0	0	N/A	0	0	0

Statistics and Related Information Regarding Fires in Other Otterbein Owned Properties for 2023						
Academic Facilities	Total Fires in Each Building	Fire Number	Cause of Fire	Number of Injuries That Required Treatment at a Medical Facility	Number of Deaths Related to Fire	Value of Property Damage Caused by Fire
5 South West Street	0	0	NA	0	0	0
40 West Home Street	0	0	NA	0	0	0
44 West Home Street	0	0	NA	0	0	0
150 West Main Street	0	0	NA	0	0	0
145 West Park Street	0	0	NA	0	0	0

Statistics and Related Information Regarding Fires in Sororities for 2023						
Residential Facilities	Total Fires in Each Building	Fire Number	Cause of Fire	Number of Injuries That Required Treatment at a Medical Facility	Number of Deaths Related to Fire	Value of Property Damage Caused by Fire
94 West Main Street (Epsilon Kappa Tau)	0	0	NA	0	0	0
121 West Home Street (Sigma Alpha Tau)	0	0	NA	0	0	0
166 West Main Street (Tau Delta)	0	0	NA	0	0	0
64 West Home Street (Theta Nu)	0	0	NA	0	0	0

Statistics and Related Information Regarding Fires in Fraternities for 2023						
Residential Facilities	Total Fires in Each Building	Fire Number	Cause of Fire	Number of Injuries That Required Treatment at a Medical Facility	Number of Deaths Related to Fire	Value of Property Damage Caused by Fire
94 West Park Street (Lambda Gamma Epsilon)	0	0	NA	0	0	0
188 West Main Street (Sigma Delta Phi)	0	0	NA	0	0	0

Statistics and Related Information Regarding Fires in Theme Houses for 2023						
Residential Facilities	Total Fires in Each Building	Fire Number	Cause of Fire	Number of Injuries That Required Treatment at a Medical Facility	Number of Deaths Related to Fire	Value of Property Damage Caused by Fire
46 W. Home St.	0	0	NA	0	0	0
154 W. Home St.	0	0	NA	0	0	0
155 W. Home St.	0	0	NA	0	0	0
162 W. Home St.	0	0	NA	0	0	0

OTTERBEIN UNIVERSITY EQUINE FACILITY CRIME STATISTICS:

Type of Offense	**Year**	**On Campus**	**On-Campus Residential Facility**	**Non-Campus Buildings or Properties**	**Public Property**
Murder and Non-Negligent Manslaughter	2023	0	0	0	0
	2024	0	0	0	0
	2025	0	0	0	0

Manslaughter-Negligent	2023	0	0	0	0
	2024	0	0	0	0
	2025	0	0	0	0
Rape	2023	0	0	0	0
	2024	0	0	0	0
	2025	0	0	0	0
Fondling	2023	0	0	0	0
	2024	0	0	0	0
	2025	0	0	0	0
Incest	2023	0	0	0	0
	2024	0	0	0	0
	2025	0	0	0	0
Statutory Rape	2023	0	0	0	0
	2024	0	0	0	0
	2025	0	0	0	0
Robbery	2023	0	0	0	0
	2024	0	0	0	0
	2025	0	0	0	0
Aggravated Assault	2023	0	0	0	0
	2024	0	0	0	0
	2025	0	0	0	0
Burglary	2023	0	0	0	0
	2024	0	0	0	0
	2025	0	0	0	0
Motor Vehicle Theft	2023	0	0	0	0
	2024	0	0	0	0
	2025	0	0	0	0
Arson	2023	0	0	0	0

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

HATE CRIME STATISTICS FOR EQUINE FACILITY

Hate crimes for Clery purposes are defined as any of the crimes from the previous page, plus the crimes of larceny-theft, simple assault, intimidation, vandalism, and any other crime involving bodily injury to any person in which the victim was intentionally selected because of the offender's bias against the victim's actual or perceived race, gender, religion, ethnicity/national origin, sexual orientation or disability.

**In 2023, 2024, and 2025 there were no incidents of Hate Crimes reported. **

Arrest statistics for three offense categories for 2023, 2024, and 2025 are also listed below. "Liquor violations" primarily consist of underage possession or consumption of alcoholic beverages, and do not include driving while impaired or under the influence of alcohol, or public drunkenness. The University is also required to report referrals for campus disciplinary proceedings for alcohol, drug, and weapons law violations in these statistics.

ARREST AND DISCIPLINE REFERRAL STATISTICS EQUINE FACILITY:

Persons Arrested: Liquor Law Violations	**On Campus**	**On Campus Residential Facility**	**Non- Campus**	**Public Property**
2023	0	0	0	0
2024	0	0	0	0
2025	0	0	0	0

Drug Law Violations				
2023	0	0	0	0
2024	0	0	0	0
2025	0	0	0	0
Illegal Weapon Violations				
2023	0	0	0	0
2024	0	0	0	0
2025	0	0	0	0
Persons Referred for Discipline:				
Liquor Law Violations				
2023	0	0	0	0
2024	0	0	0	0
2025	0	0	0	0
Drug Law Violations				
2023	0	0	0	0
2024	0	0	0	0
2025	0	0	0	0
Illegal Weapon Violations				
2023	0	0	0	0
2024	0	0	0	0
2025	0	0	0	0

UNFOUNDED CRIMES FOR EQUINE FACILITY

2023	0	0	0	0
2024	0	0	0	0
2025	0	0	0	0

2025 ANNUAL CAMPUS SECURITY / FIRE SAFETY REPORT EQUINE FACILITY

LOCATION:	Fire alarm monitoring Each calendar year	Partial sprinkler system	Full sprinkler system	Smoke detectors	Manual pull stations	Fire extinguishers	Evac plans posted	Number of evacuation (fire) drills
Equine Facility								
600 North Spring Road	**X**		**X**	**X**	**X**	**X**	**X**	

EQUINE FACILITY FIRE STATISTICS REPORTING TABLE:

Fire Statistics:

Statistics and Related Information Regarding Fires in Residential Facilities for 2025						
Residential Facilities	Total Fires in Each Building	Fire Number	Cause of Fire	Number of Injuries That Required Treatment at a Medical Facility	Number of Deaths Related to Fire	Value of Property Damage Caused by Fire
600 North Spring St.	0	0	NA	0	0	0

Statistics and Related Information Regarding Fires in Residential Facilities for 2024						
Residential Facilities	Total Fires in Each Building	Fire Number	Cause of Fire	Number of Injuries That Required Treatment at a Medical Facility	Number of Deaths Related to Fire	Value of Property Damage Caused by Fire
600 North Spring St.	0	0	NA	0	0	0

Statistics and Related Information Regarding Fires in Residential Facilities for 2023						
Residential Facilities	Total Fires in Each Building	Fire Number	Cause of Fire	Number of Injuries That Required Treatment at a Medical Facility	Number of Deaths Related to Fire	Value of Property Damage Caused by Fire
600 North Spring St.	0	0	NA	0	0	0

Notice of Combined Annual Security Report and Annual Fire Safety Report Availability

Otterbein is committed to assisting all members of the community in providing for their own safety and security. The annual security and fire safety compliance document is available on the OPD website at Clery Act and Crime Reporting - Otterbein University

OPD prepares the Annual Security and Fire Safety Information Report to comply with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act. The report is prepared in cooperation with local law enforcement and fire department agencies surrounding our campus, as well as the Office of Student Affairs and other University departments.

Campus crime, arrest and referral statistics include those reported to OPD, designated campus officials (Campus Security Authorities), including but not limited to directors, deans, residential life personnel, Student Conduct personnel, advisors to student's/student organizations, athletic coaches, other University employees, and local law enforcement agencies.

Each year, an e-mail notification is made to all enrolled students, faculty and staff that provide the web site to access the report. Copies of the report may also be obtained at OPD located at 194 West Main Street Westerville, Ohio 43081, or by calling (614) 823-1222, or emailing Police@Otterbein.edu.

Prospective employees and students may also obtain a copy of the report through OPD.

Statistical information for criminal incidents reported to OPD is also filed yearly with the Westerville Police Department in the Westerville Ohio Uniform Crime Report. Information on crimes in Westerville and in the areas surrounding campus is available at the Westerville Division of Police. Their address is 229 Huber Village Boulevard, Westerville, Ohio 43081. Their Phone number is (614) 901-6450.

Letter from the Chief of Police:

To the Otterbein Campus Community,

Thank you for taking time to read the Annual Campus Security and Fire Safety Report. The report is designed to provide you with important information about security and fire safety on campus. It contains statistics about reported crimes, as well as descriptions of safety programs presented on campus. Note that this report covers both the main campus and the Equine Facility. There are separate crime and fire statistics for the main campus and the Equine Facility, but the policy statements and other items contained in the report are the same for both campuses.

The safety you experience on campus is due in part to the combined efforts of many departments and individuals. It is a shared responsibility in which all members of the community are asked to contribute to campus safety and security. This "Community Approach to Safety" encourages the practice of applying common sense safety behaviors as students, faculty, staff, and guests go about their daily activities. A key component of the "Community Approach to Safety" is to report crimes or suspected criminal activity to the Otterbein Police Department as soon as possible.

The Otterbein University Police Department is primarily responsible for criminal enforcement on campus and developing and providing services, programs, and strategies for maintaining a safe campus. In order to meet this goal, the Department focuses primarily on four functions. First is a strong partnership with and service to the campus community. We recognize that we exist to provide service to the campus community and support the idea that all relationships require constant nurturing. We are committed to the philosophy of community-oriented public safety and problem solving. The Otterbein University Police Department works with various entities on campus such as student organizations, residence hall personnel, athletic teams, Greek community, administrative and academic offices, in order to meet the safety needs of the community.

Second, the Otterbein University Police Department focuses on crime prevention and safety related programming to promote individual responsibility and community safety. The Department offers a wide range of training opportunities that are presented throughout the academic calendar at varying times and locations.

Third, we focus on the emergency management function, which requires a comprehensive approach to preventing, preparing for, responding to, and recovering from emergency situations. Otterbein has a proactive approach to planning for emergencies, having hosted and participated in several critical incident table-top exercises involving participants from many of Otterbein's departments and offices, as well as City of Westerville and central Ohio emergency preparedness representatives.

Finally, the department is charged with the enforcement of Ohio and City of Westerville laws and ordinances, as well as Otterbein judicial regulations and policies. This function is essential to maintaining an environment that is safe and allows our educational mission to occur without disruption.

We hope you find this report informative and helpful, and that your stay at Otterbein will be enjoyable and safe. If you have questions or would like further information about safety and security at Otterbein, please visit us at http://www.otterbein.edu/Police/ or contact us at (614) 823-1222.

Paul A. Weiner

Chief of Police

Otterbein Police Department

Introduction:

Franklin County and the City of Westerville are great places to live, work, and study but not immune from criminal activity. The Otterbein University Police Department (OPD) and Westerville Division of Police (WPD) make every effort to provide a safe and secure environment for citizens we serve. Both agencies are proactive in encouraging citizens to work with us to enhance safety and security.

Purpose of Publication:

- Provide the Otterbein community with an overview of the Otterbein University Police Department services.
- Share crime statistics required by the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act.
- Inform current and prospective students, staff, faculty, and visitors about the University's policies and programs designed to help keep them safe.
- Share information regarding emergency preparedness and planning.
- Share information regarding fire safety, fire statistics, and fire-related information.

The Otterbein Police Department provides the information contained in this document as a service to the Otterbein community and to comply with federal and state requirements. If you have any questions or concerns related to the information in this document, please contact the Otterbein University Police Department located at 194 West Main Street Westerville, Ohio 43081, or by email at Police@Otterbein.edu, or by telephoning 614-823-1222.

Campus Law Enforcement Authority:

OPD has complete police authority to apprehend and arrest anyone involved in illegal acts on-campus and streets and alleys immediately adjacent to the campus, as well as campus owned or leased property not in the main campus area. This authority is granted through the Ohio Revised Code Section 1713.50. If minor offenses involving University rules and regulations are committed by a University student, the campus police may also refer the individual to the

disciplinary division of Student Affairs. Otterbein Police Officers have the authority to enforce State and Local laws, and University policies. Major offenses such as rape, murder, aggravated assault, robbery, and auto theft may be reported to the local police and joint investigative efforts may be conducted. The prosecution of all criminal offenses, both felony and misdemeanor, are conducted at Westerville City Mayor's Court (misdemeanors only), or the appropriate Municipal or Common Pleas Courts. OPD personnel work closely with local, state, and federal law enforcement agencies and have direct radio communication with the Westerville Division of Police. Otterbein University is a part of the City of Westerville 911 system.

The Otterbein Police Department encourages accurate and prompt reporting of all crimes, criminal actions, or other emergencies to the campus police and the appropriate police agencies, when the victim of a crime elects to, or is unable to, make such a report. All reports can be filed at the Otterbein Police Department located at 194 West Main Street Westerville Ohio 43081. If the actual offense did not occur on University owned property, the incident will be referred to the appropriate law enforcement entity.

The OPD has a Mutual Aid Agreement with the City of Westerville and their police and fire safety services. The Otterbein University Police Department, through the Westerville Division of Police Communication Center, has access to **LEADS (Law Enforcement Automated Data System)** as well as access to **NCIC (National Crime Information Center)**. Through these systems, police personnel can access the National Crime Information Computer system as well as the State of Ohio Information Enforcement System. These computer databases are used for accessing criminal history data, nationwide police records, driver/vehicle identification information, as well as other local, state, and federal law enforcement information.

Per agreement with the City of Westerville, OPD may respond throughout the entire city of Westerville to incidents when requested by the mutual aid agreement and/or immediate threat of life.

Through coordination with local law enforcement agencies, any criminal activity engaged in by students at off-campus locations of student organizations, is reviewed and communicated between OPD and the Westerville Division of Police. This information is provided to the Dean of Students for any action or follow-up that may be required.

MOU:

The University recognizes that laws and rules are necessary for society to function and supports the enforcement of law by governmental agencies and rules by officials of the University. All persons on the campus are subject to these laws and rules at all times. While Otterbein University is private property, and Constitutional protections apply, law enforcement officers may enter the campus to conduct business as needed. Additionally, the officers are invited to patrol the campus to assist OPD in deterring crime. All law enforcement agencies are encouraged to check in with OPD when on campus. OPD is recognized by the State of Ohio as a law

enforcement agency. The MOU allows for the investigation of criminal incidents between Otterbein University and the Westerville Police Department.

OPD enjoys an especially good relationship with the Westerville Police department (WPD). The response time of the police department to campus averages less than two minutes for emergency calls.

As noted in the introduction and the emergency policies, WPD is notified of all serious crime on campus, and is immediately notified of major crimes via the telephone or two-way radio. The University relies on the telephone or two-way radio to contact the City of Westerville communication center for fire and emergency medical needs. All victims are offered an opportunity to report crimes to WPD where appropriate under the MOU. The MOU allows Otterbein Police to investigate all crimes conducted on Otterbein University's campus. On major crimes, such as sexual assaults and rapes, the victim has the opportunity to request Westerville Police to handle the investigation.

Since OPD is dispatched by WPD, officers from both agencies maintain a close relationship to enhance the safety for the community. Command Staff officers from both agencies meet regularly to review criminal activity and collaborate on current and new crime prevention efforts for campus and the city.

Criminal Activity Non-Campus Locations:

Student Affairs maintains contact with recognized fraternity and sorority organizations through the efforts of the Greek Affairs Advisor. OPD does not provide law enforcement service to Greek organizations not owned by Otterbein. The Westerville Division of Police (WPD) has jurisdiction for any properties not owned by the University. WPD will handle all criminal activity at non-campus locations (including those owned or controlled by officially recognized student organizations) and they keep OPD informed about incidents related to Otterbein. OPD does provide service for Greek organizations living in facilities owned by Otterbein.

OPD and the Student Affairs Office monitor criminal activity at recognized fraternity and sorority residences. OPD enjoys close working relationships with Student Affairs, the Greek Life Coordinator, the Director of Residence Life and WPD. This cooperative team approach addresses situations as they arise as well as future concerns.

Otterbein University has no non-campus housing or non-campus student organization facilities. However, approved senior students live in the campus area in private rental residences not owned by the University, as well as in rentals off campus, but near campus. While Otterbein Police do not have primary jurisdiction in non-campus areas, OPD officers can and do respond to student-related incidents that occur in close proximity to campus when mutual aid is requested by the Westerville Police Department. When WPD requests aid from OPD in an off-campus property involving students, they (WPD) are the primary agency handling the incident and OPD serves as a back-up support role. When an Otterbein student is involved in a non-campus

offense, OPD may assist with the investigation in cooperation with local, state, or federal law enforcement. Note: WPD shares information regarding non-campus crimes involving students with OPD and may request an OPD representative be present when dealing with students in areas immediately adjacent to campus. WPD and other local law enforcement agencies regularly provide reports of offenses committed by students to OPD and the University's Office of Student Conduct.

How to Report Criminal Offenses:

To report a crime:

Community members, students, faculty, staff, and guests are encouraged to report all crimes and public safety related incidents to OPD in a timely manner. To report a crime, call 614-823-1222 or dial 911 if it is an emergency. Call 614-823-1222 also to report a non-emergency security or public safety related matter. You can also report a crime to the Westerville Police Department at 614-882-7444, 614-901-6790 or 614-901-6794. Dispatchers and personnel are available at these respective telephone numbers 24 hours a day to answer your call. Police officers will be dispatched to respond to your call.

Otterbein Safe App

The Otterbein Safe is the official safety application for Otterbein University**,** launched on November 5, 2025. The app was designed to replace the aging and outdated Emergency Call Boxes which are being phased out. The Otterbein Safe App is designed to make your campus experience as safe as possible.

Otterbein Safe Mobile Application Installation Guide

Use this guide to install and activate the application on iOS or Android devices.

iOS (iPhone / iPad)

1. Open the Apple App Store.
2. Tap Search and type Otterbein Safe.
3. Select Otterbein Safe from the search results.
4. Tap Get and authenticate with Face ID, Touch ID, or your Apple ID password.
5. Wait for the app to install.
6. Tap Open to launch the application.
7. Allow notifications and location access when prompted to receive safety alerts.

Android (Phone / Tablet)

8. Open the Google Play Store.

9. Search for Otterbein Safe.
10. Select the Otterbein Safe application.
11. Tap Install.
12. Wait for the installation to be completed.
13. Tap Open to launch the application.
14. Allow notifications and location permissions when prompted.

Key Features

- Safety Notifications
- Emergency Contacts
- Report a Tip to OPD
- Friend Walk
- Campus Maps
- Emergency Action Plans
- Campus Resources

App Store Links

iOS: https://apps.apple.com/us/app/otterbein-safe/id6754258716

Android: https://play.google.com/store/apps/details?id=com.cutcom.apparmor.otterbein

IOS **ANDROID**

Scan to download the Otterbein Safe app

Voluntary Confidential Reporting:

If you are the victim of a crime and do not want to pursue action within the University System or the criminal justice system, you may still want to consider making a confidential report. With your permission, the Chief or his designee can file a report on the details of the incident without revealing your identity. The purpose of a confidential report is to comply with your wish to keep the matter confidential, by leaving your name out of the report, while taking steps to ensure the future safety of yourself and others. With such information, the University can keep an accurate

record of the number of incidents involving students, determine where there is a pattern of crime regarding a particular location, method, or assailant, and alert the campus community to potential danger. Reports filed in this manner are counted and disclosed in the annual crime statistics for the institution. These reports are public record, but the Otterbein Police Department will keep your name out of the report if you request confidentiality.

The Otterbein Police Department encourages anyone who is the victim or witness to any crime to promptly report the incident to the police. Confidential reports for purposes of inclusion in the annual disclosure of crime statistics can generally be made to other Otterbein University campus security authorities as identified below.

If a report of crime or incident of sexual misconduct discloses an immediate threat to the university's campus community, where timely notice must be given to protect the health or safety of the community, the University may not be able to maintain confidentiality of the incident, but all personal information will be protected. Circumstances that present an immediate threat to the Otterbein Community include but are not limited to reported incidents of sexual misconduct that include the use of force, a weapon crime, any crimes of violence, or other circumstances that represent a serious and ongoing threat to Otterbein University students, faculty, staff or visitors.

Limited Voluntary Confidential Reporting:

The Otterbein University Police Department encourages anyone who is the victim or witness to any crime to promptly report the incident to the police. Because police reports are public records under state law, the Otterbein University Police Department cannot hold reports of crime in confidence. Confidential reports for purposes of inclusion in the annual disclosure of crime statistics can generally be made to Otterbein University licensed counselors or clergy listed below:

Counseling Center; 614-823-1333.

Otterbein University Chaplain; 614-882-2153.

Counselors & Confidential Crime Reporting:

As a result of the negotiated rulemaking process which followed the signing into law, the 1998 amendments to 20 U.S.C. Section 1092 (f), clarification was given to those considered to be campus security authorities. Campus "Pastoral Counselors" and Campus "Professional Counselors", when acting as such, are not considered to be a campus security authority, and are not required to report crimes for inclusion into the annual disclosure of crime statistics. As a matter of policy, they are encouraged, if and when they deem it appropriate, to inform persons

being counseled of the procedures to report crimes on a voluntary basis for inclusion into the annual crime statistics. The rulemaking committee defines counselors as:

A Pastoral Counselor:

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

A Professional Counselor:

Any employee of an institution whose official responsibilities include providing psychological counseling to members of the institution's community and who is functioning within the scope of his or her license or certification.

OPD Daily Crime Log:

OPD maintains a Main Campus Daily Crime Log, which is available to the public for review, at the Otterbein Police Department, located at 194 W. Main St., Westerville, Ohio 43081, from 7:00 a.m. to 4:00 p.m., Monday through Friday, excluding holidays.

OPD maintains an Equine Campus Daily Crime Log, which is available to the public for review, at the Equine Facility located at 600 North Spring Street., Westerville, Ohio 43081, from 7:00 a.m. to 4:00 p.m., Monday through Friday, excluding holidays.

Encouragement of Accurate and Prompt Crime Reporting:

The Otterbein Community is strongly encouraged to report all crimes to OPD to ensure inclusion in the annual crime statistics and to aid in providing timely warning notices to the community, when appropriate. For example, a crime that was reported only to the local Rape Crisis Center would not be included in the Otterbein crime statistics. Crimes should be accurately and promptly reported to the Otterbein University Police Department or the appropriate police agency, when the victim of a crime elects to, or is unable to, make such a report.

You may also contact OPD at 614-823-1222 (non-emergencies), or dial 911 (emergencies only), to report any suspicious activity or person seen in the parking lots or loitering around vehicles, inside buildings or around the Residential Halls should be reported to the police department.

Response to a Report:

The Otterbein Police Department is available by calling 614-823-1222. If you have an emergency, dial 9-1-1. Westerville Police Communications will take your emergency call and

dispatch the appropriate units. In response to a call, OPD will take the required action, either dispatching an officer or asking the victim to report to OPD to file an incident report. All reported crimes will be investigated by OPD, and all incidents documented by OPD will become a matter of public record. All OPD incident reports are forwarded to the Student Affairs Office for review and referral Judicial Affairs for potential action, as appropriate. OPD Investigators will investigate a report when it is deemed appropriate. Additional information obtained via the investigation will also be forwarded to the Student Affairs Office. If assistance is required from the Westerville Police Department or the Westerville Fire Department, OPD will contact Westerville Communications. If a sexual assault or rape should occur, staff on the scene, including OPD, will offer the victim a wide variety of services.

For off-campus options, you may call the Westerville Division of Police at 614-901-6790 for non-emergency matters or 911 for all emergencies.

Timely Warnings: **(OTTERBEIN TIMELY ALERT):**

Timely Warnings are used in the event a Clery crime occurs in the Clery Act geography (on-campus, residential facilities, non-campus, and public property, and poses a serious and/or continuing threat to the campus community. The purpose of the warning is to alert the community to certain crimes in a manner that is timely and will aid in the prevention of similar crimes. Timely Warnings are not used for every Clery crime, but only those when there may be a serious and/or continuing threat. Timely Warnings will generally be issued when a pattern of conduct has been established (i.e., series of similar burglaries) but can be issued anytime a Clery crime is committed. These warnings should be issued as soon as pertinent information is available. The warnings will be issued even if some of the facts surrounding the criminal incident are unknown. Note: Timely Warnings will contain at least one tip that aids the community in helping to mitigate the crime that was reported (i.e., for burglaries – Please remember to lock your doors if you are going to be away from your residence.).

Decisions to issue Timely Warnings can be made by the Chief of Police or designee. The decision depends on incident specifics and is evaluated on a case-by-case basis. In crimes where there may be uncertainty as to sending out a Timely Warning, the Vice President of Student Affairs will make the final decision.

Once a decision is made to send out a Timely Warning, the Otterbein Police or designee will contact the Rave team members from the Marketing and Communications Office who will then create and send the Timely Warning to students and employees. In some circumstances, OPD officers may also create and send out the alert. Whenever reasonable, the Vice President for Student Affairs and HR Director will approve the message before it goes out. The messages will be sent via the Rave Emergency Notification System to all students and employees. Otterbein students, faculty, and staff are automatically signed up for Rave Alert.

All participants will receive an email through the university's email system, which everyone is a participant. All students, staff and faculty that elect to provide their phone numbers will also receive voicemail and text messages.

Depending on the particular circumstances of the crime, especially in situations that could pose an immediate threat to the community and individuals, the Marketing and Communications Office may post, in addition to the Rave Alert, a notice on the University web site in (www.otterbein.edu) providing the university community with more immediate notification. In such instances, a copy of the notice may also be posted in each residence hall, academic building and at the front door of each on-campus fraternity and sorority house as well as University owned Theme Houses.

Anyone with information warranting a timely warning should report the circumstances to OPD by phone at 614-823-1222 or in person at 194 West Main Street Westerville, Ohio 43081. They can also phone the Westerville Police and Fire Communications Center at 614-901-6790 or 614-901-6794. The address for the Westerville Division of Police is 229 Huber Village Boulevard, Westerville, Ohio 43081, should you want to make a report in person.

RAVE RESPONSE TEAM:

Title	Name	Telephone	Email
Soc Media/MM Design Specialist	Catie Carson	614-823-1288	Carson8@otterbnein.edu
Director of Communications	Jenny Hill	614-823-1284	jhill@otterbein.edu
Assistant Director – Associate Director/Institutional research	Luc Lemaster	614-823-1502	Lemaster2@otterbein.edu
Sports Information Director	Marissa Smego	614-823-1951	smego1@otterbein.edu
Enrollment Communications Specialist	Tony Wolfe	614-823-1288	Wolfe11@otterbein.edu
Westerville Communications	Christy Bailey	614-901-6450	Christy.bailey@westerville.org
OPD Officers with approval from Chief or DC	Paul Weiner Richard Tiburzio	614-823-1222	police@otterbein.edu

System to use	Primary Message Creator	Backup Message Creator	Authority for approving & sending messages	Primary Message Sender	Backup Message Sender
PRIMARY: **Rave**	Director of Communications	Designated Staff	Chief of Police or VP Student Affairs	Director of Communications	Designated Staff
Email	Director of Communications	Designated Staff	Chief of Police or VP Student Affairs	Director of Communications	Designated Staff
Telephone/ Voice mail	Director of Communications	Designated Staff	Chief of Police or VP Student Affairs	Director of Communications	Designated Staff
Text Messages	Director of Communications	Designated Staff	Chief of Police or VP Student Affairs	Director of Communications	Designated Staff
SECONDARY: Flyers	Director of Communications Director of Marketing	Designated Marketing Staff	Chief of Police or VP Student Affairs	Director of Communications	Designated Staff

Per the Clery Act, a Timely Warning will be issued for the crimes below if they pose a serious or continuing threat to the community:

- Murder/Non-Negligent Manslaughter
- Manslaughter by Negligence
- Rape
- Fondling
- Incest
- Statutory Rape

- Robbery
- Aggravated assault (cases involving assaults among known parties, such as two roommates fighting which results in an aggravated injury, will be evaluated on a case by case basis to determine if the individual is believed to be an on-going threat to the larger Otterbein Community) Robbery involving force or violence (cases including pick pocketing and purse snatching will typically not result in the issuance of a Timely Warning, but will be assessed on a case by case basis)
- Burglary
- Motor Vehicle Theft
- Domestic Violence
- Arson
- Domestic Violence
- Stalking
- Dating Violence
- Other crimes as determined are necessary by the Chief of Police, or his or her designee in his or her absence.

The department does not issue Timely Warnings for the above listed crimes if:

1. The department apprehends the subject(s) and the threat of imminent danger for members of the Otterbein community have been mitigated by the apprehension.
2. A report was not filed with OPD or OPD was not notified of the crime in a manner that would allow the department to post a Timely Warning for the community. Each incident will be evaluated on a case-by-case basis.

A Timely Warning notice will generally include the following:

- Date and time or timeframe of the incident
- A brief description of the incident
- Information that will promote safety and potentially aid in the prevention of similar crimes (crime prevention or safety tips).
- Suspect description(s)
- Police/Public Safety agency contact information
- Other information as deemed appropriate

Keep in mind the initial notification will go out as quickly as possible to enhance safety. It will provide limited information as many of the details will not be known at the time. However, updated information will follow as additional details are received and confirmed. All timely warnings and updates are sent via Rave Alert, email, or posted on the Otterbein University website. Timely Warnings may also be posted in campus buildings in the lobby/entrance areas. The warnings will remain posted and disseminated as long as appropriate per OPD.

Timely Warnings are filed in the OPD case jacket investigative reports, as well as the Clery file for Timely Warnings.

Timely Warning Notices will be distributed as soon as pertinent information is available, in a manner that withholds the names of victims as confidential, and with the goal of aiding in the prevention of similar occurrences.

Emergency Notifications: (Otterbein Emergency Alert):

Emergency Notifications are used in the event of emergencies on campus or near the campus district. In order to qualify for an Emergency Notification these emergencies should pose an imminent threat to the safety of campus. Examples include, but are not limited to Tornado Warnings (not a Tornado Watch), Active Shooter, Home Invasion, Robberies, Fires, Etc. Emergency Notifications should generally be sent to the campus community as soon confirmation of the incident has been made (No longer than 30 minutes). Note: For all Emergency Notifications a minimum of two (Initial, follow-up, etc.) must be made to meet the Clery requirements.

Emergency Notifications will be sent immediately, in circumstances where an immediate and ongoing threat exists to the Otterbein Community, through its Rave Alert mass notification system. These circumstances may include but not be limited to weather emergencies, criminal activity, natural disasters, fires, or any other situation that creates a situation, which potentially constitutes an immediate danger or ongoing threat to the campus community.

In the event of an emergency, Otterbein University will initiate and provide, without delay, emergency notifications to the appropriate segment(s) of the University community upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students, employees, and visitors.

A Rave Alert enables the university emergency response team members to communicate with students, staff, and faculty in minutes by sending a message via a number of contact methods- including emails, text messaging, cell phones and office phones. This is a free service to members of the Otterbein University community. Otterbein students, faculty, and staff are automatically signed up for Rave Alerts.

If any these systems fail or the University deems it appropriate, in person communication may be used to communicate an emergency.

Otterbein University will, without delay and taking into account the safety of the community, determine the content of the notification and initiate the notification system, unless issuing a notification will, in the judgment of the first responders (including, but not limited to: OPD, Local PD, and/or the Local Fire and Emergency Medical Services), compromise the efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency.

If the Chief of Police or designee, in conjunction with other University administrators, such as the Vice President of Student Affairs or his/her designee and the President of Otterbein University or his/her designee, local first responders, and/or the National Weather Service, confirms that there is an emergency or dangerous situation that poses an immediate threat to the health or safety of some or all members of the Otterbein Community an Emergency Notification using the Rave Alert System will be issued. The Otterbein Police Department will inform members of the Office of Marketing and Communications who will in turn create and deliver the messages. The messages will be sent to all students and employees in the system to communicate the threat to the University Community, or to the appropriate segment of the community, if the threat is limited to a particular building or segment of the population. All participants will receive an email, and any that elect to provide their phone numbers will receive voicemail and a text message to communicate the threat to the University Community, or to the appropriate segment of the community, if the threat is limited to a particular building or segment of the population. Follow-up notifications, using the Rave Alert system, will be sent as more information becomes available or the situation has been resolved or stabilized.

