

# The University of Akron

## The University of Akron Drug-Free Schools and Communities Biennial Review FY 2018-2020

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**Final Date of Completion:** 06/30/2020



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## **The University of Akron Biennial Review - 2018 to 2020**

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## **Executive Summary**

### **Introduction**

The Drug Free Schools and Campus Regulations (34 CFR Part 86) of the Drug-Free Schools and Communities Act (DFSCA) articulated through the Education Department's General Administrative Regulations (EDGAR) Part 86 requires Institutions of Higher Education (IHE) to certify it has adopted and implemented programs to prevent the abuse of alcohol and use or distribution of illicit drugs both by The University of Akron students and employees on its premises and as a part of any of its activities.

Since the DFSCA's 1994 amendments to the Higher Education Act of 1965, IHE have been required to communicate to all students and employees standards and prevention efforts regarding:

- Standards of conduct that clearly prohibit the unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees;
- A description of the legal sanctions under local, state, and federal law for the unlawful possession or distribution of illicit drugs and alcohol;
- A description of any drug or alcohol counseling, treatment, rehabilitation, or re-entry programs that are available to students or employees; and
- A clear statement that the institution will impose sanctions on students and employees and a description of those sanctions, up to and including expulsion or termination of employment and referral for prosecution, for violations of the standards of conduct.

The law further requires that the institution conduct a biennial review of its program to:

- Determine the effectiveness of the policy and implement changes to the Alcohol and Other Drug (AOD) program if needed; and
- Ensure that the sanctions developed are enforced consistently.

In compliance with the Drug-Free Schools and Campus Regulations of the Drug-Free Schools and Communities Act (DFSCA), The University of Akron has conducted a Biennial Review of its alcohol and other drug programming for July 1, 2018 through June 30, 2020. The University of Akron is committed to supporting and engaging students to advance and achieve their goals. To that end, The University of Akron has implemented the following goals to guide the review:

1. Evaluation of the effectiveness of the current AOD policies and programs using NIAAA's CollegeAIM alcohol intervention matrix.
2. Recommendations for programming and policy changes will be made based on evidence-based information with implementation of chosen strategies to include a statement of objectives, a planned evaluation, and refinement as indicated.

## **Time Frame**

The timeframe of this Biennial Review covers July 1, 2018 through June 30, 2020. This review will capture policies, communication, and programming provided to students and employees at The University of Akron during 2018-2019 and 2019-2020 academic years. Survey data provided in this review includes data from recent survey collections and also surveys conducted within the previous biennium review timeframe.

## **Biennial Review Process**

The previous Biennial Review Process was led by the Alcohol and Other Drug Task Force. This group was disbanded in June 2018. The University of Akron approached this Biennial Review Process by bringing responsible units/department representatives together every couple of months for meetings, starting May 9, 2019. This working group continued to meet regularly throughout the entire review period. At the conclusion of each semester covered in this review, the group is asked to provide all updates on data collected and assessed. This allows the group to use the information to inform policies, communication, and programming for the upcoming semester/year. Throughout the course of these meetings, the working group has received education on what information and supporting documentation the process requires, discussed best practices and education on CollegeAIM, created an alcohol and drug free logo for events, and worked to assess gaps in our previous biennial review.

This working group has allowed the involved stakeholders to be more knowledgeable and informed on the Biennial Review process than in previous years. The following individuals and departments have participated and provided information for this review:

1. Student Affairs
  - a. John A. Messina, Ed.D, Vice President for Student Affairs
2. Counseling and Testing Center
  - a. Juanita Martin, Ph.D., Executive Director
3. Dean of Students Office
  - a. Allison Gillis, LSW, Gender-Based Misconduct Case Manager
  - b. Greg Luli, Bachelors of Psychology, CARE Case Manager
4. Department of Athletics
  - a. Mary Lu Gribshaw, M.S.Ed., Senior Associate Athletics Director/Senior Woman Administrator
5. Department of Student Life
  - a. Brittany Ferguson-Mike, M.S.Ed., Assistant Director of Campus Programs
6. Office of Fraternity and Sorority Life
  - a. Katelin Brendel, M.Ed., Assistant Director of Fraternity and Sorority Life

7. Office of General Counsel
  - a. John Reilly, J.D., Associate Vice President and Deputy General Counsel and Assistant Secretary of the Board of Trustees
8. Office of New Student Orientation
  - a. Brandon Mikulski, M.A.Ed., Director of Learning Communities and Akron Experience
9. Office of Human Resources
  - a. Michelle Smith, MPA, SHRM-SCP, Ohio Insurance License, Assistant Vice President
10. Student Recreation and Wellness Services
  - a. John MacDonald III, MS, Director
  - b. Brian Humm, MPA, Assistant Director of Programs
11. Department of Residence Life and Housing
  - a. Melinda Grove, Ed.D., Director
12. Department of Student Conduct and Community Standards
  - a. Dale Adams, MBA, M.S.Ed., Director
  - b. Susan White, LPC, Coordinator
13. Student Health Services
  - a. Lisa Ritenour, MSN, FNP-BC, CHC, Director
14. University of Akron Police Department
  - a. Dale Gooding, Assistant Chief of Police
  - b. Denise Montanari, MSW, Director of Clery Compliance and Crime Analyst
15. ZipAssist
  - a. Alison Doehring, M.S.Ed., Director
16. Environmental and Occupational Health and Safety
  - a. Eric Green, Director

Each department is tasked with collecting and tracking data for programs and services related to the Biennial Review. Individuals then add information to shared folders and documents used by the core team to write the report. The working group also input data from their programs and services into the CollegeAIM alcohol intervention matrix. All data collected is analyzed to identify trends and to make recommendations for moving forward.

A core team was created to write the report. This group met monthly to update on progress, ask questions, and to identify outreach needed for additional information. The core team are the primary authors and individuals that are responsible for the completion of this report. Through a careful comprehensive review of all the policies, services, and programs provided, they provide the recommendations to guide The University of Akron. A gap assessment was conducted related to the Alcohol and Other Drug Task Force. The larger group recognized the need for a revitalized, smaller, and more focused DFSCA Committee. This smaller group will begin meeting on 9/1/2020, with their focus being the next biennium. This

new group will assist in addressing the gaps identified in the DFSCA Report and will implement prevention programming moving forward.

