



**Campus Safety & Security Report**

**Calendar Year 2019**

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January 1, 2019 to December 31, 2019

**Report Released: 12/31/2020**

Office of Institutional Research  
Union Institute & University  
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*Safety and Security Report January 1, 2019 – December 31, 2019*

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### **Statement of Disclosure**

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, codified at 20 USC 1092(f) as part of the Higher Education Act of 1965, (known as the Clery Act) is a federal law that requires colleges and universities to provide information about specific types of crimes covered under the Clery Act occurring during the previous calendar year. The Office of Institutional Research prepares the Campus Safety & Security Report each September, using information provided by the university's centers of any Clery Act incidents reported to designated campus officials and/or local law enforcement agencies. The report can be found on the university's main web page. Print copies of the report may be obtained by contacting the Office of Institutional Research; prospective employees may request a copy of the report from the Human Resources department. Readers will see from the report that UI&U centers and surrounding areas are safe places to work, study, and visit—there were no or very few incidents in 2019 at university facilities.

Definitions used for this report:

- On-campus: On-campus incidents are those that occurred inside facilities leased by the university, hallways and other access areas to those facilities, and exterior areas immediately adjacent to those facilities, including parking lots serving the facility.
- Off-campus: Off-campus incidents are those that occurred at a non-campus location leased by/controlled by UI&U. For our purposes, this category includes: hotels where the cohort Ph.D. program holds its twice-yearly academic residency--covering only those areas rented by UI&U (e.g. meeting rooms, faculty and staff rooms, but not student's rooms). Incidents that may occur at Bachelor of Science off-campus course locations are not included because these facilities are not under UI&U control.
- Public property: As required by the federal regulations, the report also includes incidents occurring on public property surrounding UI&U centers: such as public sidewalks, streets, and other areas immediately adjacent to the centers.

This report is only as comprehensive as the information provided—it is important that students, faculty, staff, and visitors inform the university about any criminal incidents that have occurred. University policies on facilities' access and use, sexual assault, reporting criminal incidents, drug and alcohol use, and timely warnings to the university community (attached to this report), may also be found in the *University Catalog* at <http://myunion.edu/academics/catalog>; or (for policies specific to employees) on the university's employee intranet. University policies related to safety and security are reviewed regularly. Most of the policies attached to this report were reviewed in 2017-2020, as part of the university's efforts to maintain policy statements that are appropriately aligned with federal and state regulations.

If you have comments, questions, or concerns about this report, please direct them to:

Office of Institutional Research  
Union Institute & University  
440 E. McMillan Street Cincinnati,  
Ohio 45206-1925  
513-487-1229

## **Campus Crime Report 2019**

*Reporting Year: January 1, 2019 to December 31, 2019*

Union Institute & University (UI&U) is committed to providing a safe, secure, and crime-free environment for students, employees, and visitors. The institution monitors and follows up on any reported crimes. Security awareness is important: students, faculty, and staff are encouraged to accept responsibility for their own safety and for the safety of other members of Union Institute & University's community. The tables below provide information about Clery Act criminal incidents reported as occurring at Union Institute & University locations in 2019 and in the two preceding years. As can be seen from the reports, UI&U provides its students, employees, and guests with a safe and secure environment in which to study and work.

Some background information that may be helpful:

- All UI&U centers occupy leased space. University centers in California and Florida, and Vermont (the New England center, formerly known as the Marlboro center) occupy facilities that house other tenants.
  - The "New England center" was officially closed in January 2018, however all incidents relating to the New England center were included for reporting year 2017 in the 2018 report.
- In November of 2016 the North Miami Beach center officially moved to 4601 Sheridan Street, Suite 400, Hollywood, Florida 33021. This move was less than 11 miles from the North Miami Beach location. Thus the Florida location was renamed the Florida Academic Center.
- Security personnel at Union Institute & University facilities—whether engaged by the university or by the owner of the facility in which the university leases space—do not have law enforcement authority. The university has no written agreements with local law enforcement agencies to provide campus security.
- Criminal incidents at off-campus locations (e.g. academic residencies at hotels) may be included in this report, but only if the incident involved a UI&U student, employee, or visitor participating in a UI&U event and if that event occurred at a location "controlled by" the university, such as an incident at a hotel or conference center during the course of an academic residency. Incidents occurring at off-campus course sites not controlled by the university (such as course sites at police stations) are not included in this report

**Safety and Security Report January 1, 2019 – December 31, 2019**

**Liquor and Drug Law Violations and Illegal Weapons Possession  
Arrests by Local Police Agencies; Disciplinary Actions by the University**

<b>January 1, 2019 – December 31, 2019</b>						
<b>Includes incidents on campus, off campus, and on public property surrounding UI&amp;U facilities</b>						
	Liquor Law Violations		Drug Law Violations		Illegal Weapons Possession	
	Arrests	Disciplinary Action	Arrests	Disciplinary Action	Arrests	Disciplinary Action
Main Campus, Cincinnati, OH	0	0	0	0	0	0
Los Angeles Center, CA	0	0	0	0	0	0
Hollywood, Florida Center, FL (formerly North Miami Beach Center)	0	0	0	0	0	0
Sacramento Center, CA	0	0	1	0	0	0

Notes: The reported Drug Law Violation occurred off campus. Police were called regarding a homeless camp at the location. A subject was contacted and found to be on probation and in possess of drug paraphernalia. Subject was arrested for possession of drug paraphernalia and probation violation.

<b>January 1, 2018 – December 31, 2018</b>						
<b>Includes incidents on campus, off campus, and on public property surrounding UI&amp;U facilities</b>						
	Liquor Law Violations		Drug Law Violations		Illegal Weapons Possession	
	Arrests	Disciplinary Action	Arrests	Disciplinary Action	Arrests	Disciplinary Action
Main Campus, Cincinnati, OH	0	0	0	0	0	0
Los Angeles Center, CA	0	0	0	0	0	0
Hollywood, Florida Center, FL (formerly North Miami Beach Center)	0	0	0	0	0	0
Sacramento Center, CA	0	0	0	0	0	0

**Safety and Security Report January 1, 2019 – December 31, 2019**

<b>January 1, 2017 – December 31, 2017</b>						
<b>Includes incidents on campus, off campus, and on public property surrounding UI&amp;U facilities</b>						
	Liquor Law Violations		Drug Law Violations		Illegal Weapons Possession	
	Arrests	Disciplinary Action	Arrests	Disciplinary Action	Arrests	Disciplinary Action
Main Campus, Cincinnati, OH	0	0	0	0	0	0
Los Angeles Center, CA	0	0	0	0	0	0
New England Center, Brattleboro, VT	0	0	0	0	0	0
Hollywood, Florida Center, FL (formerly North Miami Beach Center)	0	0	0	0	0	0
Sacramento Center, CA	0	0	0	0	0	0

***Criminal Incidents***

The criminal offenses reported in the following tables are listed using categories established by the Federal Bureau of Investigation’s hierarchy of crimes<sup>1</sup> as established in the annual report of criminal incidents to the U.S. Department of Education. Reported Clery Act crimes occurring on public property immediately adjacent to a UI&U center and off-campus (i.e. at a university course location or university-sponsored event) are included in the data reported for the center to which the off-campus location is connected. Under the Violence Against Women Act, three new types of Clery Act crimes—domestic violence, dating violence, and stalking—were added in the 2013 report year. None of the incidents reported in any of the three years covered by this report were identified as hate (bias-motivated) crimes. Brief descriptions of reported incidents are included.

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<sup>1</sup> Contact the Office of Institutional Research for definitions. As noted, this report covers only those crimes delineated in the Clery Act—it does not include all possible types of criminal incidents.

**Safety and Security Report January 1, 2019 – December 31, 2019**

<b>Criminal Offenses at Union Institute &amp; University Locations January 1, 2019 – December 31, 2019</b>				
	Cincinnati Campus	Los Angeles Center	Florida Center	Sacramento Center
Murder and Non-negligent homicide	0	0	0	0
Negligent manslaughter	0	0	0	0
Forcible sex offenses	0	0	0	0
Domestic violence	0	0	0	0
Dating violence	0	0	0	0
Stalking	0	0	0	0
Non-forcible sex offenses	0	0	0	0
Robbery or Theft	0	0	0	0
Aggravated Assault	0	0	0	0
Burglary	0	0	0	0
Motor Vehicle Theft	0	0	0	0
Arson	0	0	0	0

Notes: No incidents occurring in 2019 were categorized as hate crimes.

<b>Criminal Offenses at Union Institute &amp; University Locations January 1, 2018 – December 31, 2018</b>				
	Cincinnati Campus	Los Angeles Center	Florida Center	Sacramento Center
Murder and Non-negligent homicide	0	0	0	0
Negligent manslaughter	0	0	0	0
Forcible sex offenses	0	0	0	0
Domestic violence	0	0	0	0
Dating violence	0	0	0	0
Stalking	0	0	0	0
Non-forcible sex offenses	0	0	0	0
Robbery or Theft	0	0	0	0
Aggravated Assault	0	0	0	0
Burglary	0	0	0	0
Motor Vehicle Theft	0	0	0	0
Arson	0	0	0	0

Notes: No incidents occurring in 2018 were categorized as hate crimes.

**Safety and Security Report January 1, 2019 – December 31, 2019**

<b>Criminal Offenses at Union Institute &amp; University Locations January 1, 2017 – December 31, 2017</b>					
	Cincinnati Campus	Los Angeles Center	New England Center	Florida Center	Sacramento Center
Murder and Non-negligent homicide	0	0	0	0	0
Negligent manslaughter	0	0	0	0	0
Forcible sex offenses	0	0	0	0	0
Domestic violence	0	0	0	0	0
Dating violence	0	0	0	0	0
Stalking	0	0	0	0	0
Non-forcible sex offenses	0	0	0	0	0
Robbery or Theft	0	0	0	0	0
Aggravated Assault	0	0	0	0	0
Burglary	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0
Arson	0	0	0	0	0

Notes: No incidents occurring in 2017 were categorized as hate crimes

- Notes: No incidents occurring in 2016 were categorized as hate crimes

***Unfounded Crimes***

If a reported crime is investigated by law enforcement authorities and found to be false or baseless, the crime is "unfounded". Only sworn or commissioned law enforcement personnel may categorize a crime as "unfounded." There were no crimes occurring in 2019 or in previous years at any Union Institute & University center, off-campus venue, or public property adjacent to any center that were determined to be false or baseless following investigation by law enforcement authorities.

***Registered Sex Offenders***

Federal standards require that the university advise the campus community of where law enforcement agency information provided by a State under section 170101(j) of the Violent Crime Control and Law Enforcement Act of 1994 (42 U.S.C. 14071(j)), concerning registered sex offenders may be obtained: this information may be obtained through this website:

<http://www.familywatchdog.us/default.asp>

***Applicable Policy Statements***

As required for Clery Act reporting, Union Institute & University policy statements specifically relevant to student and employee safety are incorporated in this report. These policy statements are cited in full below and are available in the *University Catalog* at

<http://myunion.edu/academics/catalog/>.



**INSTITUTIONAL AND ACADEMIC POLICIES**

**Policies Governing Student Conduct**

Effective July 1, 2015

**Contextual Framework for Student Conduct at Union Institute & University**

This contextual framework for student conduct is derived from Union Institute & University's mission, vision, and values. Not only is it meant to provide general expectations of students, it also is the foundation for a number of specific institutional policies and procedures governing student behavior and interactions.

An education at Union Institute & University (UI&U) is based on the concept of a mutually beneficial learning community. Disregard or contempt for this concept can be found at the root of academic offenses (such as plagiarism, forgery, intellectual dishonesty, or falsification of records), socially disruptive and destructive behaviors (such as discriminatory or harassing conduct), and criminal acts (such as assault, destruction of property, theft, or hate crimes).

In a strong learning community, conduct that allows others to pursue studies unimpeded by disrespectful or disruptive personal behavior is essential. Differing viewpoints may not be permitted to interfere with learning or the advancement of scholarship. The basic principle of the UI&U learning community is respect for the individual. Members of the UI&U learning community are expected to treat one another with positive regard and without denigration. The ultimate goal is to learn from one another while acknowledging any differences that may arise.

Freedom in research and publication of results are also characteristics of a strong learning community, as long as the dignity, health, privacy, and other rights of human and animal subjects are protected, and university and program policies are followed.

A strong learning community, characterized by individual respect, carries with it the following rights, responsibilities, and challenges.

Students, as members of the UI&U learning community, have the right to be:

- Treated fairly, justly, respectfully, equitably, and professionally.
- Acknowledged for their ideas, creations, and expressions.
- A participant in a learning and working environment that is free of discriminatory or harassing behavior.

Students, as members of the UI&U learning community, have the responsibility to:

- Contribute to an environment in which there is freedom to learn.
- Develop the capacity for truth and exercise their rights to free inquiry and free speech in a reasonable manner.
- Respect the cultural, intellectual, and personal differences of others.
- Acknowledge properly the intellectual or artistic work of others.
- Refrain from harassing or discriminatory behavior.
- Protect the rights of human subjects used in research.
- Avoid conflicts of interest or relationships that might compromise the educational process.

Students, as members of the UI&U learning community, are challenged to:

- Learn from one another's differences.
- Respect all persons in the UI&U learning community.

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- Treat conflict as an opportunity for growth and learning.
- Refrain from spreading rumor, slander, or misinformation.

### **University Response to Serious Student Misconduct**

Union Institute & University has the right and the responsibility to act immediately when an individual's behavior or actions are illegal and/or create a situation that places the student or any other individual at risk, and/or is disruptive and harmful to the learning environment, regardless of whether those behaviors or actions are specifically prohibited by other university policies. (See below for examples of disruptive or harmful behaviors.)

When the university (or its responsible representative) believes that a student's conduct is sufficiently disruptive or dangerous, the university may suspend normal disciplinary procedures by temporarily removing a student (physically, if the student is on campus or participating in an off-campus activity; and/or blocking student access to online learning systems). An immediate response is called for in, but not limited to, cases of student behavior that is threatening to self or others and behavior that disrupts the learning environment or university facilities.

- A UI&U instructor and/or administrator has the right and the responsibility to remove a student or other participant from a course, seminar, or other university-sponsored learning activity, whether in-person or online, if that person's behavior becomes disruptive or poses a danger to others.
- The university has the right and the responsibility to take disciplinary measures in response to student misconduct, independent of any action that might or might not be taken by law enforcement.
- Any UI&U student or employee has the right and the responsibility to contact university authorities or local law enforcement in the event of illegal behavior occurring on university property and/or during university-sponsored activities occurring off campus. (See policy below: Crimes Covered Under the Clery Act.) Any incident involving emergency or threatening situations requires calling 911 and the possible issuance of emergency notifications and/or timely warnings.