System to use	**Primary Message Creator**	**Backup Message Creator**	**Authority for approving & sending messages**	**Primary Message Sender**	**Backup Message Sender**
PRIMARY: **Rave Alert**	Director of Communications	Designated Staff	Chief of Police or VP Student Affairs	Director of Communications	Designated Staff
Email	Director of Communications	Designated Staff	Chief of Police or VP Student Affairs	Director of Communications	Designated Staff
Telephone/ Voice mail	Director of Communications	Designated Staff	Chief of Police or VP Student Affairs	Director of Communications	Designated Staff

Text Messages	Director of Communications	Designated Staff	Chief of Police or VP Student Affairs	Director of Communications	Designated Staff
SECONDARY: Flyers	Director of Communications	Designated Staff	Chief of Police or VP Student Affairs	Director of Communications	Designated Staff

The success of this service relies on you to provide accurate contact information. The local news media may be utilized to disseminate emergency information to members of the larger community, including neighbors, parents, and other interested parties. The larger community can also access emergency information via the Otterbein University homepage and/or social media.

Community Notifications (Otterbein Community Alert)

Community Notifications are not a Clery Act requirement but may necessitate an alert to the community for a variety of reasons. These reasons include, but are not limited to, non-Clery Act crimes (theft, criminal mischief, etc.), cancelled classes or offices, building maintenance issues, missing persons.

Emergency Response and Evacuation Procedures:

Otterbein University has a Campus Emergency Operations Plan to prevent, prepare for, respond to, and recover from emergency situations. OPD is responsible for maintaining the plan and keeping it current as well as initiating annual training to test the plan. We also work closely with the University Safety Committee and Cabinet to manage the process. OPD works in conjunction with local first responders such as the Westerville Divisions of Police and Fire, the Franklin County Emergency Management and Homeland Security Agency. The CEOP was developed under the Incident Command System {ICS) model prescribed by the National Incident Management System {NIMS). It includes information regarding incident teams, crisis plans and protocols, and safety guidance for students, faculty, and staff. Should an incident occur, members of the CEOP respond and they will size up and determine the impact of the incident, make appropriate emergency notifications, prioritize emergency actions, deploy resources and equipment, communicate information and instructions, monitor/re-evaluate conditions, review the effectiveness of the response after the incident and perform any other duties delegated to them through the Otterbein Incident Command System. For security purposes, the CEOP is only available to current students, faculty, and staff on the intranet. Note, all members of the CEOP receive at least annual training.

Evacuation

Resident Assistants and other residential life staff receive emergency response and evacuation training every year. The training includes information regarding emergency assembly areas (EAAs) and shelter in place sites (SIP) for different locations on campus.

Evacuation Procedures

Determine in advance the nearest exit from your work location, classroom or dorm room, and the route you will follow to reach that exit in an emergency. Establish an alternate route to be used in the event your route is blocked or unsafe. Each building has emergency exit routes posted and "EXIT" signs at stairwells and exit doors.

During an evacuation:

1. Evacuate quickly.
2. Follow instructions from emergency personnel and follow the directions provided for safe routes of evacuation.
3. Check doors for heat before opening. (Do not open door if hot)
4. Close the door as you exit your room or office.
5. Dress appropriately for the weather.
6. Take only essentials with you (e.g., eyeglasses, medications, identification, and cash/checkbook/credit cards) – do not pack belongings.
7. Turn off unnecessary equipment, computers, and appliances.
8. Walk, do not run. Do not push or crowd.
9. Do not use elevators.
10. Keep noise to a minimum so you can hear emergency instructions.
11. Use handrails in stairwells; stay to the right.
12. Assist people with disabilities.
13. Listen to a radio, if available, to monitor emergency status

Relocating outside the building:

1. Once outside, move to a clear area that is at least 100 feet away from the affected building.
2. Keep streets and walkways clear for emergency vehicles and crews.
3. Watch for falling glass and other debris.
4. Stay with your fellow building occupants so all can be accounted for

5. If you have relocated away from the building, DO NOT return until notified that it is safe to do so.

Do not use your personal vehicle for evacuation unless specifically instructed to do so. If cars are used to evacuate, protect against hazardous materials by keeping windows closed and outside air conditioning or heating systems off.

Fire drills take place at unexpected times of the day and under varying conditions to simulate the unusual conditions that occur in case of fire. Fire and evacuation drills are completed twice per year, once each semester, for each residence hall. Fire drills are conducted within the first ten (10) days of the first semester, and at different times of the day during the second semester. Fire drills are the mandatory supervised evacuation of a building because of fire. The fire drill is scheduled with OPD, and EHS. Students learn the locations of the emergency exits in the buildings and are provided guidance about the direction they should travel when exiting each facility for a short-term building evacuation. The purpose of fire evacuation drills is to prepare building occupants for an organized evacuation in case of an emergency. Fire evacuation drills are used to educate and train occupants on issues specific to their building. Evacuation maps are to be posted on every exit and hallways in all residence halls and other Otterbein property.

Shelter In Place: is an option in emergency response to danger. The decision to shelter in place will vary and is decided on a case-by-case basis. If an incident occurs and the building you are in is not damaged, stay inside seeking an interior room, until you are told it is safe to come out. If your building is damaged, or you are directed to evacuate, leave everything in your room, and follow the evacuation procedures for your building. Close your door, proceed to the nearest exit, and use the stairs instead of the elevators). Once you have evacuated, proceed to the emergency assembly site for your area. If police or fire personnel are on the scene, follow their directions.

No matter where you are, the basic steps of shelter in place will generally remain the same. Should the need ever arise; follow these steps, unless instructed otherwise by local emergency personnel:

During certain emergency situations, particularly chemical, biological, or radioactive material releases and some weather emergencies, you may be advised to shelter in place rather than evacuate the building.

When directed to shelter in place:

1. Stay inside the building (or go indoors as quickly as possible).
2. Do not use elevators.
3. Quickly locate supplies you may need such as food, water, radio, etc.
4. If possible, go to a room or corridor where there are no windows and few doors.
5. If there is time, shut and lock all windows and doors (locking the door may provide a better seal on the door against chemicals).

6. In the event of a chemical release, go to an above ground level of the building; most chemical vapors and gases are heavier than air and may seep into basements even if windows are closed.
7. Turn off heat, fans, air conditioning, or ventilation system, if you have local control of the systems.
8. Drink bottled water or stored water, not water from the tap.
9. If possible, check for additional information through the local radio and television stations.
10. Do not call 911 unless you are reporting a life-threatening situation.
11. If you smell gases or vapors, hold a wet cloth loosely over your nose and mouth and breath through it in as normal a fashion as possible.

When the all clear is announced, open all doors and windows, turn on heating, air conditioning or ventilation systems, and go outside and wait until the building has been ventilated.

1. Depending on the situation, if you are inside, stay where you are. Collect any emergency shelter-in-place supplies and a telephone to be used in case of emergency. If you are outdoors, depending on the incident, seek a safe location or proceed into the closest building quickly or follow instructions from emergency personnel on the scene.

2. Locate a room to shelter inside. It should be an interior room without windows or with the least number of windows. If there is a large group of people inside a particular building, several rooms may be necessary.

3. Shut and lock all windows and close exterior doors.

4. Make a list of the people with you and ask someone (RA or other staff) to call the list in to the Otterbein University Police Department so they know where you are sheltering. If only students are present, one of the students should call in the list.

5. Listen for further instructions through Rave Alert System or emergency responders.

Testing Emergency Response

The University conducts emergency response drills and exercises each year, such as tabletop exercises, field exercises, and tests of the emergency notification systems on campus. These tests, which may be announced or unannounced, are designed to assess and evaluate the emergency plans and capabilities of the institution. On occasion these tests are conducted in conjunction with other agencies that would respond in the event of an actual emergency.

Each test is documented and includes a description of the exercise, the date and time of the exercise, and whether it was announced or unannounced.

In compliance with Ohio State Fire Code, and to test our Emergency Evacuation Procedures, Otterbein University will conduct regular unannounced fire drills and fire inspections of all residential facilities, which include residence halls, theme houses, Greek houses and the Commons apartments. As outlined in the Ohio Fire Code, the drills and inspections will take place at unexpected times and under varying conditions to simulate the unusual conditions that occur in case of fire. The University will conduct at least one test per calendar year. Students learn the locations of the emergency exits in the buildings and are provided guidance about the direction they should travel when exiting each facility for a short-term building evacuation. Residence Life and Student Affairs staff may assist University Police in coordinating compliance with these policies. Any violation of university policy, including Failure to Evacuate, will be documented, and forwarded to the Director of Student Conduct.

Preparation of Disclosure of Clery Crime Statistics:

The Otterbein University Police Department prepares the Annual Campus Security and Fire Safety Report, which contains required crime statistics to comply with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act. The full text of the report with the statistics can be located at https://www.otterbein.edu/police/clery-act-crime-reports/ . It can also be found on our web site at www.otterbein.edu/police/. You will also be able to connect to our site via the Otterbein University Home page at www.otterbein.edu. The crime statistics are prepared in cooperation with the local law enforcement agencies surrounding our campus, and alternate sites, as well as Otterbein University offices such as: Student Affairs, Residential Services, Judicial Affairs and Human Resources. Each entity provides updated information on their educational efforts and programs to comply with the Act. Campus crime, arrest and referral statistics include those reported to the Otterbein Police, designated campus officials (including but not limited to Voce Presidents, directors, deans, department heads, designated students and staff, judicial affairs, advisors to students/student organizations, athletic coaches), and local law enforcement agencies. Counseling Center staff informs their clients of the procedures to report crime to the University Police on a voluntary or confidential basis, should they feel it is in the best interest of the client. A procedure is in place to anonymously capture crime statistics disclosed confidentially during such a session.

Each year, an e-mail notification is made to all enrolled students, faculty and staff that provide the web site to access the Annual Campus Security and Fire Safety report. Copies of the report may also be obtained at Otterbein Police Department Headquarters (OPD) located at 194 West Main Street Westerville, Ohio 43081 or by calling 614-823-1222. All prospective employees may obtain a copy from Human Resources at 25 West Home Street Westerville, Ohio 43081 or calling 614-823-1130. Prospective students may obtain a copy by the Otterbein web site at www.otterbein.edu and clicking on Future Students/Consumer Information/Campus Life, Health, and Safety.

Violence Against Women Act (VAWA) Standards:

Otterbein University does not discriminate on the basis of sex in its educational programs and sexual harassment and sexual violence are types of sex discrimination. Other acts can also be forms of sex-based discrimination and are prohibited whether sexually based or not and include sexual assault, dating violence, domestic violence, and stalking. As a result, Otterbein University issues this statement of policy to inform the community of our comprehensive plan addressing sexual misconduct, educational programs, and procedures that address sexual assault, domestic violence, dating violence, and stalking, whether the incident occurs on or off campus and when it is reported to a University official. In this context, Otterbein University prohibits the offenses of domestic violence, dating violence, sexual assault and stalking and reaffirms its commitment to maintain a campus environment emphasizing the dignity and worth of all members of the university community.

For a complete copy of Otterbein University's policy governing sexual misconduct, visit the Otterbein University Web Site at the link below to access the Campus Life Handbook. Pages 47 through 67 contain the Sexual Misconduct Policy.

Campus-Life-Handbook.pdf (otterbein.edu)

Otterbein University's Title IX Coordinator is Dean of Students, Julie Saker. Her telephone number is 614-823-1554. Saker can also be reached by email at jsaker@otterbein.edu

VAWA and Ohio Revised Code Definitions:

A. VAWA Definitions

There are numerous terms used by Otterbein University in our policy and procedures.

The State of Ohio does not define **Consent** in the Ohio Revised Code. Consent is defined in Otterbein University's Sexual Misconduct Policy as "Consent is informed, freely and actively given, mutually understandable words or action, which indicate a willingness to engage in mutually agreed upon sexual activity."

Sexual Assault: "Sexual assault" means an offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI's Uniform Crime Reporting program. Per the National Incident-Based Reporting System User Manual From the FBI UCR Program, A sex offense is "any sexual act directed against another person, without the consent of the victim, including instances where the victim if incapable of giving consent."

Rape is defined as the penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.

Sexual contact: The intentional touching of the clothed or unclothed body parts without consent of the victim for the purpose of sexual degradation, sexual gratification, or sexual humiliation.

The forced touching by the victim of the actor's clothed or unclothed body parts, without consent of the victim for the purpose of sexual degradation, sexual gratification, or sexual humiliation. This offense includes instances where the victim is incapable of giving consent because of age or incapacity due to temporary or permanent mental or physical impairment or intoxication.

Incest is defined as sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

Statutory Rape is defined as sexual intercourse with a person who is under the statutory age of consent.

Domestic Violence: The term ''domestic violence'' means:

1) Felony or misdemeanor crimes of violence committed—

(i) By a current or former spouse or intimate partner of the victim;

(ii) By a person with whom the victim shares a child in common;

(iii) By a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner;

(iv) By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred; or

(v) 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.

1) For the purposes of complying with the requirements of this section and section 668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

Dating Violence: The term ''dating violence'' means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim.

1) Who is or has been in a social relationship of a romantic or intimate nature with the victim and

2)The existence of such a relationship shall be based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. For the purposes of this definition-

Dating Violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.

For the purposes of complying with the requirements of this section and section 668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

Sections of the Ohio Revised Code that would be relevant to dating violence are; Felonious Assault - 2903.11, Aggravated Assault - 2903.12, Assault – 2903-13, Aggravated Menacing –

2903.21, Menacing – 2903.22, Kidnapping – 2905.01, Abduction – 2905.02, Unlawful Restraint – 2905.03, Telecommunication Harassment – 2917.21, Disorderly Conduct – 2917.11. Specific language for these sections can be found at the following link: http://codes.ohio.gov/orc/29

Stalking: The term "stalking" means 1) Engaging in a course of conduct directed at a specific person that would cause a reasonable person to—

(i) Fear for the person's safety or the safety of others; or

(ii) Suffer substantial emotional distress.

2) For the purposes of this definition—

(i) Course of conduct means two or more acts, including, but not limited to, acts 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.

(ii) Reasonable person means a reasonable person under similar circumstances and with similar identities to the victim.

(iii) Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

3) For the purposes of complying with the requirements of this section and section 668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

B. Ohio Revised Code

2907.02 Rape (last updated January 29, 2025)

(A)(1) No person shall engage in sexual conduct with another when any of the following applies:

(a) For the purpose of preventing resistance, the offender substantially impairs the other person's judgment or control by administering any drug, intoxicant, or controlled substance to the other person surreptitiously or by force, threat of force, or deception.

(b) The other person is less than thirteen years of age, whether or not the offender knows the age of the other person.

(c) The other person's ability to resist or consent is substantially impaired because of a mental or physical condition or because of advanced age, and the offender knows or has reasonable cause to believe that the other person's ability to resist or consent is substantially impaired because of a mental or physical condition or because of advanced age.

(d) The offender knows that the judgment or control of the other person is substantially impaired as a result of the influence of any drug or intoxicant administered to the other person with the

other person's consent for the purpose of any kind of medical or dental examination, treatment, or surgery.

(2) No person shall engage in sexual conduct with another when the offender purposely compels the other person to submit by force or threat of force.

(B) Whoever violates this section is guilty of rape, a felony of the first degree. If the offender under division (A)(1)(a) of this section substantially impairs the other person's judgment or control by administering any controlled substance, as defined in section 3719.01 of the Revised Code, to the other person surreptitiously or by force, threat of force, or deception, the prison term imposed upon the offender shall be one of the definite prison terms prescribed for a felony of the first degree in division (A)(1)(b) of section 2929.14 of the Revised Code that is not less than five years, except that if the violation is committed on or after March 22, 2019, the court shall impose as the minimum prison term for the offense a mandatory prison term that is one of the minimum terms prescribed for a felony of the first degree in division (A)(1)(a) of section 2929.14 of the Revised Code that is not less than five years. Except as otherwise provided in this division, notwithstanding sections 2929.11 to 2929.14 of the Revised Code, an offender under division (A)(1)(b) of this section shall be sentenced to a prison term or term of life imprisonment pursuant to section 2971.03 of the Revised Code. If an offender is convicted of or pleads guilty to a violation of division (A)(1)(b) of this section, if the offender was less than sixteen years of age at the time the offender committed the violation of that division, and if the offender during or immediately after the commission of the offense did not cause serious physical harm to the victim, the victim was ten years of age or older at the time of the commission of the violation, and the offender has not previously been convicted of or pleaded guilty to a violation of this section or a substantially similar existing or former law of this state, another state, or the United States, the court shall not sentence the offender to a prison term or term of life imprisonment pursuant to section 2971.03 of the Revised Code, and instead the court shall sentence the offender as otherwise provided in this division. If an offender under division (A)(1)(b) of this section previously has been convicted of or pleaded guilty to violating division (A)(1)(b) of this section or to violating an existing or former law of this state, another state, or the United States that is substantially similar to division (A)(1)(b) of this section, if the offender during or immediately after the commission of the offense caused serious physical harm to the victim, or if the victim under division (A)(1)(b) of this section is less than ten years of age, in lieu of sentencing the offender to a prison term or term of life imprisonment pursuant to section 2971.03 of the Revised Code, except as otherwise provided in this division, the court may impose upon the offender a term of life without parole. If the court imposes a term of life without parole pursuant to this division, division (F) of section 2971.03 of the Revised Code applies, and the offender automatically is classified a tier III sex offender/child-victim offender, as described in that division. A court shall not impose a term of life without parole on an offender for rape if the offender was under eighteen years of age at the time of the offense.
(C) A victim need not prove physical resistance to the offender in prosecutions under this section.

(D) Evidence of specific instances of the victim's sexual activity, opinion evidence of the victim's sexual activity, and reputation evidence of the victim's sexual activity shall not be admitted under this section unless it involves evidence of the origin of semen, pregnancy, or sexually transmitted

disease or infection, or the victim's past sexual activity with the offender, and only to the extent that the court finds that the evidence is material to a fact at issue in the case and that its inflammatory or prejudicial nature does not outweigh its probative value.

Evidence of specific instances of the defendant's sexual activity, opinion evidence of the defendant's sexual activity, and reputation evidence of the defendant's sexual activity shall not be admitted under this section unless it involves evidence of the origin of semen, pregnancy, or sexually transmitted disease or infection, the defendant's past sexual activity with the victim, or is admissible against the defendant under section 2945.59 of the Revised Code, and only to the extent that the court finds that the evidence is material to a fact at issue in the case and that its inflammatory or prejudicial nature does not outweigh its probative value.
(E) Prior to taking testimony or receiving evidence of any sexual activity of the victim or the defendant in a proceeding under this section, the court shall resolve the admissibility of the proposed evidence in a hearing in chambers, which shall be held at or before preliminary hearing and not less than three days before trial, or for good cause shown during the trial.

(F) Upon approval by the court, the victim may be represented by counsel in any hearing in chambers or other proceeding to resolve the admissibility of evidence. If the victim is indigent or otherwise is unable to obtain the services of counsel, the court, upon request, may appoint counsel to represent the victim without cost to the victim.

(G) It is not a defense to a charge under division (A)(2) of this section that the offender and the victim were married or were cohabiting at the time of the commission of the offense.

2907.03 Sexual battery. (last updated January 22, 2025)

(A) No person shall engage in sexual activity with another; cause another to engage in sexual activity with the offender; or cause two or more other persons to engage in sexual activity when any of the following apply:

(1) The offender knowingly coerces the other person, or one of the other persons, to submit by any means that would prevent resistance by a person of ordinary resolution.

(2) The offender knows that the other person's, or one of the other persons', ability to appraise the nature of or control the other person's own conduct is substantially impaired.

(3) The offender knows that the other person, or one of the other persons, submits because the other person is unaware that the act is being committed.

(4) The offender knows that the other person, or one of the other persons, submits because the other person mistakenly identifies the offender as the other person's spouse.

(5) The offender is the other person's, or one of the other persons', natural or adoptive parent, or a stepparent, or guardian, custodian, or person in loco parentis of the other person.

(6) The other person, or one of the other persons, is in custody of law or a patient in a hospital or other institution, and the offender has supervisory or disciplinary authority over the other person.

(7) The offender is a teacher, administrator, coach, or other person in authority employed by or serving in a school for which the director of education and workforce prescribes minimum standards pursuant to division (D) of section 3301.07 of the Revised Code, the other person, or one of the other persons, is enrolled in or attends that school, and the offender is not enrolled in and does not attend that school.
(8) The other person, or one of the other persons, is a minor, the offender is a teacher, administrator, coach, or other person in authority employed by or serving in an institution of higher education, and the other person is enrolled in or attends that institution.

(9) The other person, or one of the other persons, is a minor, and the offender is the other person's athletic or other type of coach, is the other person's instructor, is the leader of a scouting troop of which the other person is a member, or is a person with temporary or occasional disciplinary control over the other person.

(10) The offender is a mental health professional, the other person, or one of the other persons, is a mental health client or patient of the offender, and the offender induces the other person to submit by falsely representing to the other person that the sexual activity is necessary for mental health treatment purposes.

(11) The offender is a licensed medical professional, the other person, or one of the other persons, is a patient of the offender, and the sexual activity occurs in the course of medical treatment.

(12) The other person, or one of the other persons, is confined in a detention facility, and the offender is an employee of that detention facility.

(13) The other person, or one of the other persons, is a minor, the offender is a cleric, and the other person is a member of, or attends, the church or congregation served by the cleric.

(14) The other person, or one of the other persons, is a minor, the offender is a peace officer, and the offender is more than two years older than the other person.

(B) Whoever violates this section is guilty of sexual battery.

(1) If the sexual activity involved is sexual conduct, except as otherwise provided in this division, sexual battery is a felony of the third degree. If the other person, or one of the other persons, is thirteen years of age or over and less than eighteen years of age, sexual battery is a felony of the second degree, and the court shall impose upon the offender a mandatory prison term equal to one of the definite prison terms prescribed in division (A)(2)(b) of section 2929.14 of the Revised Code for a felony of the second degree, except that if the violation is committed on or after March 22, 2019, the court shall impose as the minimum prison term for the offense a mandatory prison term that is one of the minimum terms prescribed in division (A)(2)(a) of that section for a felony of the second degree.

(2) If the sexual activity involved is sexual contact, except as otherwise provided in this division, sexual battery is a felony of the fifth degree. If the other person, or one of the other persons, is less than eighteen years of age, sexual battery is a felony of the fourth degree.

(C) As used in this section:

(1) "Cleric" has the same meaning as in section 2317.02 of the Revised Code.
(2) "Detention facility" has the same meaning as in section 2921.01 of the Revised Code.
(3) "Institution of higher education" means a state institution of higher education defined in section 3345.011 of the Revised Code, a private nonprofit college or university located in this state that possesses a certificate of authorization issued by the chancellor of higher education pursuant to Chapter 1713. of the Revised Code, or a school certified under Chapter 3332. of the Revised Code.
(4) "Peace officer" has the same meaning as in section 2935.01 of the Revised Code.
(5) "Medical treatment" means in-person medical services provided by a licensed medical professional under the legal authority conferred by a license or certificate, including in-person examination, consultation, health care, treatment, procedure, surgery, or other in-person procedures.

2907.04 Unlawful sexual conduct with minor. (last updated June 5, 2024)

(A) No person who is eighteen years of age or older shall engage in sexual conduct with another when the offender knows the other person is thirteen years of age or older but less than sixteen years of age, or the offender is reckless in that regard.

(B) Whoever violates this section is guilty of unlawful sexual conduct with a minor.

(1) Except as otherwise provided in divisions (B)(2), (3), and (4) of this section, unlawful sexual conduct with a minor is a felony of the fourth degree.

(2) Except as otherwise provided in division (B)(4) of this section, if the offender is less than four years older than the other person, unlawful sexual conduct with a minor is a misdemeanor of the first degree.

(3) Except as otherwise provided in division (B)(4) of this section, if the offender is ten or more years older than the other person, unlawful sexual conduct with a minor is a felony of the third degree.

(4) If the offender previously has been convicted of or pleaded guilty to a violation of section 2907.02, 2907.03, or 2907.04 of the Revised Code or a violation of former section 2907.12 of the Revised Code, unlawful sexual conduct with a minor is a felony of the second degree.

2907.05 Gross sexual imposition. (last updated June 5, 2024)

(A) 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 purposely compels the other person, or one of the other persons, to submit by force or threat of force.

(2) For the purpose of preventing resistance, the offender substantially impairs the judgment or control of the other person or of one of the other persons by administering any drug, intoxicant, or controlled substance to the other person surreptitiously or by force, threat of force, or deception.

(3) The offender knows that the judgment or control of the other person or of one of the other persons is substantially impaired as a result of the influence of any drug or intoxicant administered to the other person with the other person's consent for the purpose of any kind of medical or dental examination, treatment, or surgery.

(4) The other person, or one of the other persons, is less than thirteen years of age, whether or not the offender knows the age of that person.

(5) The ability of the other person to resist or consent or the ability of one of the other persons to resist or consent is substantially impaired because of a mental or physical condition or because of advanced age, and the offender knows or has reasonable cause to believe that the ability to resist or consent of the other person or of one of the other persons is substantially impaired because of a mental or physical condition or because of advanced age.

(B) No person shall knowingly touch the genitalia of another, when the touching is not through clothing, the other person is less than twelve years of age, whether or not the offender knows the age of that person, and the touching is done with an intent to abuse, humiliate, harass, degrade, or arouse or gratify the sexual desire of any person.

(C) Whoever violates this section is guilty of gross sexual imposition.

(1) Except as otherwise provided in this section, gross sexual imposition committed in violation of division (A)(1), (2), (3), or (5) of this section is a felony of the fourth degree. If the offender under division (A)(2) of this section substantially impairs the judgment or control of the other person or one of the other persons by administering any controlled substance, as defined in section 3719.01 of the Revised Code, to the person surreptitiously or by force, threat of force, or deception, gross sexual imposition committed in violation of division (A)(2) of this section is a felony of the third degree.
(2) Gross sexual imposition committed in violation of division (A)(4) or (B) of this section is a felony of the third degree. Except as otherwise provided in this division, for gross sexual imposition committed in violation of division (A)(4) or (B) of this section there is a presumption that a prison term shall be imposed for the offense. The court shall impose on an offender convicted of gross sexual imposition in violation of division (A)(4) or (B) of this section a mandatory prison term, as described in division (C)(3) of this section, for a felony of the third degree if the offender previously was convicted of or pleaded guilty to a violation of this section, rape, the former offense of felonious sexual penetration, or sexual battery, and the victim of the previous offense was less than thirteen years of age.

(3) A mandatory prison term required under division (C)(2) of this section shall be a definite term from the range of prison terms provided in division (A)(3)(a) of section 2929.14 of the Revised Code for a felony of the third degree.
(D) A victim need not prove physical resistance to the offender in prosecutions under this section.

(E) Evidence of specific instances of the victim's sexual activity, opinion evidence of the victim's sexual activity, and reputation evidence of the victim's sexual activity shall not be admitted under this section unless it involves evidence of the origin of semen, pregnancy, or sexually transmitted disease or infection, or the victim's past sexual activity with the offender, and only to the extent that the court finds that the evidence is material to a fact at issue in the case and that its inflammatory or prejudicial nature does not outweigh its probative value.

Evidence of specific instances of the defendant's sexual activity, opinion evidence of the defendant's sexual activity, and reputation evidence of the defendant's sexual activity shall not be admitted under this section unless it involves evidence of the origin of semen, pregnancy, or sexually transmitted disease or infection, the defendant's past sexual activity with the victim, or is admissible against the defendant under section 2945.59 of the Revised Code, and only to the extent that the court finds that the evidence is material to a fact at issue in the case and that its inflammatory or prejudicial nature does not outweigh its probative value.
(F) Prior to taking testimony or receiving evidence of any sexual activity of the victim or the defendant in a proceeding under this section, the court shall resolve the admissibility of the proposed evidence in a hearing in chambers, which shall be held at or before preliminary hearing and not less than three days before trial, or for good cause shown during the trial.

(G) Upon approval by the court, the victim may be represented by counsel in any hearing in chambers or other proceeding to resolve the admissibility of evidence. If the victim is indigent or otherwise is unable to obtain the services of counsel, the court, upon request, may appoint counsel to represent the victim without cost to the victim.

(A) 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 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.

(B) No person shall be convicted of a violation of this section solely upon the victim's testimony unsupported by other evidence.

(C) Whoever violates this section is guilty of sexual imposition, a misdemeanor of the third degree. If the offender previously has been convicted of or pleaded guilty to a violation of this section or of section 2907.02, 2907.03, 2907.04, or 2907.05, or former section 2907.12 of the Revised Code, a violation of this section is a misdemeanor of the first degree. If the offender previously has been convicted of or pleaded guilty to three or more violations of this section or section 2907.02, 2907.03, 2907.04, or 2907.05, or former section 2907.12 of the Revised Code, or of any combination of those sections, a violation of this section is a misdemeanor of the first

degree and, notwithstanding the range of jail terms prescribed in section 2929.24 of the Revised Code, the court may impose on the offender a definite jail term of not more than one year.

2907.06 Sexual imposition. (last updated January 29, 2025)

(A) 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 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.

(B) No person shall be convicted of a violation of this section solely upon the victim's testimony unsupported by other evidence.

(C) Whoever violates this section is guilty of sexual imposition, a misdemeanor of the third degree. If the offender previously has been convicted of or pleaded guilty to a violation of this section or of section 2907.02, 2907.03, 2907.04, or 2907.05, or former section 2907.12 of the Revised Code, a violation of this section is a misdemeanor of the first degree. If the offender previously has been convicted of or pleaded guilty to three or more violations of this section or section 2907.02, 2907.03, 2907.04, or 2907.05, or former section 2907.12 of the Revised Code, or of any combination of those sections, a violation of this section is a misdemeanor of the first degree and, notwithstanding the range of jail terms prescribed in section 2929.24 of the Revised Code, the court may impose on the offender a definite jail term of not more than one year.

2919.25 Domestic violence. (last updated January 28,2025)

(A) No person shall knowingly cause or attempt to cause physical harm to a family or household member.

(B) No person shall recklessly cause serious physical harm to a family or household member.

(C) No person, by threat of force, shall knowingly cause a family or household member to believe that the offender will cause imminent physical harm to the family or household member.

(D)(1) Whoever violates this section is guilty of domestic violence, and the court shall sentence the offender as provided in divisions (D)(2) to (6) of this section.

(2) Except as otherwise provided in divisions (D)(3) to (5) of this section, a violation of division (C) of this section is a misdemeanor of the fourth degree, and a violation of division (A) or (B) of this section is a misdemeanor of the first degree.

(3) Except as otherwise provided in division (D)(4) of this section, if the offender previously has pleaded guilty to or been convicted of domestic violence, a violation of an existing or former municipal ordinance or law of this or any other state or the United States that is substantially similar to domestic violence, a violation of section 2903.14, 2909.06, 2909.07, 2911.12, 2911.211, or 2919.22 of the Revised Code if the victim of the violation was a family or household member at the time of the violation, a violation of an existing or former municipal ordinance or law of this or any other state or the United States that is substantially similar to any

of those sections if the victim of the violation was a family or household member at the time of the commission of the violation, or any offense of violence if the victim of the offense was a family or household member at the time of the commission of the offense, a violation of division (A) or (B) of this section is a felony of the fourth degree, and, if the offender knew that the victim of the violation was pregnant at the time of the violation, the court shall impose a mandatory prison term on the offender pursuant to division (D)(6) of this section, and a violation of division (C) of this section is a misdemeanor of the second degree.
(4) If the offender previously has pleaded guilty to or been convicted of two or more offenses of domestic violence or two or more violations or offenses of the type described in division (D)(3) of this section involving a person who was a family or household member at the time of the violations or offenses, a violation of division (A) or (B) of this section is a felony of the third degree, and there is a presumption for a prison term for the offense, and a violation of division (C) of this section is a misdemeanor of the first degree. If the offender previously has pleaded guilty to or been convicted of two or more offenses of domestic violence or two or more violations or offenses of the type described in division (D)(3) of this section involving a person who was a family or household member at the time of the violations or offenses, and the offender knew that the victim of the violation was pregnant at the time of the violation, a violation of division (A) or (B) of this section is a felony of the third degree, and the court shall impose a mandatory prison term on the offender pursuant to division (D)(6) of this section.

(5) Except as otherwise provided in division (D)(3) or (4) of this section, if the offender knew that the victim of the violation was pregnant at the time of the violation, a violation of division (A) or (B) of this section is a felony of the fifth degree, and the court shall impose a mandatory prison term on the offender pursuant to division (D)(6) of this section, and a violation of division (C) of this section is a misdemeanor of the third degree.