### **Biennial Review Report Storage**

The final report is stored within the Office of the Vice President of Student Affairs, General Counsel, and the Clery Compliance Office. The University of Akron will retain the Biennial Review report for three years after the fiscal year in which the record was created. Individuals that wish to request a copy of the report may email the Office of General Counsel to receive a copy.

### **Annual Policy Notification Process**

#### **Primary Method Utilized to Distribute Policy to All Students and Employees**

**Students.** Freshman students are required to participate in the Know the Code Workshop, which informs students about campus safety, their rights and responsibilities with the Code of Student Conduct, and building healthy relationships through sexual respect. Students are assigned to a workshop date. If they are unable to attend, they are assigned a make-up workshop to attend at the start of the semester. For Fall 2019, an online workshop was piloted to address the gap of new students who do not attend any of the available in-person workshop dates. New freshmen, adult, transfer, and College Credit Plus students admitted to the university receive a confirmation email after confirming their enrollment to the university. Within the confirmation email, students are informed about their orientation date, next steps, and checklist preparing for their orientation experience and the start of the upcoming semester. Within the checklist, students are tasked with being informed about the Code of Student Conduct.

New students enrolled in the Akron Experience: University 101 (AE) and CBA Success courses have a built-in presentation within their syllabi regarding Student Conduct presented by the Office of Student Conduct and Community Standards. Students enrolled in these courses are generally new students who are either a learning community participant or admitted to the university as a part of the emergent population. Starting Spring 2020, Direct Connect program participants, who are enrolled at Stark State College but intend to transfer to The University of Akron, will be informed of the Code of Student Conduct when they attend their Welcome Event on campus.

**Employees.** New employees are provided pertinent information during their onboarding process. The Drug Free Workplace Policy, Board of Trustee Rule 3359-47-02 (Appendix A), is provided to new hires in person or by email. Detailed information regarding the policy and relevant resources is also available via the University's HR Benefits website. The University of

Akron's Employee Assistance Program provides online resources and counseling services. In addition to the free EAP resources, employees and their dependents covered by The University of Akron medical plan have access to inpatient and outpatient substance use disorder treatment.

### **Description of Policy**

**Students.** The Code of Student Conduct 3359-41-01 (Appendix B) became effective February 1, 2015. It was certified by Ted A. Mallo, Secretary, Board of Trustees. Prior effective dates included 11/04/77, 12/06/85, 01/16/86, 12/04/99, 11/24/01, 08/03/03, 09/05/03, 07/05/10, 08/20/11, 11/15/12, 05/23/13, 11/01/13. The Office of Student Conduct and Community Standards oversees the administration of the Code of Student Conduct. The Office of Student Conduct and Community Standards oversees the discipline of the Code of Student Conduct. Others, such as The University of Akron Police Department, Residence Life and Housing, and other units across campus, work to assist with the monitoring of the policy. The disciplinary power of the university is inherent in its responsibility to protect its educational purposes and processes through the setting of standards of conduct and scholarship for its students and through the regulation of the use of its facilities. The University of Akron's Code of Student Conduct reflects and supports the educational mission of the institution, balancing the ideals of individual rights and responsibilities with community citizenship and responsibility. The code of student conduct expresses the university's values of civility, integrity in all matters, and responsible behavior on- and off-university premises. Students also are required to abide by applicable federal, state, and local laws. Students at The University of Akron are responsible to know and abide by all university rules, regulations, and policies. Failure to abide by the university's rules, regulations, and policies may result in sanction by the university.

**Employees.** The Drug-Free Workplace Policy 3359-47-02 (Appendix A) became effective December 22, 2016. It was certified by Ted A. Mallo, Secretary, Board of Trustees. Prior effective dates included 08/15/89, 05/22/91, 01/31/15. The University of Akron Board of Trustees reserves the right to secure the workplace in order to achieve and maintain compliance with the Drug-Free Workplace Act, subject, however, to those rights guaranteed to employees, the requirements of applicable statutes and regulations, and the restraints contained in the state and federal constitutions.

The Alcohol Policy 3359-47-01 became effective January 31, 2015. It was certified by Ted A. Mallo, Secretary, Board of Trustees. Prior effective dates included 02/04/83, 02/04/99, 06/25/07. All members of the university community are responsible for making decisions about their actions within the context of Ohio state law and university regulations. In addition, awareness of the rights of others within our community who may choose not to use alcoholic beverages must be honored.



Employees at The University of Akron are responsible to know and abide by all university rules, regulations, and policies. Failure to abide by the university's rules, regulations, and policies may result in sanction by the university. Such employee shall be subject to such disciplinary procedures up to and including termination, but in accordance with the established rights of the employee, including the right to due process. The Administration, the Office of Human Resources, and the Office of General Counsel oversees the administration of disciplinary procedures.

### **Dates/Times in Which Policy is Distributed**

**Students.** New students are notified of their required Know the Code Workshop participation in early August. In addition, new students residing on campus will receive additional workshop communication in the Department of Residence Life & Housing "Countdown to Move-In" email/newsletter sent out on a regular basis starting late July/early August. Know the Code Workshops are held the week prior to the first week of classes. There are multiple workshop dates tailored to when residents are arriving to campus and around other large campus programs drawing commuters to visit campus. For Spring 2020, the online Know the Code Workshop was launched to deliver content to the smaller new student population joining campus in the spring. Students received communication/instructions at the beginning of the semester. Within the first week of the semester, the AE and CBA Success students receive their syllabus outlining the course objectives and class schedule. All Student Conduct presentations are scheduled and facilitated during week 3 and week 4 of the semester.

**Employees.** After employees have been hired, an email is sent to them with their onboarding paperwork. Included in this paperwork is the Drug-Free workplace policy and acknowledgement form that requires their signature. New employees complete this acknowledgement and return it to Human Resources in person as part of their onboarding process. This process is the same throughout the year as employees are on-boarded as they are hired. The acknowledgement documentation then becomes part of their personnel file.