Following removal, the student may seek reinstatement in accordance with the applicable university policy.

### **Readmission After Dismissal for Unsatisfactory Academic Progress or Conduct**

A student dismissed from the university due to unsatisfactory academic progress may not enroll in any UI&U program or courses for a period of one year. Students who want to return to the university must reapply and be accepted after a program director's or program chair's review on a case-by-case basis.

A student dismissed for reasons of poor conduct has the right to review and appeal this decision as outlined by the applicable university policy. Ordinarily such dismissal is permanent; however, the program director, dean, or program chair will review requests for readmission on a case-by-case basis.

### **Crimes Covered Under the Clery Act**

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, codified at 20 USC 1092(f) as part of the Higher Education Act of 1965, is a federal law that requires colleges and universities to provide information about campus crime statistics and security policies for the previous full calendar year.

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The following are offenses/crimes as defined by the Clery Act. Violations must be reported to university officials and possibly to local law enforcement and must be included in the university's annual security report:

- Drug law violations. *Drug laws vary by state. Generally speaking, use of any illegal drug, misuse of legally prescribed drugs, and use of illegally obtained prescription drugs must be reported. Sale, transfer or possession of controlled substances must be reported.*
- Liquor law violations. *Liquor laws vary by state. Generally speaking, sale, transfer or possession of alcohol must be reported, unless served by the university at a university-sponsored event.*
- Illegal weapons possession. *The definition of illegal weapons and illegal weapon possession varies by state. Generally speaking, possession of a weapon at a university facility or at a university-sponsored event off-campus must be reported. Weapons are not permitted on any university property, with the exception of students and instructors who are sworn law enforcement officers and are required to carry a weapon when off duty.*
- Murder and non-negligent homicide. *The willful and non-negligent killing of one human being by another must be reported.*
- Negligent manslaughter. *The killing of another person through gross negligence must be reported.*
- Forcible sex offenses. *Any sexual act directed against another person, 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 must be reported (includes forcible rape, forcible sodomy, forcible sexual assault with an object, and forcible fondling).*
- Non-forcible sex offenses. *Unlawful, non-forcible sexual intercourse must be reported (includes statutory rape and incest).*
- Robbery. *Taking or attempting to take anything of value from the care, custody, or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear must be reported.*
- Aggravated assault. *Any unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury must be reported. Aggravated assault may be accompanied by the use of a weapon or by means likely to produce death or great bodily harm.*
- Burglary. *Unlawful entry of a structure to commit a felony or a theft must be reported.*
- Motor vehicle theft. *The theft or attempted theft of a motor vehicle must be reported (does not include thefts from autos).*
- Arson. *Willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, personal property of another, etc. must be reported.*
- Hate crimes. *Any of the above offenses and any incidents of larceny, theft, simple assault, intimidation or destruction, damage, vandalism of property that were motivated by bias.*

In 2013, federal reporting requirements were expanded to include crimes prohibited in the Violence Against Women Act of 1994 (reauthorized in 2013). The Act's coverage extends to male as well as female victims. Crimes that must be reported under the Violence Against Women Act are:

- Domestic violence. *Felony or misdemeanor crimes of violence committed by a current or former spouse 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, by a*

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*person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, 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 the jurisdiction.*

- Dating violence. *Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim.*
- Stalking. *Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for their safety or the safety of others or suffer substantial emotional distress.*
- Sexual Assault. An offense that meets the definition of rape, fondling, incest or statutory rape as used in the Federal Bureau of Investigations Uniform Crime Reporting Program.

The behaviors delineated under the Violence Against Women Act are covered by this policy only if they involve a Union Institute & University student (as victim or perpetrator) and if they occur within the context of the educational process. For example, the policy does not apply if:

- An incident of domestic violence occurs in a student's home.
- Dating violence does not involve another member of the UI&U community.
- Stalking behavior (in-person and/or cyberstalking) occurs outside the context of UI&U activities, does not involve another member of the UI&U community, and/or does not involve use of university-supplied technology, such as cyberstalking using the student's "myunion" email.

While it is impossible to anticipate every possible type of disruptive behavior, Union Institute & University has developed the following institutional policies and procedures covering specific types of student behavior:<sup>2</sup>

- Academic Integrity Policy. This policy covers issues of plagiarism and cheating, personal relationships between students and instructors, delineating procedures to be followed when violations of academic integrity occur.
- Americans with Disabilities Act (ADA) policies and procedures, including a complaint process.
- Email Use Policy.
- Family Educational Rights and Privacy Act.
- Institutional Review Board Policies and procedures. This policy covers issues related to research with human subjects.
- Intellectual Property Policy.
- Sexual Misconduct Policy.
- Student Complaints and Appeals Policy and Procedure. This policy applies to student complaints and appeals not specifically covered by other policies and includes procedures for filing informal and formal complaints.
- Student Use of Alcohol and Controlled Substances.
- Tampering with Educational Records.
- Technology Resources Acceptable Use Policy.
- Use of University Facilities Policies and Procedures. This policy incorporates a range of behaviors considered by the university to be inappropriate and/or illegal when occurring at university facilities and at off-campus university-sponsored events.

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<sup>2</sup> Institutional policies listed may be revised or added to at any time and may be supplemented by program-specific policies.

**Alcohol and Drug Abuse Prevention Program**

Effective August 31, 2009

On August 16, 1990, the Department of Education issued the final regulations implementing amendments to the Drug-Free Schools and Communities Act enacted on December 12, 1989, in the Federal Register. The goal of the amendments is to require each institution of higher education to certify that it has adopted and implemented a program to prevent the unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees. Note that no distinction is made in the act between full-time and part-time or permanent and temporary students or employees. Under these amendments, each institution of higher education must have a drug and alcohol abuse prevention program including annual distribution of a report to every employee and to any student taking one or more classes for any type of academic credit (except continuing education units). The report is required to include:

- Standards of conduct that clearly prohibit, at a minimum, the unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees on an institution's property or as part of any of its activities.
- A description of the applicable legal sanctions under local, state, or federal law for the unlawful possession, use, or distribution of illicit drugs and alcohol.
- A description of the health risks associated with the use of illicit drugs and the abuse of alcohol.
- A description of any drug or alcohol counseling, treatment, rehabilitation, or re-entry programs that are available to employees or students.
- A clear statement that the institution will impose disciplinary sanctions on students and employees (consistent with local, state, and federal laws) for violations of published standards of conduct and a description of those sanctions, up to and including expulsion or termination of employment.

**Policy on Student Use of Alcohol and Controlled Substances**

*This policy statement is specific to Union Institute & University students. It has been adapted from the policy for employees as published on the university's employee intranet under human resources policies.*

The use, sale, transfer, or possession of alcohol or controlled substances by students creates a potential for harm and is not permitted on Union Institute & University (UI&U) property or at any university-sponsored learning activity or events, except as specifically authorized by this policy.

UI&U encourages students who have problems with alcohol or use of controlled substances to make use of available internal and external resources to help control or resolve their problems. UI&U supports rehabilitative efforts and will assist if requested to do so.

If a student has a medical condition or a substance addiction and has reason to believe the condition may impair attendance or performance, they are expected to notify their student success coach, program chair or dean. However, students should be aware that providing information about a medical condition or substance addiction for the first time during a disciplinary proceeding will not negate the disciplinary action from continuing.

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UI&U may assist individuals who have violated this policy through referral to a rehabilitation program but is under no obligation to do so beyond the information provided in the statement on drug and alcohol abuse prevention.

If the student's use of a controlled substance is related to a condition that qualifies as a disability under the Americans with Disabilities Act (ADA), they may also apply for accommodation to the university's ADA compliance officer, in accordance with published procedures. Requests for ADA accommodation and/or rehabilitation assistance do not preclude any disciplinary action for violations of this or any other university policy.

### **Standards and Consequences**

- UI&U permits the legal use of medication or drugs prescribed by a licensed practitioner or purchased over-the-counter provided that such usage does not endanger the safety of others. Students who are legally taking medications that may impair performance are expected to inform their student success coach, program director, dean, or executive director.
- Alcohol may occasionally be served at university-sponsored events held at university centers or locations outside the university. Students and/or employees may consume alcohol in moderation at such events; individuals whose behavior is impaired due to alcohol consumption may be required to leave the event and/or be subject to disciplinary action.
- The illegal use, sale, transfer, or possession of controlled substances or alcohol by a student or employee during a university-sponsored learning activity or on university property is forbidden. Such activity is grounds for dismissal.

### **Definitions**

**Controlled Substance:** Any narcotic, drug, or drug-like substance for which the sale, use, or possession is either unlawful or is being utilized outside of prescribed medical treatment. Controlled substances include, but are not limited to, marijuana, amphetamines, opiates, phencyclidine (PCP), and cocaine, as well as any drug not approved for medical use by the U.S. Drug Enforcement Administration or the U.S. Food and Drug Administration.

**Illegal Use:** Illegal use includes use of any illegal drug, misuse of legally prescribed drugs, and use of illegally obtained prescription drugs.

**Legal Drugs:** A legally prescribed drug means that an individual has a prescription or other written approval from a physician for the use of a drug in the course of medical treatment. It must include the patient's name, the name of the substance, quantity/amount to be taken, and the period of authorization.

**Moderation:** When referring to consumption of alcohol at university sponsored events, moderation is defined not by the quantity of alcohol consumed but by resulting behavior.

**University Property:** Any university owned, leased, or rented building, grounds, office, classroom, or other facility. Includes off-campus course and degree sites and off-campus facilities, such as hotel and conference center space used by the university for learning activities.

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### **Use of Gender Neutral Language**

Effective July 1, 2014, as Revised

UI&U adheres to a policy of using gender neutral language in all communications generated by any part of the institution. Using inclusive language will help avoid distracting readers with a gender specific term that might be offensive in retrieval. UI&U believes that this practice is dictated by the university's mission and values.

Students are encouraged to use gender neutral language in work related to their UI&U programs, recognizing that use of gender specific terms may be needed for certain subject matter. For example, a paper about women's rights would use gender specific language; a paper about cyberbullying should not. Further details on guidelines for gender-fair use of language can be found at: <http://www.ncte.org/positions/statements/genderfairuseoflang>.

### **Academic Integrity Policy**

Revised July 1, 2018

#### **Institutional Policy and Procedural Guidelines**

The academic integrity policy statement applies to all Union Institute & University students and employees. The procedural guidelines that follow the policy statement are specific to students; procedures for employees who violate the Academic Integrity Policy are separate and can be found on the university's employee intranet, under human resources policies.

#### **Policy Statement**

Union Institute & University is committed to ensuring the highest level of academic integrity. Violations of academic integrity of any kind are strictly prohibited. Violations of academic integrity include, but are not limited to, plagiarism, cheating, and dishonesty.

#### **Definitions**

**Academic Integrity:** Characterized by honesty and responsibility in scholarship, based on the following assumptions about academic work at Union Institute & University:

- Students attend UI&U in order to learn, and academic assignments exist for the sake of this goal.
- All academic work must be met through a student's own efforts. Academic work completed any other way is unacceptable, and any grades and credits awarded as a result are fraudulent.

Academic integrity means understanding and respecting these basic truths, without which no university can exist. Academic dishonesty is not just "against the rules" but violates the assumptions that are at the heart of all learning. Violations of academic integrity destroy the mutual trust and respect that should exist among students and faculty, as well as being unfair to students who operate with integrity and honesty.<sup>3</sup>

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<sup>3</sup> Adapted from "A Student's Guide to Academic Integrity," University of Oklahoma, <https://integrity.ou.edu/students.html>

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**Plagiarism:** The practice of claiming or implying authorship of another person's written or creative work, ideas, and/or words through incorporation, in whole or in part, into one's own without adequately acknowledging or crediting the source. Plagiarism usually takes the form of submitting the work or ideas of another (written, artistic, technical, etc.) as one's own. Commonly plagiarized sources include books and articles (published and unpublished), internet sites, and other students' work. Plagiarism may be unintentional or intentional; this policy and related procedures apply regardless of intentionality.

**Cheating:** The use of deception or other means in an effort to obtain credit for a learning activity.

There are other forms of academic dishonesty, which include but are not limited to: entering into a consensual relationship with an instructor, mentor, advisor, or other employee responsible for evaluating the student's work (which creates an immediate conflict of interest for both the student and the instructor); providing false or inaccurate information about one's academic and/or professional background, such as claiming a degree one has not earned or submitting false letters of recommendation; submitting the same work for credit more than one time; or violating any protocols and/or procedures specified in a course syllabus.

### **Identification of Student Plagiarism**

Assignments submitted by students as part of any undergraduate or graduate course or as a component of any student's academic program are regularly reviewed for plagiarism, which may include use of plagiarism identification software. Each enrolled student agrees that, by registering for learning activities, they consent to the submission of their work for textual similarity review to identify possible plagiarism.

### **Personal Relationships and Academic Integrity**

A close personal relationship (sexual, familial, or personal) with an instructor, mentor, advisor, or other employee responsible for evaluating a student's work creates an immediate conflict of interest for both the student and the instructor. Students should be aware that having a close personal relationship with an individual who has responsibility/authority to evaluate/approve the student's work may be construed to be a violation of the Academic Integrity Policy – a form of cheating.

While such consensual relationships are not forbidden by the university, a student involved in a consensual relationship with an instructor may not register for coursework with that individual. If there are no other sections of the course available, the student is required to disclose the relationship to the program chair (undergraduate level) or director/dean (graduate level), so that the student's work and the instructor's evaluation of that work can be monitored.

If a consensual relationship comes to light after the conclusion of a course, the program chair (undergraduate level), or director/dean (graduate level) will immediately forward the case to the provost/VPAA for review by the academic integrity committee. All of the student's coursework will be closely reviewed by the committee – a review that may include comparison of the quality of the work in the subject course to the student's work in other courses. If the review leads to a conclusion of favoritism (grade inflation, evidence of inappropriate assistance from the instructor, or other similar violations of academic integrity), the committee will make a recommendation to the provost/VPAA for disciplinary action. Disciplinary action could range from changing the course grade to reflect the actual quality of the student's work, to academic probation, or even dismissal from the program.



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Because the university's employee Conduct and Ethics Policy states that sexual relationships between employees and students are "usually deemed inappropriate or unethical," disciplinary action will also be taken against the instructor, in accordance with the university's human resources policies and procedures.