(6) If division (D)(3), (4), or (5) of this section requires the court that sentences an offender for a violation of division (A) or (B) of this section to impose a mandatory prison term on the offender pursuant to this division, the court shall impose the mandatory prison term as follows:

(a) If the violation of division (A) or (B) of this section is a felony of the fourth or fifth degree, except as otherwise provided in division (D)(6)(b) or (c) of this section, the court shall impose a mandatory prison term on the offender of at least six months.

(b) If the violation of division (A) or (B) of this section is a felony of the fifth degree and the offender, in committing the violation, caused serious physical harm to the pregnant woman's unborn or caused the termination of the pregnant woman's pregnancy, the court shall impose a mandatory prison term on the offender of twelve months.

(c) If the violation of division (A) or (B) of this section is a felony of the fourth degree and the offender, in committing the violation, caused serious physical harm to the pregnant woman's unborn or caused the termination of the pregnant woman's pregnancy, the court shall impose a mandatory prison term on the offender of at least twelve months.

(d) If the violation of division (A) or (B) of this section is a felony of the third degree and the offender knew that the victim of the violation was pregnant at the time of the violation, except as

otherwise provided in division (D)(6)(e) of this section and notwithstanding the range of definite prison terms prescribed in division (A)(3) of section 2929.14 of the Revised Code for a felony of the third degree, the court shall impose a mandatory prison term on the offender of either a definite term of twelve months or one of the prison terms prescribed in division (A)(3)(a) of section 2929.14 of the Revised Code for felonies of the third degree.
(e) If the violation of division (A) or (B) of this section is a felony of the third degree and the offender, in committing the violation, caused serious physical harm to the pregnant woman's unborn or caused the termination of the pregnant woman's pregnancy, notwithstanding the range of definite prison terms prescribed in division (A)(3) of section 2929.14 of the Revised Code for a felony of the third degree, the court shall impose a mandatory prison term on the offender of either a definite term of eighteen months or one of the prison terms prescribed in division (A)(3)(a) of section 2929.14 of the Revised Code for felonies of the third degree.
(E) Notwithstanding any provision of law to the contrary, no court or unit of state or local government shall charge any fee, cost, deposit, or money in connection with the filing of charges against a person alleging that the person violated this section or a municipal ordinance substantially similar to this section or in connection with the prosecution of any charges so filed.

(F) As used in this section and sections 2919.251 and 2919.26 of the Revised Code:
(1) "Family or household member" means any of the following:

(a) Any of the following who is residing or has resided with the offender:

(i) A spouse, a person living as a spouse, or a former spouse of the offender;

(ii) A parent, a foster parent, or a child of the offender, or another person related by consanguinity or affinity to the offender;

(iii) A parent or a child of a spouse, person living as a spouse, or former spouse of the offender, or another person related by consanguinity or affinity to a spouse, person living as a spouse, or former spouse of the offender.

(b) The natural parent of any child of whom the offender is the other natural parent or is the putative other natural parent.

(2) "Person living as a spouse" means a person who is living or has lived with the offender in a common law marital relationship, who otherwise is cohabiting with the offender, or who otherwise has cohabited with the offender within five years prior to the date of the alleged commission of the act in question.

(3) "Pregnant woman's unborn" has the same meaning as "such other person's unborn," as set forth in section 2903.09 of the Revised Code, as it relates to the pregnant woman. Division (C) of that section applies regarding the use of the term in this section, except that the second and third sentences of division (C)(1) of that section shall be construed for purposes of this section as if they included a reference to this section in the listing of Revised Code sections they contain.
(4) "Termination of the pregnant woman's pregnancy" has the same meaning as "unlawful termination of another's pregnancy," as set forth in section 2903.09 of the Revised Code, as it

relates to the pregnant woman. Division (C) of that section applies regarding the use of the term in this section, except that the second and third sentences of division (C)(1) of that section shall be construed for purposes of this section as if they included a reference to this section in the listing of Revised Code sections they contain.

3113.31 Dating Violence. (last updated February 8, 2023)

(A) As used in this section:

(8) "Dating relationship" means a relationship between individuals who have, or have had, a relationship of a romantic or intimate nature. "Dating relationship" does not include a casual acquaintanceship or ordinary fraternization in a business or social context.

(9) "Person with whom the respondent is or was in a dating relationship" means an individual who, at the time of the conduct in question, is in a dating relationship with the respondent who is an adult or who, within the twelve months preceding the conduct in question, has had a dating relationship with the respondent who is an adult.

(B) The court has jurisdiction over all proceedings under this section. The petitioner's right to relief under this section is not affected by the petitioner's leaving the residence or household to avoid further domestic violence.

(C) A person may seek relief under this section on the person's own behalf, or any parent or adult household member may seek relief under this section on behalf of any other family or household member, by filing a petition with the court. The petition shall contain or state:

(1) An allegation that the respondent engaged in domestic violence against a family or household member of the respondent or against a person with whom the respondent is or was in a dating relationship, including a description of the nature and extent of the domestic violence;

(2) The relationship of the respondent to the petitioner, and to the victim if other than the petitioner;

(3) If the petition is for protection of a person with whom the respondent is or was in a dating relationship, the facts upon which the court may conclude that a dating relationship existed between the person to be protected and the respondent;

(4) A request for relief under this section.

(D)(1) If a person who files a petition pursuant to this section requests an ex parte order, the court shall hold an ex parte hearing on the same day that the petition is filed. The court, for good cause shown at the ex parte hearing, may enter any temporary orders, with or without bond, including, but not limited to, an order described in division (E)(1)(a), (b), or (c) of this section, that the court finds necessary to protect the family or household member or the person with

whom the respondent is or was in a dating relationship from domestic violence. Immediate and present danger of domestic violence to the family or household member or to the person with whom the respondent is or was in a dating relationship constitutes good cause for purposes of this section. Immediate and present danger includes, but is not limited to, situations in which the respondent has threatened the family or household member or person with whom the respondent is or was in a dating relationship with bodily harm, in which the respondent has threatened the family or household member or person with whom the respondent is or was in a dating relationship with a sexually oriented offense, or in which the respondent previously has been convicted of, pleaded guilty to, or been adjudicated a delinquent child for an offense that constitutes domestic violence against the family or household member or person with whom the respondent is or was in a dating relationship.

(2)(a) If the court, after an ex parte hearing, issues an order described in division (E)(1)(b) or (c) of this section, the court shall schedule a full hearing for a date that is within seven court days after the ex parte hearing. If any other type of protection order that is authorized under division (E) of this section is issued by the court after an ex parte hearing, the court shall schedule a full hearing for a date that is within ten court days after the ex parte hearing. The court shall give the respondent notice of, and an opportunity to be heard at, the full hearing. The court shall hold the full hearing on the date scheduled under this division unless the court grants a continuance of the hearing in accordance with this division. Under any of the following circumstances or for any of the following reasons, the court may grant a continuance of the full hearing to a reasonable time determined by the court:

(i) Prior to the date scheduled for the full hearing under this division, the respondent has not been served with the petition filed pursuant to this section and notice of the full hearing.

(ii) The parties consent to the continuance.

(iii) The continuance is needed to allow a party to obtain counsel.

(iv) The continuance is needed for other good cause.

(b) An ex parte order issued under this section does not expire because of a failure to serve notice of the full hearing upon the respondent before the date set for the full hearing under division (D)(2)(a) of this section or because the court grants a continuance under that division.

(3) If a person who files a petition pursuant to this section does not request an ex parte order, or if a person requests an ex parte order but the court does not issue an ex parte order after an ex parte hearing, the court shall proceed as in a normal civil action and grant a full hearing on the matter.

(E)(1) After an ex parte or full hearing, the court may grant any protection order, with or without bond, or approve any consent agreement to bring about a cessation of domestic violence against the family or household members or persons with whom the respondent is or was in a dating relationship. The order or agreement may:

(a) Direct the respondent to refrain from abusing or from committing sexually oriented offenses against the family or household members or persons with whom the respondent is or was in a dating relationship;

(b) With respect to a petition involving family or household members, grant possession of the residence or household to the petitioner or other family or household member, to the exclusion of the respondent, by evicting the respondent, when the residence or household is owned or leased solely by the petitioner or other family or household member, or by ordering the respondent to vacate the premises, when the residence or household is jointly owned or leased by the respondent, and the petitioner or other family or household member;

(c) With respect to a petition involving family or household members, when the respondent has a duty to support the petitioner or other family or household member living in the residence or household and the respondent is the sole owner or lessee of the residence or household, grant possession of the residence or household to the petitioner or other family or household member, to the exclusion of the respondent, by ordering the respondent to vacate the premises, or, in the case of a consent agreement, allow the respondent to provide suitable, alternative housing;

(d) With respect to a petition involving family or household members, temporarily allocate parental rights and responsibilities for the care of, or establish temporary parenting time rights with regard to, minor children, if no other court has determined, or is determining, the allocation of parental rights and responsibilities for the minor children or parenting time rights;

(e) With respect to a petition involving family or household members, require the respondent to maintain support, if the respondent customarily provides for or contributes to the support of the family or household member, or if the respondent has a duty to support the petitioner or family or household member;

(f) Require the respondent, petitioner, victim of domestic violence, or any combination of those persons, to seek counseling;

(g) Require the respondent to refrain from entering the residence, school, business, or place of employment of the petitioner or, with respect to a petition involving family or household members, a family or household member;

(h) Grant other relief that the court considers equitable and fair, including, but not limited to, ordering the respondent to permit the use of a motor vehicle by the petitioner or, with respect to a petition involving family or household members, other family or household members and the apportionment of household and family personal property;

(i) Require that the respondent not remove, damage, hide, harm, or dispose of any companion animal owned or possessed by the petitioner;

(j) Authorize the petitioner to remove a companion animal owned by the petitioner from the possession of the respondent;

(k) Require a wireless service transfer in accordance with sections 3113.45 to 3113.459 of the Revised Code.
(2) If a protection order has been issued pursuant to this section in a prior action involving the respondent and the petitioner or, with respect to a petition involving family or household members, one or more of the family or household members or victims, the court may include in a protection order that it issues a prohibition against the respondent returning to the residence or household. If it includes a prohibition against the respondent returning to the residence or household in the order, it also shall include in the order provisions of the type described in division (E)(7) of this section. This division does not preclude the court from including in a protection order or consent agreement, in circumstances other than those described in this division, a requirement that the respondent be evicted from or vacate the residence or household or refrain from entering the residence, school, business, or place of employment of the petitioner or, with respect to a petition involving family or household members, a family or household member, and, if the court includes any requirement of that type in an order or agreement, the court also shall include in the order provisions of the type described in division (E)(7) of this section.

(3)(a) Any protection order issued or consent agreement approved under this section shall be valid until a date certain, but not later than five years from the date of its issuance or approval, or not later than the date a respondent who is less than eighteen years of age attains nineteen years of age, unless modified or terminated as provided in division (E)(8) of this section.

(b) With respect to an order involving family or household members, subject to the limitation on the duration of an order or agreement set forth in division (E)(3)(a) of this section, any order under division (E)(1)(d) of this section shall terminate on the date that a court in an action for divorce, dissolution of marriage, or legal separation brought by the petitioner or respondent issues an order allocating parental rights and responsibilities for the care of children or on the date that a juvenile court in an action brought by the petitioner or respondent issues an order awarding legal custody of minor children. Subject to the limitation on the duration of an order or agreement set forth in division (E)(3)(a) of this section, any order under division (E)(1)(e) of this section shall terminate on the date that a court in an action for divorce, dissolution of marriage, or legal separation brought by the petitioner or respondent issues a support order or on the date that a juvenile court in an action brought by the petitioner or respondent issues a support order.

(c) Any protection order issued or consent agreement approved pursuant to this section may be renewed in the same manner as the original order or agreement was issued or approved.

(4) A court may not issue a protection order that requires a petitioner to do or to refrain from doing an act that the court may require a respondent to do or to refrain from doing under division (E)(1)(a), (b), (c), (d), (e), (g), or (h) of this section unless all of the following apply:

(a) The respondent files a separate petition for a protection order in accordance with this section.

(b) The petitioner is served notice of the respondent's petition at least forty-eight hours before the court holds a hearing with respect to the respondent's petition, or the petitioner waives the right to receive this notice.

(c) If the petitioner has requested an ex parte order pursuant to division (D) of this section, the court does not delay any hearing required by that division beyond the time specified in that division in order to consolidate the hearing with a hearing on the petition filed by the respondent.

(d) After a full hearing at which the respondent presents evidence in support of the request for a protection order and the petitioner is afforded an opportunity to defend against that evidence, the court determines that the petitioner has committed an act of domestic violence or has violated a temporary protection order issued pursuant to section 2919.26 of the Revised Code, that both the petitioner and the respondent acted primarily as aggressors, and that neither the petitioner nor the respondent acted primarily in self-defense.
(5) No protection order issued or consent agreement approved under this section shall in any manner affect title to any real property.

(6)(a) With respect to an order involving family or household members, if a petitioner, or the child of a petitioner, who obtains a protection order or consent agreement pursuant to division (E)(1) of this section or a temporary protection order pursuant to section 2919.26 of the Revised Code and is the subject of a parenting time order issued pursuant to section 3109.051 or 3109.12 of the Revised Code or a visitation or companionship order issued pursuant to section 3109.051, 3109.11, or 3109.12 of the Revised Code or division (E)(1)(d) of this section granting parenting time rights to the respondent, the court may require the public children services agency of the county in which the court is located to provide supervision of the respondent's exercise of parenting time or visitation or companionship rights with respect to the child for a period not to exceed nine months, if the court makes the following findings of fact:
(i) The child is in danger from the respondent;

(ii) No other person or agency is available to provide the supervision.

(b) A court that requires an agency to provide supervision pursuant to division (E)(6)(a) of this section shall order the respondent to reimburse the agency for the cost of providing the supervision, if it determines that the respondent has sufficient income or resources to pay that cost.

(7)(a) If a protection order issued or consent agreement approved under this section includes a requirement that the respondent be evicted from or vacate the residence or household or refrain from entering the residence, school, business, or place of employment of the petitioner or, with respect to a petition involving family or household members, a family or household member, the order or agreement shall state clearly that the order or agreement cannot be waived or nullified by an invitation to the respondent from the petitioner or other family or household member to enter the residence, school, business, or place of employment or by the respondent's entry into one of those places otherwise upon the consent of the petitioner or other family or household member.

(b) Division (E)(7)(a) of this section does not limit any discretion of a court to determine that a respondent charged with a violation of section 2919.27 of the Revised Code, with a violation of a municipal ordinance substantially equivalent to that section, or with contempt of court, which

charge is based on an alleged violation of a protection order issued or consent agreement approved under this section, did not commit the violation or was not in contempt of court.
(8)(a) The court may modify or terminate as provided in division (E)(8) of this section a protection order or consent agreement that was issued after a full hearing under this section. The court that issued the protection order or approved the consent agreement shall hear a motion for modification or termination of the protection order or consent agreement pursuant to division (E)(8) of this section.

(b) Either the petitioner or the respondent of the original protection order or consent agreement may bring a motion for modification or termination of a protection order or consent agreement that was issued or approved after a full hearing. The court shall require notice of the motion to be made as provided by the Rules of Civil Procedure. If the petitioner for the original protection order or consent agreement has requested that the petitioner's address be kept confidential, the court shall not disclose the address to the respondent of the original protection order or consent agreement or any other person, except as otherwise required by law. The moving party has the burden of proof to show, by a preponderance of the evidence, that modification or termination of the protection order or consent agreement is appropriate because either the protection order or consent agreement is no longer needed or because the terms of the original protection order or consent agreement are no longer appropriate.

(c) In considering whether to modify or terminate a protection order or consent agreement issued or approved under this section, the court shall consider all relevant factors, including, but not limited to, the following:

(i) Whether the petitioner consents to modification or termination of the protection order or consent agreement;

(ii) Whether the petitioner fears the respondent;

(iii) The current nature of the relationship between the petitioner and the respondent;

(iv) The circumstances of the petitioner and respondent, including the relative proximity of the petitioner's and respondent's workplaces and residences and whether the petitioner and respondent have minor children together;

(v) Whether the respondent has complied with the terms and conditions of the original protection order or consent agreement;

(vi) Whether the respondent has a continuing involvement with illegal drugs or alcohol;

(vii) Whether the respondent has been convicted of, pleaded guilty to, or been adjudicated a delinquent child for an offense of violence since the issuance of the protection order or approval of the consent agreement;

(viii) Whether any other protection orders, consent agreements, restraining orders, or no contact orders have been issued against the respondent pursuant to this section, section 2919.26 of the Revised Code, any other provision of state law, or the law of any other state;
(ix) Whether the respondent has participated in any domestic violence treatment, intervention program, or other counseling addressing domestic violence and whether the respondent has completed the treatment, program, or counseling;

(x) The time that has elapsed since the protection order was issued or since the consent agreement was approved;

(xi) The age and health of the respondent;

(xii) When the last incident of abuse, threat of harm, or commission of a sexually oriented offense occurred or other relevant information concerning the safety and protection of the petitioner or other protected parties.

(d) If a protection order or consent agreement is modified or terminated as provided in division (E)(8) of this section, the court shall issue copies of the modified or terminated order or agreement as provided in division (F) of this section. A petitioner may also provide notice of the modification or termination to the judicial and law enforcement officials in any county other than the county in which the order or agreement is modified or terminated as provided in division (N) of this section.

(e) If the respondent moves for modification or termination of a protection order or consent agreement pursuant to this section and the court denies the motion, the court may assess costs against the respondent for the filing of the motion.

(9) Any protection order issued or any consent agreement approved pursuant to this section shall include a provision that the court will automatically seal all of the records of the proceeding in which the order is issued or agreement approved on the date the respondent attains the age of nineteen years unless the petitioner provides the court with evidence that the respondent has not complied with all of the terms of the protection order or consent agreement. The protection order or consent agreement shall specify the date when the respondent attains the age of nineteen years.

(F)(1) A copy of any protection order, or consent agreement, that is issued, approved, modified, or terminated under this section shall be issued by the court to the petitioner, to the respondent, and to all law enforcement agencies that have jurisdiction to enforce the order or agreement. The court shall direct that a copy of an order be delivered to the respondent on the same day that the order is entered.

(2) Upon the issuance of a protection order or the approval of a consent agreement under this section, the court shall provide the parties to the order or agreement with the following notice orally or by form:

"NOTICE: As a result of this order or consent agreement, it may be unlawful for you to possess or purchase a firearm, including a rifle, pistol, or revolver, or ammunition pursuant to federal law under 18 U.S.C. 922(g)(8) for the duration of this order or consent agreement. If you have any questions whether this law makes it illegal for you to possess or purchase a firearm or ammunition, you should consult an attorney."

(3) All law enforcement agencies shall establish and maintain an index for the protection orders and the approved consent agreements delivered to the agencies pursuant to division (F)(1) of this section. With respect to each order and consent agreement delivered, each agency shall note on the index the date and time that it received the order or consent agreement.

(4) Regardless of whether the petitioner has registered the order or agreement in the county in which the officer's agency has jurisdiction pursuant to division (N) of this section, any officer of a law enforcement agency shall enforce a protection order issued or consent agreement approved by any court in this state in accordance with the provisions of the order or agreement, including removing the respondent from the premises, if appropriate.

(G)(1) Any proceeding under this section shall be conducted in accordance with the Rules of Civil Procedure, except that an order under this section may be obtained with or without bond. An order issued under this section, other than an ex parte order, that grants a protection order or approves a consent agreement, that refuses to grant a protection order or approve a consent agreement that modifies or terminates a protection order or consent agreement, or that refuses to modify or terminate a protection order or consent agreement, is a final, appealable order. The remedies and procedures provided in this section are in addition to, and not in lieu of, any other available civil or criminal remedies.

(2) If as provided in division (G)(1) of this section an order issued under this section, other than an ex parte order, refuses to grant a protection order, the court, on its own motion, shall order that the ex parte order issued under this section and all of the records pertaining to that ex parte order be sealed after either of the following occurs:

(a) No party has exercised the right to appeal pursuant to Rule 4 of the Rules of Appellate Procedure.

(b) All appellate rights have been exhausted.

(H) The filing of proceedings under this section does not excuse a person from filing any report or giving any notice required by section 2151.421 of the Revised Code or by any other law. When a petition under this section alleges domestic violence against minor children, the court shall report the fact, or cause reports to be made, to a county, township, or municipal peace officer under section 2151.421 of the Revised Code.
(I) Any law enforcement agency that investigates a domestic dispute shall provide information to the family or household members involved, or the persons in the dating relationship who are involved, whichever is applicable regarding the relief available under this section and, for family or household members, section 2919.26 of the Revised Code.

(J)(1) Subject to divisions (E)(8)(e) and (J)(2) of this section and regardless of whether a protection order is issued or a consent agreement is approved by a court of another county or a court of another state, no court or unit of state or local government shall charge the petitioner any fee, cost, deposit, or money in connection with the filing of a petition pursuant to this section or in connection with the filing, issuance, registration, modification, enforcement, dismissal, withdrawal, or service of a protection order, consent agreement, or witness subpoena or for obtaining a certified copy of a protection order or consent agreement.

(2) Regardless of whether a protection order is issued or a consent agreement is approved pursuant to this section, the court may assess costs against the respondent in connection with the filing, issuance, registration, modification, enforcement, dismissal, withdrawal, or service of a protection order, consent agreement, or witness subpoena or for obtaining a certified copy of a protection order or consent agreement.

(K)(1) The court shall comply with Chapters 3119., 3121., 3123., and 3125. of the Revised Code when it makes or modifies an order for child support under this section.

(2) If any person required to pay child support under an order made under this section on or after April 15, 1985, or modified under this section on or after December 31, 1986, is found in contempt of court for failure to make support payments under the order, the court that makes the finding, in addition to any other penalty or remedy imposed, shall assess all court costs arising out of the contempt proceeding against the person and require the person to pay any reasonable attorney's fees of any adverse party, as determined by the court, that arose in relation to the act of contempt.

(L)(1) A person who violates a protection order issued or a consent agreement approved under this section is subject to the following sanctions:

(a) Criminal prosecution or a delinquent child proceeding for a violation of section 2919.27 of the Revised Code, if the violation of the protection order or consent agreement constitutes a violation of that section;
(b) Punishment for contempt of court.

(2) The punishment of a person for contempt of court for violation of a protection order issued or a consent agreement approved under this section does not bar criminal prosecution of the person or a delinquent child proceeding concerning the person for a violation of section 2919.27 of the Revised Code. However, a person punished for contempt of court is entitled to credit for the punishment imposed upon conviction of or adjudication as a delinquent child for a violation of that section, and a person convicted of or adjudicated a delinquent child for a violation of that section shall not subsequently be punished for contempt of court arising out of the same activity.
(M) In all stages of a proceeding under this section, a petitioner may be accompanied by a victim advocate.

(N)(1) A petitioner who obtains a protection order or consent agreement under this section or a temporary protection order under section 2919.26 of the Revised Code may provide notice of the issuance or approval of the order or agreement to the judicial and law enforcement officials in

any county other than the county in which the order is issued or the agreement is approved by registering that order or agreement in the other county pursuant to division (N)(2) of this section and filing a copy of the registered order or registered agreement with a law enforcement agency in the other county in accordance with that division. A person who obtains a protection order issued by a court of another state may provide notice of the issuance of the order to the judicial and law enforcement officials in any county of this state by registering the order in that county pursuant to section 2919.272 of the Revised Code and filing a copy of the registered order with a law enforcement agency in that county.
(2) A petitioner may register a temporary protection order, protection order, or consent agreement in a county other than the county in which the court that issued the order or approved the agreement is located in the following manner:

(a) The petitioner shall obtain a certified copy of the order or agreement from the clerk of the court that issued the order or approved the agreement and present that certified copy to the clerk of the court of common pleas or the clerk of a municipal court or county court in the county in which the order or agreement is to be registered.

(b) Upon accepting the certified copy of the order or agreement for registration, the clerk of the court of common pleas, municipal court, or county court shall place an endorsement of registration on the order or agreement and give the petitioner a copy of the order or agreement that bears that proof of registration.

(3) The clerk of each court of common pleas, the clerk of each municipal court, and the clerk of each county court shall maintain a registry of certified copies of temporary protection orders, protection orders, or consent agreements that have been issued or approved by courts in other counties and that have been registered with the clerk.

(O) Nothing in this section prohibits the domestic relations division of a court of common pleas in counties that have a domestic relations division or a court of common pleas in counties that do not have a domestic relations division from designating a minor child as a protected party on a protection order or consent agreement.

3113.31 Menacing by Stalking. (last updated February 8, 2023)

(A)(1) No person by engaging in a pattern of conduct shall knowingly cause another person to believe that the offender will cause physical harm to the other person or a family or household member of the other person or cause mental distress to the other person or a family or household member of the other person. In addition to any other basis for the other person's belief that the offender will cause physical harm to the other person or the other person's family or household member or mental distress to the other person or the other person's family or household member, the other person's belief or mental distress may be based on words or conduct of the offender that are directed at or identify a corporation, association, or other organization that employs the other person or to which the other person belongs.

(2) No person, through the use of any form of written communication or any electronic method of remotely transferring information, including, but not limited to, any computer, computer network, computer program, computer system, or telecommunication device shall post a message or use any intentionally written or verbal graphic gesture with purpose to do either of the following:

(a) Violate division (A)(1) of this section;

(b) Urge or incite another to commit a violation of division (A)(1) of this section.

(3) No person, with a sexual motivation, shall violate division (A)(1) or (2) of this section.

(B) Whoever violates this section is guilty of menacing by stalking.

(1) Except as otherwise provided in divisions (B)(2) and (3) of this section, menacing by stalking is a misdemeanor of the first degree.

(2) Menacing by stalking is a felony of the fourth degree if any of the following applies:

(a) The offender previously has been convicted of or pleaded guilty to a violation of this section or a violation of section 2911.211 of the Revised Code.
(b) In committing the offense under division (A)(1), (2), or (3) of this section, the offender made a threat of physical harm to or against the victim, or as a result of an offense committed under division (A)(2) or (3) of this section, a third person induced by the offender's posted message made a threat of physical harm to or against the victim.

(c) In committing the offense under division (A)(1), (2), or (3) of this section, the offender trespassed on the land or premises where the victim lives, is employed, or attends school, or as a result of an offense committed under division (A)(2) or (3) of this section, a third person induced by the offender's posted message trespassed on the land or premises where the victim lives, is employed, or attends school.

(d) The victim of the offense is a minor.

(e) The offender has a history of violence toward the victim or any other person or a history of other violent acts toward the victim or any other person.

(f) While committing the offense under division (A)(1) of this section or a violation of division (A)(3) of this section based on conduct in violation of division (A)(1) of this section, the offender had a deadly weapon on or about the offender's person or under the offender's control. Division (B)(2)(f) of this section does not apply in determining the penalty for a violation of division (A)(2) of this section or a violation of division (A)(3) of this section based on conduct in violation of division (A)(2) of this section.

(g) At the time of the commission of the offense, the offender was the subject of a protection order issued under section 2903.213 or 2903.214 of the Revised Code, regardless of whether the person to be protected under the order is the victim of the offense or another person.
(h) In committing the offense under division (A)(1), (2), or (3) of this section, the offender caused serious physical harm to the premises at which the victim resides, to the real property on which that premises is located, or to any personal property located on that premises, or, as a result of an offense committed under division (A)(2) of this section or an offense committed under division (A)(3) of this section based on a violation of division (A)(2) of this section, a third person induced by the offender's posted message caused serious physical harm to that premises, that real property, or any personal property on that premises.

(i) Prior to committing the offense, the offender had been determined to represent a substantial risk of physical harm to others as manifested by evidence of then-recent homicidal or other violent behavior, evidence of then-recent threats that placed another in reasonable fear of violent behavior and serious physical harm, or other evidence of then-present dangerousness.

(3) If the victim of the offense is an officer or employee of a public children services agency or a private child placing agency and the offense relates to the officer's or employee's performance or anticipated performance of official responsibilities or duties, menacing by stalking is either a felony of the fifth degree or, if the offender previously has been convicted of or pleaded guilty to an offense of violence, the victim of that prior offense was an officer or employee of a public children services agency or private child placing agency, and that prior offense related to the officer's or employee's performance or anticipated performance of official responsibilities or duties, a felony of the fourth degree.

(C) Section 2919.271 of the Revised Code applies in relation to a defendant charged with a violation of this section.
(D) As used in this section:

(1) "Pattern of conduct" means two or more actions or incidents closely related in time, whether or not there has been a prior conviction based on any of those actions or incidents, or two or more actions or incidents closely related in time, whether or not there has been a prior conviction based on any of those actions or incidents, directed at one or more persons employed by or belonging to the same corporation, association, or other organization. Actions or incidents that prevent, obstruct, or delay the performance by a public official, firefighter, rescuer, emergency medical services person, or emergency facility person of any authorized act within the public official's, firefighter's, rescuer's, emergency medical services person's, or emergency facility person's official capacity, or the posting of messages, use of intentionally written or verbal graphic gestures, or receipt of information or data through the use of any form of written communication or an electronic method of remotely transferring information, including, but not limited to, a computer, computer network, computer program, computer system, or telecommunications device, may constitute a "pattern of conduct."

(2) "Mental distress" means any of the following:

(a) Any mental illness or condition that involves some temporary substantial incapacity;

(b) Any mental illness or condition that would normally require psychiatric treatment, psychological treatment, or other mental health services, whether or not any person requested or received psychiatric treatment, psychological treatment, or other mental health services.

(3) "Emergency medical services person" is the singular of "emergency medical services personnel" as defined in section 2133.21 of the Revised Code.
(4) "Emergency facility person" is the singular of "emergency facility personnel" as defined in section 2909.04 of the Revised Code.
(5) "Public official" has the same meaning as in section 2921.01 of the Revised Code.
(6) "Computer," "computer network," "computer program," "computer system," and "telecommunications device" have the same meanings as in section 2913.01 of the Revised Code.
(7) "Post a message" means transferring, sending, posting, publishing, disseminating, or otherwise communicating, or attempting to transfer, send, post, publish, disseminate, or otherwise communicate, any message or information, whether truthful or untruthful, about an individual, and whether done under one's own name, under the name of another, or while impersonating another.

(8) "Third person" means, in relation to conduct as described in division (A)(2) of this section, an individual who is neither the offender nor the victim of the conduct.

(9) "Sexual motivation" has the same meaning as in section 2971.01 of the Revised Code.
(10) "Organization" includes an entity that is a governmental employer.

(11) "Family or household member" means any of the following:

(a) Any of the following who is residing or has resided with the person against whom the act prohibited in division (A) (1) of this section is committed:

(i) A spouse, a person living as a spouse, or a former spouse of the person;

(ii) A parent, a foster parent, or a child of the person, or another person related by consanguinity or affinity to the person;

(iii) A parent or a child of a spouse, person living as a spouse, or former spouse of the person, or another person related by consanguinity or affinity to a spouse, person living as a spouse, or former spouse of the person.

(b) The natural parent of any child of whom the person against whom the act prohibited in division (A)(1) of this section is committed is the other natural parent or is the putative other natural parent.

(12) "Person living as a spouse" means a person who is living or has lived with the person against whom the act prohibited in division (A)(1) of this section is committed in a common law marital relationship, who otherwise is cohabiting with that person, or who otherwise has

cohabited with the person within five years prior to the date of the alleged commission of the act in question.

(E) The state does not need to prove in a prosecution under this section that a person requested or received psychiatric treatment, psychological treatment, or other mental health services in order to show that the person was caused mental distress as described in division (D)(2)(b) of this section.

(F)(1) This section does not apply to a person solely because the person provided access or connection to or from an electronic method of remotely transferring information not under that person's control, including having provided capabilities that are incidental to providing access or connection to or from the electronic method of remotely transferring the information, and that do not include the creation of the content of the material that is the subject of the access or connection. In addition, any person providing access or connection to or from an electronic method of remotely transferring information not under that person's control shall not be liable for any action voluntarily taken in good faith to block the receipt or transmission through its service of any information that it believes is, or will be sent, in violation of this section.

(2) Division (F)(1) of this section does not create an affirmative duty for any person providing access or connection to or from an electronic method of remotely transferring information not under that person's control to block the receipt or transmission through its service of any information that it believes is, or will be sent, in violation of this section except as otherwise provided by law.

(3) Division (F)(1) of this section does not apply to a person who conspires with a person actively involved in the creation or knowing distribution of material in violation of this section or who knowingly advertises the availability of material of that nature.

(b) In committing the offense under division (A)(1), (2), or (3) of this section, the offender made a threat of physical harm to or against the victim, or as a result of an offense committed under division (A)(2) or (3) of this section, a third person induced by the offender's posted message made a threat of physical harm to or against the victim.