Employees are notified by email Digest annually of our safety report, which includes updated information regarding the Drug-Free Workplace Policy, possible sanctions, health risks associated with the use of illicit drugs and the abuse of alcohol and treatment resources. There is a current gap in continual reinforcement and training for employees. In the future, we will look to add online and in person training resources.

### **All Methods of Distribution Used**

Students are provided the Code of Student Conduct via email communication, Online portal, large workshop, online modules, and class presentation. New students receive email

notification about the Know the Code Workshop. On-Campus students receive the Countdown to Move-In email. All new student populations receive a confirmation email with prompted checklist items to do prior to the start of the semester. New freshmen also attend the Know the Code workshop and have the option to take the online Know the Code Module. Additionally, in Akron Experience and CBA Success, students receive class presentations on the code. There is a current gap in continual reinforcement and notifying students after policy has been distributed.

### **Content of Policy / Copy of Policy**

**Standards of conduct.** The full Code of Student Conduct is provided below (Appendix B). The full Drug-Free Workplace Policy is provided below (Appendix A).

**Applicable legal sanction.** When students violate the Code of Student Conduct or are charged with any criminal activity, a referral is submitted to the Office of Student Conduct and Community Standards. The office will then follow their policy regarding sanctioning. Legal sanctions for students are separate from the institution's process. Employees are held to the Drug-Free Workplace Policy. Legal sanctions for employees are separate from the institution's process. But, in accordance with Ohio Law, Ohio Revised Code 2921.22, *no person, knowing that a felony has been or is being committed, shall knowingly fail to report such information to law enforcement authorities.* The University of Akron follows the Ohio Revised Code 2921.22 and submits documentation to The University of Akron Police Department whenever an employee is made aware of a felony.

**Health risks.** The University of Akron wishes to remind employees, students, and other members of the campus community of the psychological and physiological risks associated with the use, misuse, and abuse of alcohol and other substances. Extensive research exists on the various health risks associated with the use, misuse, and abuse of alcohol and other drugs. Effects can have short and/or long-term consequences as well as direct and indirect ramifications. Variables, including but not limited to, the specific substance use, how it was consumed, how much was used, and an individual's health status are all factors that influence the effects that a substance may have on the body. Short term effects can range from changes in appetite, mental alertness, heart rate and blood pressure changes, mood alterations, heart attack, stroke, and psychosis to overdose and possibly even death. These health effects can occur with a single, one time use of a substance. Long-term effects associated with alcohol and/or drug use may include heart or lung disease, cancer, mental illness, HIV/AIDS, hepatitis, and addiction/dependency.

Alcohol and substance use also have indirect effects on both the individual using the substance and those around them. These effects include a change in an individual's nutrition status, sleep habits, decision-making abilities, and impulsivity. There is also increased risk for

trauma, violence, injury, and contraction of a communicable disease. Broader negative effects may include poor academic performance, problems with employment, housing and/or relationships, as well as potential involvement with the criminal justice system.

Similar to direct and indirect effects of alcohol and other drug use addiction behavioral signs include: changes in peer groups, carelessness with grooming habits, declining academic performance, missing classes/work, anhedonia, changes in eating or sleeping habits, and deteriorating relationships with family and friends.

Alcohol overdose occurs when there is so much alcohol in the bloodstream that basic life supporting functions of the brain begin to be affected. Symptoms of alcohol overdose include: mental confusion, difficulty maintaining consciousness or inability to wake up, vomiting, seizures, slow breathing or irregular breathing, slow heart rate, clammy skin, dulled responses and reflexes and low body temperature. Alcohol overdose can lead to permanent brain damage or death.

Marijuana use directly affects the brain. Specifically, it affects those areas responsible for memory, learning, attention, decision making, coordination, emotions, and reaction times. It is known that the amount of tetrahydrocannabinol (THC) in marijuana has increased over the past few decades. The higher the THC content the stronger the effects on the brain. The effects marijuana has on the brain may be long lasting or even permanent. Long term effects include mood swings, decreased ability to learn, lung infections, inhibited mental development, panic attacks, memory loss, anxiety, and paranoia.

Use of stimulant type drugs increase the activity of the brain chemicals dopamine and norepinephrine. Dopamine is involved in the reinforcement of rewarding behaviors while norepinephrine affects blood vessels, blood pressure, heart rate, blood sugars and breathing. Stimulant drugs include both legal and illicit drugs. Illicit stimulants include cocaine, methamphetamine, and crack. Prescription stimulants include Ritalin, Adderall, and Concerta. Stimulants increase alertness, attention, and energy. Their misuse, including overdose, can also lead to psychosis, anger, paranoia, heart, nerve and stomach problems, heart attack, and/or seizure activity. Prescription stimulant misuse can lead to substance use disorder.

Prescription opioids (hydrocodone, oxycodone and morphine) and illicit opioids (heroin and illegally manufactured fentanyl) are powerful drugs that have the risk of a potentially fatal overdose. Death from an opioid overdose happens when too much of the drug overwhelms the brain and interrupts the body's natural drive to breathe. Dangerously slow breathing or stopped breathing causes brain damage and death. Additional signs of an opioid overdose include small constricted pupils, loss of consciousness, choking or gurgling sounds, limp body, and pale, blue, or cold skin.

**Drug or alcohol counseling, treatment, or rehabilitation for students.** The University of Akron provides support, assistance, and referrals for students experiencing alcohol and other drug abuse. A student may engage with the CARE Team, the Office of Student Conduct and

Community Standards, or the University of Akron Police Department and be provided appropriate referrals and support. Students can be referred to the Counseling and Testing Center on-campus for free, confidential counseling services. Students can also engage in Roos in Recovery, a safe and confidential place for fellowship and support for UA students. Roos in Recovery meetings are open to students in recovery from addictions or exploring recovery as a life option. Off-campus, students can engage with local, community resources such as IBH Addiction Recovery Center, ADM Crisis Center, Akron UMADAOP Inc., Al-Anon and Alateen, Alcoholics Anonymous, Narcotics Anonymous, Community Health Center Outpatient/Inpatient/Detox, Greenleaf Family Center, Mature Services Avenues to Recovery, Sterling Sober Resources, Summit County Public Health Alcohol and Drug Counseling, and more. The University of Akron Police Department will assist in transporting a student to detox or rehabilitation facilities. The Dean of Students Office will also coordinate with faculty members to write letters of support for the student during their absence or assist with a withdrawal due to extraordinary circumstances if the student needs to withdraw from the University to seek treatment.