### **Procedural Guidelines: Student Violations of Academic Integrity**

The procedural guidelines detailed herein are to be followed in all cases where a Union Institute & University student is suspected of violating the university's policy on academic integrity.

Concerns about violations of academic integrity are typically raised by faculty, but they may also be raised by another student, a graduate, or a non-instructional employee. If a student, graduate, or non-instructional employee has concern about a student's violation of academic integrity, the concerns should be reported to the program chair (undergraduate students) or director/dean (graduate students) responsible for the program in which the student is enrolled. The program chair or the director/dean (not the person raising the concern) is then responsible for ensuring that all applicable steps of this procedure are followed.

Consequences for violations of the policy on academic integrity will vary depending on the severity of the infraction and the extent to which the student was aware of university and external standards. Graduate students are expected to be better informed regarding what constitutes plagiarism, cheating, and other forms of academic dishonesty than are undergraduate students, especially those undergraduate students who have had little or no previous postsecondary education.

The scope of the violation will be considered in determining consequences, including:

- The consequences for student work that is substantially or entirely the work of another will have more serious consequences than will a case where there is either a single or small number of non-accredited citations.
- Academic dishonesty related to an entire course, a dissertation, thesis, culminating study, capstone project, or other substantive work will have more severe consequences than will plagiarism or cheating on a single paper or test that constitutes one learning activity within a course or seminar.
- The consequences for student dissemination/use of exam questions and/or answers will be more severe if payment is involved.

Regardless of the student's degree level and the extent/scope of the action, Union Institute & University takes all alleged violations of academic integrity seriously. Accordingly, all initial warnings and informal resolutions and all formal incidents and resolutions must be reported to the program chair (undergraduate level) or the director/dean (graduate level). Reports may be submitted to the executive director, or program director, or other staff member, but that individual is required to relay them to the program chair or director/dean responsible for the student's program.

### **Procedures<sup>4</sup>**

#### ***Stage 1: Informal review and resolution (faculty and student or director or dean and student)***

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<sup>4</sup> In all procedural stages, the director or dean may assign another faculty member or administrator as their designee.

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If a violation of the policy on academic integrity is suspected, the faculty member or program chair (undergraduate level) or director/dean (graduate level), if the concern was raised by someone other than a member of the faculty, will contact the student; explain the university's policy on academic integrity; and discuss the alleged infraction. In this process, the faculty member, program chair, or director or dean will orally warn the student and instruct them in the appropriate conventions of citation or academic practice. As part of that conversation, the student must be given a copy of this policy and procedural guidelines. The faculty member has the right to consult with another faculty member and/or the program chair (undergraduate level), or director/dean (graduate level) at any point during this stage. There are three potential outcomes of stage 1. The first two outcomes result in the conclusion of the incident review process; the third moves the incident review to stage 2.

- If the student is able to prove (through explanation or exculpatory evidence) to the satisfaction of the faculty member, program chair, or director/dean that no violation occurred, either intentional or unintentional, the matter will be considered to be resolved. Such a case would not count as a first incident, and no record need be made in the student's academic record. The faculty member must report the incident to their program chair (undergraduate level) or director/dean (graduate level).
- If the student acknowledges a violation, and the student and faculty member and/or program chair, or director/dean come to a mutually satisfactory resolution, then the process ends at this stage. A satisfactory resolution must include: (1) student recognition of the issues regarding their actions; (2) evidence that they have learned from the experience; (3) student cooperation in the resolution of the concern; and (4) satisfactory assurances that the practice will not happen again. A report of the incident and its resolution must be provided to the program chair (undergraduate level) or director/dean (graduate level), and a record of the occurrence will be placed in the student's permanent academic record. A consequence may be determined by the faculty, considering the appropriate action for the seriousness of the incident and the academic level of the student (i.e., undergraduate or graduate level). Possible consequences include: requiring the student to revise the work and resubmit it (least serious); reduction of the grade awarded for the work; or assignment of a failing grade for a course or learning activity (most serious).
- If there is no satisfactory conclusion to the informal resolution stage, such as if the student denies the allegation, is not able to prove to the satisfaction of the faculty member, program chair (undergraduate level), or director/dean (graduate level) that plagiarism has not occurred, or is noncompliant with the informal process, the case moves to the formal program-level review process (stage 2).

If an initial incident review concludes stage 1 (i.e., no violation occurred or a mutually satisfactory resolution is achieved) but there is later evidence that the behavior continues or has recurred, the faculty member or program chair (undergraduate level) or director/dean (graduate level) will prepare a formal incident report, providing all relevant evidence related to the occurrence. The report is submitted to the program chair (undergraduate programs) or director/dean (graduate programs), who will move the case to the formal program-level incident review process (stage 2). The program chair (undergraduate level) or director/dean (graduate level) will also initiate stage 2 for cases where there has been more than one report of concern about an individual student's violations of the policy on academic integrity.

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When a case is moved to stage 2, all documentation will be placed and retained in the student's permanent academic record; the student must be given a copy of the report and advised that it is part of their permanent record.

### ***Stage 2: Formal program-level review and resolution (student, faculty, and/or director or dean)***

Whenever an incident reaches stage 2, a formal written report (electronic format is acceptable) of the incident, including a complete description of the allegation, must be prepared by the faculty member or the program chair (undergraduate level) or director/dean (graduate level) involved in the stage 1 process. The report should include: attempts at informal resolution and any and all interactions and responses among the faculty member, program chair (undergraduate level), or director/dean (graduate level), and the student. The program chair (undergraduate level) or director/dean (graduate level) must provide this report to the student and place a copy of the report in the student's permanent record.

The program chair (undergraduate level) or director/dean (graduate level) will invite the student to respond to the allegations and to supply any relevant evidence they wish to make part of the discussion. That invitation will include a 30-day deadline for the student to submit their response. (The student may request an extension.) The student's response may be an email or written communication, signed, or an electronic signature by the student, and dated.

The program chair (undergraduate level) or director/dean (graduate level) will review the formal report and any response from the student in consultation with the faculty member. The program chair (undergraduate level) or director/dean (graduate level) will make a determination regarding an appropriate consequence based on the seriousness of the incident and the academic level of the student (i.e., undergraduate or graduate level). Possible consequences include: requiring the student to revise the work and resubmit it (least serious); reduction of the grade awarded for the work; or assignment of a failing grade for a course or learning activity (most serious). There must be some consequence at the conclusion of the stage 2 process; one consequence might be moving the incident to stage 3. There are two possible outcomes of stage 2: resolution or non-resolution.

- Stage 2 resolution results in the student's acceptance of the report, the resolution, and the consequences.
- Non-resolution occurs if the faculty member, program chair (undergraduate level), or director/dean (graduate level) are not satisfied that the student recognizes the issues regarding violation of the policy on academic integrity, if the student refuses to cooperate in their resolution, and/or fails to provide appropriate assurances that the practice will not happen again. If resolution cannot be reached, the faculty member, program chair (undergraduate level), or director/ dean (graduate level) prepares a formal incident report to be retained in the student's permanent academic record. The case automatically moves to the formal institutional-level review and resolution process (stage 3).

If a resolution is reached at stage 2 but there is later evidence that the behavior continues or has reoccurred, the faculty member, program chair (undergraduate level), or director/dean (graduate level) will prepare a formal incident report, providing all relevant evidence related to the first occurrence and the immediate situation. This report is submitted to the program chair (undergraduate level) or director/dean (graduate level) and is placed and retained in the student's permanent academic record. The case moves automatically to stage 3.

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### **Stage 3: Formal institutional-level review and resolution (student, vice president for academic affairs (Provost/VPAA), and academic integrity committee)**

Once a formal incident report of student violation of the Academic Integrity Policy has been filed by the program chair (undergraduate level) or director/dean (graduate level), the incident moves to a formal institutional-level review and resolution. When the formal incident report is received, the program chair or director/dean will immediately notify the provost/VPAA, forwarding the report and all related documentation to the provost/VPAA. All formal institutional-level reviews are conducted by an ad hoc UI&U Academic Integrity Committee (AIC) constituted specifically by the provost/VPAA for each case. Each AIC will have five members: one academic administrator (program chair, director/dean or associate director/dean), three faculty, and one student. No AIC member may have any prior or current relationship with the student alleged to have violated the Academic Integrity Policy. The AIC is recommendatory to the Provost/VPAA, whose decision is final.

Upon receipt of the formal incident report, the provost/VPAA will inform the student, in writing (by letter or email), that the case is to be considered by the AIC.

- To ensure due process, the provost/VPAA will send a communication to the student, inviting the student to respond to the allegations and to supply any relevant evidence they wish to make part of the discussion. The communication will include a 30-day deadline for submission of the response. (The student may request an extension.) The student's response must be either in writing, or by email, signed by the student and dated; an electronic signature is acceptable.
- The provost/VPAA will forward the formal incident report and the student's response to the AIC for consideration. (If the student does not respond, the AIC will receive only the formal incident report.) The provost/VPAA will advise the AIC of the expected deadline for completion of the process. In most cases this will be 60 days; in some cases, however, the provost/VPAA will require an expedited review.
- None of the parties involved in the incident are entitled to participate in the AIC's deliberation. If questions arise during committee deliberations, the committee may request the provost/VPAA to contact any involved party for additional information or clarification; the committee shall not make such contact directly.
- The AIC will evaluate the contents of the formal incident report and the student's response (if applicable), submitting a response and recommendation for resolution to the provost/VPAA. The recommended resolution will be either for exoneration of the student or for a consequence appropriate to the situation. The recommended consequence can range from denial of academic credit (i.e., assignment of a failing grade) for the learning activity (assignment or course), to academic probation, to suspension (i.e., dismissal for a short, fixed period of time), to complete dismissal from the university, to rescission of the degree. (Rescission of a degree will occur only in cases where academic dishonesty is discovered after a degree has been awarded; degrees may be rescinded only under the authority of the UI&U Board of Trustees.)
- The provost/VPAA will consider the AIC's recommendation and make a final determination. If the provost/VPAA should decide on a penalty other than that recommended by the AIC, they will inform the committee of that decision and the rationale for it.
- The provost/VPAA will inform the student either in writing, or by email, of the formal resolution. The resolution decided by the provost/VPAA may not be appealed.

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### **Institutional Student Complaint Log**

Under the provisions of the federal Higher Education Opportunity Act, colleges and universities are required to maintain a log of student complaints and grievances. If a violation of academic integrity reaches the level requiring review by the academic integrity committee, the provost/VPAA will enter a summary of the case into the log, including the following information:

- Initial date received as a formal complaint (i.e., the date submitted to the provost/VPAA).
- Student name.
- Brief description of the incident.
- Description of the resolution.
- Date of the final resolution.

### **Student Complaints and Appeals**

Revised July 1, 2018

#### **Policy Statement**

It is the policy of Union Institute & University to ensure that students have recourse to due process with regard to situations and decisions with which they disagree or where they believe they have been unfairly treated. Union Institute & University is committed to consistent and fair consideration of student complaints and appeals through processes that ensure that all parties involved in a dispute are given due consideration.

#### **Applicability of this Policy and Procedure**

This policy and procedure applies to the following persons:

- Students enrolled in a Union Institute & University program.
- Formerly registered students in those programs who have withdrawn or who were administratively withdrawn or dismissed. A former student's complaint must be initiated within 30 days of the last day of their official registration.

This policy and procedure **do not apply** to the following persons:

- Applicants for admission to a Union Institute & University academic program.
- Formerly registered students who did not initiate the policy and procedure within 30 days of their last day of official registration.
- Students or former students who have initiated any legal action related to the appeal or complaint. If legal action is initiated after a complaint has been filed, UI&U will immediately terminate the complaint investigation process.
- University employees who are not students.

The Online Student Concern Form is available on <https://campusweb.myunion.edu/ICS/eForms/Feedback.inz>.

Students may also contact the provost/VPAA with a complaint at [VPAA@myunion.edu](mailto:VPAA@myunion.edu).

Areas where a student may initiate a complaint and, if necessary, a formal appeal, are cited below. Most of these issues should be resolved at the program level, but a formal appeal to the provost/VPAA will be considered if they are not resolved at that level. Typical reasons for a student complaint or appeal include but are not limited to:

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- Course grades. (Students may appeal a grade for a single assignment within a course with the instructor, but may not invoke the appeal process with the provost/VPAA.)
- Non-responsive instructors or staff.
- Instructors who do not provide substantive feedback or whose feedback or criticisms are not constructive.
- Situations where the student perceives that an instructor or administrator has treated the student differently than other students.

This policy and procedure **do not apply** to some circumstances, including but not limited to the following:

- Student requests for waiver of published program policies. A student should request a waiver from the program chair (undergraduate students) or program director/dean (graduate students). The student may initiate the appeal process only if their request for a waiver is denied.
- Grades for single course assignments (e.g., quizzes, tests, papers). However, if the assignment in question is a major one that impacts the overall course grade (e.g., capstone, thesis, dissertation), then the student may appeal the course grade (see above).
- Decisions regarding violation of university policies on academic integrity. (See Academic Integrity Policy and Procedure.)
- Student complaints or grievances related to sexual or other discriminatory harassment. (See Sexual Misconduct Policy.)
- Student complaints or grievances related to American with Disabilities Act issues. (See ADA Grievance Policy and Procedure.)
- Financial aid director's decision to institute financial aid probation or termination. (See Student Financial Aid policy.)
- Decisions made by the UI&U Institutional Review Board. (By federal regulation, decisions made by a registered institutional review board may not be overridden by any other party.)

### **Definitions**

**Appeal:** If a student is dissatisfied with attempts to resolve their complaint informally, the student may file a formal appeal. A formal appeal may be instituted for any administrative or academic issue or decision not specifically excluded from this policy. All formal appeals must be submitted to the provost/vice president of academic affairs (provost/VPAA).

**Complainant:** A student making an informal complaint or filing a formal appeal.

**Complaint:** A complaint as defined under this policy is an initial written allegation by a student that there has been an arbitrary or unfair application of a policy of the university, or a policy of the student's academic program. Complaints may be administrative or academic.

- An academic complaint is one that involves an academic decision and/or application of academic policy.
- An administrative complaint is one that involves a non-academic decision and/or application of administrative policy.

If a student is dissatisfied with the resolution proposed at the program/departmental level, they may decide to file a formal appeal.

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***Involved Parties/Parties:*** The complainant and the person or persons against whom a complaint or appeal has been made.