(c) In committing the offense under division (A)(1), (2), or (3) of this section, the offender trespassed on the land or premises where the victim lives, is employed, or attends school, or as a result of an offense committed under division (A)(2) or (3) of this section, a third person induced by the offender's posted message trespassed on the land or premises where the victim lives, is employed, or attends school.

(d) The victim of the offense is a minor.

(e) The offender has a history of violence toward the victim or any other person or a history of other violent acts toward the victim or any other person.

(f) While committing the offense under division (A)(1) of this section or a violation of division (A)(3) of this section based on conduct in violation of division (A)(1) of this section, the offender had a deadly weapon on or about the offender's person or under the offender's control. Division (B)(2)(f) of this section does not apply in determining the penalty for a violation of division (A)(2) of this section or a violation of division (A)(3) of this section based on conduct in violation of division (A)(2) of this section.

(g) At the time of the commission of the offense, the offender was the subject of a protection order issued under section 2903.213 or 2903.214 of the Revised Code, regardless of whether the person to be protected under the order is the victim of the offense or another person.
(h) In committing the offense under division (A)(1), (2), or (3) of this section, the offender caused serious physical harm to the premises at which the victim resides, to the real property on which that premises is located, or to any personal property located on that premises, or, as a result of an offense committed under division (A)(2) of this section or an offense committed under division (A)(3) of this section based on a violation of division (A)(2) of this section, a third person induced by the offender's posted message caused serious physical harm to that premises, that real property, or any personal property on that premises.

(i) Prior to committing the offense, the offender had been determined to represent a substantial risk of physical harm to others as manifested by evidence of then-recent homicidal or other violent behavior, evidence of then-recent threats that placed another in reasonable fear of violent behavior and serious physical harm, or other evidence of then-present dangerousness.

(3) If the victim of the offense is an officer or employee of a public children services agency or a private child placing agency and the offense relates to the officer's or employee's performance or anticipated performance of official responsibilities or duties, menacing by stalking is either a felony of the fifth degree or, if the offender previously has been convicted of or pleaded guilty to an offense of violence, the victim of that prior offense was an officer or employee of a public children services agency or private child placing agency, and that prior offense related to the officer's or employee's performance or anticipated performance of official responsibilities or duties, a felony of the fourth degree.

(C) Section 2919.271 of the Revised Code applies in relation to a defendant charged with a violation of this section.

(D) As used in this section:

(1) "Pattern of conduct" means two or more actions or incidents closely related in time, whether or not there has been a prior conviction based on any of those actions or incidents, or two or more actions or incidents closely related in time, whether or not there has been a prior conviction based on any of those actions or incidents, directed at one or more persons employed by or belonging to the same corporation, association, or other organization. Actions or incidents that prevent, obstruct, or delay the performance by a public official, firefighter, rescuer, emergency medical services person, or emergency facility person of any authorized act within the public official's, firefighter's, rescuer's, emergency medical services person's, or emergency facility person's official capacity, or the posting of messages, use of intentionally written or verbal

graphic gestures, or receipt of information or data through the use of any form of written communication or an electronic method of remotely transferring information, including, but not limited to, a computer, computer network, computer program, computer system, or telecommunications device, may constitute a "pattern of conduct."

(2) "Mental distress" means any of the following:

(a) Any mental illness or condition that involves some temporary substantial incapacity;

(b) Any mental illness or condition that would normally require psychiatric treatment, psychological treatment, or other mental health services, whether or not any person requested or received psychiatric treatment, psychological treatment, or other mental health services.

(3) "Emergency medical services person" is the singular of "emergency medical services personnel" as defined in section 2133.21 of the Revised Code.
(4) "Emergency facility person" is the singular of "emergency facility personnel" as defined in section 2909.04 of the Revised Code.
(5) "Public official" has the same meaning as in section 2921.01 of the Revised Code.
(6) "Computer," "computer network," "computer program," "computer system," and "telecommunications device" have the same meanings as in section 2913.01 of the Revised Code.
(7) "Post a message" means transferring, sending, posting, publishing, disseminating, or otherwise communicating, or attempting to transfer, send, post, publish, disseminate, or otherwise communicate, any message or information, whether truthful or untruthful, about an individual, and whether done under one's own name, under the name of another, or while impersonating another.

(8) "Third person" means, in relation to conduct as described in division (A)(2) of this section, an individual who is neither the offender nor the victim of the conduct.

(9) "Sexual motivation" has the same meaning as in section 2971.01 of the Revised Code.
(10) "Organization" includes an entity that is a governmental employer.

(11) "Family or household member" means any of the following:

(a) Any of the following who is residing or has resided with the person against whom the act prohibited in division (A) (1) of this section is committed:

(i) A spouse, a person living as a spouse, or a former spouse of the person;

(ii) A parent, a foster parent, or a child of the person, or another person related by consanguinity or affinity to the person;

(iii) A parent or a child of a spouse, person living as a spouse, or former spouse of the person, or another person related by consanguinity or affinity to a spouse, person living as a spouse, or former spouse of the person.

(b) The natural parent of any child of whom the person against whom the act prohibited in division (A)(1) of this section is committed is the other natural parent or is the putative other natural parent.

(12) "Person living as a spouse" means a person who is living or has lived with the person against whom the act prohibited in division (A)(1) of this section is committed in a common law marital relationship, who otherwise is cohabiting with that person, or who otherwise has cohabited with the person within five years prior to the date of the alleged commission of the act in question.

(E) The state does not need to prove in a prosecution under this section that a person requested or received psychiatric treatment, psychological treatment, or other mental health services in order to show that the person was caused mental distress as described in division (D)(2)(b) of this section.

(F)(1) This section does not apply to a person solely because the person provided access or connection to or from an electronic method of remotely transferring information not under that person's control, including having provided capabilities that are incidental to providing access or connection to or from the electronic method of remotely transferring the information, and that do not include the creation of the content of the material that is the subject of the access or connection. In addition, any person providing access or connection to or from an electronic method of remotely transferring information not under that person's control shall not be liable for any action voluntarily taken in good faith to block the receipt or transmission through its service of any information that it believes is, or will be sent, in violation of this section.

(2) Division (F)(1) of this section does not create an affirmative duty for any person providing access or connection to or from an electronic method of remotely transferring information not under that person's control to block the receipt or transmission through its service of any information that it believes is, or will be sent, in violation of this section except as otherwise provided by law.

(3) Division (F)(1) of this section does not apply to a person who conspires with a person actively involved in the creation or knowing distribution of material in violation of this section or who knowingly advertises the availability of material of that nature.

Education and Prevention Programs:

The University engages in comprehensive, intentional, and integrated programming, initiatives, strategies, and campaigns intended to end dating violence, domestic violence, sexual assault and stalking that:

- Are culturally relevant, inclusive of diverse communities and identities, sustainable, responsive to community needs, and informed by research, or assessed for value, effectiveness, or outcome; and

- Consider situational and structural safety variables as they occur on the individual, relationship, institutional, community and societal levels.

Educational programming consists of primary prevention and awareness programs for all incoming students, new employees, and ongoing awareness and prevention campaigns for students and employees that:

a. Identifies domestic violence, dating violence, sexual assault and stalking as prohibited conduct;

b. Uses definitions provided both by the Department of Education as well as state law to identify what behavior constitutes domestic violence, dating violence, sexual assault, and stalking;

c. Defines what behavior and actions constitute consent to sexual activity in the State of Ohio and/or using the definition of consent found in the Student Code of Conduct. Ohio law does not define consent;

d. Provides a description of safe and positive options for bystander intervention. Bystander intervention means safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is a risk of dating violence, domestic violence, sexual assault, or stalking. Bystander intervention includes recognizing situations of potential harm, understanding institutional structures and cultural conditions that facilitate violence, overcoming barriers to intervening, identifying safe and effective intervention options, and taking action to intervene;

e. Information on personal and communal risk reduction. Risk reduction means options designed to decrease perpetration and bystander inaction and to increase empowerment for victims in order to promote safety and to help individuals and communities address conditions that facilitate violence.

f. Provides an overview of information contained in the Annual Security Report in compliance with the Clery Act.

The University has developed an annual educational campaign[1] consisting of presentations that include distribution of educational materials to new students; participating in and presenting information and materials during new employee orientation;

Under the 2013 Reauthorization of the Violence Against Women Act, institutions must implement "primary prevention and awareness programs for all incoming students and new employees" AND "ongoing prevention and awareness campaigns for students and employees" that include a-f above under section B. While "campaign" is yet to be defined, examples of "primary prevention programs" as they relate to incoming students may be found here: https://www.gpo.gov/fdsys/pkg/PLAW-113publ4/pdf/PLAW-113publ4.pdf

The University offered the following primary prevention and awareness programs for all incoming & current students in 2025:		
Name of Program	**Date Held**	**Which Prohibited Behavior Covered?**
Laboratory Safety Training	All Year/Online	Covers basic chemical and biological safety rules for working in the Otterbein laboratories
Hazard communications training	All Year/Online	Covers OSHA guidelines for protecting employees from hazardous materials, and includes hazardous identification and labeling practices
Bloodborne Pathogens	All Year/Online	Covers the OSHA standard for exposure risks associated with specific job duties, modes of transmission as well as standard precautions
Chemical Hygiene	All Year/Online	Cover best practices for Chemical Hygiene
First Year Seminar – Team Consent	Spring/Fall 2025	Sexual violence/assault
Fair Play (all athletes)	Fall 2025	Sexual violence/assault
VAWA	02/10/2025 02/10/2025	Dating Violence, Sexual Violence, Domestic Violence, and Stalking
Active Shooter	01/29/2025 02/12/2025	Active shooter training
Fire Safety	Annually	Fire safety and use of extinguishers.
Safety Presentation	All Year / Online	General Safety presentation
SPCC (Spill prevention, control and countermeasures)	Annually	Covers Otterbein's spill prevention and control measures as well as the impact of release and proper notification of oil spills.

The University offered the following primary prevention and awareness programs for all new & current employees in 2024:			
Name of Program	**Date Held**	**Location Held**	**Which Prohibited Behavior Covered?**
Sexual Harassment – Higher Ed & Sex Abuse	Upon Hire Through HR	Online	Dating Violence, Sexual Assault, Stalking
Sex Abuse Awareness Creating a safe Campus for Young People	Upon Hire Through HR	Online	Dating Violence, Sexual Assault, Stalking
Title IX/Sexual Misconduct	Upon Hire Through HR	Online	Dating Violence, Sexual Assault, Stalking

Procedures for Reporting a Complaint:

Otterbein University has procedures in place that serve to be sensitive to those who report sexual assault, domestic violence, dating violence, and stalking, including informing individuals about their right to file criminal charges as well as the availability of counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance and other services on and/or off campus as well as additional remedies to prevent contact between a complainant[2] and an accused party, such as housing, academic, transportation and working accommodations, if reasonably available. Otterbein University will make such accommodations, if the victim requests them and if they are reasonably available, regardless of whether the victim chooses to report the crime to the Otterbein University Police or local law enforcement. Students and employees should contact the Dean of Students.

Procedures Victims Should Follow if a Crime of Domestic Violence, Dating Violence, Sexual Assault and Stalking Occurs:

After an incident of sexual assault and domestic violence, the victim should consider seeking medical attention as soon as possible at St. Ann's Hospital located at 500 South Cleveland Ave. Westerville, Ohio 43081 where they will be treated by a Sexual Assault Nurse Examiner (SANE Nurse) who will conduct an exam and collect evidence. In Ohio, evidence may be collected even if you chose not to make a report to law enforcement[3]. The evidence is turned over to the Otterbein University Police Department where it is sent to the Ohio Bureau of Criminal Investigations and Identification crime lab. A sexual assault victim also has the right in Ohio to

[2] This document will use "victim" and "complainant" and "perpetrator" and "accused party" interchangeably. Each institution needs to use language consistent with their institutional policies.

[3] Under the Violence Against Women and Department of Justice Reauthorization Act of 2005, starting in 2009, states must certify that they do not "require a victim of sexual assault to participate in the criminal justice system or cooperate with law enforcement in order to be provided with a forensic medical exam, reimbursement for charges incurred on account of such an exam, or both."

remain anonymous. In this case, the evidence is submitted as Jane Doe. The purpose of this is to allow the victim the opportunity to reconsider their desire to file a criminal complaint later. It is important that a victim of sexual assault not bathe, douche, smoke, change clothing or clean the bed/linen/area where they were assaulted if the offense occurred within the past 96 hours so that evidence may be preserved that may assist in proving that the alleged criminal offense occurred/or is occurring or may be helpful in obtaining a protection order. In circumstances of sexual assault, if victims do not opt for forensic evidence collection, health care providers can still treat injuries and take steps to address concerns of pregnancy and/or sexually transmitted disease. Victims of sexual assault, domestic violence, stalking, and dating violence are encouraged to also preserve evidence by saving text messages, instant messages, social networking pages, other communications, and keeping pictures, logs or other copies of documents, if they have any, that would be useful to University hearing boards/investigators or police.

As time passes, evidence may dissipate or become lost or unavailable, thereby making investigation, possible prosecution, disciplinary proceedings, or obtaining protection from abuse orders related to the incident more difficult. If a victim chooses not to make a complaint regarding an incident, he or she nevertheless should consider speaking with Campus Public Safety or other law enforcement to preserve evidence in the event that the victim decides to report the incident to law enforcement or the University at a later date to assist in proving that the alleged criminal offense occurred or that may be helpful in obtaining a protection order.

Involvement of Law Enforcement and Campus Authorities:

Although the university strongly encourages all members of its community to report violations of this law-to law enforcement (including on campus law enforcement and/or local law enforcement), it is the victim's choice whether or not to make such a report and victims have the right to decline involvement with the police. Ms. Julie Saker, the Dean of Student and Director of Student Wellness, working out of Otterbein University's Student Affairs Office, will assist any victim with notifying local police if they so desire. The Otterbein University Police Department may be reached directly by calling 614-823-1222 or in person at 194 West Main Street Westerville, Ohio. The victim may also choose to contact the Westerville Division of Police directly by calling 614-882-7444 or in person at 229 Huber Village Boulevard, Westerville, Ohio 43081. Additional information about the Otterbein University Police Department may be found online at: http://www.otterbein.edu/police or The Westerville Division of Police may be found on line at: http://www.westerville.org/services/police .

If you have been the victim of domestic violence, dating violence, sexual assault, or stalking, you should report the incident promptly to the Title IX Coordinator, Dean of Students, Julie Saker. Her telephone number is 614-823-1554. Saker can also be reached by email at jsaker@otterbein.edu, or by calling, writing, or coming into the office to report in person and

Campus Police (if the victim so desires.)[4] The University will provide resources, on campus, off campus or both, to include medical health, to persons who have been victims of sexual assault, domestic violence, dating violence, or stalking, and will apply appropriate disciplinary procedures to those who violate this policy. The procedures set forth below are intended to afford a prompt response to charges of sexual assault, domestic or dating violence, and stalking, to maintain confidentiality and fairness consistent with applicable legal requirements, and to impose appropriate sanctions on violators of this policy.

As time passes, evidence may dissipate or become lost or unavailable, thereby making investigation, possible prosecution, disciplinary proceedings, or obtaining protection from abuse orders related to the incident more difficult. If a victim chooses not to make a complaint regarding an incident, he or she nevertheless should consider speaking Otterbein University Police or other law enforcement to preserve evidence in the event that the victim changes her/his mind at a later date.

If a report of domestic violence, dating violence, sexual assault or stalking is reported to Otterbein University, the chart below are the procedures that the University will follow as well as a statement of the standard of evidence that will be used during any judicial hearing on campus arising from such a report:

Incident Being Reported:	Procedure Institution Will Follow:	Evidentiary Standard
Sexual Assault	1. Depending on when reported (immediate vs delayed report), institution will provide complainant with access to medical care 2. Institution will assess immediate safety needs of complainant 3. Institution will assist complainant with contacting local police if complainant requests AND complainant provided with contact information for local police department	Sexual Assault cases are referred to the Title IX Coordinator and are adjudicated by the Vice President of Student Affairs using the *Preponderance of the evidence* standard.

[4] The Title IX Coordinator is regarded as a "Responsible Employee" under Title IX and a "Campus Security Authority" under the Clery Act. Statistical information less the victims identifying information will be provided to campus public safety or whomever at the institution compiles the annual crime statistics even if the victim chooses not to alert campus public safety personally

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	4. Institution will provide complainant with referrals to on and off campus mental health providers 5. Institution will assess need to implement interim or long-term protective measures, such as housing changes, change in class schedule, “No Contact” directive between both parties 6. Institution will provide a “No trespass” (PNG) directive to accused party if deemed appropriate 7. Institution will provide written instructions on how to apply for Protective Order 8. Institution will provide a copy of the Sexual Misconduct Policy to complainant and inform the complainant regarding timeframes for inquiry, investigation and resolution 9. Institution will inform the complainant of the outcome of the investigation, whether or not the accused will be administratively charged and what the outcome of the hearing is 10. Institution will enforce the anti-retaliation policy and take immediate and separate action against parties that retaliate against a person for complaining of sex-based discrimination or for assisting in the investigation	

Dating Violence	1. Institution will assess immediate safety needs of complainant 2. Institution will assist complainant with contacting local police if complainant requests AND complainant provided with contact information for local police department 3. Institution will provide written instructions on how to apply for Protective Order 4. Institution will provide information to complainant on how to preserve evidence 5. Institution will assess need to implement interim or long-term protective measures to protect the complainant, if appropriate 6. Institution will provide a "No trespass" (PNG) directive to accused party if deemed appropriate	Dating Violence cases are referred to the Title IX Coordinator and are adjudicated by the Vice President of Student Affairs using the *Preponderance of the evidence* standard.
Domestic Violence	1. Institution will assess immediate safety needs of complainant 2. Institution will assist complainant with contacting local police if complainant requests AND complainant provided with contact information for local police department 3. Institution will provide written instructions on how to apply for Protective Order	Domestic Violence cases are referred to the Title IX Coordinator and are adjudicated by the Vice President of Student Affairs using the *Preponderance of the evidence* standard.

	4. Institution will provide information to complainant on how to preserve evidence 5. Institution will assess need to implement interim or long-term protective measures to protect the complainant, if appropriate 6. Institution will provide a "No trespass" (PNG) directive to accused party if deemed appropriate	

Assistance for Victims: Rights & Options:

Regardless of whether a victim elects to pursue a criminal complaint or whether the offense is alleged to have occurred on or off campus, the university will assist victims of sexual assault, domestic violence, dating violence, and stalking and will provide each victim with a written explanation of their rights and options. Such written information will include:

- the procedures victims should follow if a crime of dating violence, domestic violence, sexual assault or stalking has occurred;
- information about how the institution will protect the confidentiality of victims and other necessary parties;
- a statement that the institution will provide written notification to students and employees about victim services within the institution and in the community;
- a statement regarding the institution's provisions about options for, available assistance in, and how to request accommodations and protective measures; and
- an explanation of the procedures for institutional disciplinary action

Further, Otterbein University complies with The State of Ohio law in recognizing the following orders of protection: Civil Protection Orders (CPO); Criminal Protection Orders (CRPO); Domestic Violence Temporary Protection Order (DVTPO); Stalking or Sexually Oriented Offense Protection Order (SSOOPO). The guide to Protection Orders on the following page explains in detail how to obtain an order of protection. Any person who obtains an order of protection from The State of Ohio or any reciprocal state should provide a copy to Campus Police and the Office of the Title IX Coordinator. *Full faith and credit is a provision of the Violence Against Women Act that indicates that valid protective orders must be enforced throughout the country regardless of where they were issued. This includes protective orders that*

were issued in: • All 50 states • Indian Tribal Lands • District of Columbia • U.S. Virgin Islands, Puerto Rico, American Samoa, the Northern Mariana Islands and Guam. Make sure to contact the local authorities in any community you move to, in order to register your protective order, there and find out the requirements for the order to be valid. A complainant may then meet with the Otterbein University Police to develop a Safety Action Plan, which is a plan for campus police and the victim to reduce risk of harm while on campus or coming and going from campus. This plan may include, but in not limited to escorts, special parking arrangements, changing classroom location or allowing a student to complete assignments from home, etc. Otterbein University cannot apply for a legal order of protection or restraining order for a victim from the applicable jurisdiction(s).

Accommodations and Protective Measures Available for Victims:

Upon receipt of a report of domestic violence, dating violence, sexual assault or stalking, Otterbein University will provide written notification to students and employees about accommodations available to them, including academic, living, transportation and working situations. The written notification will include information regarding the accommodation options, available assistance in requesting accommodations, and how to request accommodations and protective measures (i.e., the notification will include the name and contact information for the individual or office that should be contacted to request the accommodations)

Otterbein University may issue an institutional "No Contact" order if deemed appropriate or at the request of the victim or accused. Upon the victim's request and to the extent of the victim's cooperation and consent, university offices will work cooperatively to assist the victim with their health, physical safety, work, and academic status, pending the outcome of a formal university investigation of the complaint. For example, if reasonably available, a complainant may be offered changes to academic, living, working or transportation situations regardless of whether the victim chooses to report the crime to campus police or local law enforcement. Examples of options for a potential change to the academic situation may be for one of the parties to voluntarily transfer to a different section of a class, withdraw and take a class at another time if there is no option for moving to a different section, etc. Depending on the learning format, faculty may be able to provide options that allow the student to complete coursework with a more open attendance policy. Potential changes to living situations may include moving to a different room or residence hall. Possible changes to work situations may include changing working hours. Possible changes in transportation may include having the student park in a different location, assisting the student with a safety escort, etc. To the extent possible, Otterbein University will also provide assistance with and/or information about obtaining resources and services such counseling, health services, visa and immigration assistance and assistance in notifying appropriate local law enforcement.

Regardless of whether a victim has opted-out of allowing the University to share "directory information,", personal identifiable information about the victim will be treated as confidential and only shared with persons with a specific need to know who are investigating/adjudicating the

complaint or delivering resources or support services to the complainant (for example, publicly available record-keeping for purposes of Clery Act reporting and disclosures will be made without inclusion of identifying information about the victim, as defined in 42 USC 1395 (a)(20).) Further, the institution will maintain as confidential, any accommodations or protective measures provided to the victim to the extent that maintaining such confidentiality would not impair the ability of the institution to provide the accommodations or protective measures.

Otterbein University does not publish the name of crime victims nor house identifiable information regarding victims in the campus police department's Daily Crime Log or online. Victims may request that directory information on file be removed from public sources by submitting a request to the Chief of Police or his designee.

Resources for victims of Domestic Violence, Dating Violence, Sexual Assault & Stalking:

Upon receipt of a report of domestic violence, dating violence, sexual assault or stalking, Otterbein University will provide written notification to students and employees about existing assistance with and/or information about obtaining resources and services including counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid and assistance in notifying appropriate local law enforcement. These resources include the following:

On-Campus Resources:

Counseling Center	614-823-1333
Title IX/Dean of Stu dents	614-823-1554
University Chaplain	614-882-2153
Victim Advocacy/Women's Gender & Sexuality Resource Center	wgsrc@otterbein.edu
Visa/Immigration Assistance	614-823-3563
Student Financial Aid	614-823-1502
Otterbein University Police	614-823-1222

Off-Campus Resources:

SARNCO (Sexual Assault Response Network of Central Ohio),	614-267-7020
CHOICES 24 Hour Domestic Violence Hotline	614-224-4663
Mt. Carmel Crime & Trauma Assistance Program	614-234-5900

Buckeye Region Anti-Violence Organization (BRAVO)	614-294-7867
Westerville Division of Police	614-901-6790
Rape, Abuse, & Incest National Network (RAINN)	800-656-4673

National hotline that connects callers to their nearest rape crisis line.

Anonymous Reporting:

Campus Conduct Hotline	866-943-5787

Otterbein Police Silent Witness online form at:
http://www.otterbein.edu/public/CampusLife/HealthAndSafety/Police/silent-witness.aspx

Other resources available to persons who report being the victim of sexual assault, domestic violence, dating violence, or stalking, include:

http://www.rainn.org – Rape, Abuse and Incest National Network

http://www.ovw.usdoj.gov/sexassault.htm - Department of Justice

http://www2.ed.gov/about/offices/list/ocr/index.html Department of Education, Office of Civil Rights

Westerville/Columbus Area Resources

Legal Service

Columbus Bar Association	614-221-0745	
Legal Aid Society	614-224-8374	

Domestic Violence Shelters

Choices	614-224-4663	

Out of Town Domestic Violence Shelters

Athens	614-593-3402	800-443-3402
Circleville	614-477-9113	
Dayton	513-461-4357	

Dayton (YWCA Battered Women's Project)	513-461-5550	
Lancaster	740-687-4423	
Marion	740-382-8988	800-232-6505
Mt. Vernon	740-397-4357	
Newark	740-345-4498	800-686-2760
Adult Protective Services		
M - F 9-5	614-525-4348	
Eves/Weekends	614-525-4356	
Hotlines		
HOPE Hotline (Addiction)	614-228-4673	
Rape Crisis Hotline	614-267-7020	
Choices (Domestic Violence)	614-224-4663	
Mount Carmel Crime and Trauma Assistance Program (Domestic Violence)	614-234-2939	
Columbus Area Mental Health Center	614-276-2273	
Child Abuse Hotline - Franklin Co. Children Serv.	614-229-7000	
Suicide Prevention Hotline	614-221-5445	
Senior Suicide Hotline	614-294-3309	
Teen Suicide	614-294-3300	
FIRSTLINK (formerly CALLVAC)	614-221-2255	
Topic-Specific Information		
Counseling, Housing, Food/Clothing, Child Care, Parenting, Soup Kitchen (First Link)	614-221-2255	

Bystander Intervention:

Bystander Intervention is a philosophy and strategy for prevention of various types of violence. It involves safe and positive options to prevent harm or intervene when there is a risk of dating violence, domestic violence, sexual assault, or stalking.

What can bystanders do to make a difference?

- **Believe someone** who discloses a sexual assault, abusive relationship, or experience with stalking or cyberstalking.
- **Be respectful** of yourself and others. Make sure any sexual act is OK with your partner if you initiate.
- **Watch out for your friends** – if you see someone who looks like they are in trouble, ask if they are okay. If you see a friend doing something shady, say something.
- **Speak up** – if someone says something offensive, derogatory, or abusive, let him or her know that behavior is wrong, and you do not want to be around it.

Other Bystander Intervention Strategies

- **Silent Stare -** A disapproving look can be more powerful than words.
- **Humor** - Reduces the tension of an intervention and makes it easier for the person to hear you.
- **Group Intervention** - There is safety and power in numbers.
- **We're friends, right….?**
  - Reframes the intervention as caring and non-critical.
  - Example: "Hey Chad….as your friend, I've got to tell you that getting a girl drunk to have sex with her isn't cool and could get you in a lot of trouble. Don't do it."
- **Distraction**
  - Snaps someone out of his or her "sexist comfort zone." Example: Ask a man harassing a woman on the street for directions or the time.
  - Allows a potential target to move away and/or to have other friends intervene.

    Example: Spill your drink on the person or interrupt and start a conversation with the person.

    (Adapted from Men Can Stop Rape, www.mencanstoprape.org,)

Risk Reduction Tips:

With no intent to victim blame and recognizing that only abusers are responsible for their abuse, the following are some strategies to reduce one's risk of sexual assault or harassment (taken from Rape, Abuse, & Incest National Network, www.rainn.org)

1. **Be aware** of your surroundings. Knowing where you are and who is around you may help you to find a way to get out of a bad situation.
2. Try to **avoid isolated areas.** It is more difficult to get help if no one is around.
3. **Walk with purpose.** Even if you don't know where you are going, act like you do.
4. **Trust your instincts.** If a situation or location feels unsafe or uncomfortable, it probably isn't the best place to be. If you feel unsafe in any situation, go with your gut. If you see something suspicious, contact law enforcement immediately, (local authorities can be reached by calling 911 in most areas of the U.S.).
5. **Try not to load yourself down** with packages or bags as this can make you appear more vulnerable.
6. **Make sure your cell phone is with you** and charged and that you have cab money.
7. **Do not allow yourself to be isolated** with someone you do not trust or someone you do not know.
8. **Avoid putting music headphones in both ears** so that you can be more aware of your surroundings, especially if you are walking alone.
9. **When you go to a social gathering, go with a group of friends.** Arrive together, check in with each other throughout the evening, and leave together. Knowing where you are and who is around you may help you to find a way out of a bad situation.
10. **Do not leave your drink unattended** while talking, dancing, using the restroom, or making a phone call. If you have left your drink alone, just get a new one.
11. **Do not accept drinks from people you do not know or trust.** If you choose to accept a drink, go with the person to the bar to order it, watch it being poured, and carry it yourself. At parties, do not drink from the punch bowls or other large, common open containers.
12. **Watch out for your friends, and vice versa.** If a friend seems out of it, is way too intoxicated for the amount of alcohol they've had, or is acting out of character, get him or her to a safe place immediately.
13. **If you suspect you or a friend has been drugged, contact law enforcement immediately, (local authorities can be reached by calling 911 in most areas of**

the U.S.). Be explicit with doctors so they can give you the correct tests (you will need a urine test and possibly others).

14. **If you need to get out of an uncomfortable or scary situat**ion here are some things that you can try:
    a. **Remember that being in this situation is not your fault.** You did not do anything wrong; it is the person who is making you uncomfortable that is to blame.
    b. **Be true to yourself.** Do not feel obligated to do anything you do not want to do. "I don't want to" is always a good enough reason. Do what feels right to you and what you are comfortable with.
    c. **Have a code word with your friends or family** so that if you do not feel comfortable you can call them and communicate your discomfort without the person you are with knowing. Your friends or family can then come to get you or make up an excuse for you to leave.
    d. **Lie.** If you do not want to hurt the person's feelings, it is better to lie and make up a reason to leave than to stay and be uncomfortable, scared, or worse. Some excuses you could use need to take care of a friend or family member, not feeling well, having somewhere else that you need to be, etc.
15. **Tell a sexual aggressor "NO"** clearly and firmly.
16. **Try to remove yourself** from the physical presence of a sexual aggressor.
17. **Find someone nearby** and ask for help.
18. **Take affirmative responsibility for your alcohol intake/drug use** and acknowledge that alcohol/drugs lower your sexual inhibitions and may make you vulnerable to someone who views a drunk or high person as a sexual opportunity.
19. **Take care of your friends and ask that they take care of you**. A real friend will challenge you if you are about to make a mistake. Respect them when they do.
20. **Try to think of an escape route.** How would you try to get out of the room? Where are the doors? Windows? Are there people around who might be able to help you? Is there an emergency phone nearby?
21. **If you and/or the other person have been drinking,** you can say that you would rather wait until you both have your full judgment before doing anything you may regret later.

If you find yourself in the position of being the initiator of sexual behavior, you owe sexual respect to your potential partner. These suggestions may help you to reduce your risk of being accused of sexual misconduct:

- Clearly communicate your intentions to your sexual partner and give them a chance to clearly relate their intentions to you.
- Understand and respect personal boundaries.
- DON'T MAKE ASSUMPTIONS about consent; about someone's sexual availability; about whether they are attracted to you; about how far you can go or about whether they are physically and/or mentally able to consent. If there are any questions or ambiguity, then you DO NOT have consent.
- Mixed messages from your partner are a clear indication that you should stop, defuse any sexual tension, and communicate better. You may be misreading them. They may not have figured out how far they want to go with you yet. You must respect the timeline for sexual behaviors with which they are comfortable.
- Do not take advantage of someone's drunkenness or drugged state, even if he/she did it to him/herself.
- Realize that your potential partner could be intimidated by you, or fearful. You may have a power advantage simply because of your gender or size. Do not abuse that power.
- Understand that consent to some form of sexual behavior does not automatically imply consent to any other forms of sexual behavior.

(From ATIXA Model Sexual Misconduct Policy)

Adjudication of Violations:

Whether or not criminal charges are filed, the university[5] or a person may file a complaint under the Sexual Misconduct Policy alleging that a student or employee violated Otterbein University's policy on Sexual Misconduct for students or Discrimination and Harassment policy for employees.

[5] Title IX states that if an institution knows or reasonably should know of sexual harassment, to include sexual violence, the institution has a duty to investigate. Consequently, whether a complainant chooses to cooperate or not should not be the deciding factor for whether or not disciplinary charges are brought against an accused party. If an investigation determines that it is more likely than not that the institution's sexual misconduct policy was violated, then the "University" may assume the role of the complainant.

