

UNION
COMMONWEALTH UNIVERSITY

ANNUAL SECURITY REPORT

January 1, 2025 - December 31, 2025

This report is published annually in compliance with the Jeanne Clery Disclosure of Campus security Policy and Campus Crime Statistics Act (20 U.S.C Section 1092(f)). All currently registered students as well as employees are directly mailed (via campus e-mail) a notice by October 1 of each year which includes a statement of the report's availability, the electronic address at which it is posted, and a notice that a paper copy will be provide upon request.

An electronic version is available online at the following link: www.unionky.edu/asr

A log of reported incidents of crimes is maintained in the Campus Safety office. If you would like to view this log, please stop by the office or call us to set up an appointment 606-546-1604 (campus extension 1604) or email at safety@unionky.edu.

Reporting a Crime

If you observe or are told of a crime of any nature, you are strongly urged to report it at once to the Safety Team Member on duty. Our residential students may also report criminal activity to the housing staff in their area. These individuals will then contact Campus Safety with the information.

If you are a victim of theft or vandalism in your residence hall, report it at once to your Residence Hall Director or Resident Assistant. They will make a concerted effort to help you as much as they are able too. However, you have the main responsibility to safeguard your possessions by keeping them locked up and by locking your room when you are out. It is also helpful to label items and make note of serial numbers for future identification.

Emergencies (i.e. medical, fire, crime, etc.) should always be reported to the Knox County Emergency Communications Department by calling 911. Non-emergency situations should be reported to Campus Safety & Security 606-546-1604 (or campus extension 1604).

Law Enforcement & Jurisdiction

Union Commonwealth University reserves the right to take necessary and appropriate action to protect the safety and well- being of the campus community subject to the inherent right of the Board of Trustees and the delegated right of the President of the University to exercise supervision over all or any disciplinary matters of the College. Such action may include pursuing disciplinary action for any violation of state or federal law – on- or off-campus that affects the College's educational interest.

As such, Union's Office of Campus Safety & Security also has inherent authority over all Union property and community members. Campus security officers have the authority to ask any member or guest of the College community to produce legal identification upon request and determine whether an individual has a right to visit campus for personal or professional business. While Union's security officers do not possess arrest authority, they do have the ability to issue official trespass warnings to individuals no longer welcome on campus.

Union Commonwealth University's Director of Campus Safety & Security maintains a collaborative working relationship with the Barbourville Police Department, the Knox County Sheriff's Department, Kentucky State Police, and all other emergency personnel that serves the city. Both Campus Security officials and Student Life personnel have the authority to invite local law enforcement to campus to assist or consult with any reported crime and the subsequent investigation. The College and local law enforcement agencies also share incident reports as necessary to assist with Clery crime reporting and/or compiling statistics.

Accurate & Prompt Reporting

Community members, students, faculty, staff and guests are encouraged to report all crimes and public safety related incidents to Campus Security in a timely manner. To report a crime or an emergency on the Union Commonwealth University campus property, call Campus Security at 606-546-1604.

Security Officers are on duty 24/7 to answer your call. In response to a call, Campus Security will take the required action, respond to the scene, contact the Fulton Police Department for assistance, or ask the victim to file an incident report with Campus Security. All incident reports are forwarded to the Dean of Student's Office for review and potential action. All crimes should be reported to Campus Security to ensure inclusion in the Annual Crime Statistics Report and to aid in providing Timely Warning Notices to the community when appropriate.

Emergency Notification Policy

Emergency Notifications will be issued in compliance with the Higher Education Opportunity Act (HEOA) of 2008 in response to a significant emergency or a dangerous situation either on campus, or in select cases, off campus, that in the judgement of the University constitutes an immediate, imminent, or impending threat to the health, safety, and/or security of members of the University community.

Emergency notifications are considered for the following types of incidents: severe weather, hazardous chemical or hazardous materials spills, violent intruder, significant outbreak of illness, flood, fire, earthquake, gas leak, bomb threat, terrorist incident, explosion, or any other circumstance which may constitute an immediate threat to the University community.

In the event of a substantial emergency which requires the University to alter its normal operations, the University will, without delay, issue a notification to the campus community. This noticed will be issued while taking into account the overall safety of the community, and will only be delayed if, in the judgment of the Emergency Management Team, its release would hamper efforts to assist victims, or to contain, respond to or mitigate the emergency.

- In the event of an emergency **the campus safety office** will determine the extent of the emergency and in consultation with the **Emergency Management Team** and local emergency first responder agencies will determine the appropriate action to be taken.
- Notice of the action will be transmitted to the campus community utilizing:

1. The emergency text messaging system.
2. The campus alert screens located throughout campus
3. The emergency public address system located throughout the campus.
4. Should the emergency require an evacuation of the campus and time permitting, this information and instructions will also be shared at hall meetings within each residence hall.

- Information concerning the emergency and the actions taken to respond to it will be disseminated by the Office of University Communications and other members of the college administration as may be required.
- Union Commonwealth University will work with local first responder and mutual aid agencies to test and evaluate its response and evacuation procedures on a yearly basis. This includes documenting a description of the exercise, as well as the date and time it occurred and the results of the exercise.

TimelyWarningsPolicy

Timely warnings will be issued in compliance with the Jeanne Clery Act in response to reported crimes committed either on campus, or in some cases, off campus, that in the judgement of the University constitutes a serious or continuing threat to members of the College community. Timely warnings issued for criminal incidents will not include names or other identifying information about victims/survivors of the incident.

Timely warnings are considered for the following classifications of reported crimes: criminal homicide, sex offenses, robbery, aggravated assault, hate crimes, burglary, motor vehicle theft, and arson, as outlined in Jeanne Clery Disclosure of Campus Security and Policy Crime Statistics Act (20 U.S.C. § 1092(f), with implementing regulations in the U.S. Code of Federal Regulations at 34 C.F.R. 668.46.). Timely warnings may also be issued for other reported crimes as deemed appropriate under the circumstances. A decision of whether to issue a timely warning will be made in compliance and consideration of the Clery Act and in an effort to prevent similar crimes from occurring.

Procedure for issuing timely warnings:

1. Anyone with information believed to warrant a timely warning should promptly report the circumstances to Campus Safety & Security by phone 606-546-1604 (or campus extension 1604).
2. The Director of Campus Safety & Security (or designee) shall confer with the Dean of Student's (or designee) to decide whether a timely warning shall be issued.
3. Every attempt will be made to issue the timely warning as soon as possible after the incident is reported to Campus Safety & Security; however, the release is subject to the availability of accurate facts surrounding the incident.
    a. The decision to issue a timely warning shall be made on a case-by-case basis after consideration of the available facts, including factors such as the nature of the emergency and/or the continuing risk to the campus community or the possible risk of compromising law enforcement efforts and investigation.
4. If the determination is made that a timely warning shall be issued, the Director of Campus Safety & Security or the Dean of Student Life shall inform the University community by one or more of the following means, depending on the circumstances of the situation:
    a. Union Commonwealth University Omni alert system, which will send a text message notification to all students, faculty, staff, and other constituents enrolled to receive this service. If you haven't enrolled, you may do so at E2Campus Weather Alert. You can also text UnionAlert to #79516 to automatically enroll.
    b. Via mass e-mail message, sent to members of all relevant listservs
    c. Campus alert screens
    d. Union’s website
    e. Via official press releases, shared with local media outlets
    f. Door-to-door messaging via campus housing
    g. Any other means appropriate under the emergency circumstances and relevant to our campus community.

The timely warning notice shall not only contain the circumstances regarding the crime or incident, but it shall also contain additional information to help promote safety and, where appropriate, means to avoid similar crimes. Timely warnings shall typically include the following information, if available:

a. A succinct statement of the incident, including the nature and severity of the threat and the locations of the persons who might be affected;
b. Any connection to previous incidents;
c. Physical description of the suspect(s) and/or vehicle(s);
d. Date and time the warning was released;
e. Other relevant and important information, such as any bias, motive, gender of the victim/survivor, and/or student/non-student status;
f. Additional safety tips;
g. If applicable, a list or link to relevant campus or community resources available to the Union campus community.

As a reminder, conduct, incidents, or crimes which result in the issuance of either an emergency notification or timely warning can be reported to any campus security official, the Barbourville Police Department, or the Dean of Student Life.

Alcohol and Drug Dependency

Union Commonwealth University is committed to providing a safe and healthy environment for its community members, students, faculty, and staff. In support of local, state, and federal laws, the University has specific definitions of conduct in relation to the unlawful possession, use, distribution, or manufacture of alcohol or illicit drugs. The University's position is that violation of these policies results in unacceptable risk and disregard for the health, safety, and welfare of members of the University community, and will result in sanctions.

As a recipient of federal grants and contracts, the University gives this notice to students, faculty and staff that it is in compliance with and shall continue to be in compliance with the Drug-Free Workplace Act of 1988 and the Drug-Free Communities Act Amendment of 1989. Due notice is hereby given of standards of conduct which shall be applicable while one is on Union property, while one is conducting business for the University, and/or while one is in attendance at any University- sponsored activity at any location.

Violations of local, state, and/or federal laws may result in separation sanctions of suspension, dismissal, or expulsion. Any violation of local, state, and/or federal laws may result in penalties as defined by those laws as administered by law enforcement. Penalties can include but not be limited to monetary fines, jail time, and/or suspension/loss of rights.

- Kentucky Law Regarding Alcohol and Illegal Drugs or Substances
    a. It is unlawful for any individual to operate a motor vehicle while under the influence of any substance that may impair one's driving ability. This can include alcohol, illegal drugs, inhalants, and prescription drugs.
    b. It is unlawful for any individual under 21 years of age to possess or consume alcoholic beverages.
    c. It is unlawful for any individual misrepresent one's age for the purpose of purchasing alcoholic beverages, including through use of a fake ID.
    d. It is unlawful for any individual provide any alcoholic beverages for anyone under 21 years of age.
    e. It is unlawful for any individual to drink alcohol in public and/or be drunk in public.
    f. It is unlawful for any individual to be engaged in any type of activity (such as possession, trafficking, manufacture, sale, possession with intent to sell) regarding substances that are illegal, including illegal drugs and illegal activity involving controlled substances.