The new AOD Task Force, launched in January 2020, has a mission to work to strengthen the relationship between The University of Akron and community resources.

**Drug or alcohol counseling, treatment, or rehabilitation for employees.** Inpatient and outpatient substance use disorder treatment is covered under The University of Akron's medical plans available to full time employees and their dependents. Access to counseling and resources is also available through the Employee Assistance Program. In addition to these resources, The University of Akron should work towards educating their employees on other community resources, such as the Drug & Alcohol Services for Adults and Adolescents at Summit County Public Health (SCPH) and treatment through the Alcohol, Drug Addiction, and Mental Health Services Board (ADM).

**Disciplinary sanctions for employees.** If someone is found responsible for using drugs/alcohol, they may be expected to participate in a mandatory referral for professional counseling and rehabilitation through the Employee Assistance Program (EAP) provider. Such employee shall be subject to disciplinary procedures as from time to time are promulgated by the Board of Trustees, up to and including termination, but in accordance with the established rights of the employee, including the right to due process.

If the university receives notice of conviction of an employee for violation of any criminal drug statute, the university, within thirty days of receipt of such notice shall;

- (a) take appropriate personnel action subject to established disciplinary procedures, up to and including termination, in accordance with due process or

(b) require such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a federal, state, or local health, law enforcement, or other appropriate agency.

#### **After Policy Distribution Notation**

There is a current gap in continual reinforcement and notifying employees and students after the policies have been distributed.

#### **Off-Campus, Abroad, and On-Line Policy Notation**

**Students.** The Office of Student Conduct and Community Standards is currently working with Information Technology Services to establish an online mechanism that would notify all students of the Code of Student Conduct through the MyAkron Portal.

**Employees.** Employees, regardless if they are teaching online, abroad, or off-campus, are provided pertinent information during their onboarding process. The Drug Free Workplace Policy, Board of Trustee Rule 3359-47-02 (Appendix A), is provided to new hires in person or by email. Detailed information regarding the policy and relevant resources is also available via The University of Akron's HR Benefits website. The University of Akron's Employee Assistance Program provides online resources and counseling services. In addition to the free EAP resources, employees and their dependents covered by the university medical plan have access to inpatient and outpatient substance use disorder treatment. Employees are also notified by email Digest annually of our safety report, which includes updated information regarding the Drug-Free Workplace Policy, possible sanctions, health risks associated with the use of illicit drugs and the abuse of alcohol, and treatment resources.

#### **Policy Requests**

Students requesting the Code of Student Conduct will be referred to the Student Conduct and Community Standards webpage. Employees can find the Drug-Free Workplace Policy online as well.

#### **AOD Prevalence Rate, Incidence Rate, Needs Assessment, Trend Data**

#### **Drug and Alcohol-Related Incidents On-Campus**

Crimes Reported	Year	Campus (not including residence facilities)	Residence Facilities Only	Campus Total
<b>Arrests</b>				
Alcohol Law Violations	2019	0	0	0
	2018	9	0	9
	2017	6	0	6
Drug Law Violations	2019	6	1	7
	2018	13	3	16
	2017	4	4	8
<b>Disciplinary Referrals</b>				
Alcohol Law Violations	2019	2	133	135
	2018	1	76	77
	2017	1	150	151
Drug Law Violations	2019	10	82	92
	2018	8	37	45
	2017	4	67	71

### **Drug and Alcohol-Related Incidents Reported to Campus Officials**

**The Crisis Assessment Referral Evaluation (CARE) team.** The CARE Team is a University entity that provides guidance and assistance to students who are experiencing crises, displaying odd or unusual behaviors, or are engaging in other behaviors that may be perceived as being harmful (either to the student or to others). The CARE Team accepts referrals and responds to students (and their families, faculty, and staff) when concerns for a student's health, welfare, and safety are identified. The CARE Team will be notified and respond when there is a concern for a student's possible alcohol and other drug abuse.

The CARE Team is comprised of representatives from the offices of: Adult Focus, Counseling and Testing Center, Dean of Students, Residence Life and Housing, Student Conduct and Community Standards, Zip Assist, Office of Academic Affairs, the Vice President of Student Affairs, and UAPD. The CARE Team is also advised by a representative of the Office of General Counsel and works closely with the appropriate academic unit, as circumstances dictate. The CARE Team meets weekly and more frequently when emergency situations arise. Because of the broad composition of the CARE Team, individuals can report to their home departments concerning recurring incidents and emerging trends of behavior, and to develop effective responses to those trends through education, programming, and if necessary, disciplinary action.

The CARE Team also supports members of the University community who interact with at-risk students by assessing and evaluating situations, communicating with individuals involved or impacted by a student's behavior, and providing referrals and resources to assist and address behavioral concerns. In addition to working directly with students and other concerned parties, the CARE Team fulfills its duties to the University community by reviewing existing policies and procedures and proposing new policies and procedures that serve to both balance the needs of students and promote the mission of the University.

By fostering collaborative relationships with University departments and maintaining open lines of communication with previously identified and referred students, their families, and faculty and staff, the CARE Team makes a commitment to educating the University community about existing policies and instructing community members on how to address students in crisis.

***Fall 2018- Spring 2019 CARE Team alcohol and drug-related incidents.*** During the 2018-2019 fiscal year, there were a total of 16 incidents reported to the CARE Team which were related to the use of alcohol or other drugs. Some of these incidents involved the same student twice. The University of Akron CARE team reviewed each case and coordinated support and response to the student behavior outlined below. Students were referred to the University CARE team for these specific reasons. Some students were referred within the same referral for different concerns.