Alcohol/Drugs and Sexual Violence:

Alcohol and drugs are involved in a large percentage (estimated up to 85%) of sexual assault on college campuses. Drugs and alcohol can lower inhibition and influence the ability to make decisions, including whether or not to be sexual with someone else. Alcohol and drugs can interfere with communication and increases misperception about the sexual intentions of others.

A person who is incapacitated by alcohol or drugs is not able to give consent.

Drug-facilitated sexual assault involves the intentional use of drugs or alcohol to incapacitate another to help facilitate sexual violence. Specific information includes:

- Drugging someone on purpose is considered a felony in most states. This includes someone putting a drug or alcohol into your drink or food without your knowledge.
- Some drugs used to commit sexual assault include Rohypnol ("roofies"), GHB ("liquid ecstasy") and Ketamine ("special K"). Recreational drugs may also be used to facilitate assault.
- Many of these drugs are tasteless, odorless, colorless, and difficult to detect in a drink. They are just as dangerous when put into water as they are in alcohol.
- These drugs may be taken voluntarily by the sexual assault survivor (and then the offender takes advantage of resulting vulnerability - seeking out the most intoxicated person in the room).
- They may also be ingested involuntarily through beverages including "spiked drinks," non-alcoholic drinks or food.

Alcohol is the most commonly used substance to facilitate rape. A person who chooses to use alcohol or drugs does not ask or deserve to be sexually assaulted.

Title IX Grievance Policy

The purpose of the Title IX Grievance Policy
Title IX of the Educational Amendments of 1972 prohibits any person in the United States from being discriminated against based on sex in seeking access to any educational program or activity receiving federal financial assistance.

How does the Title IX Grievance Policy impact other campus disciplinary policies?

Only incidents falling within the definition of sexual harassment will be investigated and, if appropriate, brought to a live hearing through the Title IX Grievance Policy defined below.

The University remains committed to addressing any violations of its policies, even those that do not meet the narrow standards defined under the Title IX Final Rule.

To the extent that alleged misconduct falls outside the Title IX Grievance Policy, or misconduct falling outside the Title IX Grievance Policy is discovered in the course of investigating covered Title IX misconduct, the University retains authority to investigate and adjudicate the allegations under the policies and procedures defined within the Sexual Misconduct Policy through a separate grievance proceeding. Student Handbook.

General Rules of Application

Effective Date

This Title IX Grievance Policy became effective on August 14, 2020. Complaints involving conduct before August 14, 2020, will be investigated and adjudicated by the Sexual Misconduct Policy if the case is not complete by that date.

Definitions:

Covered Sexual Harassment

Sexual harassment includes any conduct based on sex that satisfies one or more of the following:

1. An employee conditioning educational benefits on participation in unwelcome sexual conduct
   (i.e., quid pro quo),
2. Unwelcome conduct that a reasonable person would determine is so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the University's education program or activity.
3. Sexual assault (as defined in the Clery Act), which includes any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.

   Examples of sexual assault include the following:
   - Rape: The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim, including instances in which the victim is incapable of giving consent.
   - Fondling: The touching of the private body parts of another person for sexual gratification, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent because of age or because of physical or mental incapacity.
4. Dating violence (as defined in the Violence Against Women Act (VAWA) amendments to the Clery Act), which includes any violence committed by a person: (A) who is or has been in a social relationship of a romantic or intimate nature with the victim; and (B) where the existence of such a relationship shall be determined based on a consideration of the following factors: (i) The length of the relationship; (ii) The type of relationship; (iii) The frequency of interaction between the persons involved in the relationship;
5. Domestic violence (as defined in the VAWA amendments to the Clery Act), which includes any 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 Ohio domestic or family violence laws or 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 Ohio;

6. Stalking (as defined in the VAWA amendments to the Clery Act), meaning engaging in a course of conduct directed at a specific person that would cause a reasonable person to-- (A) fear for their safety or the safety of others; or (B) suffer substantial emotional distress.

Note that conduct that does not meet one or more of these criteria may still be prohibited under the Student Code of Conduct or University policies.

Consent

Consent means informed, freely and actively given, mutually understandable words or actions, which indicate a willingness to engage in mutually agreed upon sexual activity.

- Consent is active, not passive.
- Silence or lack of resistance, in and of itself, cannot be interpreted as consent.
- Consent can be given by words, actions, or behaviors as long as those words, actions, or behaviors create mutually understandable, clear permission regarding willingness to engage in the conditions of sexual activity: who, what, when, where, why, and how sexual activity will take place.
- Consent to any one form of sexual activity cannot automatically imply consent to any other form of sexual activity.
- Consent can be withdrawn at any time by word or action.
- Previous relationships or prior consent cannot imply consent to current or future sexual acts.

To be effective, consent cannot be obtained by use of physical force, compelling threats, intimidating behavior, or coercion.

- Force is the use of physical violence and/or imposing on someone physically to gain sexual access. Force also includes threats, intimidation (implied threats), and coercion.
- Coercion is unreasonable pressure for sexual activity. When a person indicates by words or actions that they do not want to engage in sexual activity, want to stop, or do not want to go past a certain point of sexual interaction, continued pressure beyond that point can be coercive.
- Intimidation is implied threats, including the exertion of perceived or actual power resulting from position or stature.
- A person must be of legal age (16) to give consent.

An incapacitated person cannot give consent. Sexual activity with someone whom one should know to be mentally or physically incapacitated (by alcohol or other drug use, unconsciousness, or blackout) does not consent to sexual activity and therefore is a violation of this policy.

- Incapacitation is a state where someone cannot make rational, reasonable decisions.
- Incapacitation may result from mental disability, sleep, involuntary physical restraint, and alcohol or drug impairment, including taking “rape drugs.” A rape drug is any drug

intentionally used to incapacitate another victim to assist in the execution of drug-facilitated sexual assault.

- Possession, use, and/or distribution of any so-called "rape drug" is prohibited, and administering these drugs to another person is a violation of this policy.
- Being under the influence of alcohol or other drugs will not excuse behavior that violates this policy.

Education Program or Activity

Education programs or activities include:

- Any on-campus premises.
- Any off-campus premises that the University has substantial control over. This includes buildings or property owned or controlled by a recognized student organization.
- Activity occurring within computer and internet networks, digital platforms, and computer hardware or software owned or operated by, or used in the operations of the University's programs and activities over which the University has substantial control.

Specific Report Requirements for Minors on Campus

Any faculty, staff, appointee, student, student employee, graduate assistant, vendor, or volunteer who in the course of their duties witnesses child abuse (including sexual abuse) or neglect or has information that would lead a reasonable person to believe the minor faces a substantial threat of such abuse or neglect must immediately make two calls and within one business day submit one report as described below:

- Call 911 (child in imminent danger) or the Children Services Agency (not imminent danger). If a child is in imminent danger (life-threatening or abuse is being witnessed), call local law enforcement at 911, OR
- If a child is not in imminent danger, call the Children's Services Agency at 855.642.4453. This is a 24-hour automated telephone directory that will link callers directly to a child welfare law enforcement office in their county. Municipal or county police officers can also be contacted as an alternative to Children's Services.
- Call Otterbein Police at 614.823.1222.
  Otterbein Police must notify the Director of Human Resources.
- Report: Faculty, staff, appointee, student employee, graduate assistant, or volunteer must then complete a Child Abuse, Sexual Abuse, or Neglect Incident Report and submit it to the Office of Human Resources within one business day.

If consultation is needed regarding reporting, or if there are questions on the process or other support needed, please contact the Title IX Coordinator at 614.823.1554, the Director of Human Resources at 614.823.1805, or the Otterbein Police Department at 614.823.1222.

Otterbein will make every effort reasonably possible to preserve the privacy of an individual who makes an official report and to protect the confidentiality of the information reported. When a Complainant requests that no action be taken of that their name not be used, the Complainant will be advised that the University's ability to respond will be limited, but the University may

decide to override a request for confidentiality or that no action be taken in light of the nature of the incident or threat to the campus community. Such considerations include the risk of additional attacks, the use of weapons or drugs, multiple attackers, past conduct, the attack was accompanied by other crimes or threats. Therefore, Complainants desiring to make truly confidential reports should review the confidential reporting section on the following pages.

Formal Complaint

A formal complaint means a document – including an electronic submission - filed by a complainant with a signature or other indication that the complainant is the person filing the formal complaint, or signed by the Title IX Coordinator, alleging sexual harassment against a respondent about conduct within the University's education program or activity and requesting initiation of the procedures consistent with the Title IX Grievance Policy to investigate the allegation of sexual harassment.

Complainant

Complainant means any individual who has reported being or is alleged to be the victim of conduct that could constitute covered sexual harassment as defined under this policy.

Relevant evidence and questions

"Relevant" evidence and questions refer to any questions and evidence that tend to make an allegation of sexual harassment more or less likely to be true.
"Relevant" evidence and questions do not include the following types of evidence and questions, which are deemed "irrelevant" at all stages of the Title IX Grievance Process:

- Evidence and questions about the complainant's sexual predisposition or prior sexual behavior, unless they are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or
- They concern specific incidents of the complainant's prior sexual behavior concerning the respondent and are offered to prove consent.
- Evidence and questions that constitute, or seek disclosure of, information protected under any party's medical, psychological, and similar records unless the party has given voluntary, written consent.

Respondent

Respondent means any individual who has been reported to be the perpetrator of conduct that could constitute covered sexual harassment as defined under this policy.

Privacy vs. Confidentiality

References to confidentiality refer to the ability of identified confidential resources not to report crimes and violations to law enforcement or college officials without permission, except in extreme circumstances, such as a health and/or safety emergency or child abuse. References made to privacy mean the University offices and employees cannot guarantee confidentiality but will maintain privacy to the greatest extent possible, and information disclosed will be relayed only as necessary to investigate and/or seek a resolution and to notify the Title IX Coordinator or designee, who is

responsible for tracking patterns and spotting systemic issues. The University will limit the disclosure as much as practicable, even if the Title IX Coordinator determines that the request for confidentiality cannot be honored.

Making a Report Regarding Covered Sexual Harassment to the University

Any person may report sex discrimination, including sexual harassment (whether or not the person reporting is the person alleged to be the victim of conduct that could constitute sex discrimination or sexual harassment), in person, by mail, by telephone, or by electronic mail, using the contact information listed for the Title IX Coordinator, or by any other means that results in the Title IX Coordinator receiving the person's verbal or written report.

Actual Knowledge

Actual knowledge is established when the Title IX Coordinator, or any Otterbein Official of Authority, receives notice of sexual harassment or allegations of sexual harassment. Following receipt of an allegation of sexual harassment, the Title IX Coordinator must promptly contact the complainant to discuss the availability of supportive measures and to explain the process for filing a formal complaint.

Contact Information for the Title IX Coordinator:

Name: Julie Saker, Title IX Coordinator, jsaker@otterbein.edu, and Telephone Number: 614.823.1554.
Office Address: Office for Student Affairs, 65 West Main Street, in the back of Hanby Hall on Cochran Alley

Such a report may be made at any time (including during non-business hours) by using the telephone number or electronic mail address, or by mail to the office address listed for the Title IX Coordinator

Non-Confidential Reporting

The following Officials will provide privacy, but not confidentiality, upon receiving a report of conduct prohibited under this policy:
Julie Saker, Title IX Coordinator
Molly Miller, IX Investigator
Sydney Ingram, Investigator, Informal Resolution

Officials of Authority:

President
Provost and Senior Vice President of Academic Affairs
Executive Vice President for Strategic Initiatives
Vice President of Business Affairs
Vice President of Institutional Advancement
Vice President for Student Affairs
Assistant Vice President of Institutional Advancement

Assistant Vice President for Enrollment Strategy and Marketing
Assistant Vice President for Enrollment Operations.
Director of Residence Life
Unless designated above, University faculty and staff are NOT mandated reporters for sexual misconduct allegations.

The following Officials may provide confidentiality:

Employee Confidential Resources:
Employee Assistance Program
888.238.6232

Student On-Campus Confidential Resources:

Mental Health Counselor	614.823.1340
Rev. Lucy Kelly, Associate Pastor, Church of the Master	614-822-2153

Off-Campus Confidential Resources for Employees and Students:

SARNCO (Sexual Assault Response Network of Central Ohio)	614.267.7020
CHOICES 24 Hour Domestic Violence Hotline	614.224.4663
Mt. Carmel Crime & Trauma Assistance Program	614.234.5900
Buckeye Region Anti-Violence Organization (BRAVO)	614.294-7867
Rape, Abuse, & Incest National Network (RAINN)	800.656.4673

Anonymous Reporting:
The following resources provide anonymous reporting options. Anonymous reporting may limit the University's ability to fully investigate and resolve the complaint.

Campus Conduct Hotline 866.943.5787
Otterbein Police Silent Witness online form or access with the provided QR code.

Non-Investigatory Measures Available Under the Title IX Grievance Policy Supportive Measures
Complainants (as defined above), who report allegations that could constitute covered sexual harassment under this policy, have the right to receive supportive measures from the University regardless of whether they desire to file a complaint, which may include supportive measures offered as appropriate. Supportive measures are non-disciplinary and non-punitive.
Supportive Measures suggested by the Preamble: As appropriate, supportive measures may include, but not be limited to:

- counseling
- extensions of deadlines or other course-related adjustments
- modifications of work or class schedules
- campus escort services
- restrictions on contact between the parties (no contact orders)
- changes in work or housing locations

- leaves of absence
- increased security and monitoring of certain areas of campus

The Women's Gender and Sexuality Resource Center (WGSRC) provides on-campus peer advocate training and resources. The WGSRC offers knowledgeable support to survivors of sexual violence; to students questioning their gender, sexuality, sex, or relationships; or to students experiencing depression, anxiety, or psychological/emotional distress.

Emergency Removal

The University retains the authority to remove a respondent from the University's program or activity on an emergency basis, where the University (1) undertakes an individualized safety and risk analysis and (2) determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of covered sexual harassment justifies a removal.

If the University determines such removal is necessary, the respondent will be provided notice and an opportunity to challenge the decision immediately following the removal. The student may immediately submit a written appeal of the removal decision to the Vice President of Student Affairs. The Vice President of Student Affairs or designee must issue a written decision within five (5) calendar days of receiving the student's written appeal.

Administrative Leave

The University retains the authority to place a non-student employee respondent on administrative leave during the Title IX Grievance Process.

The Title IX Grievance Process – Filing a Formal Complaint

The timeframe for the Title IX Grievance Process begins with the filing of a Formal Complaint. The Grievance Process will be concluded within a reasonably prompt manner, and no longer than one hundred twenty days (120) calendar days after the filing of the Formal Complaint, provided that the Process may be extended for a good reason, including but not limited to the absence of a party, a party's advisor, or a witness; concurrent law enforcement activity; or the need for language assistance or accommodation of disabilities. The procedure for applying for extensions is described below. To file a Formal Complaint, a complainant must provide the Title IX Coordinator with a written, signed complaint describing the facts alleged. Complainants are only able to file a Formal Complaint under this Policy if they are currently participating in, or attempting to participate in, the education programs or activities of the University, including as an employee. For complainants who do not meet these criteria, the University will utilize existing policy in the Student Code of Conduct and/or Sexual Misconduct Policy.

If a complainant does not wish to make a Formal Complaint, the Title IX Coordinator may determine whether a Formal Complaint is necessary. The University will inform the complainant of this decision in writing, and the complainant need not participate in the process further but will receive all notices issued under this Policy and Process. Nothing in the Title IX Grievance

Policy or the Student Code of Conduct prevents a complainant from seeking the assistance of state or local law enforcement alongside the appropriate on-campus process.

Informal Resolution
A complainant who files a Formal Complaint may elect, at any time, to address the matter through the University's Informal Resolution Process. All Parties to a Formal Complaint must agree to enter the Informal Resolution Process through an informed written consent.

Multi-Party Situations
The University may consolidate Formal Complaints alleging covered sexual harassment against more than one respondent, or by more than one complainant against one or more respondents, or by one party against the other party, where the allegations of covered sexual harassment arise out of the same facts or circumstances.

Determining Jurisdiction
The Title IX Coordinator or another appropriate official without a conflict of interest or bias will determine if the instant Title IX Grievance Process should apply to a Formal Complaint. The Process will apply when all of the following elements are met, in the reasonable determination of the Title IX Coordinator:

1. The conduct is alleged to have occurred on or after August 14, 2020,
2. The conduct is alleged to have occurred in the United States,
3. The conduct is alleged to have occurred in the University's education program or activity; and
4. The alleged conduct, if true, would constitute covered sexual harassment as defined in this policy.

If all the elements are met, the University will investigate the allegations according to the Grievance Process. Complaints brought before August 14, 2020, will be investigated and adjudicated according to the Sexual Misconduct Policy 117.0 if a case is not complete by that date.

Allegations Potentially Falling Under Two Policies:
If the alleged conduct, if true, includes conduct that would constitute covered sexual harassment and conduct that would not constitute covered sexual harassment, the Title IX Grievance Process will be applied to the investigation and adjudication of only the allegations that constitute covered sexual harassment.

Mandatory Dismissal
If any of these elements is not met, the Title IX Coordinator or another appropriate official, without a conflict of interest or bias, will notify the parties that the Formal Complaint is being dismissed under the Title IX Grievance Policy. Each party may appeal this dismissal using the procedure outlined in "Appeals," below.

Discretionary Dismissal
The Title IX Coordinator or another appropriate official without a conflict of interest or bias may dismiss a Formal Complaint brought under the Title IX Grievance Policy, or any specific allegations raised within that Formal Complaint, at any time during the investigation or hearing, if:

- A complainant notifies the Title IX Coordinator in writing that they would like to withdraw the Formal Complaint or any allegations raised in the Formal Complaint,
- The respondent is no longer enrolled or employed by the University; or,
- If specific circumstances prevent the University from gathering sufficient evidence to reach a determination regarding the Formal Complaint or allegations within the Formal Complaint.
- Any party may appeal a dismissal determination using the process outlined in "Appeals," below.

Notice of Dismissal
Upon deciding that the Formal Complaint will be dismissed, the University will promptly send written notice of the dismissal of the Formal Complaint or any specific allegation within the Formal Complaint, and the reason for the dismissal, simultaneously to the parties through their University email accounts. It is the responsibility of parties to maintain and regularly check their email accounts.

Notice of Removal
Upon dismissal for Title IX, the University retains discretion to utilize the Student Code of Conduct and/or Sexual Misconduct Policy to determine if a violation of the Student Code of Conduct and/or Sexual Misconduct Policy has occurred. If so, the University will promptly send a written notice of the dismissal of the Formal Complaint under the Title IX Grievance Process and removal of the allegations to the other conduct process.

Notice of Allegations
The Title IX Coordinator will draft and provide the Notice of Allegations to any party to the allegations of sexual harassment. Such notice will occur as soon as practicable after the University receives a Formal Complaint of the allegations if there are no extenuating circumstances.
The parties will be notified by their university email accounts if they are a student or employee, and by other reasonable means if they are neither.
The University will provide sufficient time for the parties to review the Notice of Allegations and prepare a response before any initial interview.

Contents of Notice
The Notice of Allegations will include the following:

- Notice of the University's Title IX Grievance Process, including any informal resolution process and a hyperlink to a copy of the process.

- Notice of the allegations potentially constituting covered sexual harassment, and sufficient details known at the time the Notice is issued, such as the identities of the parties involved in the incident, if known, including the complainant; the conduct allegedly constituting covered sexual harassment; and the date and location of the alleged incident, if known.
- A statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made after the grievance process.
- A statement that the parties may have an advisor of their choice, who may be, but is not required to be, an attorney.
- A statement that before the conclusion of the investigation, the parties may inspect and review evidence obtained as part of the investigation that is directly related to the allegations raised in the Formal Complaint, including the evidence upon which the University does not intend to rely in reaching a determination regarding responsibility, and evidence that both tends to prove or disprove the allegations, whether obtained from a party or other source.
- A statement that prohibits knowingly making false statements or knowingly submitting false information during the grievance process.

Ongoing Notice

If, in the course of an investigation, the University decides to investigate allegations about the complainant or respondent that are not included in the Notice of Allegations and are otherwise covered as "sexual harassment" falling within the Title IX Grievance Policy, the University will notify the parties whose identities are known of the additional allegations by their University email accounts or other reasonable means.

The parties will be provided with sufficient time to review the additional allegations to prepare a response before any initial interview regarding those additional charges.

Advisor of Choice and Participation of Advisor of Choice

The University will provide the parties with equal access to advisors and support persons; any restrictions on advisor participation will be applied equally.

The Advisor of Choice is a person chosen by the Complainant or the Respondent, if desired, to assist in the complaint and resolution process. The advisor may be someone else chosen by the individual and can be someone from inside or outside of the University community. The advisor of choice may be, but is not required to be an attorney. If a formal complaint is addressed through a formal hearing, the complainant and respondent must have an advisor to conduct cross-examination at the live hearing. If either party does not have an advisor for the live hearing, an advisor of the University's choosing will be assigned at no cost to the party.

An advisor may not obstruct, impede, or delay any proceedings under this policy, and may not engage in discourse or conduct that is disrespectful or abusive. The investigator, hearing officer or adjudicator has the discretion to limit the advisor's participation in response to such behaviors.

Notice of Meetings and Interviews
The University will provide, to a party whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of all hearings, investigative interviews, or other meetings with a party, with sufficient time for the party to prepare to participate.

Delays
Each party may request a one-time delay in the Grievance Process of up to five (5) days for good cause (granted or denied in the sole judgment of the Title IX Coordinator, Director of Student Conduct, or designee) provided that the requestor provides reasonable notice and the delay does not overly inconvenience other parties.
The Title IX Coordinator shall have the sole judgment to grant further pauses in the Process.

Investigation

General Rules of Investigations
The Title IX Coordinator and/or an investigator designated by the Title IX Coordinator will perform an investigation under a reasonably prompt timeframe of the conduct alleged to constitute covered sexual harassment after issuing the Notice of Allegations.
The University and not the parties have the burden of proof and the burden of gathering evidence, i.e., the responsibility to show a violation of this Policy has occurred. This burden does not rest with either party, and either party may decide not to share their account of what occurred or may decide not to participate in an investigation or hearing. This does not shift the burden of proof away from the University and does not indicate responsibility.

The University cannot access, consider, or disclose medical records without a waiver from the party (or parent, if applicable) to whom the records belong or of whom the records include information. The University will provide an equal opportunity for the parties to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence (i.e., evidence that tends to prove and disprove the allegations) as described below.

Inspection and Review of Evidence
Before the completion of the investigation, the parties will have an equal opportunity to inspect and review the evidence obtained through the investigation. The purpose of the inspection and review process is to allow each party equal opportunity to meaningfully respond to the evidence before the conclusion of the investigation.

Evidence that will be available for inspection and review by the parties will be any evidence that is directly related to the allegations raised in the Formal Complaint. It will include any:

1. Relevant Evidence, even if that evidence does not end up being relied upon by the University in determining responsibility.
2. Inculpatory or exculpatory evidence (i.e. evidence that tends to prove or disprove the allegations) that is directly related to the allegations, whether obtained from a party or other source.

All parties must submit any evidence they would like the investigator to consider before when the parties' time to inspect and review evidence begins.

The University will send the evidence made available for each party and each party's advisor, if any, to inspect and review. The University is not under an obligation to use any specific process or technology to provide the evidence and shall have the sole discretion in terms of determining format and any restrictions or limitations on access.

The parties will have ten (10) calendar days to inspect and review the evidence and submit a written response by email to the investigator. The investigator will consider the parties' written responses before completing the Investigative Report. Parties may request a reasonable extension as their designated extension request.

The University will provide copies of the parties' written responses to the investigators to all parties and their advisors, if any. Any evidence subject to inspection and review will be available at any hearing, including for purposes of cross-examination.

The parties and their advisors must sign an agreement not to disseminate any of the evidence subject to inspection and review or use such evidence for any purpose unrelated to the Title IX grievance process. The parties and their advisors agree not to photograph or otherwise copy the evidence.

Inclusion of Evidence Not Directly Related to the Allegations
Evidence obtained in the investigation that is determined in the reasoned judgment of the investigator not to be directly related to the allegations in the Formal Complaint will be included in the appendices to the investigative report.

Investigative Report

The Title IX Coordinator and/or an investigator designated by the Title IX Coordinator will create an Investigative Report that fairly summarizes relevant evidence, will provide that Report to the parties at least ten (10) calendar days before the hearing for each party's review and written response.
The Investigative Report is not intended to catalog all evidence obtained by the investigator, but only to provide a fair summary of that evidence.

Only relevant evidence (including both inculpatory and exculpatory – i.e., tending to prove and disprove the allegations- relevant evidence) will be referenced in the Investigative Report.

The investigator may redact irrelevant information from the Investigative Report when that information is contained in documents or evidence that is/are otherwise relevant.

Hearing

General Rules of Hearings
The live hearing may be conducted with all parties physically present in the same geographic location, or, at the University's discretion, any or all parties, witnesses, and other participants may appear at the live hearing virtually through remote video conferencing. This technology will

enable participants to see and hear each other. At its discretion, the University may delay or adjourn a hearing based on technological errors, not within a party's control. All proceedings will be recorded through audiovisual recording. That recording or transcript will be made available to the parties for inspection and review.

Continuances or Granting Extensions
The University may determine that multiple sessions or a continuance (i.e., a pause on the continuation of the hearing until a later date or time) is needed to complete a hearing. If so, the University will notify all participants and endeavor to accommodate all participants' schedules and complete the hearing as promptly as practicable.

Newly Discovered Evidence
As a general rule, no new evidence or witnesses may be submitted during the live hearing. If a party identifies new evidence or witnesses that were not reasonably available before the live hearing and could affect the outcome of the matter, the party may request that such evidence or witnesses be considered at the live hearing.
The Decision-maker will consider this request and determine (1) whether such evidence or witness testimony was unavailable by reasonable effort before the hearing, and (2) whether such evidence or witness testimony could affect the outcome of the matter. The party offering the newly discovered evidence or witness has the burden of establishing these questions by the preponderance of the evidence. If the Decision-maker answers in the affirmative to both questions, then the parties will be granted a reasonable pause in the hearing to review the evidence or prepare for questioning of the witness.

Participants in the live hearing
Live hearings are not public, and the only individuals permitted to participate in the hearing are as follows:

Complainant and Respondent (The Parties)

- The parties cannot waive the right to a live hearing.
- The University may still proceed with the live hearing in the absence of a party and may reach a determination of responsibility in their absence, including through any evidence gathered that does not constitute a "statement" by that party.

For example, A verbal or written statement constituting part or all of the sexual harassment itself is not a "prior statement" that must be excluded if the maker of the statement does not submit to cross-examination about that statement. In other words, a prior statement would not include a document, audio recording, audiovisual reading, or digital media, including but not limited to text messages, emails, and social media postings, that constitute the conduct alleged to have been the act of sexual harassment under the formal complaint.

For additional information, please consult the U.S. Department of Health Office for Civil Rights at https://ocrportal.hhs.gov.

- The University will not threaten, coerce, intimidate, or discriminate against the party in an attempt to secure the party's participation.
- If a party does not submit to cross-examination, the decision-maker cannot rely on any prior statements made by that party in reaching a determination regarding responsibility, but may reach a determination regarding responsibility based on evidence that does not constitute a "statement" by that party.
- The decision-maker cannot draw an inference about the determination regarding responsibility based solely on a party's absence from the live hearing or refusal to answer cross-examination or other questions.

The Decision-maker

- The hearing body will consist of a single decision-maker.
- The Decision-maker will not have served as the Title IX Coordinator, Title IX Investigator, or advisor to any party in the case, nor may the Decision-Maker hear the appeal if filed.
- The Decision-maker will not have a conflict of interest or bias in favor of or against complainants or respondents generally, or in favor of or against the parties to the particular case.
- The Decision-maker will be trained on topics including how to serve impartially, issues of relevance, including how to apply the rape shield protections provided for complainants, and any technology to be used at the hearing.
- The parties will have an opportunity to raise any objections regarding a decision-maker's actual or perceived conflicts of interest or bias at the commencement of the live hearing.

Advisor of choice

- The parties are not permitted to conduct cross-examination; it must be conducted by the advisor. As a result, if a party does not select an advisor, the University will select an advisor to serve in this role for the limited purpose of conducting the cross-examination at no fee or charge to the party.
- The advisor is prohibited from having a conflict of interest or bias in favor of or against complainants or respondents generally, or in favor of or against the parties to the particular case.
- If a party does not attend the live hearing, the party's advisor may appear and conduct a cross-examination on their behalf.
- If neither a party nor their advisor appears at the hearing, the University will provide an advisor to appear on behalf of the non-appearing party.

Witnesses

- Witnesses cannot be compelled to participate in the live hearing and have the right not to participate in the hearing free from retaliation.
- If a witness does not submit to cross-examination, as described below, the decision-maker cannot rely on any statements made by that witness in reaching a determination regarding responsibility, including any statement relayed by the absent witness to a witness or party who testifies at the live hearing.

Prehearing Conference

Each party will have their own pre-hearing conference. The Title IX Coordinator will communicate to the parties, their advisors, and the Hearing Chair the date, time, and format for their Pre-Hearing Conference. The Title IX Coordinator, the Hearing Chair, and the advisor must be in attendance. While the parties are strongly encouraged to attend, they are not required to do so.

- During the Pre-Hearing Conference, the advisors must share with the Hearing Chair their list of witnesses to appear at the hearing, the identity of any requested witnesses that were not questioned during the investigation, the request for any new evidence to be considered that was not submitted previously to the investigators, and the availability of the advisor and the party for hearing dates.
- Evidence and witnesses may only be presented at the hearing if they were submitted to the investigators and made available to the parties for review, unless they were unavailable at the time of the investigation or the relevance was unknown until the investigative report was submitted.
- The Hearing Chair will address any requests to present new evidence and new witnesses at the Pre-Hearing Conference.
- The advisor is strongly encouraged to discuss lines of questioning with the Hearing Chair at the Pre-Hearing Conference to obtain guidance from the Hearing Chair on relevancy before the hearing. The Hearing Chair will discuss the expectations and guidelines for appropriate behavior and decorum during the hearing.
- After reviewing each party's witness list, the Hearing Chair may, at their discretion, add names of other witnesses contained in the report to appear at the hearing and submit to cross-examination.
- After the conclusion of the Pre-Hearing Conferences, the Title IX Coordinator will provide each party and their advisor with written notice of the date, time, and manner for the hearing, which will typically occur within five (5) working days after the conclusion of the final pre-hearing conference

Hearing Procedures

For all live hearings conducted under this Title IX Grievance Process, the procedure will be as follows:

- Decision-maker will open and establish rules and expectations for the hearing.
- The Parties will each be allowed to provide opening statements,
- Decision-maker will ask questions of the Parties and Witnesses,
- Parties will be given the opportunity for live cross-examination after the Decision-maker conducts its initial round of questioning; during the Parties' cross-examination, the decision-maker will have the authority to pause cross-examination at any time to ask the decision-maker follow-up questions; and at any time, as necessary to enforce the established rules of decorum.
- Should a Party or the Party's Advisor choose not to cross-examine a Party or Witness, the Party shall affirmatively waive cross-examination through a written or oral statement to the Decision-maker. A Party's waiver of cross-examination does not eliminate the ability of the Decision-maker to use statements made by the Party.

- The Parties will each be allowed to provide closing statements.

Live Cross-Examination Procedure
Each party's advisor will conduct a live cross-examination of the other party or parties and witnesses. During this live cross-examination, the advisor will ask the other party or parties and witnesses relevant questions and follow-up questions, including challenging credibility directly, orally, and in real-time.
Before any cross-examination question is answered, the decision-maker will determine if the question is relevant. Cross-examination questions that are duplicative of those already asked, included by the decision-maker, may be deemed irrelevant if they have been asked and answered.
Review of Recording
The recording of the hearing will be available for review by the parties within 5 (five) working days unless there are any extenuating circumstances. The recording of the hearing will not be provided to parties or advisors of choice.

Determination Regarding Responsibility
Standard of Proof
The University uses the preponderance of the evidence standard for investigations and determinations regarding the responsibility of formal complaints covered under this Policy. This means that the investigation and hearing determine whether it is more likely than not that a violation of the Policy occurred.

General Considerations for Evaluating Testimony and Evidence
While the opportunity for cross-examination is required in all Title IX hearings, determinations regarding responsibility may be based part, or entirely, on documentary, audiovisual, and digital evidence, as warranted in the reasoned judgment of the Decision-maker.
Decision-makers shall not draw inferences regarding a party's or witness's credibility based on the party or witness's status as a complainant, respondent, or witness, nor shall they base their judgments on stereotypes about how a party or witness would or should act under the circumstances.