- Health Risks
    a. The use and/or abuse of alcohol and/or drugs can pose serious health risks to any individual. Documentation has proven that alcohol and/or drugs can cause symptoms ranging from mood-altering to life-threatening. Both physical and mental health can deteriorate from alcohol and/or drug use. Repeated use of alcohol and/or drugs can lead to dependency, resulting in normal life functions requiring its use.
    b. Union Commonwealth University therefore offers information regarding the health risks associated with alcohol and drugs. Counseling services are available as well.
    c. Union Commonwealth University encourages that individuals seek professional medical advice regarding all health risks associated with alcohol and drug use, especially when involving dependency.

- Training & Counseling Resources
    a. Union Commonwealth University recognizes drug dependency as an illness and major health problem. The University also recognizes drug abuse as a potential health, safety, and security problem. Any student needing counseling or other professional support is urged to seek help through confidential campus or community health services as soon as possible.

b. The University and the Student Government take a serious and deliberate view of the need for lifestyle education regarding use/abuse of alcohol and controlled substances. Literature is readily available and educational events are held throughout the year to help educate students.
c. The Student Development Staff, in partnership with Cumberland River Behavioral Health, head up this effort. Students seeking counseling and/or assistance and information should contact the Student Development Offices/ Residence Life Staff. The University will arrange for psychological services through CRBH when needed.
d. For more information:
    1. The Dean of Students should be contacted for additional information and sources.

        Cumberland River Behavioral
        Health 704 Pitzer Street,
        Barbourville, 40906
        Phone: 606-546-3104

    2. Local directories may have additional information under "Social Services," "Alcoholism," or "Community Service Guide" sections of the Student Handbook.

Alcohol and Drug Abuse Policies

Union Commonwealth University believes that the use of illegal drugs and the abuse of alcohol impedes the intellectual and social growth of students and has a negative impact on the Union community. As outlined in the Student Handbook, the policy is as follows:

a. Alcohol of any kind for any reason is not permitted on campus. Violations of this policy will result in a judicial review and appropriate sanctions. Repeat offenses may result in suspension or separation from campus and/or loss of privileges.
b. University-hosted special events such as award ceremonies, banquets, Homecoming, and Commencement do not create exception to the alcohol policy. Students, faculty, and staff are considered to be representatives of Union at off-campus gatherings/events; all individuals are expected to abide by state and federal regulations, and exercise reasonable responsibility when regarding alcohol at off- campus gatherings/events.
c. Any state and federal regulations regarding alcohol, such as operating vehicles under the influence, will be enforced by law enforcement agencies primarily, and through Campus Security as needed.
d. No student, faculty, or staff shall possess empty alcohol or illegal substance containers on or in college property for decoration or any other purpose.
e. No person on campus shall host an event, party, or gathering in which alcohol is present. A party is defined as five (5) or more persons gathered in a living area other than their own, where alcohol, illegal substances, and/or noise are present. In the event of a party, all individuals present will be held responsible and a fine of $500.00 will be split to all individuals present during the incident.
f. Illegal/illicit drugs and/or substances of any kind are not permitted on campus for any reason. This policy is zero tolerance. Possession, trafficking, distribution, sale, or use of illegal/illicit drugs and/ or substances is a direct violation of state, federal, and local law, as well as Union Commonwealth University policy. The college reserves the right to contact law enforcement regarding violations of this policy.
g. Possession of paraphernalia such as rolling papers, bongs, pipes, vapor (vape) devices, and other smoking devices designated for consumption of illegal/illicit drugs and/or substances are violations of this policy.
h. If a student is in possession of illegal/illicit drugs and/or substances, appropriate law enforcement agencies will be contacted for confiscation and prosecution. Any involvement from law enforcement agencies will be separate from judicial reviews and sanctions administered by the University. Repeat offenses may result in suspension or separation from campus and/or loss of privileges.

Violations involving alcohol and/or illegal/illicit drugs and/or substances will result in that individual being issued sanctions and a conduct probation for a minimum of one full semester. Additional requirements may include completing educational sessions, attending counseling, and/or community service (through restitution).
Note: If a student is under legal drinking age, parents and/or legal guardians may be contacted.
Note: If a student is found responsible for an offense involving illegal/illicit drugs or substances, parents and/or legal guardians may be contacted.

Sanctions for Policy Violations

Alcohol

a. Union Commonwealth University is an alcohol-free campus. Alcohol cannot be transported, stored, or consumed on campus regardless of person's age. Possession of alcohol, empty or full, is prohibited. Alcohol paraphernalia such as empty decorative bottle is prohibited. In the event of an alcohol violation, immediate confiscation of alcohol is to take place.
b. Students with alcohol violations that are under the legal drinking age may have a parent/legal guardian notified of the offense, depending on FERPA approved permissions.
c. In accordance with federal and state law, no students under age of 21 years are permitted alcohol to consume and/or possess alcohol. Students under the age of 21 years caught in violation of these policies will have their parent/legal guardians contacted immediately.
d. Repeated or multiple alcohol offenses may result in a separation sanction.

Violation	Offense	Possible Sanctions
Alcohol*	**First Offense**	• $200 fine • 6 Month Probation • Alcohol Seminar • Letter to Parents/Guardians • Community Restitution
	Second Offense	• $400 fine • 12 Month Probation • Required Counseling • Letter to Parents/Guardians • Community Restitution • Loss of Housing Privileges
	Third Offense	• $600 fine • 12 Month Probation • Required Counseling • Letter to Parents/Guardians • Community Restitution • Loss of Housing Privileges • Separation Sanction
*Sanctions are cumulative over a student's tenure and does not restart each academic year.		

Illegal Drugs & Substances

a. The sale, use, possession, or being under the influence of illegal controlled substances including stimulants or depressants (marijuana seeds included) is prohibited. Any student who uses illegal substances or who shows signs of use may be suspended, as well as referred to the appropriate civil authorities for further action. Positive drug tests may result in immediate suspension.
b. All paraphernalia that is associated with and related to the use of marijuana (bongs, pipes, hookahs, and other smoking or usage devices that are designed for the consumption of illegal substances) and other illegal stimulants and depressants is prohibited. Any student who possesses such paraphernalia will be entered into the judicial process for disciplinary action, as well as being referred to the appropriate civil authorities for further action.
c. Repeated or multiple illegal substance offenses may result in a separation sanction.

Violation	Possible Sanctions
Illegal Drugs and Substances	• Contact & Notification of Civil Authorities • 6-12 Month Probation, Room Checks, Drug Testing • Up to $500.00 fine • Separation Sanction • Letter to Parents/Guardian • Loss of Housing Privileges • Counseling • Community Restitution
Trafficking of Illegal Drugs and Substances	• Contact & Notification of Civil Authorities • Up to $1,000.00 fine • Immediate Expulsion • Letter to Parents/Guardian

TITLE IX SEXUAL HARASSMENT POLICY

Union College's educational mission is promoted by professionalism in employee-student relationships. Professionalism is fostered by an atmosphere of mutual trust and respect.

Union Commonwealth University is committed to maintaining an academic and professional environment in which all members of the University community can freely work together, both in and out of the classroom and in all other locations in which college business is conducted. Actions of college employees (faculty, administrators, staff, advisors, coaches, residential staff members, and graduate assistants) that harm this atmosphere undermine professionalism and hinder fulfillment of the college's educational mission. Trust and respect are diminished when those in positions of authority abuse, or appear to abuse, their power. Those who abuse, or appear to abuse, their power in such a context violate their duty to the college community.

Behavioral, oral, and written actions that are intellectually, ethically, and socially inappropriate regarding gender, sexual preference, race, religion, disability, or ethnicity constitute serious affronts to human dignity and are interpreted as violations of the basic rights of members of the University community.
The following is intended to inform individuals of the college's view on consensual relationships and sexual misconduct— which includes, but is not limited to, sexual harassment and sexual assault —and to provide procedures for responding to violations of this policy. It is hoped that no Union Commonwealth University student or employee will feel he/she is without recourse when experiencing an abusive event.

- Consensual Relationships
    - Amorous relationships that might be appropriate in other circumstances are deemed extremely unwise when they occur between a University employee and a person for whom that member has professional responsibility. University employees exercise power over students, whether in giving them praise or criticism, evaluating them, mentoring, making recommendations for their further study or their future employment, or conferring any other benefits on them. The choice to pursue amorous relationships between University employees and students are unethical when the employee has professional responsibility for the student. Such situations greatly increase the chances that the employee will abuse his or her power and sexually exploit the student. Voluntary consent by the student in such a relationship is suspect, given the fundamentally asymmetric nature of the relationship. Moreover, other students and employees may be affected by such unprofessional behavior because it places the employee in a position to favor or advance one student's interest at the expense of others and implicitly makes obtaining benefits contingent on amorous or sexual favors. Therefore, Union Commonwealth University will view it as unethical if employees engage in amorous relations with students in classes, students subject to their supervision, or students receiving services, even when both parties appear to have consented to the relationship, obtaining benefits contingent on amorous or sexual favors.

- Employee Handbook page 77:
    - Policy Statement on Consensual Relationships
        1. Union prohibits intimate or sexual relationships between employees and students. An employee who is found to be in violation of this policy will be subject to whatever corrective action the University deems appropriate up to and including termination of employment.

- Communication Harassment
    - Any willful, intentional, and/or persistent act that annoys, degrades, or embarrasses another individual may be considered harassment and is prohibited. Any intentional and/or persistent telephone calls or computer communications (i.e. email, chat programs, text messaging, social media (etc.) designed to or having the effect of annoying another member of the University community will result in disciplinary action and may result in criminal and/or civil action.