***Resolution:*** The outcome of a complaint or formal appeal.

### **Complaint and Appeal Records**

A record of every student complaint will be maintained in the applicable department or program office. Records of student complaints and appeals related to academic issues may also be placed in the student's academic record. By federal regulation, records of **official** student complaints must also be maintained in the President's Office. At UI&U, it has been determined that only student appeals submitted to the provost/VPAA (i.e., appeals that reach the institutional level of the process) will be considered as official complaints.

### **Confidentiality**

UI&U will maintain confidentiality of student complaints and appeals within the guidelines of the Family Educational Rights and Privacy Act (FERPA). Only the involved party/parties and university representatives involved in the review and resolution of a complaint or appeal will have access to information related to an ongoing complaint or appeal. Once the complaint or appeal has been resolved, this information will be placed in the student's file.

Students who are considering filing a formal appeal or who have filed a formal appeal are expected to use discretion in discussing the issue with other students or with employees, keeping in mind that there are other parties involved. Depending on the nature of the issue under appeal, other involved parties could be damaged by a student's public allegations. If a student is found to have discussed or publicized their pending or ongoing appeal in such a way as to potentially affect the outcome, the provost/VPAA may immediately halt the appeal process and deny the appeal.

### **Procedural Guidelines: Complaints and Appeals**

UI&U expects that every complaint should begin with a sincere attempt at an informal resolution. It is expected that most conflicts will be resolved informally. Attempts at informal resolutions should be initiated by the student as soon as possible after the incident or action of concern, but should be initiated within at least 30 days to allow a timely and appropriate resolution. A formal appeal will not be considered unless such an attempt has been made. Students are advised to retain all documentation related to informal complaints and formal appeals. Documentation may include letters, emails, faxed messages, and notes of telephone conversations.

As noted above, the complaint and appeal procedure does not apply to situations where a student or former student has instituted legal proceedings. If at any stage of an informal complaint or formal appeal process the university becomes aware that a student has instituted legal proceedings, the process of complaint discussion, review, and resolution will be immediately halted, and all documentation of the process will be forwarded to the President's Office.

**Complaint/Resolution Procedure—Departmental/Program Level**

A student may initiate a complaint through a letter or email. Verbal communication of a concern is not a complaint under the terms of this policy. In the written communication, the student must specifically identify that he or she is submitting a complaint within the terms of this policy. Written complaints must be submitted to the individual in authority of the unit involved in the complaint (e.g., program chair [for undergraduates] or the dean or director [for graduate students] of an administrative unit), and must be submitted by the student within 30 days of the incident or action of concern to the student. To avoid possible delays, written complaints should not be submitted to executive directors, faculty or support staff, assistant or associate deans, or assistant or associate directors. Any such employee who receives a written complaint from a student must immediately forward it to their departmental or program head. Similarly, written complaints submitted to the provost/VPAA or president will immediately be referred to the appropriate program chair (for undergraduates) or dean or director (for graduate students). Upon receipt of written complaint, the program chair (for undergraduates) or dean or director (for graduate students) will provide a copy of this policy and procedure to the student filing the complaint.

If the complaint is about an academic issue and the program has an academic appeals policy and procedure, the program chair, dean, or director will invoke that policy, supplanting this policy's departmental/program level procedure. If there is no program-level academic appeals policy and procedure, then the program chair, dean, or director will follow the procedure outlined herein.

For complaints regarding academic issues or decisions where there is no written appeals policy, and for complaints regarding non-academic issues or decisions, the program chair (for undergraduates) or dean or director (for graduate students), in consultation with all involved parties, will evaluate the situation and propose a resolution. Proposed resolutions may range from denial of the student's complaint to reversal of the initial action or decision. At the conclusion of the process, the program chair, dean, or director will prepare a written report that will include: the student's written complaint, description of the complaint review process (interactions with involved parties), and the program chair, dean, or director's proposed resolution. The program chair, dean, or director will provide this report to the student and other involved parties, placing a copy of the report in the student's record. The program chair's, or dean's/director's report will be submitted within 30 days of receipt of the initial complaint; if additional time is needed to conduct a review, the program chair, dean, or director must notify all involved parties. The student will be invited to respond to the report by filing a formal appeal in the event that they disagree with the resolution. (See Appeal and Resolution – Institutional Level section below.) The invitation will include a 30-day deadline for submission of a formal appeal. If the student does not respond within the 30-day deadline, the complaint will be considered to have been resolved.

*Note: In the event that the student's complaint is against the program chair (for undergraduates) or dean or director (for graduate students), the student may submit the written complaint directly to the provost/VPAA. In such cases, the provost/VPAA will follow the informal resolution procedure outlined above. If the complaint is against the director of a non-academic unit not within the academic affairs division of the university, the provost/VPAA may forward the complaint to the executive responsible for the unit, who will, again, follow the procedure for informal resolution outlined above.*



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### ***Appeal and Resolution – Institutional Level***

If the student is not satisfied with the resolution proposed by the program chair (undergraduate level) or dean or director (graduate level), the student may choose to submit an appeal to the provost/VPAA. An appeal will not be considered unless there has been a documented complaint/informal resolution process. Students should be aware that an appeal should not be undertaken lightly or frivolously. Every appeal must include a compelling argument from the student, beyond simple dissatisfaction with a situation or proposed resolution. Appeals must be submitted within 30 days of the conclusion of the departmental/program-level complaint resolution process.

Appeals are submitted to the provost/VPAA in writing. An appeal must include:

- All documentation related to the program-level complaint/resolution process.
- Additional information that the student deems pertinent to the issue.

The student's appeal must be in the form of a letter (electronic letter is acceptable), clearly marked "Formal Appeal," and it must be dated and signed by the student. An appeal may be submitted as an email, but the signed document must be submitted as an email attachment. Students choosing to submit appeal documents as email attachments should insert "Formal Appeal" in the email subject line.

Upon receipt of the appeal, the provost/VPAA will notify the program chair, dean, or director responsible for the initial review of the student's complaint and will conduct a brief review of the materials provided by the student and the program chair, or dean or director. The provost/VPAA will then constitute a UI&U Grievance Review Committee (GRC). The preliminary review and formation of the GRC will typically be concluded within 20 working days of receipt of the initial appeal; the provost/VPAA will notify the student if the initial review will take longer than 20 days. At the conclusion of the preliminary review, the provost/VPAA may refuse to accept the appeal. If an appeal is not accepted, the provost/VPAA will notify the student in writing, citing the reasons for the decision. An appeal may be refused for a number of reasons, including, but not limited to, the following:

- The issue being appealed is not covered by this policy and procedure (see above).
- The appeal appears to be motivated by a desire to punish or retaliate, rather than by a desire to resolve the situation.

A student whose appeal is not accepted may resubmit the appeal to the provost/VPAA with additional documentation or information. If the appeal is not accepted after the second submission, the student may not appeal again.

### ***Appeal Review and Resolution***

If the provost/VPAA accepts the student's appeal, it will be considered by the GRC. The GRC will review all documentation related to the appeal, including the student's written appeal, the program chair's or dean/director's report on the program/departmental-level complaint review/resolution process, and the student's initial complaint. During the review, members of the GRC will have no direct contact with any of the involved parties: any requests for additional information or clarification will be made through the provost/VPAA, who may consult with any or all involved parties and/or the responsible program chair, dean, director, or vice president, advising the GRC of the results of those consultations. At the conclusion of the review, the provost/VPAA will determine a resolution and prepare a written report that will include:

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information related to the initial complaint and resolution; the student's written appeal; a description of the review process (such as interactions with involved parties); and a recommendation for resolution. The provost/VPAA will provide this report to the student and other involved parties, placing a copy of the report in the student's record. The provost/VPAA's report will be submitted within 40 days of receipt of the initial complaint; if additional time is needed to conduct a review, the provost/VPAA must notify all involved parties. The provost/VPAA's decision is final; no further appeal will be considered.

### **Institutional Student Complaint Log**

As noted above, under the provisions of the federal Higher Opportunity Employment Act, colleges and universities are required to maintain a log of student complaints and grievances. At the conclusion of the formal institutional review of the student's complaint (i.e., the level requiring GRC review), the provost/VPAA will enter this summary into the log, including the following information:

- Initial date received as a formal complaint (i.e., the date submitted to the provost/VPAA).
- Student name.
- Brief description of the incident.
- Description of the resolution.
- Date of the final resolution.

## **Intellectual Property Policy for Students**

Effective July 1, 2014, as Revised

The purpose of this policy is to ensure fairness and equity in the development and dissemination of useful creations, products, or processes by students at Union Institute & University (hereinafter referred to as "UI&U"). This policy clarifies individual and institutional copyrights, patent rights, and other intellectual property rights associated with ownership and with the distribution of benefits that may be derived from the creation of various types of intellectual property. A separate, more detailed policy applies to employees of the university; this policy focuses on students' rights pertaining to their academic creations.

### **General Policy**

In keeping with the norms of academic tradition, except to the extent set forth in this policy, UI&U does not claim ownership to pedagogical, scholarly, or artistic works. These works include those that students created in the course of their education, such as dissertations, papers, and articles. UI&U claims no ownership in nonfiction, textbooks, novels, poems, musical compositions, or other works of artistic imagination which are not institutional works and did not make significant use of UI&U resources or the services of UI&U non-faculty employees working within the scope of their employment.

### **Student Work**

A student creation or work is a work produced by a registered student without the use of UI&U funds (other than student financial aid); outside any UI&U employment (including work study); and is not a sponsored or commissioned work by UI&U, a cooperative employer, or other outside agency. Students are responsible for obtaining and maintaining copyright permissions related to their creations, as applicable.

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Students shall own their creations or works submitted in fulfillment of academic requirements. However, by enrolling at UI&U, the student gives the institution a nonexclusive royalty-free license to mark on, modify, and retain the work as may be required by the process of instruction. The institution shall not have the right to use the work in any other manner without the written consent of the student.

If a student is performing work sponsored or commissioned by UI&U (i.e., not part of the student's regular academic work), the student's ownership is limited to the creation or work itself, and does not extend to data or other scholarly information the student may have collected or obtained during the course of a project or to other creations which may be based on the same scholarly information. Such data and other scholarly information collected will remain the property of UI&U and be kept by UI&U. If the student's project is supported by funds or other resources from agencies external to UI&U and substantial use of UI&U resources is involved, the ownership and location of the scholarly information will be determined by the agreement between UI&U and the agency or by the published requirements of the agency. In the absence of such requirements or agreements and for projects which receive no external support but where substantial use of UI&U resources is involved, the data and other scholarly information collected as a result of the student academic creation will remain the property of UI&U and be kept by UI&U.

Ownership of textbooks, scholarly monographs, trade publications, maps, charts, articles in popular magazines and newspapers, novels, nonfiction works, supporting materials, artistic works, syllabi, lecture notes, and like works shall reside with the student who created them and any revenue derived from the creator's work shall belong to the creator. UI&U includes in its interpretation of scholarly works those presented at professional meetings or electronically distributed. World Wide Web pages, transparencies for projection, electronic presentation, etc. of scholarly activity remain the property of the creator as stated in this section.

Ownership of manuscripts for publication in academic journals shall reside with the student who created them and any revenue derived from the works shall belong to the creator. Ownership is limited to the scholarly work and does not necessarily extend to data or other scholarly information that the student may have collected or obtained during the course of the project or to other creations which may be based on the same scholarly information. In the absence of such requirements or agreements and for projects which receive no external support, and where substantial use of campus or UI&U resources has been made, the data and other scholarly information collected as a result of the scholarly activity of an UI&U student will remain the property of UI&U and will reside physically within UI&U or one of its campuses.

### **Observance of Copyrights**

UI&U respects the intellectual property rights of others. Accordingly, UI&U students are expected not to infringe on the copyrights of others. Unless permission has been obtained for the use of copyrighted material from the copyright owner, such material may only be used if permitted by the "fair use doctrine." The Copyright Act contains a list of the various purposes for which the reproduction of a particular work may be considered fair, such as criticism, comment, news reporting, teaching, scholarship, and research. However, the distinction between fair use and infringement may be unclear and not easily defined. There is no specific number of words, lines, or notes that may safely be taken without permission.

Acknowledging the source of the copyrighted material does not substitute for obtaining permission. The 1961 Report of the Register of Copyrights on the General Revision of the U.S. Copyright Law cites examples of activities that courts have regarded as fair use: "quotation of

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excerpts in a review or criticism for purposes of illustration or comment; quotation of short passages in a scholarly or technical work for illustration or clarification of the author's observations; use in a parody of some of the content of the work parodied; summary of an address or article, with brief quotations, in a news report; reproduction by a library of a portion of a work to replace part of a damaged copy; reproduction of a small part of a work to illustrate a lesson; reproduction of a work in legislative or judicial proceedings or reports; incidental and fortuitous reproduction, in a newsreel or broadcast, of a work located in the scene of an event being reported." If in doubt about whether a proposed use of copyrighted material falls within the fair use doctrine, students are expected to either obtain permission to use the material from the copyright owner or otherwise obtain guidance from the provost/VPAA.

### **Use of UI&U Name**

Without prior written permission from UI&U, no student shall be permitted to use or incorporate the name "Union Institute & University" (except for purposes of biographical references) or to use any other trademark or service mark of UI&U in any work created by the student.

### **Definitions**

**Copyright:** The intangible property right conferred by federal statute for an original work fixed in a tangible medium of expression. Copyright provides the owner with the following exclusive rights in a work: the right to reproduce, to prepare derivative works, to distribute by sale or otherwise, to perform publicly, and to display publicly.

**Institutional Works:** Includes works that are supported by a specific allocation of UI&U funds or that are created at the direction of UI&U for a specific UI&U purpose. UI&U shall retain ownership of works created as institutional works. Institutional works also include works whose authorship cannot be attributed to one or a discrete number of authors.

**Substantial Use:** Substantial Use of institutional resources means that in connection with the project at issue the creator of the materials received staff, salary, or material support beyond that normally provided to a typical student. Examples of non-significant use include ordinary use of university computers and/or the UI&U library. Should a question arise about whether support is beyond the norm, the unit leader (program or school head, dean, etc.) will provide a written opinion concerning the level of use of UI&U support and facilities. The student may or may not obtain such an opinion prior to commencing the project. However, a student who fails to request and receive such an advance opinion will be bound by any later determination made at the sole discretion of UI&U that the student made substantial use of institutional resources.

### **Intellectual Property Committee**

At the direction of the provost/VPAA, an ad hoc committee consisting of an equal number of faculty and administration may be formed from time to time to advise the provost/VPAA regarding any necessary changes to the UI&U Intellectual Property Policy.