Generally, credibility judgments should rest on the demeanor of the party or witness, the plausibility of their testimony, the consistency of their testimony, and its reliability in light of corroborating or conflicting testimony or evidence. Still, credibility judgments should not rest on whether a party's or witness' testimony is non-linear or incomplete, or if the party or witness is displaying stress or anxiety.

Decision makers will afford the highest weight relative to other testimony to first-hand testimony by parties and witnesses regarding their memory of specific facts that occurred. Both inculpatory and exculpatory (i.e., tending to prove and disprove the allegations) evidence will be weighed in equal fashion.
Except where specifically barred by the Title IX Final Rule, a witness' testimony regarding third-party knowledge of the facts at issue will be allowed but will generally be accorded lower weight than testimony regarding direct knowledge of specific facts that occurred.

While the expert witness will be allowed to testify and be crossed, the decision-maker will be instructed to afford lower weight to non-factual testimony of the expert relative to fact witnesses, and any expert testimony that is not directed to the specific facts that occurred in the case will be afforded lower weight relative to fact witnesses, regardless of whether the expert witness testimony is the subject of cross-examination and regardless of whether all parties present experts as witnesses.

The University allows parties to call character witnesses to testify. While the character witnesses will be allowed to testify and be crossed, the decision-maker will be instructed to afford very low weight to any non-factual character testimony of any witness.

The Final Rule requires that the University admit and allow testimony regarding polygraph tests ("lie detector tests") and other procedures that are outside of standard use in academic and non-academic conduct processes. While the processes and testimony about them will be allowed to testify and be crossed as required by the Final Rule, the decision-maker will be instructed to afford lower weight to such processes relative to the testimony of fact witnesses.

Where a party or witness' conduct or statements demonstrate that the party or witness is engaging in retaliatory conduct, including but not limited to witness tampering and intimidation, the Decision-maker may draw an adverse inference as to that party or witness credibility.

Components of the Determination Regarding Responsibility

The written Determination Regarding Responsibility will be issued simultaneously to all parties through their University email account or other reasonable means as necessary. The Determination will include:

- Identification of the allegations potentially constituting covered sexual harassment,
- A description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held,
- Findings of fact supporting the determination,
- Conclusions regarding which section of the Policy, if any, the respondent has or has not violated.

For each allegation:

- A statement of, and rationale for, a determination regarding responsibility,
- A statement of, and rationale for, any disciplinary sanctions the recipient imposes on the respondent; and
- A statement of, and rationale for, whether remedies designed to restore or preserve equal access to the recipient's education program or activity will be provided by the recipient to the complainant; and
- The recipient's procedures and the permitted reasons for the complainant and respondent to appeal (described below in "Appeal").

Timeline of Determination Regarding Responsibility
If there are no extenuating circumstances, the determination regarding responsibility will be issued by the University within ten (10) calendar days of the completion of the hearing.

Remedies and Sanctions
Sanctions must be designed to restore or preserve equal access to the University's education program or activity. When the Respondent is an employee, examples are:

- Letter of Reprimand
- Mandatory Training
- Suspension (paid or unpaid)
- Termination

When the Respondent is a student, examples are:

- Restitution
- Restricted Access
- Living Unit Probation
- Living Unit Dismissal (May have monetary impact, requiring student to pay for the terms of the housing contract).
- Disciplinary Probation
- Disciplinary Probation with Restrictions
- Alcohol/Drug/Anger Assessment
- Suspension
- Dismissal (May have monetary impact, requiring student to pay for the terms of the housing contract)

Finality
The determination regarding responsibility becomes final either on the date that the University provides the parties with the written determination of the result of the appeal, if an appeal is filed consistent with the procedures and timeline outlined in "Appeals" below, or if an appeal is not filed, the date on which the opportunity to appeal expires.

Appeals
Each party may appeal (1) for the dismissal of a formal complaint or any included allegations, and/or (2) a determination regarding responsibility. To appeal, a party must submit their written appeal within seven (7) calendar days of being notified of the decision, indicating the grounds for the appeal.
The limited grounds for appeal available are as follows:

- Procedural irregularity that affected the outcome of the matter (i.e., a failure to follow the University's procedures),
- New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter,

- The Title IX Coordinator, investigator(s), or decision-maker(s) had a conflict of interest or bias for or against an individual party, or for or against complainants or respondents in general, that affected the outcome of the matter.

The submission of an appeal stays any sanctions for the pendency of an appeal. Supportive measures and remote learning opportunities remain available during the pendency of the appeal. If a party appeals, the University will, as soon as practicable, notify the other party in writing of the appeal; however, the time for appeal shall be offered equitably to all parties and shall not be extended for any party solely because the other party filed an appeal.

Appeals may be no longer than ten (10) pages (including attachments). Appeals should be submitted in electronic form using ARIAL or TIMES NEW ROMAN, 12-point font, and single-spaced. Appeals should use footnotes, not endnotes. Appeals that do not meet these standards may be returned to the party for correction, but the time for appeal will not be extended unless there is evidence that a technical malfunction caused the appeal document not to meet these standards. The appeal will be submitted to the Title IX Coordinator.

Appeals will be decided by the President's Designee, who will be free of conflict of interest and bias and will not serve as investigator, Title IX Coordinator, or hearing decisionmaker in the same matter.

The outcome of the appeal will be provided in writing simultaneously to both parties and will include the rationale for the decision.

Retaliation

The University will keep the identity of any individual who has made a report or complaint of sex discrimination confidential, including the identity of any individual who has made a report or filed a Formal Complaint of sexual harassment under this Title IX Grievance Policy, any Complainant, any individual who has been reported to be the perpetrator of sex discrimination, any Respondent, and any witness, except as permitted by the FERPA statute, 20 U.S.C. 1232g, or FERPA regulations, 34 CFR part 99, or as required by law, or to carry out the purposes of 34 CFR part 106, including the conduct of any investigation, hearing, or judicial proceeding under this Title IX Grievance Policy.

No person may intimidate, threaten, coerce, or discriminate against any individual to interfere with any right or privilege secured by Title IX of the Education Amendments of 1972 or its implementing regulations.

No person may intimidate, threaten, coerce, or discriminate against any individual because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under this Title IX Grievance Policy.

Any intimidation, threats, coercion, or discrimination to interfere with any right or privilege secured by Title IX or its implementing regulations constitutes retaliation. This includes any charges filed against an individual for code of conduct violations that do not involve sex

discrimination or sexual harassment, but that arise from the same facts or circumstances as a report or complaint of sex discrimination or a report or Formal Complaint of sexual harassment.

Complaints alleging retaliation may be filed with the Title IX Coordinator.

Title IX Pregnancy Policy - Otterbein University shall provide support and modifications to people experiencing pregnancy or related conditions to ensure equal access to Otterbein University's program or activity. Pregnancy or associated conditions include pregnancy, childbirth, termination of pregnancy, lactation, medical conditions related to pregnancy, childbirth, termination of pregnancy, or lactation, and recovery from pregnancy, childbirth, termination of pregnancy, lactation, or related medical conditions.

Otterbein University treats pregnancy or related conditions in the same manner and under the same policies as any other temporary medical conditions and must allow voluntary leaves of absence. Students, employees, or applicants should contact the Title IX Coordinator for more information. Employees or applicants for employment may also contact Human Resources for more details because additional workplace laws and policies apply.

Application of Section 504/Americans with Disabilities Act to this Policy

Otterbein University complies with the requirements of the Americans with Disabilities Act. Parties may request reasonable accommodations for disabilities to the Title IX Coordinator. With the consent of the impacted student or employee, the Title IX Coordinator will work collaboratively with Disability Services to ensure that approved reasonable accommodations (disability-related) are implemented. Accommodations approved by Disability Services must be implemented.

When a student and/or a parent of a minor student, or other authorized legal representative, informs a school employee of a student's pregnancy or related conditions, the university must provide both the student and the reporting individual with information about the school's Title IX policy. Schools are prohibited from disclosing personally identifiable information they obtain through complying with Title IX, including information about reasonable modifications for pregnancy or related conditions.

The University will:

- Provide a reasonable break time and access to a clean, private lactation space for students and employees.
- Allow students to continue participating in classes and extracurricular activities, but do not pressure students to do so.
- Allow students to participate in special instructional programs or classes for pregnant students, but do not pressure them to do so.
- Protected students cannot be required to have special certification and/or medical documentation that is not required of other students to either participate in or be absent from class or related activity.
- Provide reasonable adjustments, like a larger desk, elevator access, or allowing

students to make frequent trips to the restroom, when necessary, because of pregnancy.
- Allow for a leave of absence voluntarily for the amount of time deemed medically necessary by the student's licensed healthcare provider
- Allow the student to voluntarily access any separate and comparable portion of the recipient's education program or activity.
- Not refusing to allow a student to submit work after a deadline missed because of pregnancy or childbirth.

Recordkeeping
The University shall maintain for seven (7) years records of (A) Each sexual harassment investigation including any determination regarding responsibility and any audiovisual recording required under this policy, any disciplinary sanctions imposed on the respondent, and any remedies provided to the complainant designed to restore or preserve equal access to the University's education programs or activities; (B) Any appeal and the result therefrom; (C) Any informal resolution and the result therefrom; and (D) All material used to train Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process.
Enacted: August 14, 2020

Revised: July 26, 2021, October 15, 2021, July 18, 2022, August 2023, December 2024

Any informal resolution and the result thereof, and (D) all material used to train Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process.
117.0 Sexual Misconduct. Student Code of Conduct.

Student Rights
Complainant
- To have all allegations of sexual misconduct taken seriously and to be given a timely and respectful response.
- To be given amnesty (Complainant and witness) for minor student misconduct violations (such as alcohol or drug use) that are secondary to the sexual misconduct incident. To be informed of immediate measures for medical care and preservation of evidence, if applicable
- To be informed about immediate measures for medical care and preservation of evidence, if applicable.
- To be informed about the University and community support services and student conduct.
- To be told about criminal and student conduct reporting options and the right to be assisted by campus authorities.
- To learn about possible protective measures, including but not limited to changes in class schedules, alternative housing assignments, campus employment, and restricted contact.

- To be offered a trained University faculty/staff member to serve as a support person and resource.
- To have an advisor other than the university-provided support person to assist during the investigation and resolution process.
- To have related policy, process, and support information explained clearly and fully at every stage of the conduct process.
- To suggest names of witnesses to be interviewed during the investigation process and provide the investigator with questions that they would like to ask of the complainant or witness.
- To review, consistent with FERPA, and the evidence gathered.
- To be informed in writing of the outcome of the student conduct proceeding and appeal procedure at the same time the Respondent is informed.
- To be notified of any changes in the investigation results before they become final.
- To be notified when the results become final.

Respondent:

- To be informed of all allegations of sexual misconduct in a timely and respectful manner.
- To be presumed not responsible for the alleged conduct before the determination regarding responsibility after the Title IX Grievance Process.
- To be given amnesty (Respondent and witness) for minor student misconduct violations (such as alcohol or drug use) that are secondary to the sexual misconduct incident.
- To be informed about the University and community support services and resources.
- To learn about possible measures, including but not limited to changes in class schedules, alternative housing assignments, campus employment, and restricted contact.
- To be offered a trained University faculty/staff member to serve as a support person and resource.
- To have an advisor other than the university-provided support person to assist during the investigation and resolution process.
- To have related policy, process, and support information explained clearly and fully at every stage of the conduct process.
- To suggest names of witnesses to be interviewed during the investigation process and provide the investigator with questions that they would like asked of the complainant or witness.
- To review, consistent with FERPA, any evidence gathered.
- To be informed in writing of the outcome of the student conduct proceeding and appeal procedure at the same time the Complaint is informed.
- To be notified of any change in the investigation results before they become final.
  Enacted: August 14, 2020/Revised July 26, 2021, November 2022, October 2024.

Reporting Options

Otterbein University takes sexual violence very seriously and is deeply committed to assisting victims/survivors with respect, non-judgment, knowledge and care. The options below will aid victims/survivors in navigating through the process.

Option 1: The victim/survivor may file an Otterbein University Police Report. Students, faculty, staff and community members are encouraged to report all crimes and public safety related incidents to OPD in a timely manner. To report a crime phone 614-823-1222 or dial 911 if it's an emergency.

> Note: The report will list them as the victim/survivor and will name the accused. The report will be forwarded to Otterbein University Student Conduct, and they will begin the review process. We will also forward the report and investigation to the Franklin or Delaware County Prosecutor's office to determine if criminal charges will be brought against the accused and if so, the specific charges to be filed.

Option 2: The victim/survivor may file a Police Report with the Westerville Division of Police. Names will be included in the report. Note, they typically forward the report and investigation to the Franklin or Delaware County Prosecutor's office to determine if criminal charges will be brought against the accused and if so, the specific charges to be filed.

The Otterbein Police Department will offer assistance in filing a report with the Westerville Division of Police to any victim/survivor who chooses this option.

Option 3: Confidential Reporting: The following are options for students who do not wish to file a police report but desire to communicate the crime to other entities on campus.

1. Counseling and Psychological Services employ licensed clinical counselors is available to meet with victim/survivor and provide counseling services. Counseling and Psychological Services can be reached by telephone at 614-823-1333.
2. The Otterbein University Chaplain can be reached at (614-882-2153) and is available to meet with the victim/survivor and provide aid.

> Note: Our licensed counselors and clergy are encouraged to report sexual assaults to OPD for statistical purposes only. Names of victim/survivor and the accused and details of the incident remain confidential.

Option 4: The victim/survivor may choose not to file a report or can file a report at a later date or may select to take advantage of support services previously listed.

Option 5: If the survivor says "no" to Reporting Option #1 or #2, they may file a Confidential Otterbein University Police Report.

> Note: The Anonymous Report will briefly describe the incident but will not include the name of the Subject or Accused. They will be listed as "Jane Doe" or "John Doe". There

will be no follow up investigation or forwarding of the report to the County Prosecutor Office for the pursuit of criminal charges. The purpose of a confidential report is to comply with your wish to keep the matter confidential, while taking steps to ensure the future safety of yourself and others. With such information, the University can keep an accurate record of the number of incidents involving students, determine where there is a pattern of crime with regard to a particular location, method, or assailant, and alert the campus community to potential danger. Reports filed in this manner are counted and disclosed in the annual crime statistics for the institution.

You can change your mind about the type of report you wish to file at any time in the future, to do so contact Otterbein University Police.

Option 6: The victim/survivor may file a report with the institution's Title IX Coordinator. The Title IX Coordinator for the Institution is Julie Saker who can be reached at 614-823-1554. Her email address is jsaker@otterbein.edu. She will work with the appropriate Student Affairs staff and the Title IX team. The institution has adopted and published grievance procedures providing for prompt and equitable resolution of student and employee complaints alleging any action that would be prohibited by Title IX, including sexual harassment and sexual assaults carried out by employees, other students or third parties. This information can be found at: https://www.otterbein.edu/about/title-ix/. Further, the institution does not discriminate on the basis of sex in educational programs or activities that the institution operates.

Option 7: The victim/survivor may make a report to any Campus Security Authority. The report will be forwarded to the Otterbein University Police Department, who will contact you for investigative purposes. If you choose to report to a Campus Security Authority and wish to remain anonymous, a "Jane Doe" or "John Doe" report will be forwarded to the Otterbein Police Department without any identifying information.

The purpose of this report is to allow the University to take steps to ensure the future safety of yourself and others. With such information, the University can keep an accurate record of the number of incidents involving students, determine where there is a pattern of crime with regard to a particular location, method, or assailant, and alert the campus community to potential danger. Reports filed in this manner are counted and disclosed in the annual crime statistics for the institution.

How to determine who is a Campus Security Authority: If a person has significant responsibility for student and campus activities, he or she is a campus security authority. Some examples include coaches, student affairs personnel, and police, and residence life employees, advisors of clubs or organizations.

Note: The Women's Resource Gender Center (WGSRC) (614-823-1028) is comprised of student peer advocates who have specialized training to aid survivors of sexual assault and relationship abuse.

Option 8: You may also select to contact off campus resources such as: Sexual Assault Response Network of Central Ohio (SARNCO) 24-hour rape hotline is 614-267-7020; Buckeye

Region Anti-Violence Organization (BRAVO) at 614-294-7867 or 1-866-7286; Ohio Domestic Violence Network at 614-781-9651.

Sexual Assault Response Guarantee

- Sexual assaults, including non-stranger sexual assault, are a very serious concern of the University. If you feel you are the survivor of a sexual assault on campus, your Otterbein University Police Department will guarantee you the following:
- We will meet with you privately, at a place of your choice in this area, to take a police report.
- We will not release your name to the public or to the media, except as provided by law. If your name is requested to be released, we will attempt to notify you prior to its release so you can exercise your rights under law.
- Our officers will not prejudge you, and you will not be blamed for what occurred.
- We will treat you and your particular case with courtesy, sensitivity, dignity, understanding and professionalism.
- We will assist you in arranging for any hospital treatment or other medical needs.
- With your permission, we will assist you in contacting counseling and advocacy services, in addition to other available resources that will continue to provide you with additional support throughout the investigation.
- We will fully investigate your case. You will be kept up to date on the progress of the investigation. Each investigation is forwarded to the prosecutor's office for review, with your input taken into consideration as to the best possible outcome.
- We will continue to be available for you, to answer your questions, to explain the systems and processes involved (prosecutor's office, court proceedings, university investigation), and to be a listening ear if you wish.
- We will consider your case seriously regardless of your gender or sexual orientation, and regardless of the gender or sexual orientation of the suspect.
- It is our policy not to pursue alcohol or drug charges on victim-survivors who chose to report sexual assaults.

If we fail to achieve any part of the above guarantee, Chief of Police Paul Weiner will meet with you personally to address any problems. He can be reached at (614) 823-1222 or email at weiner3@otterbein.edu. The Otterbein University Police want to continue to make the campus safe for students, faculty, staff, and visitors.

If you need support as a survivor of sexual assault, contact Julie Saker, the Dean of Students and Title IX Director at (614) 823-1554 or email at jsaker@otterbein.edu . The Counseling Center at 614-823-1333, or a Chaplin, at 614-882-2153, and members of the Women's Gender & Sexuality Resource Center at wgsrc@otterbein.edu . It is a confidential resource and recommended for victims and survivors of sexual assault. To file a police report, or to get more information about filing a police report, feel free to contact the Otterbein University Police at

(614) 823-1222, and say you would like information on reporting a sexual assault. Otterbein Police are available 24 hours a day, 7 days a week.

Contact Information Includes:

Otterbein Police	614.823.1222 or 911
Westerville Police	614.882.7444 or 911

University Sexual Misconduct Policy

Philosophy
Members of the University community, guests, and visitors have the right to be free from all forms of gender and sex-based discrimination, including sexual misconduct. This includes acts such as sexual assault, sexual harassment, domestic violence, dating violence, and stalking. All members of the campus community are expected to behave in ways that respect the rights of others. When a respondent is found to have violated this policy, sanctions and other appropriate measures will be applied to effectively stop the misconduct, address its effects, eliminate any hostile environment, and prevent its recurrence. This policy reaffirms these principles and provides recourse for individuals whose rights have been violated. It also aims to define community expectations and establish a process for identifying violations. Additionally, retaliation against anyone who reports or participates in proceedings under this policy is prohibited. Those who engage in retaliation will face disciplinary action.

Statement
The University Sexual Misconduct policy and grievance procedures apply to complaints of sexual misconduct in or impacting a University program or activity. This includes sex or gender-based harassment, sexual assault, and sexual violence carried out by employees, faculty, students, and third parties. The University has jurisdiction to investigate and remedy all Title IX-related matters that occur on campus or at a University-sponsored event. Specifically, this includes academic, educational, extracurricular, athletic, and any other school programs, whether those programs take place in a school's facilities, on a school bus, at a class or training program sponsored by the school at another location, during study abroad, or elsewhere. Additional examples include school-sponsored field trips, school-recognized fraternity or sorority houses, athletic team travel, and events for school clubs that occur off campus.

The University also has jurisdiction to investigate and remedy off-campus incidents if (1) the University has control over the Respondent and (2) has control over the context of the misconduct (on University property, in our programs, on land we lease or control, or at events we sponsor).

If the incident does not meet both prongs above, the University may still provide support to the Complainant, including counseling and assistance on how to file a criminal complaint with the

appropriate law enforcement agency. The University will address off-campus sexual misconduct that creates a hostile environment on campus.

Summary of Process

Upon receipt of a complaint, the University's process involves an immediate initial investigation to determine if, assuming the facts in the complaint to be true, the complaint would state a violation of this policy. If so, the University will initiate a prompt, thorough, and impartial investigation. This investigation is designed to provide a fair and reliable determination about whether the University Sexual Misconduct Policy has been violated. If so, the University will implement a prompt and effective remedy designed to end the sexual misconduct, prevent its recurrence, and address its effects. Upon a determination that a complaint does not present a violation of this policy but may present a potential violation of another University policy, the complaining party will be informed.

Definitions

Sexual Misconduct: Sexual misconduct is a form of sex- and gender-based discrimination. Sexual misconduct includes the following:

1. *Non-consensual sexual intercourse*: any sexual penetration (anal, oral, or vaginal), however slight, with any body part or object by any person upon any person without consent.
2. Non-consensual sexual contact: any intentional sexual touching, either by the offender or when the complainant is forced to touch, with any body part or object without consent.
3. *Sex- and gender-based discrimination*: Discriminatory treatment based on sex, gender, or gender identity. Gender-based discrimination can include acts of verbal, nonverbal, or physical aggression, intimidation, or hostility based on sex or sex-stereotyping, even if those acts do not involve conduct of a sexual nature. Sex-stereotyping can include the expectation that a person conforms to certain behaviors, mannerisms, or appearances stereotypical of their biological sex.
4. *Sexual Harassment*: In the employment context, sexual harassment is unwelcome, sex- or gender-based verbal or physical conduct that unreasonably interferes with an individual's work performance or creates an intimidating, hostile, or offensive work environment.

   In the educational context, sexual harassment is unwelcome, sex- or gender-based verbal or physical conduct that is sufficiently severe, persistent, or pervasive that it interferes with, denies, or limits an individual's ability to participate in or benefit from the University's educational program and activities.

   It takes two forms: power differentials (quid pro quo) or hostile environment:

   A. Quid pro quo sexual harassment exists when:
      - There are unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature; and

- Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or academic status; or
- Submission to or rejection of such conduct by an individual is used as the basis for employment or academic decisions adversely affecting such individual.

B. Hostile environment in the employment context includes any situation in which there is harassing conduct that is sufficiently severe, persistent, or pervasive that it unreasonably interferes with an individual's work performance or creates an intimidating, hostile, or offensive work environment.

   A hostile environment in the educational context includes any situation in which there is harassing conduct that limits, interferes with, or denies educational benefits or opportunities, from both a subjective (based on complaints) and an objective (what a reasonable person would consider) viewpoint.

   The determination of whether an environment is "hostile" is based on the totality of circumstances. These circumstances may include:

   - The degree to which the conduct interfered with the complainant's educational or work performance,
   - The type, frequency, and duration of the conduct,
   - The identity of and relationship between the accused and the complaint(s),
   - The number of individuals involved,
   - The age and sex of the accused and the complaint(s),
   - The location of the incident(s) and the context in which it occurred,
   - The nature and severity of the conduct,
   - Whether the conduct was physically threatening,
   - Whether the conduct was humiliating,
   - The effect of the conduct on the complainant's mental or emotional state,
   - Whether the conduct arose in the context of other discriminatory conduct,
   - Whether the speech or conduct deserves the protection of academic freedom or the First Amendment,
   - A single or isolated incident of sexual harassment (e.g., rape) may be severe enough to create a hostile environment.

   See also the University's Discrimination and Harassment Policy.

5. *Sexual Exploitation*: taking non-consensual, unjust, or abusive sexual advantage of another. Examples include but are not limited to prostitution, another student or employee, non-consensual pictures, video-, or audio-recording of sexual activity, including on social media or texting. Includes sharing videos, photos, and recording as such on social media, even if the media was obtained consensually. Engaging in non-consensual voyeurism and knowingly transmitting or exposing another person to a sexually transmitted infection (STI) without the knowledge of the person.

6. *Stalking*: engaging in a course of conduct that includes two or more acts directed at a specific person, based on gender or sexual orientation, that would cause a reasonable person to fear for his or her safety or the safety of others or suffer substantial emotional distress whether the alleged perpetrator directly, indirectly, or through third parties, by an action, method, device, or means, follow, monitors, observes, surveils, threatens, or communicates to or about the complaint, or interferes with the complainant's property.
7. *Domestic Violence*: violence committed by a current or former spouse or intimate partner of the complainant, by a person with whom the complainant shares a child, by a person with who is or was cohabitating with he complainant as a spouse or intimate partner similarly situated to a spouse of the complainant, and/or by any other person against an adult or youth victim who is protected from the person under the domestic or family violence laws.
8. *Dating Violence*: violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the complainant and where the existence of such a relationship is determined based on the following factors: length of the relationship, type of relationship, and frequency of interaction between the people involved in the relationship.
9. *Indecent Exposure*: the exposure of the private or intimate parts of the body in a lewd manner in public or in private premises when the accused may be readily observed.
10. *Sexual Violence*: sexual violence includes a physical sexual act perpetrated against a person's will or where a person is incapable of giving consent.
11. *Pregnancy*: discrimination based on sex can include discrimination based on pregnancy or pregnancy-related conditions, such as childbirth, false pregnancy, termination of a pregnancy, miscarriage, or recovery from any of these conditions. The University provides reasonable accommodations for limitations imposed by pregnancy-related conditions under applicable law.

Consent: Informed, freely and actively given, mutually understandable words of action, which indicate a willingness to engage in mutually agreed upon sexual activity.

- Consent is active, not passive
- Silence or lack of resistance, in and of itself, cannot be interpreted as consent.
- Consent can be given by words, actions, or behaviors those words, actions, or behaviors create mutually understandable, clear permission regarding willingness to engage in the conditions of sexual activity: who, what, when, where, why, and how sexual activity will take place.
- Consent to any one form of sexual activity cannot automatically imply consent to any other form of sexual activity.
- Consent can be withdrawn at any time by word or action.
- Previous relationship or prior consent to current or future sexual acts.

To be effective, consent cannot be obtained by use of physical force, compelling threats, intimidating behavior, or coercion.

- Force is the use of physical violence and/or imposing on someone physically to gain sexual access. Force also includes threats, intimidation (implied threats), and coercion.
- Coercion is an unreasonable pressure for sexual activity. When a person indicates by words or actions that they do not want to engage in sexual activity, want to stop, or does not want to go past a certain point of sexual interaction, continued pressure beyond that point can be coercive.
- Intimidation is implied threats, including the exertion of perceived or actual power resulting from position or stature.
- A person must be of legal age (16) to give consent.

An incapacitated person cannot give consent. Sexual activity with someone who one should know to be mentally or physically incapacitated (by alcohol or other drug use, unconsciousness, or blackout) is not consented to sexual activity and therefore is a violation of this policy.

- Incapacitation is a state where someone cannot make rational, reasonable decisions.
- Incapacitation may result from mental disability, sleep, involuntary physical restraint, and alcohol or drug impairment, including taking "rape drugs." A rape drug is any drug intentionally used to incapacitate another victim to assist in the execution of drug-facilitated sexual assault.
- Possession, use and/or distribution of any so-called "rape drug" is prohibited, and administering these drugs to another person is a violation of this policy.
- Being under the influence of alcohol or other drugs will not excuse behavior that violates this policy.

Identification of Parties as used in this Policy: Complainant, an individual who brings forth a concern of sexual misconduct.

- Respondent, an individual who is accused of sexual misconduct,
- Title IX Coordinator, University employee responsible for overseeing all investigations related to sexual misconduct, to ensure prompt, fair, and impartial investigation and resolution. They will coordinate the intake, investigation, and review of all complaints that fall within this policy

Reporting Resources

Promptly seeking information can be very helpful to anyone who may want to report sexual misconduct. Reporting incidents is important to address sexual misconduct on campus. There are a number of options to provide information to assist with the process to make an informed decision.

Specific reporting requirements for minors on campus

1. Any faculty, staff, appointee, student, student employee, graduate assistant, vendor, or volunteer who in the course of their duties witnesses child abuse (including sexual abuse) or neglect or has information that would lead a reasonable person to believe the minor

faces a substantial threat of such abuse or neglect must immediately make two calls and within one business day submit one report as described below.

a. Call: 911 (child in imminent danger) or Children's Services Agency (not imminent danger)
    i. If a child is in imminent danger (life-threatening or abuse is being witnessed), call local law enforcement authority at 911, or
    ii. If the child is not in imminent danger, call the Children's Services Agency at 855-O-H-CHILD (855-642-4453), which is a 24-hour automated telephone directory that will link callers directly to a child welfare or law enforcement office in their county. Municipal or county police officers can be contacted as an alternative to Children's Services.
b. Call: Otterbein Police Department at 614-823-1222
    i. The Otterbein Police Department must notify the Director of Human Resources.
c. Report: The faculty, staff, appointee, student employee, graduate assistant, or volunteer must then complete a Child Abuse, Sexual Abuse, or Neglect Incident Report and submit it to the Office of Human Resources within one business day.

2. If consultation is needed regarding reporting, or if there are questions on the process or other support needed, please contact the Director of Human Resources at 614-823-1222.

Confidentially Generally

Otterbein will make every effort reasonably possible to preserve the privacy of an individual who makes an official report and to protect the confidentiality of the information reported. When a Complaint requests that no action be taken or that their name not be used, the Complaint will be advised that the University's ability to respond will be limited, but the University will take all appropriate action consistent with the request. However, there will be a situation in which the University may decide to override a request for confidentiality or that no action be taken, considering the nature of the incident or threat to the campus community. Such considerations include the risk of additional attacks, the use of weapons or drugs, multiple attackers, past conduct, and the attack was accompanied by other crimes or threats. Therefore, Complainants desiring to make truly confidential reports should review the confidential reporting section below.

The degree to which confidentiality can be protected, however, depends upon the professional role of the person being consulted. The professional consultation should make these limits clear before any disclosure of facts. The Individuals/offices below are recognized by the University as being able to receive confidential reports.

Employee Confidential Resources:

Employee Assistance Program 800.227.6007
(access code: "cardinals")

Student On-Campus Confidential Resources:

Counseling	614.823.1333
Cardinal Connect 24/7 Support Line	833.434.1217

Off-Campus Confidential Resources for Employees and Students:

SARNCO (Sexual Assault Response Network of Central Ohio)	614.267.7020
The Center for Family Safety and Healing	614.722.8200
CHOICES 24 Hour Domestic Violence Hotline	614.224.4663
Mt. Carmel Crime & Trauma Assistance Program	614.234.5900
Buckeye Region Anti-Violence Hotline (BRAVO)	614.294.7867
Rape, Abuse, and Incest National Network (RAINN)	800.656.4673

(National hotline that connects callers to their nearest rape crisis line.)

Anonymous Reporting:

The following resources provide anonymous reporting options. Anonymous reporting may limit the University's ability to fully investigate and resolve the complaint.

Campus Conduct Hotline	866.943.5787
Otterbein Police Silent Witness online form at:	https://www.otterbein.edu/police/silent-witness-form/

As required by law, all disclosures to any Otterbein employee of an on-campus sexual assault are tabulated for statistical purposes without personal identifying information.

Non-Confidential Reporting

The following options for reporting are not confidential in that other University employees with a need to know, to stop the conduct, investigate, and resolve the matter, will know of the complaint.

Employees, students, guests, and third parties are encouraged to report complaints to the Title IX Coordinator/Dean of Students: Julie Saker at jsaker@otterbein.edu, 614.823.1554.

Sexual Assault Reporting

Following an incident, the Complainant and/or their colleagues may contact the Title IX Coordinator, who can explain all aspects of the reporting process, support measures, and possible next steps. If the Respondent (accused person) is an Otterbein employee, the Director of Human Resources may join the Dean of Students for investigative meetings if a complaint is filed.

Victims of sexual assault are encouraged to get to a safe place and obtain immediate medical treatment. Calling 911 is important to obtain immediate medical assistance and medical support, and to preserve evidence. Students and employees are encouraged to report sexual assaults to the Otterbein Police Department or the Westerville Police Department immediately following the incident if possible. An officer from the Otterbein Police Department will meet with the student to take a report. The Complainant can make decisions about their level of involvement in an

investigation and potential criminal or campus student conduct action. Otterbein Police will provide assistance in preserving relevant materials and will obtain, secure, and maintain evidence needed for the criminal and employee/student conduct proceedings.