- Sexual Harassment
    - Sexual harassment is defined as unwelcome sexual advances, requests, non-verbal and other verbal or physical conduct of a sexist or sexual nature. This has specific application where submission to or rejection of such conduct has the purpose or effect of unreasonably interfering with an individual's performance, or of creating an intimidating, hostile, or offensive employment or educational environment.
    - Sexual harassment has occurred when an individual submits to such conduct as an implicit or explicit term or condition of his/her employment or education or when submission to or rejection of such conduct is used as a basis for employment or educational decisions affecting grades, academic progress, rate of pay, status, level, and/or working conditions.
    - Although sexual harassment is usually thought of as action from a male toward a female, these same conditions apply if roles are reversed, or if parties are of the same gender.

- Union Commonwealth University embraces the definition of sexual harassment as defined by the American Association of Colleges' Project on the Status on Education of Women as:
  verbal harassment or abuse:
    - subtle pressure for sexual activity
    - sexist remarks about a person's clothing, body, or sexual activities
    - unnecessary touching, patting, or pinching
    - leering at or stare flirtatiously at a person's body
    - constant brushing of another's body
    - demanding sexual favors accompanied by implied or over threats
    - physical/sexual assault

- Sexual Assault/Rape
  - Sexual Assault is defined by the Kentucky Penal Code as sexual intercourse or sexual contact with another person by forcible compulsion or without consent. Absence of protest is not consent. Furthermore, valid consent cannot be obtained if the individual is coerced or substantially impaired, such as by alcohol or drug consumption. The same definition holds whether the assailant is a stranger or an acquaintance. The University policy is that a person has the right to say "no" to sexual activity and that "no" means "no." It is the College's position that every human being is entitled to privacy and respect and that rape is a crime of hostility and aggression, as well as a violation of human dignity.

  - After a Sexual Assault
    If a person does become a victim of sexual assault, there are several important steps to follow:
    - Seek medical attention. Do not shower, bathe, change clothing, or douche.
    - Prepare a thorough, detailed report about the incident and responses, actions taken, date and times decisions made for purposes of recalling accurately when a case proceeds.
    - Call a friend, the police, or a rape crisis center for additional support.
    - Secure legal advocacy.
    - Obtain information regarding crime reporting, medical treatment, victim's rights and assistance, and criminal and disciplinary proceedings.
  - Procedures
    - Students are encouraged to seek advice, information, or counseling on matters related to ethical violations at the earliest possible stage. The cardinal principles which guide the management of all such violations are:
      - to protect the privacy, confidentiality, and safety of all parties involved
      - to assist students in overcoming any obstacles to their progress, and to resume the normal daily patterns of their college experience.

- Covered Sexual Harassment

  For the purposes of the Title IX Grievance Policy, "covered sexual harassment" includes any conduct based on sex that satisfies one or more of the following:
  - An employee conditioning educational benefits on participation in unwelcome sexual conduct (i.e., quid pro quo);
  - Unwelcome conduct that a reasonable person would determine is so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the educational institution's education program or activity;
  - Sexual assault (as defined in the Clery Act), which includes any sexual act directed against another person, without the consent of the victim including instances where the victim is incapable of giving consent;

- Dating violence (as defined in the Violence Against Women Act (VAWA) amendments to the Clery Act), which includes any violence committed by a person: (A) who is or has been in a social relationship of a romantic or intimate nature with the victim; and (B) where the existence of such a relationship shall be determined based on a consideration of the following factors: (i) The length of the relationship; (ii) The type of relationship; (iii) The frequency of interaction between the persons involved in the relationship.
- Domestic violence (as defined in the VAWA amendments to the Clery Act), which includes any felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under Kentucky domestic or family violence laws or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of Kentucky.
- Stalking (as defined in the VAWA amendments to the Clery Act), meaning engaging in a course of conduct directed at a specific person that would cause a reasonable person to-

- (A) fear for their safety or the safety of others; or (B) suffer substantial emotional distress.

Note that conduct that does not meet one or more of these criteria may still be prohibited under the Union Commonwealth University Student Handbook Policies.

- Consent
  - For the purposes of the Title IX Grievance Policy, "consent" means a person has the right to say "no" to sexual activity and that "no" means "no." It is the College's position that every human being is entitled to privacy and respect and that rape is a crime of hostility and aggression, as well as a violation of human dignity.

- Education Program or Activity

  For the purposes of the Title IX Grievance Policy, Union Commonwealth University "education program or activity" includes:
  - Any on-campus premise
  - Any off-campus premises that Union has substantial control over. This includes buildings or property owned or controlled by a recognized student organization.
  - Activity occurring within computer and internet networks, digital platforms, and computer hardware or software owned or operated by, or used in the operations of Union College's programs and activities over which the University has substantial control.

Definitions

Sexual Harassment:

For the purposes of this policy, Sexual Harassment is defined as conduct based on sex that may be one or more of following:

1. Employee conditioning provision of an aid, benefit, or service on an individual's participation in unwelcome sexual conduct (i.e., a quid pro quo), or
2. 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 College's education program or activity; or

3. Sexual assault, stalking, dating/domestic violence, as defined herein.

Sexual Assault: Any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.

- Sexual Assault includes, but is not limited to, the following acts when they occur without consent of the victim:
  - Any penetration, however slight, of the genitals or anus of one person with the genitals of another person,
  - Any act involving the genitals of one person and the hand, mouth, tongue, or anus of another person,
  - Any sexual act involving penetration, however slight, of the genitals or anus of one person by a finger, instrument, or object,
  - Touching of another person's genitals or breasts under or over the clothing, or
  - Touching of one person with the genitals of another person under or over the clothing,

Dating Violence: Violence by a person who has been in a romantic or intimate relationship with the individual to whom the violence is directed. Whether there was such a relationship will be gauged by its length, type, and frequency of interaction.

Domestic Violence: Domestic Violence is a felony or misdemeanor crime of violence committed:

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

Stalking: Stalking is engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for his/her/their own safety or the safety of others, or suffer substantial emotional distress.
For purposes of this policy:

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

Complainant: A Complainant is any individual who is alleged to be the victim of conduct that could constitute sexual harassment under this Policy, in connection with his/her/their participation in or attempted participation in an educational program or activity of the College. A Complainant may be a student, an employee, or a third party.

Respondent: A Respondent is an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.

Understanding Consent

Consent is the unambiguous and voluntary agreement to engage in a specific sexual activity during a sexual encounter with a specific individual. Consent must be informed, freely given, and mutual. Consent is clear, mutually understandable words or actions communicating an agreement to engage in specific sexual or intimate conduct.

A current or past dating or sexual relationship, by itself, does not create consent. Consent to sexual activity in the past does not create consent to future sexual activity. Consent to sexual activity with one person does not create consent to sexual activity with another person. Consent to one sexual activity does not create consent to another sexual activity. Consent can be withdrawn at any time during a sexual encounter.

Consent cannot be given as the result of force, coercion, intimidation, or threats. Consent cannot be given by one who is incapacitated, voluntarily or involuntarily, due to a physical condition, including, but not limited to, the use or influence of drugs or alcohol, or being in a state of unconsciousness, sleep, or other state in which the person is unaware that sexual activity is occurring. If there is any doubt as to another person's capacity to give consent, community members should assume the other person does not have the capacity to give consent.

A person cannot consent if he/she/they are under the age of consent or if the person has a mental disability that impairs the individual's ability to provide consent.

Options for Reporting Sexual Harassment

Title IX of the Educational Amendments of 1972 prohibits any person in the United States from being discriminated against based on sex in seeking access to any educational program or activity receiving federal financial assistance. The U.S. Department of Education, which enforces Title IX, has long defined the meaning of Title IX's prohibition on sex discrimination broadly to include various forms of sexual harassment and sexual violence that interfere with a student's ability to equally access our educational programs and opportunities.

The entire Title IX Grievance Policy is available at https://www.unionky.edu/title-ix.

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

Contact Information:

Name: Paula Grubb
Title: Title IX Coordinator
Office Address: 310 College St, Barbourville, KY 40906
Email Address: pparker@unionky.edu
Telephone Number: 606-546-1209

Name: Lynn Smith
Title: Executive Vice President: Human Resources
Office Address: 310 College St, Barbourville, KY 40906
Email Address: tlsmith@unionky.edu
Telephone Number: 606-546-1206

Name: Stephanie Smith
Title: Dean of Students
Office Address: 310 College St, Barbourville, KY 40906
Email Address: sasmith@unionky.edu
Telephone Number: 606-546-1259

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

Confidential Reporting of Sexual Harassment

- The following Officials will provide privacy, but not confidentiality, upon receiving a report of conduct prohibited under this policy:
    - Title IX Coordinator or designee
- The following Officials may provide confidentiality:
    - Cumberland River Comprehensive Care Center Rape Crisis Center
    - Union Commonwealth University Counseling Center

Non-Investigatory Measures Available Under the Title IX Grievance Policy

Supportive Measures

Complainants (as defined above), who report allegations that could constitute covered sexual harassment under this policy, have the right to receive supportive measures from Union regardless of whether they desire to file a complaint, which may include items listed below as appropriate. Supportive measures are non-disciplinary and non-punitive.

Supportive Measures suggested by the Preamble: As appropriate, supportive measures may include, but not be limited to:

- *Counseling*
- *extensions of deadlines or other course-related adjustments*
- *modifications of work or class schedules*
- *campus escort services*
- *restrictions on contact between the parties (no contact orders)*
- *changes in work or housing locations*
- *leaves of absence*
- *increased security and monitoring of certain areas of the campus*

See 85 Fed. Reg. 30401.

Emergency Removal

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

If the University determines such removal is necessary, the respondent will be provided notice and an opportunity to challenge the decision immediately following the removal. DISMISSAL: A student is asked to leave the University. The student may apply for readmission only after a minimum of one full semester of absence. Re-admission to school is conditional on the approval of the Dean of Students or a judicial review panel. Sanctions may be attached at time of re-entry. If re-admitted, a student resumes student status under Conduct Probation. Student typically may visit the campus during dismissal period only with the written consent of the Dean of Students. Other restrictions may apply. The college reserves the right to note "dismissal through judicial action" on the student's academic transcript.