	Students
Drug or alcohol use in incidents involving overdose or alcohol poisoning	8
Concern from others regarding the student's drug or alcohol use	7
Drug or alcohol use in incident involving suicide or suicide ideation	10
Warrant or police action following disorderly behavior related to drugs or alcohol	4
Drugs or alcohol were reportedly used in a public or disruptive fashion	3

These 16 incidents resulted in the following actions taken by The University of Akron CARE Team. Some students received more than one referral/on-going care and support:

- 15 students were verified safe through outreach within the community by Resident Assistants, University employee, or University of Akron Police;
- 3 students received a referral for the Counseling and Testing Center;
- 7 students met with members of the CARE Team for educational conferences;
- 7 students were transported to local hospitals for additional care and support;
- 1 student was referred to a detox facility;
- 2 students were referred to a member of the University community for additional support and monitoring;
- 5 students were referred to their academic college or offered support in discussing absences with faculty;
- 1 student was referred to Roos in Recovery (The University of Akron's collegiate recovery community);
- 1 student was referred to Health Services;
- 1 student received support through the Athletics department;
- 1 student withdrew from the University;
- and 1 student was referred to community resources.

***Fall 2019 - Spring 2020 CARE Team alcohol and drug-related incidents.*** During the 2019-2020 fiscal year, there were a total of 7 incidents reported to the CARE Team which were related to the use of alcohol or other drugs. The University of Akron CARE team reviewed each case and coordinated support and response to the student behavior outlined below. Students were referred to the University CARE team for these specific reasons. Some students were referred for more than one concern.

	Students
Drug or alcohol use in incidents involving overdose or alcohol poisoning	2
Concern from others regarding the student's drug or alcohol use	4
Drug or alcohol use in incident involving suicide or suicide ideation	2
Warrant or police action following disorderly behavior related to drugs or alcohol	3
Drugs or alcohol were reportedly used in a public or disruptive fashion	4

These 7 incidents resulted in the following actions taken by The University of Akron CARE Team. Some students received more than one referral/on-going care and support:

- 7 students were verified safe through outreach within the community by Resident



- Assistants, University employee, or University of Akron Police;
- 2 students received a referral for the Counseling and Testing Center;
- 3 students met with members of the CARE Team for educational conferences;
- 2 students were transported to local hospitals for additional care and support;
- 1 student was referred to a detox facility;
- 2 students were referred to a member of the University community for additional support and monitoring;
- 1 student was referred to their academic college or offered support in discussing absences with faculty;
- 1 student was referred to Roos in Recovery;
- 1 student withdrew from the University;
- and 1 student was referred to community resources.

*Students disciplined or otherwise sanctioned for violation of drug and alcohol laws or university policies.* The number of students found responsible for violating the Code of Student Conduct by the Department of Student Conduct and Community Standards from July 1, 2018 to June 30, 2020 can be found below.

Number of Responsible Findings		
Code of Student Conduct Charge	July 1, 2018 to June 30, 2019	July 1, 2019 to June 30, 2020
(9) Use, possession, manufacture, cultivation, distribution or facilitating the distribution of marijuana or any narcotic, hallucinogenic, or other controlled substances as defined in applicable federal, state, or municipal law.	37	43
(10) Use, possession, manufacture or distribution of alcoholic beverages, or public intoxication in a manner prohibited by law or university policy including but not limited to any violation of rule 3359-47-01 of the Administrative Code. Alcoholic beverages may not, in any circumstances, be used by, possessed by or distributed to any person under twenty-one years of age.	38	78

Please note: a student may have been found responsible for multiple violations of the Code and may be counted in both categories listed below. These figures do not reflect the number of referrals for discipline for violations of drug and alcohol laws in which the student is found not responsible, which are included in the University's Annual Security Report.

Crimes Reported	Year	Non-Campus	Public Property
<b>Arrests</b>			
Alcohol Law Violations	2019	1	0
	2018	0	3
	2017	0	6
Drug Law Violations	2019	3	3
	2018	1	4
	2017	0	8
<b>Disciplinary Referrals</b>			
Alcohol Law Violations	2019	12	0
	2018	0	0
	2017	1	0
Drug Law Violations	2019	2	0
	2018	0	0
	2017	0	0

***Help-A-Zip.*** Help-A-Zip is for students having personal or academic difficulties. Students who exhibit academic, mental health, personal, or social concerns or those who need emergency financial assistance can benefit from contacting Help-A-Zip. Examples include: academic concerns (missed assignments; poor grades on exams, assignments, and projects; repeated absences from class, etc.), mental health concerns (depression, anxiety, substance dependence, etc.), personal/social concerns (relationships, social contentedness, roommate compatibility, homesickness, etc.), and/or experiencing an unexpected financial hardship and need additional support. At this time, Help-A-Zip does not have a mechanism in place to accurately reflect their work with students who were referred due to alcohol and other drug concerns. But, due to the nature of the referral, the support efforts for these students is likely reflected in the CARE or the Office of Student Conduct and Community Standards data. For the next biennium, updates will be made to include this data.

### **Core Alcohol and Other Drug Survey Data**

The University of Akron does not currently utilize the Core Alcohol and Other Drug survey.

### **National College Health Assessment Survey Data**

The National College Health Assessment Survey was last completed by The University of Akron in 2009. Another survey may be completed next year after funding considerations.

### **Prescription Drug Study**

The College Prescription Drug Study (CPDS) is a multi-institutional survey of undergraduate, graduate, and professional students. The findings from the CPDS were mentioned in the previous review but will be used to inform programming and prevention work in upcoming years. The CPDS examines the non-medical use of prescription drugs, access to prescription drugs, and perceptions of use among students. The CPDS was developed and administered by The Ohio State University's Center for the Study of Student Life, Student Life Student Wellness Center, and the College of Pharmacy. During the Spring 2018, the CPDS was administered to random samples of students attending 26 institutions across the United States via an online anonymous survey. The University of Akron was one of these 26 institutions. A total of 4,771 students were invited to participate. Of those, 1,189 completed the survey, with a 24.9% completion rate. The following information was gathered:

#### **Use of drugs or alcohol to manage stress.**

Always	0%
Never	58%
Rarely	23%
Sometimes	14%
Often	5%

**Pain medications.** 9.3% of respondents indicated use of pain medication.

**Reason for use.** The main reasons for use included pain, anxiety, to study and get better grades, sleep, and get high. Other reasons included social, drug dependence, and pressure. Of those who use, 40% use pain medications with alcohol, 20% reported positive impacts on

academics, 9.3% reported negative impacts on academics, 20% reported depression due to use, and 10.7% reported criminal activity to obtain.