Contact Information Includes:

Otterbein Police	614.823.1222 or 911
Westerville Police	614.882.7444 or 911

Individuals with complaints of this nature also always have the right to file a formal complaint with the United States Department of Education.

Office of Civil Rights (OCR)
400 Maryland Avenue, SW
Washington, DC 20202-1100
Customer Service Hotline: 800.421.3481
TDD# 877.521.2172
Email: OCR@ed.gov
Web: https://www.ed.gov/about/ed-offices/ocr

Any false report of behavior or incidents alleging sexual misconduct, with an intent to mislead, is a violation of this policy.

The following Official will provide privacy, but no confidentiality, upon receiving a report of conduct prohibited under this policy:

- Julie Saker
- Investigators
- President
- Provost and Senior Vice President for Academic Affairs
- Executive Vice President for Strategic Initiatives
- Vice President of Business Affairs
- Vice President of Institutional Advancement
- Assistant Vice President for Institutional Advancement
- Assistant Vice President for Enrollment Management – Data and Operations
- Assistant Vice President for Enrollment Management – Strategic Initiatives
- Director of Residence Life

Official of Authority

An official of the Authority is a responsible employee who must report to the Title IX Coordinator all relevant details about the alleged sexual violence shared by the victim and that the University will need to determine what happened – including the names of the victim and alleged perpetrator(s), and any witnesses, and any other relevant facts, including the date, time, specific location of the alleged incident. To the extent possible, information reported to an

official of authority employee will be shared only with people responsible for handling the University's response to the report.

Before a victim reveals any information to an official of authority, the official should ensure that the victim understands the official's reporting obligations – and, if the victim wants to maintain confidentiality, direct the victim to confidential resources as designated in this policy.

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

Officials of Authority will not pressure a victim to request confidentiality, but will honor and support the victim's wishes, including for the University to fully investigate an incident. By the same token, the official will not pressure a victim to make a full report if the victim is not ready to.

The University will not tolerate retaliation in any form against the student, faculty, or staff who file a complaint (Complainant), against whom a complaint has been filed (Respondent), serves as a witness, assists the Complainant or Respondent, or participates in an investigation of discrimination or harassment. The University will take steps to prevent retaliation or recurrence of any sexual misconduct against the Complainant or others.

Informal Resolutions
A complainant may request, or the Title IX Coordinator may propose that the parties explore an informal resolution. The informal resolution process is intended to provide a prompt, effective, and mutually agreeable resolution, but does not result in a formal investigation or disciplinary action against a respondent. Typically, an informal resolution involves a meeting with the Title IX Coordinator to explore mutually agreeable solutions. Participation is voluntary, and a complainant or respondent may terminate the informal resolution process at any time and request a formal resolution. Further, if the informal resolution does not prove effective in stopping the prohibited conduct, addressing its effects, and preventing its recurrence, the complaint may pursue formal resolution. Records of informal resolutions will be maintained by the Title IX Coordinator for tracking and enforcement purposes. The results of an informal resolution may be taken into account when fashioning a sanction in a subsequent proceeding.

Enacted: August 14, 2020
Revised: July 26, 2021; October 15, 2021; July 18, 2022; October 2024

Sexual Offender Notification and Information:

The Federal Campus Sex Crimes Prevention Act was enacted on October 28, 2000, and went into effect October 28, 2002. This law requires institutions of higher education to issue a statement advising the campus community where law enforcement agency information, which is provided by a State, concerning registered sex offenders may be obtained. It also requires sex offenders already required to register in a State to provide notice, as required under State law, of each institution of higher education in that State at which the person is employed, carry on a vocation, volunteers services or is a student.

In the State of Ohio, convicted sex offenders must register with the county sheriff of their county of residence address within seven days of moving to that county. The registry was established pursuant to 2950.01 to 2950.14 of the Ohio Revised Code. Every person convicted on or after July 1, 1997, including juveniles tried and convicted in the courts pursuant to ORC 2950.03, whether sentenced as adults or juveniles, of an offense for which registration is required shall be required as a part of the sentence imposed up-on conviction to register and re-register with the county sheriff of their residency county as provided in ORC 2950.04.

In addition, all persons convicted of violations under the laws of the United States or any other state substantially similar to an offense for which registration is required shall provide to the local agency all necessary information for inclusion with an Ohio county sheriff within seven days of establishing a residence within the county. Any person required to register shall also be required to re-register within seven days following any change of residence, whether within the county or any other county.

Any person may search the Franklin and/or Delaware County Sheriff's web pages for information on registered sex offenders in the respective counties. Each county's sheriff maintains an on-line database of registered sex offenders in their particular county. The Sheriff Departments' Sex Offender web sites may be viewed at http://sheriff.franklincountyohio.gov/, or http://www.delawarecountysheriff.com/ Click on Sexual Offender Database and enter or click on the zip codes for Westerville. Both web pages have information by zip code for registered sex offenders within their respective counties. Westerville zip codes are 43081 and 43082.

Preventing & Responding to Sex Offenses:

The University educates the student community about dating violence, sexual assault, and stalking through a variety of methods. A program during freshman orientation called Otterbein Uncensored addresses these topics as well as additional topics to educate new students. During "Move in Weekend", new students have an opportunity to attend a Campus Safety Orientation program put on by OPD. The presentation covers prevention of sexual assaults, date rape, alcohol management, crime prevention, and Otterbein's "Community Approach to Safety." OPD offers and presents programs on prevention of sexual assault, date rape prevention, and other crime prevention related programs.

Otterbein University offers programs related to the prevention of sexual assault and date rape. Programs include: Mandatory online education for all incoming students U Got This!, Take back the Night, Bystander Awareness, Team Consent, and Spring Break Safety.

Literature pamphlets and brochures on the following topics are available through the Office of Housing and Residential Education, Student Affairs, and at the Otterbein University Police Department:

"Sexual Misconduct", "Sexual Assault Is About Power, Control and Anger", "LGBT Sexual Assault", "Sexual Assault Intervention, Education and Prevention Services", "Otterbein University Sexual Misconduct Policy", "Campus Safety Tips", Q & A About Sexual Misconduct" "Available Counseling Services".

If you are a **victim of a sexual assault** at this institution, your first priority should be to get to a place of safety. You should then obtain necessary medical treatment, support, and/or counseling. The University Police Department strongly advocates that a victim of sexual assault report the incident in a timely manner. Time is a critical factor for evidence collection and preservation. An assault should be reported directly to a University officer and/or to a Housing and Residential Education representative. Filing a police report with a University officer will not obligate the victim to prosecute, nor will it subject the victim to scrutiny or judgmental opinions from officers. Filing a police report will:

› ensure that a victim of sexual assault receives the necessary **medical treatment and tests**, at no expense to the victim;

› provide the **opportunity for collection of evidence** helpful in prosecution, which cannot be obtained later (ideally, a victim of sexual assault should not wash, douche, use the toilet, or change clothing prior to a medical/legal exam);

› assure the victim has access to **free confidential counseling** from counselors specifically trained in the area of sexual assault crisis intervention.

When a sexual assault victim contacts the Police Department, the Vice President for Student Affairs will also be notified. A member of Student Affairs and or an **advocate will also be contacted and meet with the victim to provide support.**

The victim of a sexual assault may **choose for the investigation to be pursued** through the criminal justice system and the University Judicial Council, or only the latter. A University representative from the Police Department or the Student Affairs Office will guide the victim through the available options and support the victim in his or her decision. Various **counseling options** are available from the University including meeting with the psychologist, Chaplin, or a peer advocate from the Women's Gender & Sexuality Resource Center. The Student Affairs Office will also inform the victim of Counseling and support services outside the University system should that be desired. Note that the Otterbein University Police Department will inform the Title IX Coordinator of the sexual assault.

University disciplinary proceedings, as well as special guidelines for cases involving sexual misconduct, are detailed in the Campus Life Handbook and Otterbein University Sexual Misconduct Policy. The accused and the victim will each be allowed to choose one person who has had no formal legal training to accompany them throughout the hearing. Both the victim and accused will be informed of the outcome of the hearing. A student found guilty of violating the University sexual misconduct policy could be criminally prosecuted in the state courts and may be suspended or expelled from the University for the First Offense. Student victims have the option to change their academic and/or on-campus living situations after an alleged sexual assault if such changes are reasonably available.

Disclosures to Alleged Victims of Crimes of Violence on Sex Offenses:

Otterbein University will, upon written request, disclose to the alleged victim of a crime of violence, or a non-forcible sex offense, the results of any disciplinary hearing conducted by the University against the student who is the alleged perpetrator of the crime or offense. If the alleged victim is deceased because of the crime or offense, Otterbein University will provide the results of the disciplinary hearing to the victim's next of kin, if so requested.

Security Awareness Programs for Students and Employees:

During "Move in Week" in August, OPD provides an opportunity for new students to attend a safety presentation in which an overview of all the safety programs is presented. Students are also informed of additional services offered by OPD.

The HR department also has OPD provide an overview of security awareness and safety on campus to new employees.

Power Point presentations outline ways to maintain personal safety and residence hall security. Students are told about crime on-campus and in surrounding neighborhoods. Similar information is presented to new employees. Crime Prevention Programs and Sexual Assault Prevention Programs are offered upon request of any student, employee or campus organization or department. A common theme of all awareness and crime prevention programs is to encourage students and employees to be aware of their responsibility for their own security and the security of others. We call it, "The Community Approach to Safety."

In addition to seminars, information is disseminated to students and employees through crime prevention awareness packets, security alert posters, displays, videos, articles and advertisements in university and student newspapers.

When time is of the essence, information is released to the university community through security alerts posted prominently throughout campus and through computer memos sent over the university's electronic mail system.

Crime Prevention Programs for Students & Employees:

Otterbein is dedicated to eliminating and/or minimizing criminal activities through the eyes and ears of all faculty, staff, students, friends, and neighbors of the campus community. Otterbein encourages every employee and student to also be responsible for their own security and for the security of others. Crime prevention brochures and other printed materials are available at the Otterbein Police Department for the entire Otterbein community. Crime prevention programs emphasizing security and safety procedures for students and faculty/staff members are routinely presented throughout the academic year and are available upon request by individuals or groups. Crime Prevention and Security briefings are offered during summer orientation sessions to parents, and students have the option to attend the same presentation during Move-In Week. Human Resources provide new employees with an emergency flipchart, crime prevention safety tips and require new employees to attend Sexual Harassment Prevention training. Some of the crime prevention / safety programs presented are:

Introduction to Crime Prevention:

General crime prevention tips will be presented in the following areas: property theft, identity theft, sexual assault crimes, strangers/solicitors in residence halls, alcohol and drugs, date-rape drugs, fire safety, emergency preparedness, and weather emergency plans. The community approach to crime prevention will be emphasized. This is a broad overview of safety and security on campus.

Crisis Response on Campus; Active Shooters:

University and workplace incidents across the nation, common suspect characteristics, law enforcement's response during an incident, and survival tactics for students, faculty and staff in residence halls, academic and administrative areas will be emphasized. The discussion will also include information on the growing trend of violence on campuses, and in society. Set in a classroom environment, students will learn and practice how to respond in the event of a shooter in their building or classroom. Fleeing, barricading, or locking the doors, attacking the shooter, securing weapons and other important safety issues will be discussed.

Sexual Assault Awareness and Prevention:

The thrust of the lecture will be presenting the criminal, civil and emotional ramifications of sexual assault. Pre-planning and appropriate decision-making will be emphasized, as well as guidance to victims for healthy recovery. Guest instructors may include police officers, sexual assault nurse examiners, and victims of assault.

Alcohol Decisions; Drugs and the Law:

The program includes Otterbein Student Judicial Council and the Ohio Revised Code's interpretations of illegal narcotic use, possession, manufacturing, sales, etc. The presentation will also address date-rape drugs and alcohol.

Residence Hall Fire Safety:

The Otterbein Environmental Health and Safety Officer in conjunction with the Westerville Division of Fire conducts the training. The thrust of the presentation will include fire hazards in residence halls and the evacuation procedures.

Additional Programs

The Student Affairs office via the Wellness section also offers a variety of crime prevention programs to students and employees. Some include: Safety Week Poster Campaign, Bystander Awareness, Violence and Alcohol, Undetected Rapist, Team Consent, Take Back the Night, Sex at 7, Relationship Spectrum, Hope Rises Suicide Awareness, Depression Screening, Men's Madness, 1/HR Campaign, Mocktail Party, Drug Dog Demonstrations, 360 proof.

Standards of Conduct Alcohol and Drugs:

Otterbein University prohibits the unlawful possession, use, and sale of alcoholic beverages and illegal drugs on campus. OPD is responsible for the enforcement of state underage drinking laws as well as the enforcement of Federal and State drug laws.

The unlawful possession and/or consumption of alcoholic beverages and/or illegal drugs are not permitted on campus grounds. Otterbein recognizes the right of choice of individuals to use or refrain from the use of alcoholic beverages and believes that the choice to consume alcohol should be properly exercised in a responsible manner. Otterbein University has based the Alcohol Policy on the recognition that:

- The majority of Otterbein University students cannot legally consume alcohol;
- A number of students who are of legal age to consume alcohol choose not to do so; and
- Alcohol abuse is a health concern on University campuses around the country.

Given these facts, the University acknowledges the desire of those students who are of legal age to consume alcohol responsibly while also ensuring the social life of the campus does not revolve around an activity in which a majority of the students cannot participate. Otterbein University neither forbids nor encourages members of its community regarding drinking alcoholic beverages. Otterbein University students are expected to abide by University policies, and the laws of the City of Westerville, the State of Ohio, and Federal Law relative to the possession, consumption, and serving of alcohol.

Students are expected to comply with university staff and city officials, including, but not limited to, the Westerville Police Department, the Westerville Fire Department, the Otterbein Police Department, Resident Assistants, and Student Affairs staff members. This expectation includes that students will show identification, discontinue concerning behavior when requested, and will grant entry to room, house and/or facility to Student Affairs staff addressing complaints or potential policy violations.

Hazing:

Hazing Policy Statement

Otterbein University prohibits hazing by campus groups and individuals, both on and off campus.

The Student Code of Conduct defines hazing as doing, requiring, or encouraging any act, or coercing another, including the victim, to do any act, whether or not the act is voluntarily agreed upon, that occurs in the course of an initiation into, an affiliation with, or the maintenance of membership in, a student organization and causes or creates a substantial risk of physical or mental harm or humiliation to any person.

Prohibited acts include, but are not limited to, physical abuse in any form, morally degrading activities, inciting fear through the use of threatening words or conduct, and causing, coercing, or otherwise inducing sleep deprivation, loss of senses (such as blindfolding, noise elimination, etc.), exposure to the elements, confinement in a small space, extreme calisthenics, consumption of any substance (such as food, beverages, tobacco, alcohol, drugs), or other activities prohibited by law or University policy.

Otterbein University prohibits hazing as defined in this policy. Any person suffering or witnessing an incident of hazing shall report the incident(s) using any of the reporting options available at Otterbein University. All membership-related activities must be approved by the organization's faculty or staff advisor before the activity occurs and shall be kept within properly reserved space. The activity must not interfere with the rights and activities of others and shall reflect the best interests of the members of the organization it represents as well as the University community as a whole.

Officers of organizations violating hazing policies will be held responsible for the group's actions. They may be referred to the Student Conduct Hearing Board and tried as individuals, even though disciplinary action is taken against the organization.

The University will investigate and respond to all reports of hazing as outlined in this policy.

a. University student groups (e.g. registered student organizations, intramural, club and varsity athletic teams, and other recognized students groups) and individual students are prohibited from hazing.

b. Hazing is prohibited in any form both on and off campus.

ORC 2903.31 Hazing (last updated July 29, 2021)

(A) As used in this section:

(1) "Hazing" means doing any act or coercing another, including the victim, to do any act of initiation into any student or other organization or any act to continue or reinstate membership in or affiliation with any student or other organization that causes or creates a substantial risk of causing mental or physical harm to any person, including coercing another to consume alcohol or a drug of abuse, as defined in section 3719.011 of the Revised Code.
(2) "Organization" includes a national or international organization with which a fraternity or sorority is affiliated.

(B)(1) No person shall recklessly participate in the hazing of another.

(2) No administrator, employee, faculty member, teacher, consultant, alumnus, or volunteer of any organization, including any primary, secondary, or post-secondary school or any other educational institution, public or private, shall recklessly permit the hazing of any person associated with the organization.

(C)(1) No person shall recklessly participate in the hazing of another when the hazing includes coerced consumption of alcohol or drugs of abuse resulting in serious physical harm to the other person.

(2) No administrator, employee, faculty member, teacher, consultant, alumnus, or volunteer of any organization, including any primary, secondary, or post-secondary school or any other educational institution, public or private, shall recklessly permit the hazing of any person associated with the organization when the hazing includes coerced consumption of alcohol or drugs of abuse resulting in serious physical harm to that person.

(D) Whoever violates this section is guilty of hazing. A violation of division (B)(1) or (2) of this section is a misdemeanor of the second degree. A violation of division (C)(1) or (2) of this section is a felony of the third degree.

ORC 3345.19 Anti-hazing policy (Last updated August 24, 2021)

(A) As used in this section:

(1) "Hazing" and "organization" have the same meanings as in section 2903.31 of the Revised Code.
(2) "Institution of higher education" means the following:

(a) A state institution of higher education as defined in section 3345.011 of the Revised Code;

(b) A nonprofit institution holding a certificate of authorization pursuant to Chapter 1713. of the Revised Code;

(c) An institution holding a certificate of registration from the state board of career colleges and schools;

(d) A private institution exempt from regulation under Chapter 3332. of the Revised Code as prescribed in section 3333.046 of the Revised Code.
(B) Each institution of higher education shall develop an anti-hazing policy that prohibits students enrolled in an institution of higher education, or other individuals associated with an organization recognized by or operating under the sanction of an institution, from engaging in hazing or a violation of section 2903.31 of the Revised Code. The policy shall apply to an act conducted on or off-campus if the act is determined to constitute hazing or a violation of section 2903.31 of the Revised Code. The policy shall apply only if the hazing or violation of section 2903.31 of the Revised Code takes place between two or more people who are affiliated with the institution. The policy shall include all of the following:
(1) Rules prohibiting hazing;

(2) A method to enforce the policy;

(3) Appropriate penalties for violations of the policy, which may include any of the following:

(a) The imposition of fines;

(b) Withholding of diplomas or transcripts pending compliance with the rules or payment of fines;

(c) The revocation of permission for an organization to operate on campus or to otherwise operate under the recognition or sanction of the institution;

(d) The imposition of probation, suspension, dismissal, or expulsion.

A penalty imposed under the policy adopted under division (B) of this section shall be in addition to a penalty imposed for a violation of section 2903.31 of the Revised Code, the criminal laws of this state, or for a violation of any other rule of the institution to which the individual or organization who committed the violation may be subject.
(C) Each institution shall provide a copy of the policy, including the institution's rules, penalties, and method to enforce the policy, to each organization within the institution. Additionally, each institution shall post the policy on the institution's publicly accessible web site.

(D)(1) Beginning in the 2022-2023 academic year, each institution shall maintain a report of all violations of the institution's policy adopted under division (B) of this section or other state law regarding hazing that are reported to the institution. Each institution shall post the report on its publicly accessible web site. Each report shall include all of the following:

(a) The name of the subject of the report;

(b) The date when the subject of the report was charged with a violation of the institution's policy or other state law regarding hazing;

(c) A general description of the violation, any investigation and findings by the institution, and any penalties imposed on the subject of the report;

(d) The date on which the matter was resolved.

(2) Each institution shall post the initial report issued under division (D) of this section on the institution's publicly accessible web site not later than January 15, 2023. Thereafter, each institution shall update the report on the first day of January and August of each year and shall post the updated report on the institution's publicly accessible web site. However, each institution shall retain reports for five consecutive years.

(3) The initial report issued under division (D) of this section shall include information concerning hazing violations that have been reported to the institution for the five consecutive years prior to the effective date of this section to the extent that the institution has retained information concerning the violations.

(4) Each report issued under division (D) of this section shall not include the personal identifying information of an individual and shall be subject to the "Family Educational Rights and Privacy Act of 1974," 20 U.S.C. 1232g.

(E)(1) Each institution shall provide students with an educational program on hazing, which shall include information regarding hazing awareness, prevention, intervention, and the institution's policy developed under division (B) of this section. The educational program may be conducted in-person or online. The institution must offer at least one opportunity for students to complete the program during a new student orientation session. Each institution shall verify each student's attendance at the program. Each institution shall prohibit a student who does not attend the program from participating in an organization recognized by or operating under the sanction of the institution until the student attends the program. An organization shall not accept or initiate any person who has not attended the program.

(2) Each institution shall provide all staff and volunteers that advise or coach an organization recognized by or operating under the sanction of an institution and who have direct contact with students with mandatory training on hazing, which shall include information on hazing awareness, hazing prevention, and the institution's policy adopted under division (B) of this section.

(3) Each institution shall adopt rules requiring any organization recognized by or operating under the sanction of that institution to conduct mandatory training on hazing for any volunteer who has contact with students.

(4) Each institution shall ensure that the educational program and training prescribed under this division comply with the guidelines prescribed under division (B)(2) of section 3333.0417 of the Revised Code.

(F) Nothing in this section shall be construed to create a private right of action against any individual or institution of higher education.

Stop Campus Hazing Act (SCHA) | H.R. 5646

This act requires institutions of higher education (IHEs) that participate in federal student aid programs to report hazing incidents. It also renames the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act as the Jeanne Clery Campus Safety Act.

Specifically, the act requires each IHE to disclose hazing incidents that were reported to campus security authorities or local police agencies in its annual security report. The act defines the term *hazing* to mean any intentional, knowing, or reckless act committed by a person (whether individually or in concert with other persons) against another person or persons regardless of the willingness of such other person or persons to participate, that (1) is committed in the course of an initiation into, an affiliation with, or the maintenance of membership in, a student organization (e.g., a club, athletic team, fraternity, or sorority); and (2) causes or creates a risk, above the reasonable risk encountered in the course of participation in the IHE or the organization, of physical or psychological injury.

Additionally, each IHE must include in its annual security report (1) a statement of current policies relating to hazing, how to report hazing incidents, the process used to investigate hazing incidents, and information on applicable laws on hazing; and (2) a statement of policy regarding prevention and awareness programs relating to hazing that includes a description of prevention programs.

Further, an IHE must develop a campus hazing transparency report that summarizes findings concerning any student organization found to be in violation of the IHE's standards of conduct relating to hazing. An IHE is not required to develop or update this report unless the IHE has a finding of a hazing violation.

The act does not apply to foreign IHEs.

HAZING EDUCATION

1. All students are expected to complete hazing education and prevention through the online module facilitated by AliveTek. This module covers Ohio state law, Otterbein University policy, and how to identify and prevent hazing.
2. Students are required to complete this online educational module in order to participate in any University group. This completion for participation is tracked and managed by rosters submitted by individual organizations and respective campus departments.
3. First year students are sent the link to complete the online educational module as part of the required trainings prior to starting classes in the Fall. Current students receive regular reminders throughout the school year encouraging completion of the online educational module.
4. This online module can be accessed by all Otterbein students, staff, and faculty at any

time by going to otterbein.prevent.zone and logging in with their Otterbein credentials.

5. Additional hazing education is provided to the sorority and fraternity community by the Center for Student Engagement. All new members of sororities and fraternities must participate in New Member 101, which covers topics addressing hazing, alcohol, drugs, and general expectations for participating with a chapter on Otterbein's campus. New Member 101 occurs within the first week of the New Member Education process.
6. Sorority and fraternity chapter leadership is also required to complete a Leadership Refresher covering the same topics as New Member 101, which must be completed prior to the start of the New Member Education process.

Hazing Training 2025

DATE	TITLE	AUDIENCE	DESCRIPTION
February 4, 2025	New Member 101 (IFC)	fraternity new members	reviewed policies and provided tangible ways to identify and eliminate hazing
February 10, 2025	New Member 101 (Panhellenic)	sorority new members	reviewed policies and provided tangible ways to identify and eliminate hazing
March 18, 2025	FSL Leadership Retreat	chapter presidents and house managers	skills
September 7, 2025	FSL Leadership Retreat	Panhellenic and IFC officers; chapter presidents	facilitated bystander training & hazing policy refresher; discussed ethical leadership skills; conducted a workshop on new member education strategies for team building and alternative plans to replace historical rituals with potential for harm
September 22-26, 2025	National Hazing Prevention Week tabling- "Hazing is Dum(b)"	all students	tabled & handed out Dum Dum lolipops and a flyer with hazing statistics and reporting strategies

October 5, 2025	New Member 101 (Panhellenic)	sorority new members	reviewed policies and provided tangible ways to identify and eliminate hazing
October 20, 2025	New Member 101 (IFC)	fraternity new members	reviewed policies and provided tangible ways to identify and eliminate hazing
Monthly check-ins at Greek Council Meetings	Hazing Prevention 101	Panhellenic and IFC officers; chapter presidents	discussed hazing prevention tips at each monthly leadership meeting

Reporting Options:

Otterbein University is committed to reviewing all reports of hazing. Campus safety is our top priority and we take all reports of misconduct seriously to protect everyone's health and well-being. Otterbein University depends on community members to identify and report behaviors or concerns so that the University can provide distressed students and employees with appropriate support services and resources.

If a member of the University committee is aware of an immediate physical danger to a student or others, they must contact the Otterbein Police Department at 614-823-1222 or dial 911.

If you see any concerning or suspicious behavior, individuals may report this hazing by contacting any of the following:

- Center for Student Involvement at 614-823-3202 or cse@otterbein.edu
- Dean of Students office at 614-823-1250 or jsaker@otterbein.edu
- Otterbein Police Department at 614-823-1222 or police@otterbein.edu
- Anonymous reports of hazing can be submitted online here – https://www.otterbein.edu/police/silent-witness-form/

Anonymous reports are accepted; however, the University's ability to obtain additional information and investigate anonymous reports may be limited.

When reporting, please be prepared to provide the following information as best as you can:

- What is the name of the organization/individual(s) you are reporting for act(s) of hazing?
- When did the event(s) occur?
- Where did the event(s) take place?
- What time of day did the event(s) occur?

- Who was involved in this event?
- Are there any other people that were present or can corroborate the information you are providing? Please provide their names and contact information (if available).
- How did you become aware of the event(s)?
- Please describe the event(s) in as much detail as possible.
- Please provide any documentation or photographs you may have.
- Your name, phone number, and email address, unless submitting an anonymous report.

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- Your name, phone number, and email address, unless submitting an anonymous report.

Hazing Transparency Report

The Stop Campus Hazing Act (SCHA), enacted on December 23, 2024, amends the Clery Act to prioritize the prevention of and transparency about hazing incidents at colleges and universities. By October 1 of each year, colleges and universities must release their annual security reports (ASRs), which provide information on key campus safety policies and procedures, as well as campus crime statistics for specific incidents reported under the Clery Act. SCHA requires institutions to report Clery Act crime statistics for hazing incidents for the previous three calendar years.

The Otterbein Campus Hazing Transparency Report is issued twice a year and includes each incident involving a student organization for which a finding of responsibility was issued related to a hazing violation. Otterbein's report can be found on our public website at this link: https://www.otterbein.edu/hazing-prevention/.

OTTERBEIN CAMPUS HAZING TRANSPARENTY REPORT: July 1, 2025 – December 23, 2025

No violations have been found since July 1, 2025.

Alcoholic Beverages:

Otterbein Alcohol and Drug Policy

Otterbein believes that the consumption of alcoholic beverages enhances neither the educational process nor the quality of life. Otterbein recognizes the right of choice of individuals to use or refrain from the use of alcoholic beverages but believes that the choice of use is properly exercised elsewhere than on campus grounds, in Otterbein buildings, and in fraternity and sorority houses. Therefore, possession, use, production, distribution or sale of alcohol or other drugs is prohibited. Any faculty, staff or student violating the policy will be subject to Otterbein disciplinary procedures according to the **Otterbein Campus Life Handbook**, available from the

Office of the Vice President for Student Affairs; the **Faculty Manual**, available from the Office of the Vice President for Academic Affairs; and the **Administrative Manual** and the **Personnel Policies Manual** for Non-Exempt Staff, available from the Office of the Vice President for Business Affairs.

The State of Ohio Liquor Control law prohibits the purchase, possession, or consumption of alcoholic beverages or beer by persons under the age of 21 years. Otterbein, as a United Methodist related University, recognizes the merit of the United Methodist position that abstinence is a responsible form of Christian love and witness. The University believes that the consumption of alcoholic beverages enhances neither the educational process nor the quality of life. The Otterbein community functions on the basis of mutual trust and responsibility, and the consumption of alcoholic beverages is potentially disruptive of this educational environment. Otterbein recognizes the right of choice of individuals to use or refrain from the use of alcoholic beverages but believes that the choice of use is properly exercised elsewhere than on campus grounds, in University buildings, and in fraternity and sorority houses.

Alcoholic beverages may not be served or consumed at social events held in buildings on campus, in fraternity or sorority houses, residence halls, theme houses, athletic events, or campus apartments. However, Alcohol may be served, in conformance with all State regulations, at the Frank Museum of Art, which is located 39 South Vine Street, Westerville. The possession, sale, or the furnishing of alcohol on the University's campus is strictly prohibited. The Ohio Liquor Control Commission (OLCC) controls the possession, sale, consumption, or the furnishing of alcohol in Ohio. However, the enforcement of alcohol and drug related violations on campus would be the responsibility of Otterbein University Police Department and the Westerville Police Department.

Violations of this policy will result in a violation as defined by the Student Code of Conduct. Students in violation will be adjudicated in accordance with the student conduct procedures outlined in the Campus Life Handbook. Students in violation of the law may also be charged criminally.

Illegal Drug Possession:

The Otterbein University campus has been designated "Drug free" and only under certain circumstances is the consumption of alcohol permitted. The possession, sale, manufacture, or distribution of any controlled substance is illegal under both state and federal laws. Such laws are strictly enforced by the Otterbein University Police Department. Violations of this policy will result in a violation as defined by the Student Code of Conduct. Students in violation will be adjudicated in accordance with the student conduct procedures outlined in the Campus Life Handbook. Students in violation of the law may also be charged criminally.

Westerville ordnance, Ohio law and Federal law prohibit the following acts related to drugs — knowingly by force, threat or deception, administer to another a controlled substance; sell, offer to sell, prepare for shipment, ship, transport, deliver, prepare for distribution, or distribute a

controlled substance; cultivate marijuana or knowingly manufacture or otherwise engage in any part of the production of a controlled substance; knowingly assemble or possess one or more chemicals that may be used to manufacture a controlled substance in schedule I or II with the intent to manufacture a controlled substance in schedule I or II; knowingly obtain, possess, or use a controlled stance; knowingly make, obtain, possess, or use any instrument, article, or thing the customary and sub-primary purpose of which is for the administration or use of a dangerous drug, other than marijuana, when the instrument involved is a hypodermic or syringe; knowingly use, or possess with purpose to use, drug paraphernalia; by deception, shall procure the administration of, a prescription for, or the dispensing of, a dangerous drug or shall possess an uncompleted preprinted prescription blank used for writing a prescription for a dangerous drug; knowingly adulterate or alter any dangerous drug or substitute any dangerous drug with another substance; knowingly adulterate or alter any package or receptacle containing any dangerous drug or substitute any package or receptacle containing any dangerous drug with another package or receptacle; purpose to induce intoxication or similar physiological effects, shall obtain, possess, or use a harmful intoxicant; knowingly possess, make, sell, offer to sell, or deliver any substance that the person knows is a counterfeit controlled substance; possess an open cartridge of nitrous oxide in a motor vehicle.

Convictions of the above misdemeanor or felony violations may result in a fine, incarceration, or both. Unless specified differently, the maximum jail term for a misdemeanor is not more than 180 days, and the maximum fine is not more than $1,000. Unless specified differently, the maximum jail term for a felony is not more than 11 years, and the maximum fine is not more than $20,000. Additionally, a student's eligibility for federal financial aid might be suspended if the offense occurred while receiving federal student aid (grants, loans, or work-study). If convicted of a drug-related offense after submitting the FAFSA, a student might lose eligibility for federal student aid, and might be liable for returning any financial aid received during a period of ineligibility. Due to a change in Westerville City Ordinance, Student Conduct no longer reports drug violations to financial aid.

Federal Drug Laws: Federal law prohibits the trafficking and illegal possession of controlled substances. Depending on the type of drug and amount, penalties for simple possession range from at most 1-year imprisonment, at least a $1,000 fine, or both; to at most 20 years imprisonment and at least $1,000 fine. Trafficking penalties range from maximum imprisonments of 5 years to life, and maximum fines from $250,000 to $20 million.