4. *EXPULSION: Expulsion is the permanent severing of relationship between the University and a student. Expulsion is the permanent loss of privilege to be part of the University community and to be on college property. Expulsion status can be altered only by the President of the University. Student may not apply for review until (5) years after expulsion action. A permanent "Stop Code" note is attached to the student's academic and electronic files. The University reserves the right to note "expulsion through judicial action" on the student's academic transcript.

Administrative Leave

Union Commonwealth University retains the authority to place a non-student employee respondent on administrative leave during the Title IX Grievance Process, consistent with the Employee Handbook.

Filing a Formal Complaint

The timeframe for the Title IX Grievance Process begins with the filing of a Formal Complaint. The Grievance Process will be concluded within a reasonably prompt manner, and no longer than {ninety (90) school/calendar/business days}[2] after the filing of the Formal Complaint, provided that the Process may be extended for a good reason, including but not limited to the absence of a party, a party's advisor, or a witness; concurrent law enforcement activity; or the need for language assistance or accommodation of disabilities. The procedure for applying for extensions is described below.

To file a Formal Complaint, a complainant must provide the Title IX Coordinator a written, signed complaint describing the facts alleged. Complainants are only able to file a Formal Complaint under this Policy if they are currently participating in, or attempting to participate in, the education programs or activities of Union Commonwealth University, including as an employee. For complainants who do not meet these criteria, the University will utilize existing policy in the University Student Handbook

If a complainant does not wish to make a Formal Complaint, the Title IX Coordinator may determine a Formal Complaint is necessary. Union will inform the complainant of this decision in writing, and the complainant need not participate in the process further but will receive all notices issued under this Policy and Process.

Nothing in the Title IX Grievance Policy or The Union Commonwealth University Student Handbook prevents a complainant from seeking the assistance of state or local law enforcement alongside the appropriate on-campus process.

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2 Please note that the ninety-day timeframe is only a suggestion, and the Title IX Final Rules provide flexibility for an institution to define an appropriate timeframe. The Final Rule does not require a minimum or maximum number of days, but the institution's grievance process must articulate the time frame for the process by referencing several days or some other measurable unit of time. This timeframe need not be sixty days but can be if the recipient deems that time frame appropriate and indicates that timeframe within its policies. 85 Fed. Reg. 30026, 30270 (May 19, 2020). The Department cautions that "no avenue for handling a formal complaint of sexual harassment is subject to an open-ended time frame." Id. at 30269. For more information, see Joint Guidance on Federal Title IX Regulations, "Reasonably Prompt Timeframes".

Informal Resolution

What is the purpose of this policy?

On May 19, 2020, the U.S. Department of Education issued a Final Rule governing the Title IX grievance process, effective August 14, 2020. The Final Rule requires that all colleges and universities hold a live hearing before making any determination regarding responsibility for covered reports of Title IX sexual harassment, including sexual violence. This hearing must provide for live cross-examination by the parties' advisors.

However, under § 106.45(b)(9) of the Final Rule, colleges and universities may offer and facilitate informal resolution processes, if each party voluntarily agrees to the process through an informed, written consent. This option is a change from long-standing Departmental guidance discouraging the use of informal procedures to address sexual harassment and prohibiting the use of mediation to address sexual assault. In the Preamble to the Final Rule, the Department states that it views informal resolutions to resolve sexual harassment allegations in a less adversarial manner than the investigation and adjudication procedures that comprise the § 106.45 grievance process.

No college or university is required to adopt an informal procedure for addressing Title IX-covered sexual assault, nor is there any obligation to create or put in place such a policy by the August 14, 2020 implementation date. Institutions should use caution in pursuing an informal resolution process to ensure that facilitators have significant training in the chosen methodology. This Policy, in turn, provides guidance regarding the contents of a Title IX-compliant process and the types of informal resolution procedures you may consider adopting.

Elements of an Informal Resolution Process

Procedures for entering and exiting informal resolution process

Parties who do not wish to proceed with an investigation and live hearing, and instead seek the Union College's assistance to resolve allegations of Title IX-covered misconduct, may elect to enter the informal resolution process. These resolution options are less time intensive than an investigation and live hearing, while still affording students an opportunity to actively participate in a process led by the Union Commonwealth University for resolution of their complaints.

The Parties may elect to enter the Union College's informal resolution process at any time after the filing of the Formal Complaint through an informed written consent. This informed written consent will include all terms of the elected informal process, including a statement that any agreement reached through the process is binding on the Parties.

No Party may be required to participate in informal resolution, and the University may never condition enrollment, employment, or enjoyment of any other right or privilege upon agreeing to informal resolution. The Parties may elect to leave the informal resolution process at any point until the informal resolution process is concluded. If a Party elects to leave the informal resolution process, the formal resolution process recommences. In participating in the informal resolution process, the Parties understand that the timeframes governing the formal process temporarily cease, and only recommence upon reentry into the formal process.

Determination to approve entry into Informal Resolution Process
Even where the Parties agree to submit a matter to informal resolution, the designated official must3 approve the decision to move the matter to the informal resolution process and may determine that informal resolution is not appropriate under the circumstances. Factors that the designated official may weigh in considering the appropriateness of the informal resolution process include, but are not limited to, the gravity of the allegations, whether there is an ongoing threat of harm or safety to the campus, whether the respondent is a repeat offender, and whether the Parties are participating in good faith. This determination is not subject to appeal.

Informal resolution processes may never be applied where the allegations include {Sexual Assault: Penetration or the equivalent.

Informal resolution is only permitted to address allegations of student-on-student sexual harassment and is never allowed as an option to resolve allegations that an employee sexually harassed a student. See, 85 Fed. Reg. 30026, 30054 (May 19, 2020).
At any time after the commencement of the informal resolution process, the designated official may determine that the informal resolution process is not an appropriate method for resolving the matter and may require that the matter be resolved through the formal process. This determination is not subject to appeal.

Role of the Facilitator
Informal resolution processes are managed by facilitators, who may not have a conflict of interest or bias in favor of or against complainants or respondents generally or regarding the specific Parties in the matter. The Title IX Coordinator may serve as the facilitator, subject to these restrictions.
All facilitators must have training in the definition of sexual harassment under 34 C.F.R. § 106.30(a), the scope of the institution's education program or activity, how to conduct informal resolution processes, and how to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, or bias.

Confidentiality
In entering the informal resolution process, the Parties agree that any testimony and evidence (including admissions of responsibility) they share or receive during the informal resolution process concerning the allegations of the Formal Complaint is confidential while the parties are participating in the informal resolution process. No evidence concerning the allegations obtained within the informal resolution process may be disseminated to any person, provided that any Party to the informal resolution process may generally discuss the allegations under investigation with a parent, friend, advisor, or other source of emotional support, or with an advocacy organization. Should the Parties withdraw from the informal resolution process, information disclosed or obtained for purposes of the informal resolution process may be incorporated into the formal investigation and live hearing, provided that this information is disclosed and reviewed by the Parties under the investigatory and hearing procedures described in the Title IX Grievance Process.

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[3] Informal resolution processes commonly require the Title IX Coordinator or other designated official to approve the Parties' mutual and voluntary decision to handle the complaint through an informal process, but such an approval process is not under the Title IX Final Rules.

Informal Resolution Options

Union Commonwealth University offers the following informal resolution procedures for addressing Formal Complaints of sexual harassment covered under this Policy:

Administrative Resolution
Should the Parties mutually determine to enter the informal resolution process, and the respondent elects to accept responsibility for the allegations of the Formal Complaint at any point during the informal resolution process, the institution may administratively resolve the Formal Complaint.

Where the respondent admits responsibility, the Parties will receive simultaneous written notification of the acceptance of responsibility, and {a decision-maker(s)} will convene to determine the respondent's sanction and other remedies, as appropriate and consistent with institutional policy. The Parties will be given an opportunity to be heard at the sanctions hearing, including but not limited to the submission of impact statements, and the Parties may be accompanied by their Advisor, but questioning of Parties or witnesses will not be permitted. The Parties will receive simultaneous written notification of the decision regarding sanctions and remedies, which may be appealed according to the process described below.

Mediation
The purpose of mediation is for the parties who are in conflict to identify the implications of a student's actions and, with the assistance of a trained facilitator, identify points of agreement and appropriate remedies to address them. Either party can request mediation to seek resolution; mediation will be used only with the consent of both parties, who will be asked not to contact one another during the process. The Title IX or designated official will also review any request for mediation and may decline to mediate based on the facts and circumstances of the case. Either party has the right to terminate the mediation process and choose or resume another option for resolution at any time.

The mediation process will typically commence within five days after the Title IX or designated official receives consent to mediate from both parties and will continue until concluded or terminated by either party or the Title IX or designated official. During mediation, any potential investigation will halt, and calculations for time frames will be stayed. If the mediation results in a resolution, the disciplinary process will be concluded, and the matter will be closed. If a resolution cannot be reached, the matter will be referred to the Title IX or designated official to re-evaluate other options for resolution, including investigation.

During mediation, a facilitator will guide a discussion between the parties. In circumstances where the parties do not wish to meet face to face, either party can request "caucus" mediation, and the facilitator will conduct separate meetings. Whether or not the parties agree to meet face to face, each party will be permitted to bring an advisor of their choice to any meetings who may be, but is not required to be, an attorney.

At the conclusion of the mediation, the facilitator will memorialize the agreement that was reached between the parties. The Title IX or designated official will monitor adherence to the proposed solution and close the matter when compliance is satisfactory.

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

Determining Jurisdiction

The Title IX Coordinator will determine if the instant Title IX Grievance Process should apply to a Formal Complaint. The Process will apply when all the following elements are met, in the reasonable determination of the Title IX Coordinator:

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

   If all the elements are met, Union will investigate the allegations according to the Grievance Process.

Allegations Potentially Falling Under Two Policies:
If the alleged conduct, if true, includes conduct that would constitute covered sexual harassment and conduct that would not constitute covered sexual harassment, the Title IX Grievance Process will be applied to investigation and adjudication of only the allegations that constitute covered sexual harassment. All other allegations will be investigated and adjudicated through the Union Commonwealth University Student Handbook.