### **Dispute Resolution**

In the event a dispute arises under this intellectual property policy, the affected parties shall first attempt to resolve such dispute through mutual negotiation. The dispute representative for UI&U shall be the provost/VPAA. After a period of thirty (30) days has elapsed, if the parties have

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been unable to resolve such dispute, the parties agree to submit to non-binding mediation using the services and procedures of the American Arbitration Association (AAA) and the AAA's Commercial Mediation Procedures. If, following such mediation, the parties are still unable to settle the outstanding dispute, then the dispute shall be resolved through final and binding arbitration held in the city of Cincinnati, Ohio. Arbitration shall proceed in accordance with the Commercial Arbitration Rules of the AAA unless other rules are agreed upon by the parties. The parties shall use the services of one (1) arbitrator, which shall be mutually selected by the parties, provided that if thirty (30) days elapse and the parties remain unable to agree upon the arbitrator, then either party may, in writing, request the AAA to appoint the arbitrator. All proceedings, hearings, testimony, documents, or writings connected with the arbitration shall not be disclosed by a party or its representative to persons not connected with, or interested in, the arbitration. The arbitrator may grant any relief authorized by law for any properly established claim. The award made in the arbitration shall be binding and conclusive on the parties and judgment may be, but need not be, entered in any court having jurisdiction.

Employees (faculty and staff) should refer to the university's general intellectual property, available on the human resources policies page of the university employee intranet.

### **Tampering with Educational Records**

Effective July 1, 2014, as Revised

No person shall knowingly tamper with any records (files, documents, etc.) held at Union Institute & University offices or at the home offices of university employees; nor shall any person knowingly tamper with university computer data or software or knowingly gain unauthorized access to university computer systems or individual office computers.

Ohio Revised Codes 2913.04 and 2913.42 define and establish criminal codes for tampering with educational records and/or unauthorized access to computer systems. Violators are subject to state prosecution.

In addition to any criminal charges that might result from tampering with university records, Union Institute & University, through its officers and under the provisions of university policies, may impose such penalties as are determined to be justified by the circumstances, including disciplinary probation, dismissal, rescission of a Union Institute & University degree (if the violation is discovered after graduation), termination of employment, and/or prosecution.

### **Student Immunization / Vaccination Policy**

Effective July 1, 2014, as Revised

#### **Policy**

Union Institute & University does not require that students or employees be immunized against any communicable diseases. UI&U students living outside the U.S. may be required to provide proof of immunization in order to qualify for temporary visas.

There are, at present, no federal or state regulations requiring immunization of adult citizens (i.e., individuals age 18 or older), although the National Immunization Program recommends certain vaccinations for adults. An overview of regulations in those states where UI&U operates academic centers follows. State regulations apply only to the locations where UI&U operates permanent academic centers.

### **Ohio**

The Ohio Revised Code (ORC) Section 1713.55 states that an institution of higher education shall not permit a student to reside in on-campus housing unless the student discloses whether they have been vaccinated against meningococcal disease and hepatitis B by submitting a meningitis and hepatitis B vaccination status statement. Because UI&U has no on-campus housing, this statute does not apply to UI&U.

### **Florida**

Florida's Title 48, Chapter 1006, Section 1006.69 has a two-part requirement. The first requirement that colleges and universities obtain documentation of student vaccination does not apply to UI&U, as UI&U students do not reside in on-campus housing. The statute also requires that postsecondary educational institutions "provide detailed information concerning the risks associated with meningococcal meningitis and hepatitis B and the availability, effectiveness, and known contraindications of any required or recommended vaccine to every student ... who has been accepted for admission." This required information is included below.

### **California**

Subject to certain exceptions, California Health and Safety Code Section 120390.5 requires first-time enrollees at California public universities who are 18 years of age or younger to provide proof of immunization against Hepatitis B as a condition of enrollment. This statute is not applicable to UI&U as it is a private institution.

### **Information on Meningococcal Disease**

(Adapted from information provided by the Centers for Disease Control and Prevention)  
Meningococcal disease is a serious illness caused by bacteria. It is the leading cause of bacterial meningitis in children two-18 years of age in the United States. Meningococcal bacteria can cause meningitis (inflammation of the lining of the brain and spinal cord) or sepsis (an infection of the bloodstream). Symptoms of meningitis include stiff neck, headache, fever, nausea, vomiting, confusion and drowsiness. Symptoms of sepsis include fever, shock and coma. Death from sepsis can occur within 12 hours of the beginning of the illness – meningococcal disease can be a rapid and overwhelming infectious disease. For these reasons, meningococcal infections that occur in childcare centers, elementary schools, high schools, and colleges often cause panic in the community. Every year about 2,600 people in the United States are infected with meningococcal disease. Ten to 15% of these people die, in spite of treatment with antibiotics. Of those who live, another 10% lose their arms or legs, become deaf, have problems with their nervous systems, become mentally retarded or suffer seizures or strokes.

### **How do you catch a meningococcal infection?**

Usually meningococcal infection is acquired after intimate contact with an infected person. Intimate contact includes kissing, sharing toothbrushes or eating utensils, or frequently eating or sleeping in the same dwelling as an infected individual.

### **Who is at risk?**

Anyone can get meningococcal disease, but it is most common in infants less than one year of age and in people with certain medical conditions. College freshmen, particularly those who live in dormitories, have a slightly increased risk of getting meningococcal disease. The risk for meningococcal disease among non-freshman college students is similar to that for the general population; however, the vaccine is safe and effective and therefore can be provided to non-freshmen undergraduates who want to reduce their risk for meningococcal disease.

**What can be done to decrease risk?**

The meningococcal vaccine can prevent four types of meningococcal disease. These include two of the three most common types in the United States. The meningococcal vaccine cannot prevent all types of the disease, but it does help to protect people who might become sick if they do not get the vaccine. The vaccine is available through your physician.

**What about the vaccine?**

A vaccine, like any other medicine, is capable of causing serious problems, such as allergic reactions. You should not get the meningococcal vaccine if you have ever had a serious allergic reaction to a previous dose of the vaccine. Some people who get the vaccine may develop redness or pain where the shot was given, and a small percentage of people develop a fever. These symptoms usually last for one or two days. The risk of the meningococcal vaccine causing serious harm is extremely small. Getting meningococcal vaccine is safer than getting the disease. People who are mildly ill at the time the shot is scheduled and women who are pregnant can still get the vaccine. Those with moderate or severe illnesses should usually wait until they recover. Discuss the timing, risks, and benefits of vaccination with your health care provider. For more information about the meningococcal vaccine, access the Vaccine Information Sheet at the Centers for Disease Control and Prevention (CDC) website: <http://www.cdc.gov/vaccines/hcp/vis/vis-statements/mening.html>.

**Name Change Policy**

Effective July 1, 2014, as Revised

A student's official name for records is entered into the student information system as provided on the student's admission application. Once a student record has been created, the name cannot be changed without an official name change request with supporting documentation. The student name as listed in the student information system is how the name will be presented on official graduation documents (transcripts and diploma).

To submit a name change request, students (or graduates) must provide the Registrar's Office with the Request to Change Name in Academic Record <http://www.myunion.edu/offices/registrar/name-change-policy-procedure/> and documentation showing that the name has been officially (legally) changed. (A certified copy of a court order, a marriage license, or a dissolution decree reflecting the new name in full are examples of the documentation required to support an official name change.)

The registrar has the discretion to accept minor changes in name (e.g., adding or removing a middle name or middle initial or spelling corrections). In such instances, the student may be expected to provide documentation such as a current driver's license with photo, social security card, or resident alien card.

Once the documentation is received in the Registrar's Office, the record will be changed. Students and graduates can check their name on the Student Master by visiting CampusWeb and accessing personal information.

## **Sexual Misconduct Policy**

Effective June 8, 2015 / Updated January 1, 2021

### **Policy Statement**

Union Institute & University recognizes the human dignity of each individual of the university community and believes that each has a responsibility to promote respect and dignity for others. UI&U is committed to providing a learning and working environment in which students, faculty, and staff can thrive, and a culture that is welcoming, affirming, and free of fear. To this end, UI&U strives to foster an academic and work environment that is free from sexual/gender discrimination, sexual/gender harassment, and sexual assault. This policy outlines a process to stop, remedy, and prevent all forms of sexual misconduct including acts of sexual violence, sexual/gender harassment, domestic violence, dating violence, stalking, and bullying, including cyberstalking and cyberbullying.

This policy applies to all university students and employees, members of the university's governing board, third parties, and others who do business with the university, including visitors or guests of the university. It applies to all conduct on university premises, and at university-sponsored events or programs, and to other off-campus behavior, not part of a university sponsored activity, when the effects of the conduct substantially intrude on the university and create a hostile academic or employment environment. In the case of allegations of sexual misconduct, this policy supersedes any conflicting procedures and policies set forth in other university documents.

This policy outlines the rights and options of Complainant and Respondent in the reporting of sexual misconduct situations and ensures a fair and equitable process for all parties. This policy is not a substitution for law; some allegations might rise to actions that are criminal in nature. UI&U supports and encourages individuals to report criminal activity to appropriate law enforcement officials

### **Definitions**

While the following definitions are not inclusive of all possible violations of this policy, they are meant to create a working glossary to illustrate potential situations covered by this policy and define sexual misconduct. The university prohibits all forms of sexual/gender discrimination, sexual/gender harassment, and sexual misconduct. Violations will not be tolerated and will result in appropriate discipline including possible suspension or expulsion from the university (students), suspension or termination from employment (employees), and sanctions including possible removal as to members of the university governing boards.

**Complainant:** An individual who is alleged to be a victim of conduct that could constitute sexual harassment.

**Confidential Reporter:** There are no confidential reporters at UI&U. All employees (including faculty) are mandatory reporters. Individuals outside the university who can be confidential reporters include licensed counselors, medical professionals, and ordained clergy.

**Consensual Relationships:** The university discourages consensual sexual or amorous relationships where there is an institutional power difference between the parties involved, for example between a supervisor and a subordinate employee, or between a student and anyone having a grading, advisory, or supervisory authority over that student. Relationships that occur in the context of educational evaluation or employment supervision present serious concerns



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about the validity of consent and existence of welcomeness. The disparity of power in these relationships makes them susceptible to exploitation. The university requires relationships of this type be disclosed using the disclosure form, which is then submitted to Human Resources. Such a disclosure may require changes in the evaluative and grading relationship (i.e., an independent third party assumes the duties of evaluating or grading and in the event of an employee relationship, a change in reporting relationship).

***Cyberbullying/Cyberharassment:*** Cyberbullying or Cyberharassment is the willful and repeated use of cell phones, computers, and other electronic communication devices to harass or threaten others on account of sex or gender, gender identity, or sexual orientation.

***Cyberstalking:*** Cyberstalking is the use of the Internet, email, or other electronic communications to stalk, and generally refers to a pattern of threatening or malicious behaviors.

***Dating Violence:*** 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, and where the existence of such a relationship shall be determined based on consideration of the following factors: the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

***Domestic Violence/Intimate Partner Violence:*** Domestic violence includes felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, 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 the jurisdiction.

***Gender Harassment:*** Gender harassment means unwelcome acts of verbal, nonverbal, or physical aggression, intimidation, or hostility based on gender or gender stereotyping, even if those acts do not involve conduct of a sexual nature. For example, harassment of individuals based upon sexual orientation or of transsexual individuals is a form of gender harassment based upon gender stereotyping. Such conduct is prohibited by this policy.

***Hate Crime:*** A criminal offense of any type committed against a person, property, or society which is motivated, in whole or in part, by the offender's bias against a race, religion, disability, sexual orientation, gender identity, ethnicity, or national origin.

***Investigation:*** The process of determining facts in response to a report. An investigation may be part of a formal or informal resolution process. An investigation will be directed by the Title IX coordinator.

***Mandatory Reporter:*** Also known as "responsible employee." All faculty and staff members at UI&U are mandatory reporters and are required to notify the Title IX coordinator or one of the deputy Title IX coordinators if they become aware of a potential violation of the sexual misconduct policy. In the state of Ohio, instances that are potentially felonies must be reported to the local civil authorities. The Title IX coordinator will notify the local civil authorities in such instances. UI&U cannot guarantee confidentiality regarding reporting but will limit information to those who have a need to know. Mandatory reporting is not contingent on whether or not there is an arrest or formal charge by law enforcement.

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**Notice:** Notice of a possible violation of this sexual misconduct policy may be given by anyone, whether it be the complainant or another person, including the Title IX coordinator. As defined by federal regulations from the U.S. Department of Education, “actual knowledge” to the university occurs when notice of sexual harassment or allegations of sexual harassment are made to the university’s Title IX coordinator or any official of the university who has authority to institute corrective measures on behalf of the university. All staff and faculty at the university are mandatory reporters, but not all mandatory reporters have authority to institute corrective measures on behalf of the university. For the purposes of this sexual misconduct policy, those having authority to institute corrective measures are the Title IX coordinator, the deputy Title IX coordinators, and President’s Cabinet. The university wants to know about any possible violations of this sexual misconduct policy and so encourages reporting such possible violations.

**Rape:** Rape is a violent form of sexual assault – an act of violence in which sex is used as a weapon. It includes any sexual intercourse with a person that occurs without their effective consent or when the person is unable to give consent. There are several different circumstances under which rape can occur.

- Stranger rape: the victim does not know the perpetrator.
- Acquaintance rape: the victim and the perpetrator are known to each other.
- Date rape: a type of acquaintance rape, when the assault occurs between two people who are dating partners.
- Marital rape: rape between spouses.

**Report:** Notice of an alleged violation of the university’s sexual misconduct policy.

**Respondent:** A person identified as alleged to have violated any provision of this sexual misconduct policy.

**Sexual Assault:** Sexual assault as defined by federal law means an offense classified as a forcible or non-forcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation. Examples of forcible sex offense include rape, sodomy, sexual assault with an object, and fondling. Examples of non-forcible sex offense include incest and statutory rape.

**Sex/Gender Discrimination:** Sex discrimination means the unequal and unlawful treatment of a person based solely on that person's sex or gender, sexual orientation, or gender identity when the adverse actions affect either that individual's employment or educational opportunities. Gender harassment and sexual harassment, including sexual violence, are forms of sex discrimination prohibited by this policy and federal law.