Legal Sanctions under Local, State and Federal Laws:

Alcohol: Westerville ordinance and Ohio law prohibit the following acts related to alcohol — any person from possessing an opened container of beer or intoxicating liquor in any public place, or in any motor vehicle on a street or other public or private property open to the public for vehicular travel or parking; anyone under 21 of purchasing beer or intoxicating liquor; furnish false information to purchase beer or intoxicating liquor; consume beer or intoxicating liquor in a motor vehicle; buy or furnish beer or intoxicating liquor to anyone under 21 years of

age unless supervised by parent; as an owner or occupant of any public or private place knowingly permit any under-age person to remain in or on the place while possessing or consuming beer or intoxicating liquor; any underage person from knowingly order, pay for, attempt to purchase, possess, or consume any beer or intoxicating liquor in any public or private place; any underage person from being under the influence of any beer or intoxicating liquor in any public place; operate or have physical control of a vehicle anywhere while under the influence; while voluntarily intoxicated in a public place or in the presence of 2 or more persons engage in conduct likely to be offensive or to cause inconvenience, annoyance, or alarm to persons of ordinary sensibilities, which conduct the offender, if the offender were not intoxicated, should know is likely to have that effect on others; while voluntarily intoxicated engage in conduct or create a condition that presents a risk of physical harm to the offender or another, or to the property of another. Convictions of the above misdemeanor violations may result in a fine, incarceration, or both. Unless specified differently, the maximum jail term for a misdemeanor is not more than 180 days, and the maximum fine is not more than $1,000.

Penalties

The purchase, consumption, transportation, or possession of alcoholic beverages by a person under 21 is punishable by fines of up to $1000.00, loss of driving privileges, and up to 180 days in jail in Ohio.

Misrepresentation of age to purchase alcohol and altering, selling, or manufacturing of false identification is also punishable by minimum fines of $1,000.00 and loss of driving privileges. The selling or furnishing of alcoholic beverages to those under the age of 21 is punishable by law in the following manner; A mandatory fine of $1,000.00 for the first offense, and $2,500.00 for each subsequent violation. Lying about one's age to obtain alcohol, making a false ID, possessing a false ID and furnishing alcohol to individuals under the age of 21 are misdemeanor offenses.

A summary of penalties related to alcohol may be found online In the Ohio Revised Code. A complete summary of federal penalties related to alcohol and illicit drugs may be found online at the U.S. Drug Enforcement Administration.

Otterbein University has programs and policies in place to support a drug-free environment. A complete copy of Otterbein's Drug and Alcohol Policy may be obtained by contacting Human Resources at 614-823-1130.

If an employee has concerns about drug or alcohol use- their own or others- they may want to consult with the universities employee assistance program (EAP) counselors.

Drug Law Violations and Financial Aid:

A federal or state drug conviction can disqualify a student for federal student aid funds (FSA) if it was for an offense that occurred during a period of enrollment for which the student was receiving federal Title IV aid.

The chart below illustrates the period of ineligibility for FSA funds, depending on whether the conviction was for sale (including conspiring to sell) or possession and whether the student had previous offenses.

	Possession of illegal drugs	Sale of illegal drugs
1st offense:	1 year from date of conviction	2 years from date of conviction
2nd offense:	2 years from date of conviction	indefinite period
3+ offenses:	indefinite period	indefinite period

If the student was convicted of both possessing and selling illegal drugs, and the periods of ineligibility are different, the student will be ineligible for the longer period.

A student regains eligibility the day after the period of ineligibility ends or when he or she successfully completes a qualified drug rehabilitation program or, effective beginning with the 2010–2011 award years, passes two unannounced drug tests given by such a program. Further drug convictions will make one ineligible again.

Students denied eligibility for an indefinite period can regain it after successfully completing rehabilitation program (as described below), passing two unannounced drug tests from such a program, or if a conviction is reversed, set aside, or removed from the student's record so that fewer than two convictions for sale or three convictions for possession remain on the record. In such cases, the nature and dates of the remaining convictions will determine when the student regains eligibility. It is the student's responsibility to certify they have successful completion of the rehabilitation program.

When a student regains eligibility during the award year, he or she may receive Pell, ACG, National SMART, TEACH, and Campus-based aid for the current payment period and direct loans for the period of enrollment.

Standards for a qualified drug rehabilitation program:

A qualified drug rehabilitation program must include at least two unannounced drug tests and must satisfy at least one of the following requirements:

• Be qualified to receive funds directly or indirectly from a federal, state, or local government program.

• Be qualified to receive payment directly or indirectly from a federally or state-licensed insurance company.

• Be administered or recognized by a federal, state, or local government agency or court.

• Be administered or recognized by a federally or state-licensed hospital, health clinic, or medical doctor.

Title IV Federal Aid includes: Federal Work Study, Federal Direct Loans, Federal Pell Grants, Supplemental Educational Opportunity Grants, Academic Competitive Grants, Federal SMART Grants, Robert C Byrd Scholarships, and Federal Perkins Loans.

Substance Abuse Education and Support:

Drug and alcohol education programs are conducted regularly to heighten awareness of the necessity to have a drug-free community at Otterbein University. Resources are provided to community members by sources such as the Office of the Dean of Students, Campus Life, OPD, the Health Center, and Human Resources Services. Education and Awareness programs, including Alcohol Education are offered during Orientation and throughout the year www.otterbein.edu/public/CampusLife/DivisionOfStudentAffairs.aspx

Counseling, Treatment, Rehabilitation and Re-Entry Programs and Community Resources:

In addition to sanctions designed to reduce alcohol and other drug abuse, Otterbein has a variety of on-campus prevention and education programs as well as access to off-campus screening, intervention, and treatment programs available. The Otterbein Student Affairs Wellness Department can provide information and help put students in touch with a variety of community resources available to assist those who are experiencing alcohol and other drug-related problems. Another resource available to students is the "ECHECKUP TO GO" website. Written for students, this interactive website provides an abundance of information on alcohol and an individual alcohol assessment. All first-year Otterbein students are required to complete ECHECKUP by September 1.

Counseling, Treatment, Support:

http://www.otterbein.edu/public/CampusLife/HealthAndSafety/Counseling.aspx

Alcohol and Drug Chart Effects and Health Hazards:

	NAME CATEGORY	*EFFECTS* / POSSIBLE HEALTH RISKS
Alcohol		*Drowsiness, slurred speech, nausea, loss of coordination, impaired memory, loss of consciousness* / Increased risk of injuries, violence, fetal damage in pregnant women; depression; neurologic deficits; hypertension; liver and heart disease; addiction; fatal
Cannabinoids	Hashish Marijuana	*Relaxation; slowed reaction time; distorted sensory perception; impaired balance and coordination; increased heart rate and appetite; impaired learning and memory; anxiety; panic attacks; psychosis* / Cough; frequent respiratory infections; possible mental health decline; addiction
Club Drugs	MDMA (Ecstasy) Flunitrazepam (Rohypnol) GHB	MDMA: *Mild hallucinogenic effects; lowered inhibition; anxiety; chills; sweating; teeth clenching; muscle cramping* / Sleep disturbances; depression; impaired memory; hyperthermia; addiction Flunitrazepam: *Sedation; muscle relaxation; confusion; memory loss; dizziness; impaired coordination* / Addiction GHB: *Drowsiness; nausea; headache; disorientation; memory loss* / Unconsciousness; seizures; coma
Depressants	Barbiturates (Amytal, Seconal, Phenobarbital) Benzodiazepines (Ativan, Valium, Xanax) Sleep Medications (Ambien, Sonata, Lunestra)	*Sedation/drowsiness, reduced anxiety, lowered inhibitions, slurred speech, poor coordination, confusion, dizziness, impaired coordination and memory* / Slowed pulse, lowered blood pressure, slowed breathing, tolerance, withdrawal, addiction; increased risk of respiratory distress and death when combined with alcohol Barbiturates: *euphoria, fever, irritability* / Life-threatening withdrawal in chronic users
Dissociative Anesthetics	Ketamine PCP & analogs Salvia Divinorum Dextromethorphan (DXM)	*Feelings of being separate from one's body and environment; impaired motor function* / Anxiety; tremors; numbness; memory loss; nausea Also for ketamine: *Analgesia, delirium* / Respiratory depression and arrest; death Also for PCP and analogs: *Analgesia; psychosis; aggression; violence; slurred speech; loss of coordination; hallucinations* Also for DXM: *Euphoria; slurred speech; confusion; dizziness; distorted visual perceptions, vomiting, paranoia, impaired motor function*
Hallucinogens	LSD Mescaline Psilocybin	*Altered states of perception and feeling; hallucinations; nausea* Also for LSD and mescaline: *Increased body temperature, heart rate, blood pressure; loss of appetite; sweating; sleeplessness; numbness; dizziness; weakness; tremors; impulsive behavior; rapid shifts in emotion* Also for LSD: Flashbacks, Hallucinogen Persisting Perception Disorder Also for psilocybin: *Nervousness; paranoia; panic*

Opioids and Morphine Derivatives	Codeine, Heroin, Morphine, Methadone Fentanyl and analogs, Other opioid pain relievers (Oxycontin, Percodan, Percocet, Vicodin, Lortab, Lor- cet, Dilaudid, Demerol, Dar- von, Darvocet)	*Pain relief, euphoria, drowsiness, sedation, weakness, dizziness, nausea, impaired coordination, confusion, dry mouth, itching, sweating, clammy skin, constipation /* Slowed or arrested breathing, lowered pulse and blood pressure, tolerance, addiction, unconsciousness, coma, death; risk of death increased when combined with alcohol or other depressants
Other Compounds	Anabolic Steroids Inhalants	Steroids: Hypertension; blood clotting and cholesterol changes; liver cysts; hostility and aggression; acne; prostate cancer Inhalants: *Stimulation; headache; nausea; slurred speech; loss of motor coordination /* Muscle weakness; depression; memory impairment; damage to cardiovascular and nervous systems; unconsciousness; sudden death
Stimulants	Amphetamines (Adderall) Methylphenidate (Concerta, Ritalin)	*Feelings of exhilaration, increased energy, mental alertness* / Increased heart rate, blood pressure, and metabolism; reduced appetite; weight loss; nervousness; insomnia; seizures; heart attack; stroke
Tobacco	Nicotine	*Increased blood pressure and heart rate /* Chronic lung disease; cardiovascular disease; stroke; cancers of the mouth, pharynx, larynx, esophagus, stomach, pancreas, cervix, kidney, bladder, and acute myeloid leukemia; adverse pregnancy outcomes; addiction

Students who are required to be seen by medical personnel and/or transported to the hospital or a medical facility due to excessive alcohol consumption may be required to have an assessment. Students will be required to complete the recommendations of the assessment at their own expense. The student, medical personnel, or University staff will notify a parent if the student is transported to a medical facility due to excessive consumption of alcohol.

Substance Abuse Education:

PREVENTION PROGRAMS

The Student Affairs Department of Wellness has developed a program to prevent the illicit use of drugs and the abuse of alcohol by students and employees. The program provides services related to drug use and abuse including dissemination of informational materials, educational programs, counseling services, referrals and university disciplinary actions.

Alcohol and Drug Education:

University Health Services, Employee Assistance Program, University Health Class.

Counseling Services:

Otterbein University has a counseling center staffed by a Professional Clinical Counselor as well as pastoral counseling for students and an Employee Assistance Program for employees.

Referral Services:

The following can make referrals: Counseling Center, and Chaplain, Student Affairs personnel, Judicial Board, OPD, Human Resources and the courts.

University Disciplinary Actions:

Faculty/Student Judicial Review Committee.

Director of Student Development.

LOCAL, STATE & FEDERAL LEGAL SANCTIONS Legal Sanctions – Laws Governing Alcohol

The State of Ohio sets 21 as the minimum age to purchase or possess any alcoholic beverage. Specific ordinances regarding violations of alcohol laws, including driving while intoxicated, are available from the Otterbein University Police Department. Effective 2006, the Ohio Liquor Laws were revised to include the following:

1. Persons under age 21 found possessing alcohol may be given a maximum fine of $1,000.

2. Anyone convicted of fraudulently using a driver's license to buy or attempt to buy alcohol may be given a maximum fine of $1,000.

3. Persons convicted of buying alcohol through fraudulent means face a possible $1,000 fine.

A violation of any law regarding alcohol is also a violation of the University's Student Code of Conduct and will be treated as a separate disciplinary matter by the University.

Drug-Free Schools and Communities Act Policy (1989):

Otterbein University's primary concern is for the health, safety, and welfare of the university community. Otterbein complies fully with local, state, and federal regulations regarding the sale, possession, and consumption of alcoholic beverages. The unlawful manufacture, possession, use or distribution of illicit drugs or controlled substances on university property or as part of university activities is strictly prohibited. All members of the university community are held responsible for their behavior and for respecting the rights of others.

Otterbein endeavors to encourage a culture of compliance and is committed to providing education regarding the negative impacts of illicit drug use, misuse of prescription drugs, and the excessive or illegal consumption of alcohol. Otterbein provides programs and resources to promote healthful experiences. Additionally, Otterbein seeks to encourage responsible bystander behavior and timely reporting.

Consistent with the provisions of the Federal **Drug Free Schools and Community Act**, Otterbein University hereby notifies each of its students and employees of its policy regarding the following:

1) Policy details and procedures, including the unlawful possession, use or distribution of illicit drugs and alcohol by students on university property or as part of any university activity is prohibited. See the Campus Life Handbook.
2) Students and employees of Otterbein University are subject to applicable sanctions for violations of local, state, and federal law. See Annual Campus Security and Fire Safety Report at and Campus Life Handbook.
3) There are health risks associated with the use of illicit drugs and alcohol. (See Annual Campus Security and Fire Safety Report)
4) Students may become informed of drug and alcohol counseling, treatment, rehabilitation, or reentry programs by contacting the university health center, counseling center, Student Affairs, or off-campus resource. (See Annual Campus Security and Fire Safety Report)
5) Otterbein will impose sanctions on students consistent with all applicable provisions of the Student Handbook. (See Campus Life Handbook)
6) Otterbein's policy will be reviewed by the University administration, as required by law, on a biennial basis.

Security and Access to Campus Buildings:

Most campus buildings and facilities are accessible to students, parents, employees, contractors, and guests during normal business hours, excluding holidays. Athletic facilities, the library, and other select University service areas have varying hours of operation. Most of the academic and administrative buildings on campus are controlled by a card access system. While these buildings will be locked and closed to the general public after regular business hours, students, faculty, and staff may gain access by using their University identification card in the card access system. In the case of periods of extended closing, non-residential buildings will be secured according to schedules developed by the department responsible for the facility, and the university will admit only those with prior approval to all facilities.

Residential buildings are secured 24 hours a day. Most exterior doors in student residential halls are controlled by card access, and students are issued a key for their room. Over breaks, students will turn in their room keys and their Otterbein University Cardinal Card access is cancelled. Only those students who have prior permission to stay during break will have card access.

Resident Life Staff and the Otterbein Police Department conduct patrols of campus buildings to evaluate and monitor security related matters.

Security Considerations Used in the Maintenance of Campus Facilities

Otterbein University maintains campus facilities in a manner that minimizes hazardous and unsafe conditions. Parking lots and pathways are illuminated with lighting. OPD works closely with the Otterbein Service Department to address burned out lights promptly as well as malfunctioning door locks, malfunctioning emergency phones or other physical conditions that enhance security. Other members of the University Community are encouraged to report equipment problems to OPD or to Facilities Management to help keep the campus safe.

OPD and the Director of Residence Life frequently meet to discuss safety issues concerning the residence halls. The Director of Physical Plant is also consulted when appropriate.

Missing Student Notification Policy and Procedures:

Missing Person Policy – The Higher Education Act (HEA) Title IV, Section 485(j), requires higher education institutions that provide any on-campus housing facility to establish a policy regarding missing student notification procedures for students who reside in on-campus student housing facilities. On campus housing is clarified as "any student housing facility that is owned or controlled by the institution or is located on property that is owned or controlled by the institution and is within the reasonably contiguous geographic area that makes up the campus".

This includes all Otterbein-owned or controlled residential halls, sororities, and fraternities. As such, Otterbein has established the following policy and procedure to address students residing on campus who are reported as missing:

1. The Campus Life Handbook shall inform each student by HEA Title IV, section 485(J), that students who reside in on-campus housing have the option to identify an individual to be contacted by Otterbein no later than 24 hours after the student is determined to be missing. Additionally, Otterbein will notify the appropriate law enforcement agency no later than 24 hours after a student residing in on-campus housing is determined to be missing. If the student is under 18 years old and not emancipated, Otterbein will notify a parent/guardian no more than 24 hours after the student has been determined to be missing.

2. Otterbein shall provide each student residing in on-campus housing the means to register confidential contact information; to be utilized in the event the student is determined to be missing for more than 24 hours, by completing the Otterbein Office of Residence Life "Entering Student Housing & Board Information Form" or the "Returning Student Housing & Board Information Form." Any confidential contact information provided for missing person notification purposes will only be used for this purpose.

3. Otterbein shall initiate the "Missing Student Notification Procedures" if the Otterbein Police Department, or a law enforcement agency, determines through their investigation of a missing person report that an Otterbein student residing in on-campus housing has been missing for more than 24 hours and has not returned to campus.

4. Otterbein's "Missing Student Notification Procedures" are as follows for students who reside in on-campus housing:

a. Any official report made to Otterbein students, faculty, or staff of a missing student who resides in on-campus housing is to be immediately referred to the Otterbein Police Department.

b. Upon investigation by the Otterbein Police Department, if the student is determined to have been missing for more than 24 hours, the following notification procedures will be followed:

i. Otterbein personnel to be notified when an Otterbein student residing in on-campus housing has been determined as missing for more than 24 hours, including the Vice President for Student Affairs, Chief of Police, and Executive Director of Marketing and Communications 12

ii. If the missing student has provided Otterbein with an individual to contact if determined missing for more than 24 hours, Otterbein Police Department will notify this individual that the student has been determined missing for over 24 hours.

iii. If the student is under 18 years of age and not an emancipated individual, the Otterbein Police Department will immediately contact the student's parent/legal guardian.

iv. If neither ii nor iii applies, the Otterbein Police Department will notify the appropriate law enforcement agency that the student has been missing for more than 24 hours.

Description of On-Campus Student Housing Fire Safety Systems Alarms and Monitoring:

At Otterbein University, 97% of student sleeping rooms are equipped with a smoke detector that is connected to a supervised fire alarm system. Student sleeping rooms are defined as the actual room in which the occupants live and sleep. 3% would are found in the Greek and Theme houses. Most of those smoke detectors only sound to make notification within the house, so when people evacuate, they need to call 911 to report.

All student housing fire alarm systems, if activated, result in a signal being transmitted to a monitored location, the monitoring company will then notify Westerville Police and Fire

Communications Center. The WPD Communications section will then dispatch OPD and WFD to the appropriate location.

Fire alarms systems are monitored 24 hours/day, seven days/week by Hard Fire Suppression Systems and Emergency 24 Monitoring Center. Information on specific residential buildings is posted in the chart below.

Facility:	Fire alarm monitoring On-Campus Each calendar year	Partial sprinkler system	Full sprinkler system	Smoke detectors	Manual pull stations	Fire extinguishers	Evac plans posted
Residence Halls							
Kerr Hall	X		X	X	X	X	X
Clements Hall	X			X	X	X	X
DeVore Hall	X		X	X	X	X	X
Davis Hall	X			X	X	X	X
Dunlap-King	X	X		X	X	X	X
Engle Hall	X			X	X	X	X
Garst Hall	X			X	X	X	X
Hanby Hall	X			X	X	X	X
Home St. Commons I & II	X		X	X		X	X
Home St. Commons III & IV	X		X	X		X	X
Mayne Hall	X			X	X	X	X
Park St. Commons I & II	X		X	X		X	X

Park St. Commons III & IV	**X**		**X**	**X**		**X**	**X**
Scott Hall	**X**			**X**	**X**	**X**	**X**

Sororities

LOCATION:	**Fire Alarm Monitoring** **On-Campus** **Each calendar year**	**Partial sprinkler system**	**Full sprinkler system**	**Smoke detectors**	**Manual pull stations**	**Fire extinguishers**	**Evac plans posted**
Epsilon Kappa Tau				**X**		**X**	**X**
Sigma Alpha Tau				**X**		**X**	**X**
Tau Delta				**X**		**X**	**X**
Theta Nu				**X**		**X**	**X**

Fraternities

LOCATION:	**Fire Alarm Monitoring On-Campus** **Each calendar year**	**Partial sprinkler system**	**Full sprinkler system**	**Smoke detectors**	**Manual pull stations**	**Fire extinguishers**	**Evac plans posted**

Lambda Gamma Epsilon				**X**		**X**	**X**
Sigma Delta Phi				**X**		**X**	**X**

Theme Houses

LOCATION:	Fire Alarm Monitoring On-Campus Each calendar year	Partial sprinkler system	Full sprinkler system	Smoke detectors	Manual pull stations	Fire extinguishers	Evac plans posted
46 W. Home St.				**X**		**X**	**X**
154 W. Home St.				**X**		**X**	**X**
155 W. Home St.				**X**		**X**	**X**
162 W. Home St.				**X**		**X**	**X**

http://www.otterbein.edu/public/CampusLife/HealthAndSafety/Police.aspx

Policies on Portable Electronic Appliances, Smoking and Open Flames in a Student Housing Facility:

Students are encouraged to exercise extreme care when selecting electrical appliances for their campus housing. Each of these electrical appliances must be Underwriters Laboratory (UL) approved, in good operating condition, and not left unattended when in use. Students should remember the space limitations of many areas and the number of outlets available to them. With this in mind, students may bring the following items into the residence halls, theme houses and

Commons apartments:

Air Purifiers, Clocks, Computers, Curling irons/curlers, DVD/VCR, Player/Recorder, Fans, Non-Ionic Hair Dryers & Hair Implements (straighteners, etc.), Holiday lights (not stranded together), Hot air popcorn poppers, Iron (auto shut-off), Lighted make up mirror, Microwave* (800 watts or less), Power strips with circuit breakers, Razors (electric), Reading lamps (excluding Halogen reading lamps without safety grids), Refrigerator * (up to 4 cubic ft., limited to one per room), Sewing machine, Stereo System (small), Surge Protectors with a 14 gauge wire (heavy duty), Television, Video Game System, Ionic hair implements (hair dryer, curling iron, hair straightener) are not allowed because they may cause the fire alarms to activate.

*Refrigerators and microwaves should be limited to one of each per residence hall room. Commons apartments and theme houses may have one microwave per house/apartment located in the kitchen and may not bring additional refrigerators into the facility. Students in the Commons and theme houses ONLY may possess and use toasters, coffee makers and George Foreman grills with extreme caution in the kitchen area only. Only students who have been granted a medical accommodation through the Disabilities Services Coordinator may use a portable air conditioner during fall and spring semester.

Due to the risk of fire when using the following electrical appliances, students shall refrain from possessing and/or using them in the residence halls, theme houses and Commons apartments. If any violation of these items is found, the resident will be referred to judicial council.

Any appliance not clearly marked as UL approved, Any appliance with an exposed heating element Air conditioners (unless approved by the Disability Services Coordinator), Broiler ovens, candles (including candle warmers), Electric blankets, Electric potpourri pots, Electric frying pans/griddles/devices, Extension cords (all types), Halogen lamps without safety grids, Heat or Sun Lamps, Hot plates, Ionic Hair Dryers, Oil popcorn poppers, outlet expanders, Scented oil burners, Space Heaters, Sun or heat lamps, Toasters, Toaster ovens, or any item which causes the fire alarm to activate.

Any appliance not included in these lists must be approved by a Hall Director before usage. Any use of an electric appliance requires that the resident monitor the placement of the electric cords (i.e., do not let cords lie on or next to heating units). Neither power strips nor extension cords can be used with any appliances that create heating or cooling, such as refrigerators and coffee makers. These appliances must be plugged directly into a wall outlet. Students shall make smart choices to assure their safety and the safety of others in the residence halls, theme houses and Commons apartments.

The following guidelines will help students decrease the risk of a fire hazard in their living area:
• Empty wastebaskets on a regular basis in the dumpsters provided outside, do not place wastebaskets in closets and use metal wastebaskets.
• Refrain from playing pranks.

• Assure all items taped to walls are taped at all corners using removable tape/tabs, or small tacks.
• Do not hang anything from the ceiling and/or over a light.
• Do not build lofted beds in halls where furniture is not meant to be lofted.

Due to the community environment and the added risk of loss or damage to life or property, the following items are prohibited in all residence units: smoking, candles with flame, vehicle batteries, charcoal, gasoline, and items identified in under the Concealed Weapons policy and Firearms/Firecrackers policy.

Fire Safety - Major Violations Sanctions:

Creating False Alarms - No person shall cause the evacuation of any building or place or otherwise cause public inconvenience or alarm by circulating a warning of fire or other impending catastrophe, or in any manner engaging in conduct which induces public panic or alarm.

Failure to Evacuate a Structure - Failure to evacuate a structure when an alarm is sounded, either automatically or manually, or vocally expressed by University officials or Westerville Fire or Police officials, shall constitute a major judicial violation and may result in criminal charges for violation of local and state laws. Tampering with Fire Alarms and Equipment/Fire Extinguishers - Fire extinguishers, fire detectors, and alarm equipment are for emergency use only.

Tampering with fire extinguishers, detectors, or alarm equipment except in the event of a fire constitutes a violation of the laws of the City of Westerville. Anyone tampering with or discharging fire extinguishers or tampering with fire alarm and detection equipment will be subject to penalties through the campus judicial system and will be referred to local authorities when deemed appropriate.

Fire Safety – Minor Violations Sanctions:

Students are encouraged to exercise extreme care when selecting electrical appliances for their campus housing. Each of these electrical appliances must be Underwriters Laboratory (UL) approved, in good operating condition, and not left unattended when in use. Students should remember the space limitations of many areas and the number of outlets available to them. With this in mind, students may bring items listed (under Electrical Appliances in the Residence Life and On-Campus Housing policies) into the residence halls, theme houses, and Commons apartments.

Because of the significant risk of fire, **hoverboards** are not allowed in any campus buildings, including residential facilities.

Procedures Students and employees should follow in the case of a fire:

Corridors and Exits

It is absolutely essential for corridor separations and stairwell doors to be closed at all times, unless the door is equipped with an approved electromagnetic door closer. Fire doors retard the travel of smoke, heat, toxic gases, and fire. All stairwell doors must be closed at all times. Do not place any combustible material on these doors. Absolutely no paneling, burlap, draperies, parachute netting, Styrofoam, or any type of wood can be installed in exit corridors or stairwells.

Building fire equipment such as sprinkler heads, smoke detectors, heat detectors, fire hoses, extinguishers, standpipes, and alarm boxes must remain in good working condition and must not be obstructed. Unauthorized use or tampering with this equipment will result in disciplinary and/or legal action.

Emergency Exits

- Do not prop open or obstruct designated fire doors. • Do not lock or otherwise close a fire or exit door to prevent or impede exit.
- Remove all obstructions from emergency exits and corridors.
- Report blocked or locked fire exits to an ADRL, Resident Assistant, Department Chair or Otterbein Police or Service Dept.
- Do not obstruct fire alarm boxes, fire hoses, fire standpipes, fire extinguishers, sprinkler heads, fire/smoke detectors, or any other fire protection equipment.

When an alarm is activated, there are a few steps to follow:

- Remain calm and close the windows in the room.
- Take only clothing that will be needed for the type of weather conditions that exist. Do not try and collect personal items to take with you.
- Turn off any electrical items you may have on at the time, including lights and a stove/oven.
- Stay low if you are going through smoke or toxic fumes.
- Leave by the nearest exit. When a fire alarm is active any door to the building may be used to exit so long as it is safe to do so.
- Do not use elevators. Use only the stairs.
- Proceed to the Emergency Assembly Area (EAA) for your building. This information is posted in each residential facility and is available through your Residence Assistant. In non-housing facilities, this information is available from

your building coordinator. Your Building Captain and/or their designees will also provide you directions to your EAA in the event a building evacuation occurs.

- Never attempt to go back into the building even if the alarm stops sounding. Wait until Public Safety personnel have cleared the building and given permission to re-enter.
- In an actual emergency if you are trapped and not able to exit a room or the building, yell for help and call 911 using a phone in the building or your cellular phone. Stay in one location as long as it is safe to do so. Be sure you can give your location in the building as best as you can so an officer can locate and assist you.
- Report blocked, locked, or propped fire exits to an ADRL, Residence Assistant, Department Chair, Otterbein Police, Service Department, or the Environmental Health and Safety Officer.
- Do not obstruct fire alarm boxes, fire hoses, fire standpipes, fire extinguishers, sprinkler heads, fire/smoke detectors, or any other fire protection equipment.

Fire Safety Education and Training Programs Provided to Students and Employees:

The Otterbein Police Department along with the Westerville Division of Fire and the Otterbein Health and Safety Officer offer fire safety education training for the campus community. Assistant Directors of Residence Life have been trained at the beginning of the school year as have laboratory assistants. Fire Extinguisher training has also been conducted. The programs are designed to familiarize everyone with the fire safety system in each housing facility, and train everyone on the procedures to be followed in case there is a fire. Evacuation routes and fire alarm equipment locations are discussed. During these programs, trainers emphasize that participating in fire drills is mandatory. Students with disabilities are given the option to have a "buddy" assigned to them.

If a fire occurs, students are instructed to leave hazardous areas per the evacuation routes and get to a predetermined location before calling 911 for help. They are to remain in that location so that the director of Student Housing or someone from the Student Housing office has documented that the student has left the building. Person's evacuating are instructed to pull the fire alarm as they are leaving the building if they can do so without risking their safety.

All residence halls are equipped with fire detection and firefighting equipment. All residents should familiarize themselves with the emergency escape plan for their residence hall.

Throughout the year fire alarm systems will be tested to ensure they are in working order. When an alarm sounds all occupants must vacate the facility for their own safety and so firefighters can focus on fighting the fire and not have to worry about saving lives.

In the event of an actual fire, the local fire department or OPD will notify residents when it is safe to re-enter a building. Students should assume all alarms are actual emergencies and respond accordingly. No one is permitted to enter the building, even if the alarm is silenced, until fire and police personnel give the okay to re-enter the building.

Fire Drills in Student Housing Facilities:

In compliance with Ohio Fire Code, Otterbein University will conduct regular fire drills and fire inspections of all residential facilities, which include residence halls, theme houses, Greek houses, and the Commons apartments. As outlined in the Ohio Fire Code, the drills and inspections will take place at unexpected times and under varying conditions to simulate the unusual conditions that occur in case of fire. These drills will be completed two times in a year, one each semester, one within the first 10 days of classes and one after sunset and before sunrise. Residence Life and Student Affairs staff may assist University Police in coordinating compliance with these policies. Any violation of university policy, including Failure to Evacuate, will be documented and forwarded to the Director of Student Conduct.

Reporting a Fire: List of the Titles of Each Program or Organization to Whom Students and Employees Should Report that a Fire Occurred:

Persons reporting a fire should call 911. If there is a fire in your area and the alarm has not sounded, you should immediately activate a local fire alarm pull station and evacuate the building. Per federal law, Otterbein is required to annually disclose statistical data on all fires that occur in on-campus student housing facilities.

Listed below are the **non-emergency** numbers to call to report fires that have **already been extinguished in on-campus student housing**. These are fires for which you are unsure whether the University may already be aware but know it should be reported. If you find evidence of such a fire or if you hear about such a fire, please provide as much information as possible about the location, date, time and cause of the fire by contacting one of the following:

- Otterbein Police at 614-823-1222
- Director of Residence Life at 614-823-1250
- Environmental, Health, and Safety Officer at 614-823-1990
- Facilities Director at 614-823-1300

Fire Safety Improvements and Upgrades:

The University has adopted the National Incident Management System (NIMS) for all of its emergency and non-emergency events, and now has complete NIMS compliance since Dec. 31, 2010. The adoption of NIMS will improve the university's response to emergencies and hazards, especially fires. The Otterbein University Environmental Health and Safety Officer, in conjunction with Westerville City Fire Inspector, will inspect all University owned buildings, including all residential buildings for an annual fire inspection.

The Otterbein University Environment Health and Safety Officer, Facilities Management, Resident Life Staff, also annually review the fire systems in our residence halls and make upgrades, repairs, or revisions when problems or improvements are identified. There are no current plans to upgrade the fire systems in any of Otterbein owned residential facilities.