Mandatory Dismissal
If any one of these elements are not met, the Title IX Coordinator will notify the parties that the Formal Complaint is being dismissed for the purposes of the Title IX Grievance Policy. Each party may appeal this dismissal using the procedure outlined in "Appeals," below.

Discretionary Dismissal
The Title IX Coordinator may dismiss a Formal Complaint brought under the Title IX Grievance Policy, or any specific allegations raised within that Formal Complaint, at any time during the investigation or hearing, if:

- A complainant notifies the Title IX Coordinator in writing that they would like to withdraw the Formal Complaint, or any allegations raised in the Formal Complaint.
- The respondent is no longer enrolled or employed by {the institution}; or,
- If specific circumstances prevent {the institution} from gathering evidence sufficient to reach a determination regarding the Formal Complaint or allegations within the Formal Complaint.

Any party may appeal a dismissal determination using the process set forth in "Appeals," below.

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

Notice of Removal:
Upon dismissal for the purposes of Title IX, Union Commonwealth University retains discretion to utilize the Union Commonwealth University Student Handbook to determine if a violation of the University Student Handbook has occurred. If so, Union will promptly send written notice of the dismissal of the Formal Complaint under the Title IX Grievance Process and removal of the allegations to the conduct process.

Notice of Allegations

The Title IX Coordinator will draft and provide the Notice of Allegations to any party to the allegations of sexual harassment. Such notice will occur as soon as practicable, after the institution receives a Formal Complaint of the allegations, if there are no extenuating circumstances.

The parties will be notified by their institutional email accounts if they are a student or employee, and by other reasonable means if they are neither.

The institution will provide sufficient time for the parties to review the Notice of Allegations and prepare a response before any initial interview.

The Title IX Coordinator may determine that the Formal Complaint must be dismissed on the mandatory grounds identified above and will issue a Notice of Dismissal. If such a determination is made, any party to the allegations of sexual harassment identified in the Formal Complaint will receive the Notice of Dismissal in conjunction with, or in separate correspondence after, the Notice of Allegations.

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

- Notice of the institution's Title IX Grievance Process including any informal resolution process and a hyperlink to a copy of the process.
- Notice of the allegations potentially constituting covered sexual harassment, and sufficient details known at the time the Notice is issued, such as the identities of the parties involved in the incident, if known, including the complainant; the conduct allegedly constituting covered sexual harassment; and the date and location of the alleged incident, if known.
- A statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the grievance process.
- A statement that the parties may have an advisor of their choice, who may be, but is not required to be, an attorney, as required under 34 C.F.R. § 106.45(b)(5)(iv);
- A statement that before the conclusion of the investigation, the parties may inspect and review evidence obtained as part of the investigation that is directly related to the allegations raised in the Formal Complaint, including the evidence upon which the institution does not intend to rely in reaching a determination regarding responsibility, and evidence that both tends to prove or disprove the allegations, whether obtained from a party or other source, as required under 34 C.F.R. § 106.45(b)(5)(vi);
- A. Procedure Code Articles A-1 A high standard of personal responsibility is a core value of the University and is required of Union students. Providing false, misleading, or incomplete information during a judicial investigation, hearing, or appeal is dishonest and is prohibited. (p.23 of handbook)

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

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

Advisor of Choice and Participation of Advisor of Choice

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

The University has a long-standing practice of requiring students to participate in the process directly and not through an advocate or representative. Students participating as Complainant or Respondent in this process may be accompanied by an Advisor of Choice to any meeting or hearing to which they are required or are eligible to attend. The Advisor of Choice is not an advocate. Except where explicitly stated by this Policy, as consistent with the Final Rule, Advisors of Choice shall not participate directly in the process as per standard policy and practice of Union Commonwealth University. Union will not intentionally schedule meetings or hearings on dates where the Advisors of Choice for all parties are not available, provided that the Advisors act reasonably in providing available dates and work collegially to find dates and times that meet all schedules.

The University's obligations to investigate and adjudicate in a prompt time frame under Title IX and other college policies apply to matters governed under this Policy, and Union cannot agree to extensive delays solely to accommodate the schedule of an Advisor of Choice. The determination of what is reasonable shall be made by the Title IX Coordinator or designee. The University will not be obligated to delay a meeting or hearing under this process more than five (5) days due to the unavailability of an Advisor of Choice, and may offer the party the opportunity to obtain a different Advisor of Choice or utilize one provided by Union Commonwealth University.

Notice of Meetings & Interviews

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

Delays

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

For example, a request to take a five day pause made an hour before a hearing for which multiple parties and their advisors have traveled to and prepared for shall generally not be granted, while a request for a five day pause in the middle of investigation interviews to allow a party to obtain certain documentary evidence shall generally be granted.

The Title IX Coordinator or Assistant Title IX Coordinator shall have sole judgment to grant further pauses in the Process.

Investigation

General Rules of Investigation

The Title IX Coordinator and/or an investigator designated by the Title IX Coordinator will perform an investigation under a reasonably prompt timeframe of the conduct alleged to constitute covered sexual harassment after issuing the Notice of Allegations.

Union Commonwealth University and not the parties, has the burden of proof and the burden of gathering evidence,
i.e. the responsibility of showing a violation of this Policy has occurred. This burden does not rest with either party, and either party may decide not to share their account of what occurred or may decide not to participate in an investigation or hearing. This does not shift the burden of proof away from the University and does not indicate responsibility.

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

Inspection and Review of Evidence

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

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

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

All parties must submit any evidence they would like the investigator to consider prior to when the parties' time to inspect and review evidence begins. See, 85 Fed. Reg. 30026, 30307 (May 19, 2020).

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

The parties will have ten (10) business days to inspect and review the evidence and submit a written response by email to the investigator. The investigator will consider the parties' written responses before completing the Investigative Report.

The institution will provide copies of the parties' written responses to the investigator to all parties and their advisors, if any. See, 85 Fed. Reg. 30026, 30307 (May 19, 2020).

The institution may provide the parties five (5) business days after the initial inspection and review of evidence, and before the investigator completes their Investigative Report, to provide additional evidence in response to their inspection and review of the evidence, and then provide the parties five (5) business days to inspect, review, and respond to the party's additional evidence through a written response to the investigator. Those written responses may be disclosed to the parties. See, 85 Fed. Reg. 30026, 30307 (May 19, 2020).

Any evidence subject to inspection and review will be available at any hearing, including for purposes of cross-examination.
The parties and their advisors must sign an agreement not to disseminate any of the evidence subject to inspection and review or use such evidence for any purpose unrelated to the Title IX grievance process. See, 85 Fed. Reg. 30026, 30435 (May 19, 2020).
The parties and their advisors agree not to photograph or otherwise copy the evidence. See, 85 Fed. Reg. 30026, 30435 (May 19, 2020).

Inclusion of Evidence Not Directly Related to Investigation

Evidence obtained in the investigation that is determined in the reasoned judgment of the investigator not to be directly related to the allegations in the Formal Complaint will not be disclosed, or may be appropriately redacted before the parties' inspection to avoid disclosure of personally identifiable information of a student. Any evidence obtained in the investigation that is kept from disclosure or appropriately redacted will be documented in a "privilege log" that may be reviewed by the parties and their advisors, if any. See, 85 Fed. Reg. 30026, 30438 (May 19, 2020).

Investigative Report

The Title IX Coordinator and/or an investigator designated by the Title IX Coordinator} will create an Investigative Report that fairly summarizes relevant evidence, will and provide that Report to the parties at least ten (10) business days prior the hearing in an electronic format or a hard copy for each party's review and written response.

The Investigative Report is not intended to catalog all evidence obtained by the investigator, but only to provide a fair summary of that evidence.

Only relevant evidence (including both inculpatory and exculpatory – i.e. tending to prove and disprove the allegations - relevant evidence) will be referenced in the Investigative Report.
The investigator may redact irrelevant information from the Investigative Report when that information is contained in documents or evidence that is/are otherwise relevant. See, 85 Fed. Reg. 30026, 30304 (May 19, 2020).

Hearing

General Rules of Hearing
Union Commonwealth University will not issue a disciplinary sanction arising from an allegation of covered sexual harassment without holding a live hearing unless otherwise resolved through an informal resolution process.

The live hearing may be conducted with all parties physically present in the same geographic location, or, at Union discretion, any or all parties, witnesses, and other participants may appear at the live hearing virtually through Microsoft TEAMS. This technology will enable participants simultaneously to see and hear each other. At its discretion, Union Commonwealth University may delay or adjourn a hearing based on technological errors not within a party's control.

Prior to obtaining access to any evidence, the parties and their advisors must sign an agreement not to disseminate any of the testimony heard or evidence obtained in the hearing or use such testimony or evidence for any purpose unrelated to the Title IX Grievance Process. Once signed, this Agreement may not be withdrawn See, 85 Fed. Reg. 30026, 30435 (May 19, 2020).

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

Newly Discovered Evidence
As a rule, no new evidence or witnesses may be submitted during the live hearing.
If a party identifies new evidence or witnesses that were not reasonably available prior to the live hearing and could affect the outcome of the matter, the party may request that such evidence or witnesses be considered at the live hearing.

The {Decision-maker} will consider this request and make a determination regarding (1) whether such evidence or witness testimony was actually unavailable by reasonable effort prior to the hearing, and (2) whether such evidence or witness testimony could affect the outcome of the matter. The party offering the newly discovered evidence or witness has the burden of establishing these questions by the preponderance of the evidence.

If the {Decision-maker} answers in the affirmative to both questions, then the parties will be granted a reasonable pause in the hearing to review the evidence or prepare for questioning of the witness.