Pain	53.5%
Anxiety	36.6%
To study and get better grades	11.9%
Sleep	32.7%
Get high	39.6%

**Sedatives.** 8.5% of respondents indicated use of sedatives.

**Reason for use.** The main reasons for use included sleep, decrease anxiety, get high, feel better, help study or improve grades, and counter effect of other drugs. Other reasons included dependence, escape reality, personal problems, safer than street drugs, don't consider it illegal, and like how I feel. Of those who use, 43.7% use sedatives with alcohol, 4.8% report a negative impact on academics, 23% report positive impact on academics, 19.7% report depression due to use, 11.5% report suicidal thoughts due to use, and 3.2% reported criminal activity to obtain.

Sleep	63.2%
Decrease anxiety	46.3%
Get high	36.8%
Feel better	21.1%
Help study or improve grades	9.5%
Counter effect of other drugs	7.4%

**Stimulants.** 14% of respondents indicated use of stimulants. 68.1% started use in college. Only 5.2% have a prescription and 24.5% have given it away or sold it.

**Reason for use.** The main reasons for use included to relieve pain, relieve anxiety, get high, help study or improve grades, enhance social interactions, and to see what it was like. Other reasons included counter effects of other drugs, dependence, pressured by others, and to escape reality. Of those who use, 35.9% use stimulants with alcohol, 1% reported a negative impact on academics, 55% reported positive impacts on academics, 13% reported depression due to use, 8% reported suicidal thoughts due to use, and 2% used criminal activity to obtain.

To relieve pain	1.3%
Relieve anxiety	12.1%
Get high	12.7%
Help study or improve grades	76.4%
Enhance social interactions	26.1%
To see what it was like	26.8%

**Resource awareness.** When questioned about resources, 25.5% were aware of campus resources to help use prescription drugs safely; 24.7% were aware of off campus resources; 10.7% had taken a workshop, class, or training on appropriate use of prescription medications; 22.7% knew where to go on campus if they were concerned about drugs; and 52.8% knew where to go off-campus.

**Binge alcohol use.** Binge alcohol use is defined by having five or more drinks in one setting.

Never - I do not drink alcohol	24.2%
Never drink 5 or more drinks in 1 setting	22.2%
Once a year	5.8%
A few times a year	23.1%
Once a month	12.1%
Every other week	6.7%
Once a month	4.6%
More than once a week	1.4%

**Other drug use.** Respondents were questioned regarding their use of other drugs. 25.5% used marijuana, 4.1% used cocaine, 5.9% used hallucinogens, 3.9% used MDMA (molly or ecstasy), and 0.4% used heroin.

**General health and wellness.** Respondents were also questioned regarding their general health and wellness. The following information was gathered:

Strongly agree or agree they can cope with stress	79.2%
Strongly agree or agree they can figure out how to do difficult work in academic program	87.8%
Strongly agree or agree they can do well in academic program	85.7%
Strongly agree or agree they will complete degree	94.7%
Rate health as good or excellent	76.5%
Have been diagnosed with depression	23.2%
Have been diagnosed with anxiety	25.6%
Have a GPA of 3.00 to 4.00	82.1%
Employed	76.7%
Enrolled full-time	85.8%

### Campus Climate Survey

The Campus Climate Survey is distributed to The University of Akron campus community every two years and is lead by the direction of the Sexual Assault and Violence Education Assessment Team. The Campus Climate Survey is a broad assessment of the campus climate, including the assessment of alcohol use, awareness about gender-based misconduct, bystander intervention, personal climate, university climate, misconduct, peer to peer engagement, personal engagement in prevention of gender-based misconduct, prevalence of gender-based misconduct, rape myth acceptance, reporting of gender-based misconduct knowledge, and training. In 2018, 3,510 students completed the survey. The survey was not distributed to employees. Questions 37 to 42 of the Campus Climate Survey asked questions about students' use of alcohol and other drugs. The results of questions 37 to 42 of the Campus Climate survey are as follows:

**Question thirty-seven.** Within the last 30 days, on how many days did you use alcohol (beer, wine, liquor)

	Total N	Total %
Never	666	19.0
Have used but not in the last 30 days	342	9.7

	Total N	Total %
1-2 days	582	16.6
3-5 days	434	12.4
6-9 days	283	8.1
10-19 days	163	4.6
20-29 days	25	0.7
Used daily	17	0.5
Missing	998	28.4

**Question thirty-eight.** Within the last 30 days, how often do you think the typical student at your school used alcohol (beer, wine, liquor)

	Total N	Total %
Never	103	2.9
Have used but not in the last 30 days	21	0.6
1-2 days	186	5.3
3-5 days	519	14.8
6-9 days	706	20.1
10-19 days	767	21.9
20-29 days	108	3.1
Used daily	88	2.5
Missing	1012	28.8

**Question thirty-nine.** The last time you “partied/socialized” how many alcoholic drinks did you have?

	Total N	Total %
Zero	841	24.0
1-2	541	15.4

	Total N	Total %
3-4	543	15.5
5-6	304	8.7
7-8	127	3.6
9-10	68	1.9
11-12	36	1.0
13-14	22	0.6
15-16	10	0.3
17 or more	11	0.3
Missing	1007	28.7

**Question forty.** The last time you “partied/socialized” how many hours did you drink alcohol?

	Total N	Total %
Zero	847	24.1
1-2	481	13.7
3-4	699	19.9
5-6	372	10.6
7-8	72	2.1
9-10	14	0.4
11-12	9	0.3
13-14	2	0.1
15-16	1	0
17 or more	5	0.1
Missing	1008	28.7



**Question forty-one.** How many drinks of alcohol do you think the typical student at your school had the last time he or she “partied/socialized”?