**Sexual Exploitation:** Sexual exploitation means taking sexual advantage of someone without her or his consent. Behaviors constituting sexual exploitation include but are not limited to:

- Video or audio recordings of sexual activity without consent of the person(s) involved;
- Physically observing people engaged in sexual activity without the consent of the person(s) involved;
- Knowingly transmitting a sexually transmitted disease to someone;
- Exposing one’s genitals to someone without the other person’s consent;
- Sharing sexually oriented images with a third party without the consent of the person(s) involved
- Using sexually oriented images to coerce someone to act against that person’s will;
- Creation, possession, or dissemination of child pornography

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**Sexual Harassment:** As defined by federal regulations from the U.S. Department of Education, sexual harassment means conduct on the basis of sex that satisfies one or more of the following:

- **Quid pro quo sexual harassment** (the Latin term for “this for that”) - An employee of the university conditioning the provision of an aid, benefit, or service of the university on an individual’s participation in unwelcome sexual conduct.
- **Hostile environment sexual harassment** - Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the recipient’s education program or activity. Included within sexual harassment are sexual assault, dating violence, and stalking.

**Sexual Misconduct:** Sexual misconduct means non-consensual sexual contact, non-consensual sexual intercourse, sexual assault, or other non-consensual physical sexual conduct perpetrated against another. Sexual intercourse includes any oral, anal, or vaginal penetration, to any degree, with any object. Sexual contact is any sexual touching, with any object, by any person upon another. Sexual touching includes touching of any erogenous areas such as a person’s genitals, breasts, or buttocks. Sexual misconduct may also include sexual exhibitionism, peeping or other voyeurism, prostitution or solicitation of prostitution, or going beyond the scope of consent, e.g., by allowing others to view consensual sex or the non-consensual photographing or video or audio taping of sexual activity or distribution of recorded sexual activity.

**Stalking:** Stalking means engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for their safety or the safety of others, or suffer substantial emotional distress.

### **The Importance of Consent**

Consent is an affirmative decision to engage in mutually acceptable sexual activity given by clear actions or words. It is an informed decision made freely and actively by all parties. Relying solely upon nonverbal communication can lead to miscommunication. It is important not to make assumptions; if confusion or ambiguity on the issue of consent arises anytime during a sexual interaction, it is essential that each participant stops and clarifies, verbally, willingness to continue. Consent may not be inferred from silence, passivity, or lack of active resistance alone. Furthermore, a current or previous dating or sexual relationship is not sufficient to constitute consent, and consent to one form of sexual activity does not imply consent to other forms of sexual activity. Being intoxicated does not diminish one’s responsibility to obtain consent.

Conduct will be considered “without consent” if no clear consent, verbal or nonverbal, is given. It should be noted that in some situations an individual’s ability to freely consent is taken away by another person or circumstance. Examples include, but are not limited to, when an individual is incapacitated due to alcohol or drugs, frightened, physically forced, asleep, unconscious, intimidated, coerced, mentally or physically impaired, beaten, threatened, isolated, or confined.

### **The Impact of Alcohol and Drugs**

The use of alcohol or drugs can have unintended consequences. Alcohol or drugs can lower inhibitions and create an atmosphere of confusion over whether consent is freely and effectively given. The perspective of a reasonable person similarly situated to the complainant and in consideration of the context of the behavior will be the basis for determining whether one should have known about the impact of the use of alcohol or drugs on another’s ability to give consent. Being intoxicated or high is never an excuse for sexual misconduct.

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### **Retaliation**

Retaliation is prohibited under this policy. Any individual who believes they have been subjected to misconduct under this policy is encouraged and has the right to seek support, utilize available resources, and come forward with their concern or report. Fear of retaliation should never be an obstacle to reporting an incident of alleged sex/gender-based harassment, sexual violence, relationship violence, or any form of stalking. Retaliation is also prohibited against anyone who participates in an investigation of, or follow-up to, a report of a violation of this policy.

### **Rights of Complainant**

- To be treated with respect before, during, and after the reporting process, investigation, and resolution of a potential violation of the sexual misconduct policy.
- To be informed of the university's process regarding sexual misconduct and possible outcomes.
- To receive substantive communication and, when warranted, procedural developments regarding an investigation.
  - Note that the alleged conduct may also be criminal in nature, and the complainants have the right to report such conduct to the appropriate law enforcement agency. The university will provide assistance in the filing of such a complaint if requested. A criminal report does not preclude university disciplinary action. Likewise, the university may pursue a disciplinary action against a respondent regardless of whether or not a criminal complaint is filed.
- Complainants are strongly encouraged to seek counseling and support. Help with accessing appropriate resources is available through the Office of Student Success (students) or Human Resources (employees). Additional resources are listed under the Help and Resources section of this policy.
- An advisor of the complainant's choice may accompany them to any meeting with the investigator. Should the case go to a hearing, the complainant will be required to have an advisor, who can be but need not be a lawyer. If the complainant does not have an advisor, the university will provide one. In the event of a hearing, the advisor may directly question the respondent, but the complainant cannot. In the hearing, the respondent's advisor may directly question the complainant, but the respondent cannot.
- To have an educational environment that is free of discrimination and to prevent the recurrence of a hostile environment and, if appropriate, remedy the effects of the alleged harassment to the reporting party.

### **Rights of Respondent**

- To be treated with respect before, during, and after the reporting process, investigation, and resolution of a potential violation of the sexual misconduct policy.
- To be informed of the university's process regarding sexual misconduct and possible outcomes.
- To receive substantive communication and, when warranted, procedural developments regarding an investigation.
  - Note that the alleged conduct may also be criminal in nature, and the respondents have the right to report such conduct to the appropriate law enforcement agency. The university will provide assistance in the filing of such a complaint if requested. A criminal report does not preclude university disciplinary

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action. Likewise, the university may pursue a disciplinary action against a respondent regardless of whether or not a criminal report is filed.

- Respondents are strongly encouraged to seek counseling and support. Help with accessing appropriate resources is available through the Office of Student Support Services (students) or Human Resources (employees). Additional resources are listed under the Help and Resources section of this policy.
- An advisor of the respondent's choice may accompany them to any meeting with the investigator. Should the case go to a hearing, the respondent will be required to have an advisor, who can be but need not be a lawyer. If the respondent does not have an advisor, the university will provide one. In the event of a hearing, the advisor may directly question the complaint, but the respondent cannot. In the hearing, the complainant's advisor may directly question the respondent, but the complainant cannot.
- Respondents can expect a presumption of innocence throughout the investigation process unless and until they are found responsible for a violation of this policy.

### **Prevention**

UI&U strives to foster a safe learning and working environment, considering both physical surroundings and the university's response to allegations of sexual assault. The university monitors the physical surroundings of its centers to enhance security and safety through lighting, limited facilities access, security staff, etc. While there is no absolute way to prevent a sexual assault, there are a number of simple precautions that can be taken to minimize risk: individuals should be aware of their surroundings and not let alcohol or other drugs cloud their judgment; keep home, office, and car doors and windows locked; do not lend your keys to anyone you do not trust completely; do not put your name or address on your key ring; do not provide personal contact information (personal email, phone number, address) to someone you do not know and trust; always watch for unidentified visitors to UI&U facilities; report unknown visitors immediately; stay away from isolated or dark areas; walk with a companion or in a group whenever possible.

As part of its commitment to providing a safe learning and working environment free from all forms of sexual misconduct, UI&U provides ongoing training opportunities for students and employees in the prevention and remedy of sexual misconduct.

### **Reporting a Violation**

The university's Title IX coordinator shall have overall responsibility for coordinating compliance with this policy. The Title IX coordinator will work with the vice president for human resources (VPHR) for all Title IX cases involving a student or employee. Any student, employee, or other individual who believes a violation of this policy has occurred may file a complaint with any UI&U mandatory reporter. However, the university encourages reports be submitted in writing to the Title IX coordinator or deputy Title IX coordinator whose contact information is listed below. The report should describe the alleged incident, where and when it occurred, and the desired remedy sought. There is no official statute of time limitations for submitting a report. However, the university encourages reports of violations be filed quickly to maximize the institution's opportunity to respond and investigate. All faculty and staff are mandatory reporters, and as such, all employees who become aware of conduct that might fall under this policy are required to notify the Title IX coordinator, or a deputy Title IX coordinator, with the names of the parties involved and any known details as soon as possible.

The university cannot guarantee complete confidentiality when reports of possible Title IX violations are received. All employees of the university are mandatory reporters and must report possible Title IX violations of which they are aware to the Title IX coordinator or one of the

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deputy Title IX coordinators. If a case is investigated, the sharing of details of the investigation will be limited to the complainant and the respondent, their advisors, the investigator, and university personnel involved in the Title IX process. If the case goes to a hearing, those present will include the complainant and the respondent, their advisors, witnesses, and the three-person hearing board. Confidentiality is also affected when the safety of members of the university community (including the complainant) or when the university is required by law to disclose the information, or when issues of equity require disclosure. The university encourages complainants to report violations that might be subject to criminal action to appropriate law enforcement officials. As necessary and as required by the laws of the locality, the university reserves the right to initiate a report, to serve as complainant, and to initiate conduct proceedings without a formal report by the person who would typically be the complainant. All participants (including the complainant, respondent, witnesses, advisors, investigators and others) involved in any part of the reporting, investigative, resolution, or appeals process are expected to respect the confidentiality of the proceedings and circumstances giving rise to the report.

### ***Coverage Under Title IX***

For a formal complaint to be processed under Title IX, the incident alleged in the complaint must meet the following conditions:

- 1) It must meet the definition of sexual harassment as defined above, which reflects 34 CFR § 106.30 in the U.S. Department of Education's regulations.
- 2) It must have occurred within the scope of one of the university's education programs or activities.
- 3) It must have occurred against a person in the United States.

It may be that while the incident alleged in the complaint is not covered under Title IX, it may be a violation of the Policies Governing Student Conduct, or a violation of terms and expectation of other university policies.

### **Contacts**

#### **Title IX Coordinator**

Dr. Peter Caccavari  
Associate Vice President for Institutional Effectiveness  
440 East McMillan Street  
Cincinnati, OH 45206  
513.487.1138, 800.861.6400, ext. x1138  
[pete.caccavari@myunion.edu](mailto:pete.caccavari@myunion.edu)

#### **Deputy Title IX Coordinators**

The deputy Title IX coordinators will assist the Title IX coordinator by forwarding any reports or notice of possible violations of this policy promptly to the Title IX coordinator; will assist complainants and respondents and refer them to local resources as appropriate; will notify local law enforcement if necessary; and will offer overall help in coordinating and implementing the university's Title IX compliance efforts and related reporting and disclosure laws concerning campus safety for their respective centers. In addition, deputy Title IX coordinators will serve as members of hearing boards.

Dr. Rhonda Brinkley-Kennedy  
Dean, Educational Transformation and Strategic Alliances and Special Assistant to the

## ***Safety and Security Report January 1, 2019 – December 31, 2019***

President  
6701 Center Drive West #1200  
Los Angeles, CA 90045  
800.486.8328 ext. 1722  
[rhonda.brinkley-kennedy@myunion.edu](mailto:rhonda.brinkley-kennedy@myunion.edu)

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Executive Director for Student Support Services  
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Dr. Jennifer Raymond  
Interim Dean, Doctor of Philosophy in Interdisciplinary Studies  
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Sarah Wallis  
Director of Academic Grants and Projects

440 E. McMillan Street  
Cincinnati, OH 45206-1925  
800-861-6400 ext. 1197  
[sarah.wallis@myunion.edu](mailto:sarah.wallis@myunion.edu)

### **Resolution Process**

The Title IX coordinator is responsible for investigating reports of violations of this sexual misconduct policy, including the possible utilization of external investigators and deputy Title IX coordinators. Upon receipt of a report of sexual misconduct, the Title IX coordinator will conduct an initial assessment of the report and any supporting documentation to determine the appropriate course of action. This course of action may include:

1. A determination that the alleged incident is not covered under Title IX.
2. A determination that the alleged incident does not rise to the level of a violation covered under this policy.
3. An informal resolution approach.
4. The initiation of a formal investigation.

The university will seek action consistent with the complainant's request where possible. Any individual seeking informal resolutions or mediation should discuss these options with the Title IX coordinator. Informal resolution or mediation is not an option for any allegation of sexual assault or violence. Interim, immediate measures may be taken during the course of the informal resolution process and/or investigation to ensure the safety and well-being of the complainant and/or the university at large. These measures will be imposed in a way that balances rights of the complainant and the rights of the respondent.

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### ***Supportive Measures***

Supportive measures are non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures are designed to restore or preserve equal access to the university's education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the university's educational environment, or deter sexual harassment. Supportive measures may include, but are not limited to, extensions of deadlines or other course-related adjustments, referrals to counseling services or support organizations, modifications of work or class schedules, campus escort services, mutual restrictions on contact between the parties, changes in work locations, leaves of absence, increased security and monitoring of certain areas of the campus, and other similar measures. The university will maintain as confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair the ability of the university to provide the supportive measures. The Title IX coordinator is responsible for coordinating the effective implementation of supportive measures.

Individuals with reports of sexual misconduct also have the right to file a formal complaint with the U.S. Department of Education:

U.S. Department of Education, Office for Civil Rights (OCR)  
Lyndon Baines Johnson Department of Education Bldg.  
400 Maryland Avenue, SW  
Washington, DC 20202-1100 or by visiting <http://www.ed.gov/ocr> or calling 800.421.3481.

### ***Informal Resolution Process***

Where appropriate, it is hoped that resolution of any complaint not involving sexual assault or violence will begin with a sincere attempt at informal resolution. Individuals are encouraged to discuss their concerns with the Title IX coordinator and if the complainant agrees, concerns will be resolved through interactive discussion between the parties and if appropriate, a remedies-based resolution. Informal resolution or mediation is not an option for any allegation of sexual assault or violence.

Remedies-based resolution is a non-disciplinary approach designed to eliminate a hostile environment without initiating a potential disciplinary action against a respondent. Resolution measures may include, but are not limited to, a no-contact order between the parties, adjustments in class schedules, and/or adjustments in group work within classes. All involved parties will be notified in writing by the Title IX coordinator of the allegation and the suggested resolutions within 14 days of the parties agreeing to an informal resolution.

### ***Formal Resolution Process***

If the complainant does not believe that a satisfactory resolution has been reached at the informal resolution stage, or the complainant prefers to skip the informal resolution process, the formal resolution process will involve the steps below.