Participants in live hearing
Live hearings are not public, and the only individuals permitted to participate in the hearing are as follows: Complainant and Respondent (The Parties)

- The parties cannot waive the right to a live hearing.
- The institution may still proceed with the live hearing in the absence of a party and may reach a determination of responsibility in their absence, including through any evidence gathered that does not constitute a "statement" by that party. 85 Fed. Reg. 30026, 30361 (May 19, 2020).
    - For example, A verbal or written statement constituting part or all the sexual harassment itself is not a "prior statement" that must be excluded if the maker of the statement does not submit to cross-examination about that statement. In other words, a prior statement would not include a document, audio recording, audiovisual reading, and digital media, including but not limited to text messages, emails, and social media postings, that constitute the conduct alleged to have been the act of sexual harassment under the formal complaint. See, OCR Blog (May 22, 2020), available at https://www2.ed.gov/about/offices/list/ocr/blog/20200522.html

- Union Commonwealth University will not threaten, coerce, intimidate, or discriminate against the party to secure the party's participation. See 34 C.F.R. § 106.71; see also 85 Fed. Reg. 30026, 30216 (May 19, 2020).
- If a party does not submit to cross-examination, the decision-maker cannot rely on any prior statements made by that party in reaching a determination regarding responsibility, but may reach a determination regarding responsibility based on evidence that does not constitute a "statement" by that party.
- The decision-maker cannot draw an inference about the determination regarding responsibility based solely on a party's absence from the live hearing or refusal to answer cross examination or other questions. See 34 C.F.R. §106.45(b)(6)(i).

The Decision Maker

- The hearing body will consist of a single decision-maker.
- No member of the hearing body will also have served as the Title IX Coordinator, Title IX investigator, or advisor to any party in the case, nor may any member of the hearing body serve on the appeals body in the case.
- No member of the hearing body will have a conflict of interest or bias in favor of or against complainants or respondents generally, or in favor or against the parties to the case.
- The hearing body will be trained on topics including how to serve impartially, issues of relevance, including how to apply the rape shield protections provided for complainants, and any technology to be used at the hearing.
- The parties will have an opportunity to raise any objections regarding a decision-maker's actual or perceived conflicts of interest or bias at the commencement of the live hearing.

Advisor of choice

- The parties have the right to select an advisor of their choice, who may be, but does not have to be, an attorney.
- In addition to selecting an advisor to conduct cross-examination, the parties may select an advisor who may accompany the parties to any meeting or hearing they are permitted to attend but may not speak for the party.
- The parties are not permitted to conduct cross-examination; it must be conducted by the advisor. As a result, if a party does not select an advisor, the institution will select an advisor to serve in this role for the limited purpose of conducting the cross-examination at no fee or charge to the party.
- The advisor is not prohibited from having a conflict of interest or bias in favor of or against complainants or respondents generally, or in favor or against the parties to the case.
- The advisor is not prohibited from being a witness in the matter.
- If a party does not attend the live hearing, the party's advisor may appear and conduct cross-examination on their behalf. 85 Fed. Reg. 30026, 30340 (May 19, 2020).
- If neither a party nor their advisor appear at the hearing, Union Commonwealth University will provide an advisor to appear on behalf of the non-appearing party. See, 85 Fed. Reg. 30026, 30339-40 (May 19, 2020).

Witnesses

- Witnesses cannot be compelled to participate in the live hearing and have the right not to participate in the hearing free from retaliation. See, 85 Fed. Reg. 30026, 30360 (May 19, 2020).
- If a witness does not submit to cross-examination, as described below, the decision-maker cannot rely on any statements made by that witness in reaching a determination regarding responsibility, including any statement relayed by the absent witness to a witness or party who testifies at the live hearing. 85 Fed. Reg. 30026, 30347 (May 19, 2020).

Hearing Procedures

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

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

Live Cross-Examination Procedure

Each party's advisor will conduct live cross-examination of the other party or parties and witnesses. During this live-cross examination the advisor will ask the other party or parties and witnesses relevant questions and follow-up questions, including that challenging credibility directly, orally, and in real time.

Before any cross-examination question is answered, the decision-maker will determine if the question is relevant. Model Relevance Policy is available upon request. Cross-examination questions that are duplicative of those already asked, including by the decision-maker may be deemed irrelevant if they have been asked and answered.

Review of Transcript/Recording

The recording/transcript of the hearing will be available for review by the parties within three business days, unless there are any extenuating circumstances.

Determination Regarding Responsibility

Standard of Proof

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

General Consideration for Evaluating Testimony and Evidence

While the opportunity for cross-examination is required in all Title IX hearings, determinations regarding responsibility may be based in part, or entirely, on documentary, audiovisual, and digital evidence, as warranted in the reasoned judgment of the Decision-maker.

Decision-makers shall not draw inferences regarding a party or witness' credibility based on the party or witness' status as a complainant, respondent, or witness, nor shall it base its judgments in stereotypes about how a party or witness would or should act under the circumstances.

Generally, credibility judgments should rest on the demeanor of the party or witness, the plausibility of their testimony, the consistency of their testimony, and its reliability considering corroborating or conflicting testimony or evidence.

Still, credibility judgments should not rest on whether a party or witness' testimony is non-linear or incomplete, or if the party or witness is displaying stress or anxiety.

Decision makers will afford the highest weight relative to other testimony to first-hand testimony by parties and witnesses regarding their own memory of specific facts that occurred. Both inculpatory and exculpatory (i.e. tending to prove and disprove the allegations) evidence will be weighed in equal fashion.

Except where specifically barred by the Title IX Final Rule, a witness' testimony regarding third-party knowledge of the facts at issue will be allowed but will generally be accorded lower weight than testimony regarding direct knowledge of specific facts that occurred. The Final Rule requires that Union Commonwealth University will allow parties to call "expert witnesses" for direct and cross examination. The witness would be allowed to be a part of the cross examination but absent from the rest of the proceeding. While the expert witness will be allowed to testify and be crossed as required by the Final Rule, the decision-maker will be instructed to afford lower weight to non- factual testimony of the expert relative to fact witnesses, and any expert testimony that is not directed to the specific facts that occurred in the case will be afforded lower weight relative to fact witnesses, regardless of whether the expert witness testimony is the subject of cross examination and regardless of whether all parties present experts as witnesses.

The Final Rule requires that the University allow parties to call character witnesses to testify. While the character witnesses will be allowed to testify and be crossed as required by the Final Rule, the decision-maker will be instructed to afford very low weight to any non-factual character testimony of any witness.

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

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

Components of the Determination regarding Responsibility
The written Determination Regarding Responsibility will be issued simultaneously to all parties through their institution email account, or other reasonable means as necessary. The Determination will include:

1. Identification of the allegations potentially constituting covered sexual harassment;
2. A description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held;
3. Findings of fact supporting the determination;
4. Conclusions regarding which section of the Union Commonwealth University Student Handbook, if any, the respondent has or has not violated.
5. For each allegation:
    a. A statement of, and rationale for, a determination regarding responsibility;
    b. A statement of, and rationale for, any disciplinary sanctions the recipient imposes on the respondent; and
    c. A statement of, and rationale for, whether remedies designed to restore or preserve equal access to the recipient's education program or activity will be provided by the recipient to the complainant; and

The recipient's procedures and the permitted reasons for the complainant and respondent to appeal (described below in "Appeal").

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

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

Appeals
Each party may appeal (1) the dismissal of a formal complaint or any included allegations and/or (2) a determination regarding responsibility. To appeal, a party must submit their written appeal within five (5) business days of being notified of the decision, indicating the grounds for the appeal.

The limited grounds for appeal available are as follows:

- Procedural irregularity that affected the outcome of the matter (i.e. a failure to follow the institution's own procedures);
- New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter;
- The Title IX Coordinator, investigator(s), or decision-maker(s) had a conflict of interest or bias for or against an individual party, or for or against complainants or respondents in general, that affected the outcome of the matter.

The submission of appeal stays any sanctions for the pendency of an appeal. Supportive measures and remote learning opportunities remain available during the pendency of the appeal.

If a party appeals, the institution will as soon as practicable notify the other party in writing of the appeal, however the time for appeal shall be offered equitably to all parties and shall not be extended for any party solely because the other party filed an appeal.

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

Appeals will be decided by separate appointed Decision-maker, who will be free of conflict of interest and bias, and will not serve as investigator, Title IX Coordinator, or hearing decisionmaker in the same matter.

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

Retaliation

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

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

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

Any intimidation, threats, coercion, or discrimination, for the purpose of interfering with any right or privilege secured by Title IX or its implementing regulations constitutes retaliation. This includes any charges filed against an individual for code of conduct violations that do not involve sex discrimination or sexual harassment, but that arise from the same facts or circumstances

Fire Safety Policies

The administration of the University believes that fire safety is of the utmost importance and we continually strive to be proactive in our approach to this issue. The following are common fire safety policies for residential students as well as the campus at large.

- Union Commonwealth University residence life staff and the Campus Safety Department hold twice yearly meetings with residential students to discuss and inform them of the policies of the college. The residence life staff hold yearly staff development training which includes fire safety and use a extinguishers
- The University is a tobacco free campus. Smoking is forbidden in all areas of the campus. No appliances with exposed heating surfaces are allowed in the residential facilities of the University, this includes electrical grills.
- No fireworks or open flames are allowed on campus, accept as part of a sanctioned campus event.
- All residential facilities are equipped with audible and visual alarm systems, which can be triggered by both heat and smoke or by a pull station.

Pfeiffer Hall- Central alarm system covering all common areas and smoke detectors in each individual residential room.

Lakeside Hall- Central alarm system covering all common areas and smoke detectors in each individual residential room.

Stevenson Hall- Central alarm system covering all common areas and smoke detectors in each individual room

Stewart Apartments- Central alarm system covering all common areas and smoke detector in each individual room

Union Courts- Smoke detectors in all individual rooms tied to a central system which is monitored at all times

College Courts- Each individual apartment is equipped with smoke detectors

- Fire drills were held in all residential facilities twice last year. These drills were unannounced and timed.
- If a fire alarm system is activated, all residents are required to leave the building. The campus safety department and residence life staff will work together to insure that all residents have left the area. Residents will be moved to a safe area where residence life staff will do a head count.
- All fires will be reported to Campus Safety, Dean of Students, and the Director of Residence Life. The campus safety department will insure that the Kentucky State Fire Marshall is notified of the fire.