	Total N	Total %
Zero	129	3.7
1-2	133	3.8
3-4	635	18.1
5-6	806	23
7-8	455	13
9-10	224	6.4
11-12	62	1.8
13-14	22	0.6
15-16	10	0.3
17 or more	22	0.6
Missing	1012	28.8

**Question forty-two.** Over the last two weeks, how many times have you had 5 or more drinks of alcohol at a sitting?

	Total N	Total %
Not applicable don't drink	610	17.4
None	1300	37.0
1 time	300	8.5
2 times	136	3.9
3 times	58	1.7
4 times	40	1.1
5 times	16	0.5
6 times	13	0.4
7 times	5	0.1

	Total N	Total %
8 times	2	0.1
9 times	0	0
10 or more times	9	0.3
Missing	1021	29.1

In 2020, due to the COVID-19 Pandemic, the response rate of the survey was limited. In 2020, 398 students completed the survey. The survey was not distributed to employees. Questions 18 to 20 of the Campus Climate Survey asked questions about students' use of alcohol and other drugs. The results of questions 18 to 20 of the Campus Climate survey are as follows:

**Question eighteen. How often do you have a drink containing alcohol?**

	Total N	Total %
Never	107	26.9
Monthly or Less	83	20.9
2-4 times a month	77	19.3
2-3 times a week	29	7.3
4 or more times a week	6	1.5
Missing	96	24.1

**Question nineteen. How often do you think the typical student at your school has a drink containing alcohol?**

	Total N	Total %
Never	5	1.3
Monthly or Less	18	4.5
2-4 times a month	99	24.9
2-3 times a week	150	37.7
4 or more times a week	29	7.3

	Total N	Total %
Missing	97	24.4

**Question twenty.** When you do drink, how many drinks containing alcohol do you typically have?

	Total N	Total %
I never drink	104	26.1
1 or 2	100	25.1
3 or 4	67	16.8
5 or 6	22	5.5
7 to 9	7	1.8
10 or more	2	0.5
Missing	96	24.1

### **Resident Student Annual Assessment**

The Resident Student Annual Assessment was conducted in Fall 2018 from current residence hall students. There were a total of 730 responses. The assessment consisted of two alcohol and other drug related questions:

1. As a result of your on-campus housing experience, you better understand the negative consequences of: Drug use (7-point likert scale: Strongly Disagree to Strongly Agree)
  - a. Mean result for Fall 2018: 5.14
  - b. Result: No statistically significant difference in responses from Fall 2017 survey
2. As a result of your on-campus housing experience, you better understand the negative consequences of: Alcohol use (7-point likert scale: Strongly Disagree to Strongly Agree)
  - a. Mean result for Fall 2018: 5.00
  - b. Result: No statistically significant difference in response from the Fall 2017 survey.

The Resident Student Annual Assessment was also conducted in Fall 2019 from current residence hall students. There were a total of 659 responses. The assessment consisted of two alcohol and other drug related questions:

3. As a result of your on-campus housing experience, you better understand the negative consequences of: Drug use (7-point likert scale: Strongly Disagree to Strongly Agree)

- a. Mean result for Fall 2019: 5.64
  - b. Result: This year's question mean is statistically higher than the mean in 2018.
4. As a result of your on-campus housing experience, you better understand the negative consequences of: Alcohol use (7-point likert scale: Strongly Disagree to Strongly Agree)
- a. Mean result for Fall 2019: 5.60
  - b. Result: This year's question mean is statistically higher than the mean in 2018.

### AFA/Benchworks Fraternity/Sorority Assessment

The Office of Fraternity and Sorority Life participates in the national AFA/Benchworks Fraternity/Sorority Assessment every three years. The assessment was last collected in Spring 2018. The survey was administered to 810 fraternity and sorority members with 672 responding (83%). The survey included the following five questions related specifically to alcohol and drug use:

**Question one.** How much alcohol do you typically consume in one sitting when you are drinking (i.e., beer, wine, mixed drinks)?

Answer	N	% of Total (N=625)
Do not consume alcohol	109	17.4%
1-2 drinks	157	25.1%
3-4 drinks	213	34.1%
5-6 drinks	84	13.4%
7-8 drinks	34	5.4%
More than 8 drinks	28	4.5%

**Question two.** How frequently do you consume alcohol in a typical week?

Answer	N	% of Total (N=624)
I do not consume alcohol	111	17.8%
Once per week or less	363	58.2%
Two to three times per week	141	22.6%
Almost every day	6	1.0%
Every day	3	0.5%

**Question three.** To what degree did your fraternity/sorority encourage you to drink responsibly/abstain?

Answer	N	% of Total (N=603)
Not at all- Moderately	37	6.1%

Answer	N	% of Total (N=603)
Moderately	75	12.4%
Moderately-Extremely	491	81.4%
Mean	5.88	

**Question four.** To what degree did your fraternity/sorority encourage you to understand the consequences of drug use and abuse?

Answer	N	% of Total (N= 606)
Not at all- Moderately	23	3.8%
Moderately	49	8.1%
Moderately-Extremely	534	88.1%
Mean	6.23	

**Question five.** To what degree did your fraternity/sorority encourage you to adapt a healthy lifestyle?

Answer	N	% of Total (N= 606)
Not at all- Moderately	18	3%
Moderately	66	10.9%
Moderately-Extremely	508	84%
Mean	5.93	

### **AOD Policy, Enforcement, and Compliance Inventory and Related Outcomes Data**

#### **AOD Policies**

**Federal drug free campus policy.** The Drug-Free Schools and Campuses Regulations provides requirements for Institutions of Higher Education to follow in order to continue receiving funds and any other form of financial assistance. The Secretary of Education oversees monitoring, administration, and discipline of the policy, but each Institution of Higher Education

must oversee their own efforts and compliance in order to avoid disciplinary action and to best support their students. The University of Akron recognizes the issue of drug abuse, misuse, and dependency concerns and continues to work to address these concerns.

The University of Akron is concerned with the quality of life on campus and believes that a rewarding college experience and fulfilling employment in higher education can only be achieved through the elimination of chemical abuses. The University of Akron has implemented prevention programs and written policies focused on preventing alcohol and other drug abuse and the distribution of illicit drugs by Akron students. For employees, new employees are given a copy of the BOT Rule #3359-47-02 (Appendix A), Drug-free workplace policy. Inpatient and outpatient substance use disorder treatment is covered under The University of Akron's medical plans available to full-time employees. Access to counseling and resources are also available through the Employee Assistance Program. Additional information is available to employees via the safety website.

**Dry campus policy.** A Dry Campus Policy is not a current policy at The University of Akron. The University of Akron neither encourages or discourages the use of alcoholic beverages.