1. Report
  - a. Complainant should submit a written report to the Title IX coordinator. Any supporting documentation and evidence should be referenced in the written report. If the complainant prefers, the complainant can give a verbal statement by phone or in person to the Title IX coordinator.
2. Investigation



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- a. The Title IX coordinator (or another investigator designated by the Title IX coordinator) will begin a formal investigation. The investigation will include interviews with the complainant, the respondent, and any applicable witnesses, as well as review of any applicable documentation or physical evidence.
- b. Should a complaint be filed against the Title IX coordinator, a deputy Title IX coordinator will work with the vice president for human resources (VPHR) and will coordinate the investigation as appropriate.
- c. The university prohibits any intentional false reports of incidents. Such intentional false reporting is a violation of the Policies Governing Student Conduct and Employee Workplace standards policy.
- d. The complainant, respondent, and, if applicable, their advisors, will have access to all evidence collected during the investigation upon request. When requested, the evidence will be provided electronically.
- e. The Title IX coordinator (or another investigator designated by the Title IX coordinator) will conduct a thorough and impartial investigation. Every attempt will be made to deliver a draft report to the complainant, respondent, and, if applicable, their advisors, within 60 days of the initiation of the report. The complexity of some cases and/or unforeseen circumstances may cause the process to exceed 60 days. The university seeks to balance the needs for timely resolution and a thorough and impartial investigation. If the draft report will take longer than 60 days, the Title IX coordinator will send written notice to the complainant, respondent, and, if applicable, their advisors.
- f. At the conclusion of the investigation, the Title IX coordinator will provide all collected evidence to the complainant, respondent, and, if applicable, their advisors. The evidence will be provided electronically. The parties will have 10 business days to submit a written response on the collected evidence if they choose to do so. The Title IX coordinator will consider any responses to the evidence prior to completion of the investigation report.
- g. The Title IX coordinator will then draft the investigation report and send it to the complainant, the respondent, and, if applicable, their advisors. The complainant and the respondent will have 10 business days to review the draft of the investigation report and submit a written response on the draft of the investigation report to the Title IX coordinator if they choose to do so. The investigation report will include the names of the complainant, respondent, details from the investigation, a timeline of significant events, and a conclusion about what evidence there is for determining whether the respondent is or is not responsible for having violated the sexual misconduct policy. The Title IX coordinator will consider any responses to the draft of the investigation report, making any changes to the investigation report as the Title IX coordinator considers needed based on those responses. The Title IX coordinator will include those responses verbatim with the final investigation report. The Title IX coordinator will then send the final version of the investigation report to the complainant, respondent, and, if applicable, their advisors.

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- h. The Title XI coordinator will then select a hearing board who schedules a live hearing.

### 3. Hearing

- a. A hearing board composed of three officials representing the university is formed. The hearing board reviews the investigation report. One of the members of the hearing board will be named the chair.
- b. The hearing will consist of the complainant, the respondent, their advisors, and any witnesses. While advisors are not required for the investigation portion of the process, they are required for the live hearing. If the complainant or respondent do not have an advisor prior to the hearing, the university will provide an advisor. Advisors are allowed to ask questions directly of the complainant or respondent. Neither the complainant nor the respondent may ask questions of each other directly.
- c. While the hearing must be live, it does not need to be such that all participants are located in a single room. In fact, due to the distributed nature of the university and its students and employees, it is most likely that the hearing will be conducted via teleconferencing technology. The complainant and the respondent will not be in the same room unless both the complainant and the respondent prefer to be in the same room.
- d. The hearing must be recorded.
- e. The chair of the hearing board will determine whether or not any particular question asked by an advisor is relevant. If the chair determines that a question is not relevant, the chair must explain why the question is not relevant.
- f. If a complainant, respondent, or witness does not submit to cross-examination at the hearing, then the hearing board cannot consider any statements made by that person as evidence in reaching their decision.
- g. Structure of the hearing
  - i. The chair of the hearing board states the ground rules for the hearing, logistics for technology, etc.
  - ii. The complainant and the respondent may make a verbal statement to the hearing board if they wish.
  - iii. The complainant's advisor provides an opening statement.
  - iv. The respondent's advisor provides an opening statement.
  - v. The complainant's advisor provides evidence and cross-examines witnesses and the respondent as they choose.
  - vi. Then the respondent's advisor provides evidence and cross-examines witnesses and the respondent as they choose.
  - vii. The chair of the hearing board announces next steps in the process.
  - viii. The hearing concludes.

### 4. Decision

- a. The hearing board meets to decide if the respondent is responsible for a violation of the sexual misconduct policy. A decision is reached when at least two of the

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three hearing board members agree as to whether or not the responding party is responsible. The hearing board will use a “preponderance of the evidence” standard and evaluate available information from the perspective of a reasonable person in the reporting party’s position and in consideration of the context of the behavior.

- b. When the hearing board reaches a conclusion, they give a written decision to the Title IX coordinator within seven business days.
- c. The written decision will include the following:
  - i. Identification of the allegations potentially constituting violations of the sexual misconduct policy.
  - ii. A description of the procedural steps taken from the receipt of the formal complaint through the determination. Those procedural steps will include any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held.
  - iii. Findings of fact supporting the determination.
  - iv. Conclusions regarding the application of the sexual misconduct policy to the facts.
  - v. A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility.
  - vi. If the respondent is found responsible for having violated the sexual misconduct policy, the written decision will include any sanctions determined by the hearing board.
    1. Possible sanctions can include, but are not limited to, expulsion from the university, suspension, required counseling or training, or termination of employment.
  - vii. Any remedies designed to restore or preserve equal access to the university’s education program or activity will be provided by the university to the complainant.
  - viii. The procedures and permissible bases for the complainant and respondent to appeal.
- d. The Title IX coordinator will send the completed written decision to the complainant and respondent within 10 business days of the conclusion of the hearing.

### 5. Appeals

#### a. Appeal Process

- i. The hearing board’s written decision may be appealed by either party by filing a written appeal. A written appeal by either the complainant or the respondent would be addressed to the provost/VPAA.

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- ii. The appeal process is not intended to re-hear the same case and is limited to the specific grounds outlined below.
- iii. Any resolution or sanction will remain in force while an appeal is considered and a final decision is determined.
- iv. Each student/employee is limited to one appeal per case, and the decision of the appeal is final.
- v. For the appeal to be considered, the appellant must submit a written notice to the provost/VPAA within 15 business days of receipt of the written decision. This written appeal must state the specific grounds for the appeal and should include any supporting documentation.
- vi. The Title IX coordinator will notify in writing the complainant and the respondent of any appeal, what the grounds for the appeal are within five business days of the date when the request for appeal was received by the provost/VPAA.
- vii. The complainant and the respondent will be notified in writing of the appeals decision of the provost/VPAA within 15 business days of when the Title IX coordinator sent notification of the appeal to the complainant and respondent.

### b. Grounds for Appeal

- i. Procedural irregularity that affected the outcome of the matter.
- ii. 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. This new information must be included with the request for appeal.
- iii. The Title IX coordinator, investigator(s), or decision-maker(s) had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter.
- iv. Dissatisfaction with a decision is not grounds for an appeal. Non-attendance or non-participation in the process is not considered new evidence or grounds for an appeal.

### **Help and Resources**

It is especially important for students or employees who have been sexually assaulted to seek immediate and appropriate medical treatment. This is not only important for the victim's health, but will be vital for gathering of necessary evidence for criminal investigations. Emergency medical services should be summoned as soon as possible for assault and violence incidents.

Often the impact of sexual assault or violence is invisible and victims of sexual assault or violence may need mental health counseling to assist them in dealing with the trauma.

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### **University Resources**

#### Human Resources

Employees who need assistance in securing outside help or services should contact Human Resources at 800.861.6400.

#### Office of Student Support Services

Students who need assistance in securing outside help or services should contact Dr. Jay Keehn, Executive Director for Student Support Services at 800-861-6400 x ext. 2140 [jay.keehn@myunion.edu](mailto:jay.keehn@myunion.edu).

#### ADA Coordinator

Students whose academic performance is adversely affected by a violation of this policy should consult with the ADA coordinator about possible accommodations:

ADA Coordinator

Dr. Jay Keehn

Executive Director for Student Support Services

4601 Sheridan Street, Suite 400

Hollywood, FL 33021

800.486.7141 ext. 2140

[jay.keehn@myunion.edu](mailto:jay.keehn@myunion.edu)

### ***National Resources***

#### Rape, Abuse and Incest National Network

The nation's largest anti-sexual assault organization, RAINN operates the National Sexual Assault Hotline, 800.656.HOPE, and carries out programs to prevent sexual assault. [www.rainn.org](http://www.rainn.org).

#### Center for Changing Our Campus Culture

The Center for Changing Our Campus Culture is a resource center supported by the U.S. Department of Justice's Office of Violence against Women.

<http://changingourcampus.org/>.

- Then click on the Resources tab.

### ***Local/Regional Resources***

#### Cincinnati

- Police
  - 911 or 513.569.8600
- Women Helping Women
  - 24-Hour Hotline: 513.381.5610 or 877.889.5619
  - <http://www.womenhelpingwomen.org/>
- Ohio Alliance to End Sexual Violence
  - 888.886.8388

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- <http://www.oaesv.org/>

### **Sacramento**

- Police
  - 911 or 916.264.5471
- California Coalition Against Sexual Assault
  - 916.446.2520
  - [www.calcasa.org](http://www.calcasa.org)

### **Los Angeles**

- Police
  - 911 or 877.275.5273
- California Coalition Against Sexual Assault
  - 916.446.2520
  - [www.calcasa.org](http://www.calcasa.org)

### **Florida**

- Police
  - 911 or [305.949.5500](http://305.949.5500)
- Florida Council Against Sexual Violence
  - 850.297.2000
  - [www.fcasv.org](http://www.fcasv.org)

### **Related Policies**

#### ***For students: Policies Governing Student Conduct***

In the case of allegations of sexual misconduct (including sexual harassment), this sexual misconduct policy supersedes any conflicting procedures and policies set forth in other university documents.

## **Use of University Facilities: Policies and Procedures**

Effective July 1, 2018, Revised January 1, 2021

### **Policy Statement**

It is the policy of Union Institute & University that the safety of individuals using university facilities is paramount. To that end, the university has established procedures and standards for use of its facilities, including access, general standards for behavior, reporting of injuries and criminal incidents, and timely warnings of dangerous situations. This policy and the information and procedures detailed below apply to all UI&U facilities. There may also be facility-specific rules and restrictions, determined by the building owners/managers, and/or state and local regulations covering facility use and safety.

### **Union Institute & University Facilities**

Except for the UI&U national headquarters in Cincinnati, all university-operated centers occupy leased space or suite(s) within a building having other tenants (all other centers). As a general practice, students and employees have access to university facilities during normal business hours (typically 9 a.m. to 5 p.m., Monday through Friday). Some facilities may be open on evenings and/or weekends for classes and/or academic residencies. Hours of operation are posted at each location. Individuals having questions about access or use of a specific facility should contact the facilities director (Cincinnati center) or the responsible center administrator.

### **General Standards for Use of UI&U Facilities: Centers, Course Locations, and Temporary Off-Campus Locations**

In addition to its permanent centers in Cincinnati, Ohio; Hollywood, Florida; Los Angeles and Sacramento, California, UI&U also offers classes and holds academic meetings at other locations: the Bachelor of Science program offers numerous classes at law enforcement agency facilities; and doctoral programs may hold academic residencies at hotels/conference centers. These off-campus locations are considered to be university facilities during the times they are in use by UI&U. The following use standards apply to all university-operated facilities, permanent and temporary:

- Individuals using a university-operated facility shall behave appropriately at all times—they shall not engage in any behavior that is threatening, dangerous or harmful to self or others, disruptive to the learning or work environment, or damaging to university property or property of others. (Appropriate conduct is specifically addressed in a number of other university policies, including but not limited to, the Student Conduct Policy, the Sexual Misconduct Policy, and Policy on Student Use of Alcohol and Controlled Substances.)
- Students and visitors at UI&U facilities are expected to cooperate with university personnel as they carry out their duties, and to abide by any location specific requirements regarding access (such as wearing employee or visitor badges, front-desk check in and out, etc.).
- Personal property is not covered under Union Institute & University's insurance policy. Personal vehicles should be locked, and personal property secured in offices, desks, or hotel rooms, as applicable.
- No firearms or other weapons may be brought onto university property, with the exception of students or employees who are commissioned police officers and required to carry a weapon while on or off duty.

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- Tampering with wiring, electrical equipment, sprinkler systems, fire extinguishers, fire alarms or any other safety equipment is prohibited.
- Smoking is not permitted inside any university facility or within 30 feet of any exterior door of a university facility. (Smoking rules at course locations and temporary off-campus facilities may vary.)

### **General Safety Suggestions**

Union Institute & University does not have a police force or official security department at any of its facilities. Security personnel at UI&U's permanent facilities are not commissioned police officers—they have no authority to arrest; nor are they qualified to administer medical services. Security personnel employed by the university are required to call 911 in an emergency situation and to report criminal activity to university officials and to local law enforcement offices.

All individuals visiting university facilities are expected to take reasonable steps to ensure their own safety. To that end, the university offers the following general safety suggestions:

- Avoid walking alone, particularly after dark. If walking alone is unavoidable, be aware of your surroundings. (At most university locations, security personnel are available during operating hours to provide escort services if requested.)
- Do not leave personal property unsecured or unattended.
- Keep vehicles locked, and do not leave personal items in view.
- Offices, workstations, and classrooms should be locked when not in use.
- Be aware of suspicious persons and activities. If you observe someone or something suspicious, notify building security and/or local law enforcement authorities. In an emergency, dial 911.

### **The Upstanding Bystander**

A bystander is an individual who witnesses but is not involved in an accident or criminal incident. The university encourages proactive action by bystanders, such as seeking medical or emergency assistance when an individual's health or safety may be in jeopardy, including, but not limited to, when danger arises due to use of alcohol, drugs, or acts of violence, harassment, vandalism, or hate crimes. Being aware of an incident, acknowledging that the incident may be an emergency, taking responsibility to act, and attempting to help are all characteristics of being an upstanding bystander. Upstanding bystanders may report incidents of concern to any university administrator, to campus security, or by contacting local law enforcement directly.

### **Reporting Injuries**

If a student or other individual is injured while on campus or while participating in a university-sponsored activity off campus, the university strongly encourages the individual to report the injury to a university administrator at the event, who must then inform the chief financial officer (CFO). The individual may be asked to submit a completed UI&U Incident - Accident/Incident Report (Form 134), which can be obtained from Human Resources or downloaded from the UI&U employee intranet. Any injury that occurs to a UI&U employee while at a university facility or while conducting university business at any other location **must** be reported to Human Resources in Cincinnati, Ohio.