Campus Crime Statistics

It is the policy of Union Commonwealth University to comply with all Clery Act requirements governing, obtaining, documenting, reporting, and disclosing crime statistics. This information is prepared by the Office of University Communications and in collaboration with campus safety, local law and emergency agencies in locations where Union maintains and/or controls grounds frequented by students for institutional purposes. In addition to being found in this report, the statistics can also be found at https:// www.unionky.edu/clery

Statistics included in the Clery report are:

Criminal Offenses

- Criminal homicide:
  - Murder and non-negligent manslaughter: The willful (non-negligent) killing of one human being by another.
  - Negligent manslaughter: The killing of another person through gross negligence.
- Sex offenses: Any sexual act directed against another person, without the consent of the victim/survivor, including instances where the victim is incapable of giving consent.
  - Rape: Includes the penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim/survivor.
  - Fondling: The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental capacity.
  - Incest: Occurs between persons who are related to each other within the degrees wherein marriage is prohibited by law.
  - Statutory Rape: Sexual intercourse with a person who is under the statutory age of consent.
- Robbery: The taking or attempting to take anything of value from the care, custody, or control of a person(s) by force or threat or violence, and/or by putting the victim in fear. Robbery may occur with use of a firearm, knife/cutting instrument, another dangerous weapon, or "strong arm" tactics as a means of intimidation, force, or instilling fear in the victim.
- Aggravated Assault: An unlawful attack by one person upon another for the purposes of inflicting severe or aggravated bodily injury. This type of assault is usually accompanied by the use of weapon or means likely to produce death or great bodily harm. Aggravated assault may occur with the use of a firearm, knife/cutting instrument, another dangerous weapon, or personal weapons (i.e. hands, fists, feet, etc.) that result in serious or aggravated injury.
- Burglary: The unlawful entry of a structure to commit a felony or theft. This may include
  - burglary which occurs under forcible entry, unlawful entry (without force), and attempted forcible entry.
- Motor Vehicle Theft: The theft or attempted theft of a motor vehicle.
- 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.
- 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; the existence of such a relationship should be determined based upon the reporting party's statement with consideration of: length of the relationship, type of relationship, and the frequency of interaction between the persons involved in the relationship.
- Domestic Violence**:** A felony or misdemeanor crime of violence committed by a current or former spouse or intimate partner of the victim; a person with whom the victim shares a child in common; a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner; a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred; or any other person against an

adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

- Stalking**:** Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for the person's safety or the safety of others or suffer substantial emotional distress.

Clery Reported Hate Crimes

In the event that any of the above mentioned offenses and/or crimes, or campus incidents are reported that are deemed to have been based upon bias, the University must also count the incident as a hate crime. The basis for determining whether a hate crime occurred is whether or not a *pre-formed negative opinion or attitude toward a person or group of persons based upon their race, gender, religion, disability, sexual orientation, ethnicity, national origin, or gender identity.* Additional crimes or incidents which may be reported with a hate crime bias are:

- Larceny/theft
- Simple assault
- Intimidation
- Destruction/damage/vandalism of property

These final four crimes or incidents are *only* reported if they are deemed as motivated by bias.

Arrests and Referrals for Disciplinary Action

The University must also report arrests and referrals for disciplinary action for:

- Liquor law violations
- Drug law violations
- Illegal weapons possession

Any crime report made to Safety & Security, local law enforcement, or any Campus Security Authority (CSA) is counted and disclosed in Union's annual crime statistics. In addition, all crimes will be evaluated to determine if an emergency notification, timely warning, or other safety alert should be issued to the campus community.

Criminal Offenses – On campus			
	Total occurrences On campus		
Criminal offense	2023	2024	2025
a. Murder/Non-negligent manslaughter	0	0	0
b. Manslaughter by Negligence	0	0	0
c. Rape	0	0	0
d. Fondling	0	0	0
e. Incest	0	0	0
f. Statutory rape	0	0	0
g. Robbery	0	0	0
h. Aggravated assault	0	0	0
i. Burglary	0	0	0
j. Motor vehicle theft	0	0	0
k. Arson	0	0	0

Criminal Offenses - On-campus Student Housing Facilities			
	Total occurrences On campus		
Criminal offense	2023	2024	2025
a. Murder/Non-negligent manslaughter	0	0	0

b. Manslaughter by Negligence	0	0	0
c. Rape	0	0	0
d. Fondling	0	0	0
e. Incest	0	0	0
f. Statutory rape	0	0	0
g. Robbery	0	0	0
h. Aggravated assault	0	0	0
i. Burglary	0	0	0
j. Motor vehicle theft	0	0	0
k. Arson	0	0	0

Criminal Offenses – Noncampus			
	Total occurrences noncampus		
Criminal offense	2023	2024	2025
a. Murder/Non-negligent manslaughter	0	0	0
b. Manslaughter by Negligence	0	0	0
c. Rape	0	0	0
d. Fondling	0	0	0
e. Incest	0	0	0
f. Statutory rape	0	0	0
g. Robbery	0	0	0
h. Aggravated assault	0	0	0
i. Burglary	0	0	0
j. Motor vehicle theft	0	0	0
k. Arson	0	0	0

Criminal Offenses – Public Property			
	Total occurrences On campus		
Criminal offense	2023	2024	2025
a. Murder/Non-negligent manslaughter	0	0	0
b. Manslaughter by Negligence	0	0	0
c. Rape	0	0	0
d. Fondling	0	0	0
e. Incest	0	0	0
f. Statutory rape	0	0	0
g. Robbery	0	0	0
h. Aggravated assault	0	0	0
i. Burglary	0	0	0
j. Motor vehicle theft	0	0	0
k. Arson	0	0	0

Hate Crimes – On Campus									
		Occurrences of Hate crimes							
Criminal offense	2025 Total	Category of Bias for crimes reported in 2025							
		Race	Religion	Sexual Orientation	Gender	Gender Identity	Disability	Ethnicity	National Origin
a. Murder/Non-negligent manslaughter	0	0	0	0	0	0	0	0	0
c. Rape	0	0	0	0	0	0	0	0	0
d. Fondling	0	0	0	0	0	0	0	0	0
e. Incest	0	0	0	0	0	0	0	0	0

f. Statutory rape	0	0	0	0	0	0	0	0	0
g. Robbery	0	0	0	0	0	0	0	0	0
h. Aggravated assault	0	0	0	0	0	0	0	0	0
i. Burglary	0	0	0	0	0	0	0	0	0
j. Motor vehicle theft	0	0	0	0	0	0	0	0	0
k. Arson	0	0	0	0	0	0	0	0	0
l. Simple assault	0	0	0	0	0	0	0	0	0
m. Larceny-theft	0	0	0	0	0	0	0	0	0
n. Intimidation	0	0	0	0	0	0	0	0	0
o. Destruction/damage/ vandalism of property	0	0	0	0	0	0	0	0	0

	Occurrences of Hate crimes								
Criminal offense	2024 Total	Category of Bias for crimes reported in 2024							
		Race	Religion	Sexual Orientation	Gender	Gender Identity	Disability	Ethnicity	National Origin
a. Murder/Non-negligent manslaughter	0	0	0	0	0	0	0	0	0
c. Rape	0	0	0	0	0	0	0	0	0
d. Fondling	0	0	0	0	0	0	0	0	0
e. Incest	0	0	0	0	0	0	0	0	0
f. Statutory rape	0	0	0	0	0	0	0	0	0
g. Robbery	0	0	0	0	0	0	0	0	0
h. Aggravated assault	0	0	0	0	0	0	0	0	0
i. Burglary	0	0	0	0	0	0	0	0	0
j. Motor vehicle theft	0	0	0	0	0	0	0	0	0
k. Arson	0	0	0	0	0	0	0	0	0
l. Simple assault	0	0	0	0	0	0	0	0	0
m. Larceny-theft	0	0	0	0	0	0	0	0	0
n. Intimidation	0	0	0	0	0	0	0	0	0
o. Destruction/damage/ vandalism of property	0	0	0	0	0	0	0	0	0

	Occurrences of Hate crimes								
Criminal offense	2023 Total	Category of Bias for crimes reported in 2023							
		Race	Religion	Sexual Orientation	Gender	Gender Identity	Disability	Ethnicity	National Origin
a. Murder/Non-negligent manslaughter	0	0	0	0	0	0	0	0	0
c. Rape	0	0	0	0	0	0	0	0	0
d. Fondling	0	0	0	0	0	0	0	0	0
e. Incest	0	0	0	0	0	0	0	0	0
f. Statutory rape	0	0	0	0	0	0	0	0	0
g. Robbery	0	0	0	0	0	0	0	0	0
h. Aggravated assault	0	0	0	0	0	0	0	0	0
i. Burglary	0	0	0	0	0	0	0	0	0
j. Motor vehicle theft	0	0	0	0	0	0	0	0	0
k. Arson	0	0	0	0	0	0	0	0	0
l. Simple assault	0	0	0	0	0	0	0	0	0
m. Larceny-theft	0	0	0	0	0	0	0	0	0
n. Intimidation	0	0	0	0	0	0	0	0	0
o. Destruction/damage/ vandalism of property	0	0	0	0	0	0	0	0	0

Hate Crimes – On Campus Student Housing Facilities

Criminal offense	Occurrences of Hate crimes								
	2025 Total	Category of Bias for crimes reported in 2025							
		Race	Religion	Sexual Orientation	Gender	Gender Identity	Disability	Ethnicity	National Origin
a. Murder/Non-negligent manslaughter	0	0	0	0	0	0	0	0	0
c. Rape	0	0	0	0	0	0	0	0	0
d. Fondling	0	0	0	0	0	0	0	0	0
e. Incest	0	0	0	0	0	0	0	0	0
f. Statutory rape	0	0	0	0	0	0	0	0	0
g. Robbery	0	0	0	0	0	0	0	0	0
h. Aggravated assault	0	0	0	0	0	0	0	0	0
i. Burglary	0	0	0	0	0	0	0	0	0
j. Motor vehicle theft	0	0	0	0	0	0	0	0	0
k. Arson	0	0	0	0	0	0	0	0	0
l. Simple assault	0	0	0	0	0	0	0	0	0
m. Larceny-theft	0	0	0	0	0	0	0	0	0
n. Intimidation	0	0	0	0	0	0	0	0	0
o. Destruction/damage/ vandalism of property	0	0	0	0	0	0	0	0	0