### **Reporting Criminal Incidents**

In accordance with federal regulations and in keeping with Union Institute & University's philosophy of concern for its students, faculty, staff, and visitors, any individual who is a victim of criminal activity or who observes such activity occurring at a university-operated facility or at a



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university sponsored event occurring off campus is strongly encouraged to report the incident to a Campus Security Authority (CSA) as well as to local law enforcement. Incidents will be tracked in a Daily Crime Log. The university's CSAs are:

### *Primary CSAs*

Tom Frederick (Florida Academic Center)  
800-486-7141 ext. 2116

Ami Bryant (Los Angeles Academic Center)  
800-486-8328 ext. 1707

Prab Gill (Sacramento Academic Center)  
800-486-7049 ext. 1511

Ray Bolin (Cincinnati Academic Center)  
800-861-6400 ext. 1248

Any third-party security personnel located at an Academic Center

### *Secondary CSAs*

Renee Cave, (Cincinnati Academic Center)  
800-861-6400 ext. 1202

Dr. Rhonda Brinkley-Kennedy (Deputy Title IX Coordinator, Los Angeles Academic Center)  
800-486-8328 ext. 1722

Dr. Pete Caccavari (Title IX Coordinator, Cincinnati Academic Center)  
800-861-6400 ext. 1138

Dr. Jay Keehn (Deputy Title IX Coordinator, Florida Academic Center)  
800-486-7141 ext. 2140

Sandra Mills (Chief Financial Officer, Cincinnati Academic Center)  
800-861-6400 ext. 1104

Dr. Jennifer Raymond (Deputy Title IX Coordinator)  
800-861-6400 ext. 1019

Monique Skinner (Ph.D. Program Manager, Cincinnati Academic Center)  
800-861-6400 ext. 1201

Sarah Wallis (Deputy Title IX Coordinator, Cincinnati Academic Center)  
800-861-6400 ext. 1197

If an emergency situation exists, the victim or witness should call 911. In non-emergency situations, the victim or witness may elect to report the incident to a CSA, who will, in turn, contact local law enforcement.

Criminal incidents and activities should **always** be reported to a CSA, as listed above. Criminal activities may also be reported to security personnel at UI&U facilities, where applicable. Note, however, that security personnel at UI&U facilities are not commissioned law enforcement officers; they have no authority to make arrests.

A report of any criminal incident occurring at a university facility must be written by the CSA who has been notified of the incident and filed with the chief financial officer (CFO) within forty-eight (48) hours of the occurrence. For criminal incidents occurring at university-sponsored events held off-campus (such as a seminar or reception), the university employee with on-site responsibility for the event (such as the faculty convener of a seminar) is responsible for filing the report to the CFO. The CFO, in consultation with the president and/or other personnel, will determine whether additional university investigation of the incident is necessary, whether any disciplinary actions against an employee or student are warranted, and/or if the incident is such

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as to call for a warning to the university community. University investigations and/or disciplinary actions are separate from actions that may be taken by law enforcement agencies.

### **Annual Security Report**

By October 1 of each year, as required by federal law, the university publishes on the university's website a report of certain types of criminal incidents occurring at university facilities and their immediate environs in the previous calendar year. (The types of crimes reported are determined by federal regulations.) Notice of the location of the report is communicated via email to current students and current employees. The report is available to employees, students, prospective employees, and prospective students, any of whom may request a print version of the report, as directed in the report text.

### **Confidentiality**

It is the policy of UI&U that the university will report, to the appropriate law enforcement agency any alleged crimes of which it is made aware. Individuals reporting crimes to the university cannot be assured confidentiality in such reports.

Under the provisions of the Family Educational Rights and Privacy Act (FERPA), as amended in 2000, Union Institute & University has the discretionary authority to disclose to a victim of a crime of violence the final results of any disciplinary action taken by the university against the person accused of the crime. The victim may not disclose this information to any third party. The university may release certain information regarding the final results of a disciplinary hearing to the general public if the hearing was related to a crime of violence for which an individual was found to be in violation of university rules or policies regarding such crimes. If results are released by the university, only the individual's name, the violation committed, and the sanctions imposed by the university against the individual will be published.

### **Timely Warnings**

The CFO, after consultation with the president and other personnel as needed, will alert the university community when the university receives a report of a crime against a person or a particularly threatening crime against property that appears to represent an ongoing danger to the safety of students, faculty, and staff. Alerts may result from reports from local law enforcement or from reports by members of the UI&U community. Every attempt will be made to distribute the alert within 12 hours of the time the incident is reported; however, release of timely warnings is subject to the availability of accurate facts concerning the incident. Alerts will be distributed by email to all employees at the center, to students enrolled at the center, and to faculty who work off-site but are likely to visit the center.

Each alert will include the following information.

1. A succinct statement of the incident, including date and location of the occurrence.
2. Possible connection to previous incidents, if applicable.
3. Physical description of the suspect.
4. Composite drawing of the suspect, if available.
5. Date and time the bulletin was released.
6. Other relevant and important information.

Alerts may also include requests for information about an offender, crime prevention tips, and/or information about special precautions to be taken until the specific crime has been resolved.

See also:  
Student Conduct Policy.

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Emergency Response Plan.

### **Emergency Response Plan**

Effective July 1, 2018, Revised January 1, 2021

#### **Emergency Preparedness**

Emergencies, , injuries, accidents, and severe weather can occur without warning at any time. This emergency response plan outlines a framework for determining appropriate responses and includes contacts and protocols for a variety of emergency circumstances. In the event of that an emergency or crisis is confirmed at a Union Institute & University center, the designated university emergency response administrator at the affected center will activate the appropriate emergency plan to ensure the safety of students, faculty, staff, and visitors. In an emergency situation, all members of the UI&U community are expected to follow the directions of staff and or local authorities.

#### **Emergency Officials**

The following positions have been designated with responsibility for emergency assessment and notification at each UI&U location.

<b>Location</b>	<b>Responsible Position &amp; Back-up</b>	<b>Contact (Phone Extension)</b>
Cincinnati Center 513.861.6400	Primary CSA Chief Financial Officer	800-861-6400 ext. 1248  800-861-6400 ext. 1104
Florida Center 305.653.7141	Primary CSA Chief Financial Officer	800-486-7141 ext. 2116  800-861-6400 ext. 1104
Los Angeles Center 310.417.3500	Primary CSA  Chief Financial Officer	800-486-8328 ext. 1707  800-861-6400 ext. 1104
Sacramento Center 916.564.3100	Primary CSA  Chief Financial Officer	800-486-7049 ext. 1511  800-861-6400 ext. 1104

#### **General Emergency Procedures**

The key to surviving any emergency is to remain calm and carry out a plan of action appropriate to the emergency. Members of the UI&U community are encouraged to familiarize themselves with the layout of their center and all emergency procedures, so that they will know what to do in an emergency or crisis situation. Note also that some UI&U facilities, where the university leases space in buildings with other tenants, may have specific emergency response plans for the facility. When that is the case, it is the responsibility of the emergency official to ensure that those plans are communicated to employees and students. Every member of the university

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community has a role in making UI&U a safe environment. In a true emergency, act! The following general procedures are applicable to all Union Institute & University locations.

1. Dial 911, then
2. Contact on-campus emergency official.

### **Non-Life Threatening Emergencies**

1. Contact on-campus emergency official.

### **Fire**

1. Sound the fire alarm.
2. Evacuate the building, alerting others as you leave, if it is possible to do so safely.
3. Call 911.
  - If there is smoke, keep low to the floor.
  - Go to the nearest exit or staircase. Do not use elevators.
  - If you are trapped, go to the nearest window and open it if possible, then shout and wave to attract attention.
  - Once you are outside, move to the designated assembly area away from the building to allow ready access by emergency personnel.
  - Call 911.

### **Gas Leak/Hazardous Spill**

1. Cease all operations. Do not switch on lights or other electrical equipment.
2. Contact your center's emergency official.
3. Depending on the nature of the emergency, the official may call for evacuation or for shelter in place. (See Shelter in Place section below.)
4. If the emergency official calls for an evacuation, leave the building immediately, alerting others as you go:
  - Use the nearest exit or staircase. Do not use elevators.
  - Once you are outside, move to the designated assembly area away from the building to allow ready access by emergency personnel.
  - Call 911.

### **Tornado/Hurricane/Severe Weather**

When tornado/severe weather sirens sound, take shelter in the lowest level of the building. The center emergency official should designate the in-building shelter area. Stay away from windows and doors. Remain in sheltered area until notified that it is safe to move. (See Shelter in Place section below.)

### **Earthquake**

Evacuation is not recommended during an earthquake. In the event of an earthquake, take shelter away from windows – sit under a desk or table to avoid flying glass and other debris. Do not leave the building until the earthquake is over. Do not use matches, lighters, or other open flames, in the event of a gas leak. Do not use elevators or enter stairwells during the quake. Remain in the sheltered space until notified that it is safe to move.

### **Critical Illness/ Injury**

1. Call 911. Give the address and the exact location of the victim in the building.
2. Remain at the scene to direct emergency personnel.
3. Do not attempt to move the victim unless absolutely necessary.

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4. At the Cincinnati center, if the victim appears to be having a heart attack, contact campus emergency official so that defibrillators may be used.

### **Bomb Threat**

If you see a suspicious object, DO NOT HANDLE IT. Clear the area and call 911.

If you receive a bomb threat call:

- Record all vital information provided (location, time device will go off, appearance of the device, size, name of caller or organization taking responsibility, etc.).
- If possible, note caller's accent (if any), gender, apparent age, any background noises, caller ID number.
- Call 911.

If you receive notice of a bomb threat from university officials:

- Evacuate the building, alerting others as you leave.
- Use the nearest safe exit or staircase. Do not use elevators.
- Once outside, move to the designated assembly area away from the building to allow ready access by emergency personnel.

If you are unable to evacuate:

- Take cover under a sturdy piece of furniture.
- Stay away from windows.

### **Hostile Individual/Intruder**

If you see or are notified of an individual actively causing deadly harm or threatening to cause deadly harm:

1. Do not sound the fire alarm!
2. Get away if you can, as fast as you can.
  - Don't run in a straight line—use buildings, trees, cars, as cover.
3. If you cannot safely leave, seek cover:
  - Lock or barricade yourself in a room.
  - Stay low, away from windows, using furniture for cover.
  - Be aware of alternate exits.
4. If unable to run or hide, consider playing dead if there are other victims around you.
5. Once you are in a safe location, call 911, providing as many details as possible regarding location, number of assailants, weapons, etc.
6. Stay hidden until police give the "all clear."

### **Evacuation Assembly Areas**

UI&U has designated assembly areas at a safe distance from each university facility. Do not leave the assembly area—university officials need to be able to determine that all personnel have evacuated safely.

<b>Center</b>	<b>Evacuation Assembly Area</b>
Cincinnati Center	Parking lot of storage building (465 E. McMillan Street)
Florida Center	Parking lot
Los Angeles Center	Green space at the intersection of Centinela and Sepulveda (north end of the property)

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Sacramento Center	Front parking lot
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### **Shelter in Place**

In some circumstances, such as severe weather or circumstances where outdoor air becomes unsafe due to toxic or irritating substances, the university may issue a shelter-in-place warning, advising students, faculty, and staff to remain indoors. If a shelter-in-place warning is issued, remain inside the building. Stay away from windows and exterior doors. Remain in place until advised it is safe to leave. General guidelines for shelter-in-place locations:

- Make sure you have a telephone or other means of communication.
- Select a location on the interior of the building, away from windows, skylights, and exterior doors.
- For tornado or other severe storms, choose a ground level location. (If flooding is an issue, an upper-floor location is appropriate.)
- If the emergency involves unsafe air quality and there is time to do so safely, turn off ventilation system and/or close vents.

<b>Shelter In Place - Tornadoes and Severe Storms</b>	<b>Location(s)</b>
Cincinnati Center	First floor, east-west hall at center of building, Room 124, and First floor restrooms-opposite classrooms
Florida Center	Copy/work room & restrooms
Los Angeles Center	Lobby area of UI&U suite
Sacramento Center	Large class/meeting room at mid-point of suite

### **Emergency Assessment & Notification Procedure**

Upon receiving emergency notification of a potential emergency, the designated emergency official for the center will immediately and quickly assess the situation<sup>5</sup>. Once the emergency has been reasonably confirmed, the emergency official will, without delay and taking into account the safety of the community, determine the appropriate emergency notification method(s) and will initiate the emergency notification system. In most emergencies, notification will be made using email and the center's phone paging system. Emergency officials will not use the paging system if it is likely to compromise efforts to contain, respond to, or otherwise mitigate the emergency. The following are the emergency notification likely to be used for different types of emergencies.

- Severe weather: Building occupants will be notified by the emergency official via email and phone paging. Occupants will be advised where to take shelter within the building: ground floor for tornadoes and severe weather, upper floor if flooding is likely.
- Fire: Trigger fire alarm and evacuate immediately. (Anyone seeing a fire should trigger the alarm; do not wait for an emergency official to do so.)

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<sup>5</sup> At Union Institute & University centers that occupy leased facilities having other tenants, a decision to evacuate the building may also be made by building management.

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- Gas leak/chemical spill: Building occupants will be notified by the emergency official via email and phone paging. They may be advised to evacuate or to shelter in place, depending on the nature and location of the incident.
- Bomb threat: Building occupants will be notified by the emergency official via email and phone paging. Notification will include the location of the alleged bomb, if known. Occupants will be advised to evacuate immediately and may be advised to avoid the area of the building where the bomb may be located.
- Hostile individual/intruder: Building occupants will be notified by the emergency official via email and phone paging. Notification will include location of intruder. Occupants will be advised to evacuate immediately if they can do so safely or to take shelter inside the building.

If the emergency official determines that the situation is such that the community surrounding the university may also be in danger, they will contact local authorities to determine how the surrounding community should best be advised of the situation.

### **Testing Emergency Procedures**

To ensure the efficacy of these emergency procedures, UI&U will assess and evaluate each of them at least once a year by testing each system. System tests (drills) may be announced or unannounced. In addition, severe weather, fire, and other evacuation drills will be conducted at least once a year at every UI&U location. Students, faculty, and staff are expected to cooperate fully with these drills.

Once a drill has been completed, the emergency official will assess the effectiveness of the drill, making recommendations for changes to emergency procedures as indicated. The center emergency official is responsible for documenting each drill and drill assessment; copies of drill documentation should be forwarded to the university's CFO.