Criminal offense	Occurrences of Hate crimes								
	2024 Total	Category of Bias for crimes reported in 2024							
		Race	Religion	Sexual Orientation	Gender	Gender Identity	Disability	Ethnicity	National Origin
a. Murder/Non-negligent manslaughter	0	0	0	0	0	0	0	0	0
c. Rape	0	0	0	0	0	0	0	0	0
d. Fondling	0	0	0	0	0	0	0	0	0
e. Incest	0	0	0	0	0	0	0	0	0
f. Statutory rape	0	0	0	0	0	0	0	0	0
g. Robbery	0	0	0	0	0	0	0	0	0
h. Aggravated assault	0	0	0	0	0	0	0	0	0
i. Burglary	0	0	0	0	0	0	0	0	0
j. Motor vehicle theft	0	0	0	0	0	0	0	0	0
k. Arson	0	0	0	0	0	0	0	0	0
l. Simple assault	0	0	0	0	0	0	0	0	0
m. Larceny-theft	0	0	0	0	0	0	0	0	0
n. Intimidation	0	0	0	0	0	0	0	0	0
o. Destruction/damage/ vandalism of property	0	0	0	0	0	0	0	0	0

Criminal offense	Occurrences of Hate crimes								
	2023 Total	Category of Bias for crimes reported in 2023							
		Race	Religion	Sexual Orientation	Gender	Gender Identity	Disability	Ethnicity	National Origin
a. Murder/Non-negligent manslaughter	0	0	0	0	0	0	0	0	0
c. Rape	0	0	0	0	0	0	0	0	0
d. Fondling	0	0	0	0	0	0	0	0	0
e. Incest	0	0	0	0	0	0	0	0	0
f. Statutory rape	0	0	0	0	0	0	0	0	0
g. Robbery	0	0	0	0	0	0	0	0	0
h. Aggravated assault	0	0	0	0	0	0	0	0	0
i. Burglary	0	0	0	0	0	0	0	0	0

	0	0	0	0	0	0	0	0	0
	0	0	0	0	0	0	0	0	0
	0	0	0	0	0	0	0	0	0
	0	0	0	0	0	0	0	0	0
	0	0	0	0	0	0	0	0	0
	0	0	0	0	0	0	0	0	0

Hate Crimes – Public Property

	Occurrences of Hate crimes								
Criminal offense	2025 Total	Category of Bias for crimes reported in 2025							
		Race	Religion	Sexual Orientation	Gender	Gender Identity	Disability	Ethnicity	National Origin
a. Murder/Non-negligent manslaughter	0	0	0	0	0	0	0	0	0
c. Rape	0	0	0	0	0	0	0	0	0
d. Fondling	0	0	0	0	0	0	0	0	0
e. Incest	0	0	0	0	0	0	0	0	0
f. Statutory rape	0	0	0	0	0	0	0	0	0
g. Robbery	0	0	0	0	0	0	0	0	0
h. Aggravated assault	0	0	0	0	0	0	0	0	0
i. Burglary	0	0	0	0	0	0	0	0	0
j. Motor vehicle theft	0	0	0	0	0	0	0	0	0
k. Arson	0	0	0	0	0	0	0	0	0
l. Simple assault	0	0	0	0	0	0	0	0	0
m. Larceny-theft	0	0	0	0	0	0	0	0	0
n. Intimidation	0	0	0	0	0	0	0	0	0
o. Destruction/damage/ vandalism of property	0	0	0	0	0	0	0	0	0

	Occurrences of Hate crimes								
Criminal offense	2024 Total	Category of Bias for crimes reported in 2024							
		Race	Religion	Sexual Orientation	Gender	Gender Identity	Disability	Ethnicity	National Origin
a. Murder/Non-negligent manslaughter	0	0	0	0	0	0	0	0	0
c. Rape	0	0	0	0	0	0	0	0	0
d. Fondling	0	0	0	0	0	0	0	0	0
e. Incest	0	0	0	0	0	0	0	0	0
f. Statutory rape	0	0	0	0	0	0	0	0	0
g. Robbery	0	0	0	0	0	0	0	0	0
h. Aggravated assault	0	0	0	0	0	0	0	0	0
i. Burglary	0	0	0	0	0	0	0	0	0
j. Motor vehicle theft	0	0	0	0	0	0	0	0	0
k. Arson	0	0	0	0	0	0	0	0	0
l. Simple assault	0	0	0	0	0	0	0	0	0
m. Larceny-theft	0	0	0	0	0	0	0	0	0
n. Intimidation	0	0	0	0	0	0	0	0	0
o. Destruction/damage/ vandalism of property	0	0	0	0	0	0	0	0	0

	Occurrences of Hate crimes

Criminal offense	2023 Total	Category of Bias for crimes reported in 2023							
		Race	Religion	Sexual Orientation	Gender	Gender Identity	Disability	Ethnicity	National Origin
a. Murder/Non-negligent manslaughter	0	0	0	0	0	0	0	0	0
c. Rape	0	0	0	0	0	0	0	0	0
d. Fondling	0	0	0	0	0	0	0	0	0
e. Incest	0	0	0	0	0	0	0	0	0
f. Statutory rape	0	0	0	0	0	0	0	0	0
g. Robbery	0	0	0	0	0	0	0	0	0
h. Aggravated assault	0	0	0	0	0	0	0	0	0
i. Burglary	0	0	0	0	0	0	0	0	0
j. Motor vehicle theft	0	0	0	0	0	0	0	0	0
k. Arson	0	0	0	0	0	0	0	0	0
l. Simple assault	0	0	0	0	0	0	0	0	0
m. Larceny-theft	0	0	0	0	0	0	0	0	0
n. Intimidation	0	0	0	0	0	0	0	0	0
o. Destruction/damage/ vandalism of property	0	0	0	0	0	0	0	0	0

VAWA Offenses - On Campus			
	Total occurrences On campus		
Crime	2023	2024	2025
a. Domestic violence	0	0	0
b. Dating violence	0	0	0
c. Stalking	0	0	0

VAWA Offenses - On-campus Student Housing Facilities			
	Total occurrences On campus		
Crime	2023	2024	2025
a. Domestic violence	0	0	0
b. Dating violence	0	0	0
c. Stalking	0	0	0

VAWA Offenses - Noncampus			
	Total occurrences On campus		
Crime	2023	2024	2025
a. Domestic violence	0	0	0
b. Dating violence	0	0	0
c. Stalking	0	0	0

VAWA Offenses - Public Property			
	Total occurrences On campus		
Crime	2023	2024	2025
a. Domestic violence	0	0	0
b. Dating violence	0	0	0
c. Stalking	0	0	0

Arrests - On campus			
	Number of Arrests		
Crime	2023	2024	2025
a. Weapons: carrying, possessing, etc.	0	0	0
b. Drug abuse violations	0	1	1
c. Liquor law violations	0	0	0

Arrests - On-campus Student Housing Facilities			
	Number of Arrests		
Crime	2023	2024	2025
a. Weapons: carrying, possessing, etc.	0	0	0
b. Drug abuse violations	0	0	1
c. Liquor law violations	0	0	0

Arrests - Noncampus			
	Number of Arrests		
Crime	2023	2024	2025
a. Weapons: carrying, possessing, etc.	0	0	0
b. Drug abuse violations	0	0	0
c. Liquor law violations	0	0	0

Arrests - Public Property			
	Number of Arrests		
Crime	2023	2024	2025
a. Weapons: carrying, possessing, etc.	0	0	0
b. Drug abuse violations	0	0	0
c. Liquor law violations	0	0	0

Disciplinary Actions - On Campus			
Crime	2023	2024	2025
a. Weapons: carrying, possessing, etc.	0	0	0
b. Drug abuse violations	1	1	1
c. Liquor law violations	2	2	4

Disciplinary Actions - On-campus Student Housing Facilities			
Crime	2023	2024	2025
a. Weapons: carrying, possessing, etc.	0	0	0
b. Drug abuse violations	1	0	1
c. Liquor law violations	2	2	4

Disciplinary Actions - Noncampus			
Crime	2023	2024	2025
a. Weapons: carrying, possessing, etc.	0	0	0
b. Drug abuse violations	0	0	0
c. Liquor law violations	0	0	0

Disciplinary Actions - Public Property			
	Number of Arrests		
Crime	2023	2024	2025
a. Weapons: carrying, possessing, etc.	0	0	0

b. Drug abuse violations	0	0	0
c. Liquor law violations	0	0	0

Unfounded Crimes			
	Number		
Crime	2023	2024	2025
a. Total unfounded crimes	0	0	0

	Fires - Summary								
	2023			2024			2025		
Name of Facility	Fires	Injuries	Deaths	Fires	Injuries	Deaths	Fires	Injuries	Deaths
Lakeside Hall	0	0	0	0	0	0	0	0	0
Stewart Apts.	0	0	0	0	0	0	0	0	0
College Courts	0	0	0	0	0	0	0	0	0
Pfeiffer Hall	0	0	0	0	0	0	0	0	0
Stevenson Hall	0	0	0	0	0	0	0	0	0
Union Courts	0	0	0	0	0	0	0	0	0
Manchester Apts.	0	0	0	0	0	0	0	0	0
Manchester House	0	0	0	0	0	0	0	0	0
Manchester Duplex	0	0	0	0	0	0	0	0	0
Manchester Flats	0	0	0	0	0	0	0	0	0
Service House	0	0	0	0	0	0	0	0	0
DBD House	0	0	0	0	0	0	0	0	0
103 House	0	0	0	0	0	0	0	0	0
Total	0	0	0	0	0	0	0	0	0