**Code of student conduct - Alcohol and other drugs.** The Office of Student Conduct and Community Standards oversees the administration of the Code of Student Conduct. The Office of Student Conduct and Community Standards oversees the discipline of the Code of Student Conduct. Others, such as faculty, staff, University of Akron Police Department, Residence Life and Housing, and other University units work to assist with the monitoring of the policy. The disciplinary power of the university is inherent in its responsibility to protect its educational purposes and processes through the setting of standards of conduct and scholarship for its students and through the regulation of the use of its facilities. The University of Akron's Code of Student Conduct reflects and supports the educational mission of the institution, balancing the ideals of individual rights and responsibilities with community citizenship and responsibility. The Code of Student Conduct expresses the university's values of civility, integrity in all matters, and responsible behavior on- and off-university premises. Students also are required to abide by applicable federal, state, and local laws. Students at The University of Akron are responsible to know and abide by all university rules, regulations, and policies. Failure to abide by the university's rules, regulations, and policies may result in sanction by the university. The following is the definition of student misconduct regarding alcohol and other drug use:

- (9) Use, possession, manufacture, cultivation, distribution or facilitating the distribution of marijuana or any narcotic, hallucinogenic, or other controlled substances as defined in applicable federal, state or municipal law.

(10) Use, possession, manufacture or distribution of alcoholic beverages, or public intoxication in a manner prohibited by law or university policy including but not limited to any violation of rule 3359-47-01 of the Administrative Code. Alcoholic beverages may not, in any circumstances, be used by, possessed by or distributed to any person under twenty-one years of age

**Alcoholic beverages - Payment from university accounts.** The Board of Trustees oversees the administration of the policy. The Purchasing Department oversees the monitoring and discipline of the policy. Student Organizations, Fraternities, or Sororities are not allowed to purchase alcohol on their university card. Alcoholic beverages will not be reimbursed for any purchases. The Office of Student Conduct and Community Standards can hold Student Organizations responsible for violations of this policy. Policy 3359-31-06 at The University of Akron addresses business-related expenses. The following policy exists regarding alcoholic beverages - payment from university accounts.

- (a) When alcohol is involved with any event, such an event should be managed with common sense and due care. As a general rule, alcohol cannot be charged against any university fund. However, in certain circumstances, alcohol purchases for business-related purposes (i.e., business meals or university events) may be justified.
- (b) These alcohol purchases must be charged to discretionary funds and must have documented approval (i.e., signature or direct e-mail) of the president, vice president, or dean. Discretionary funds are funds held by the University of Akron foundation and/or the University of Akron research foundation with only a broad restriction that they be used to benefit the University of Akron or that particular area within the university. The supervisor's approval certifies that the funds being used have been designated a discretionary fund by the donor.
- (c) Amounts expended from discretionary funds for the purchase of alcohol must be reasonable. For purposes of this rule, "reasonable" is defined as no more than twenty-five dollars per person, excluding taxes and tip.
- (d) Alcohol purchased for resale by areas with liquor permits or for medical or other research use is not subject to this rule. Reimbursement or payment for the costs of alcoholic beverages on sponsored projects is prohibited.

**Alcoholic beverages - Sale, serving, and consumption.** The Board of Trustees oversees the administration of the policy. All campus community members, but particularly the University of Akron Police Department, enforces and monitors the policy. Policy 3359-47-01 addresses the Alcohol Policy at The University of Akron approved by Ted A. Mallo, Secretary, Board of Trustees.

- (A) The University of Akron neither encourages or discourages the use of alcoholic beverages, but the university does condemn the abuse of alcoholic beverages. It is the

intent of the alcohol policy of the University of Akron to define guidelines for those members of the university community who choose to use alcoholic beverages that will provide for the responsible use consistent with the laws and regulations of the state of Ohio.

- (B) The University of Akron supports those programs leading to better understanding of the use and abuse of alcohol. Availability of further educational efforts designed for those students and other members of the university community who seek to make informed choices where alcohol is involved is encouraged.
- (C) All members of the university community are responsible for making decisions about their actions within the context of Ohio state law and university regulations. In addition, awareness of the rights of others within our community who may choose not to use alcoholic beverages must be honored.
- (D) University requirements.
  - (1) All consumption, possession, and/or distribution of alcoholic beverages will be consistent with the laws and regulations of the state of Ohio.
  - (2) No person under the age of twenty-one may order, pay for, share the cost of, attempt to purchase or consume any beer or alcoholic beverages.
  - (3) No person shall be in possession of an open container of alcoholic beverage in any public place unless that place is approved for the consumption of beer or alcoholic beverages and that opened container of alcoholic beverage has been obtained therefrom.
  - (4) No person shall consume any beer or alcoholic beverage in a motor vehicle. This regulation includes drivers and passengers in automobiles (moving or parked), motorcycles, motor boats, i.e., any vehicle.
  - (5) No person under twenty-one shall handle, deliver, sell, or serve beer or any alcoholic beverage. [Except a person eighteen years old or older may handle beer in a sealed container and may clear tables where alcoholic beverages have been consumed.]
  - (6) It will be the responsibility of the sponsoring organization, when holding an 3359-47-01 2 event where beer and/or alcoholic beverages will be served or sold, to take reasonable precautions to identify under-age persons to conspicuously post written warnings to this rule and to ensure that alcoholic beverages are not served to such persons. [The university suggests a check-in table where driver's licenses will be checked and where those who are under-aged are hand-stamped. Individuals who do not match their description and photograph should not be served. If there is any question whatsoever of a person being of the proper age to buy beer or alcoholic beverages, the checker (bartender, student officer, or employee) should indicate by stamping or refuse service until she/he is wholly satisfied regarding the age of the person.]



- (7) State law requires that no person who appears visibly intoxicated should be served any beer or alcoholic beverage. If the person, by his/her demeanor or appearance, seems to be intoxicated, that is sufficient evidence to deny service.
  - (8) Liquor permit holders are not allowed to give away beer or alcoholic beverages; gift certificates for the same may not be given away or sold by permit holders.
- (E) Procedures for policy implementation for events where alcoholic beverages will be used.
- (1) Those who are responsible for organizing and overseeing social events must also comply with state law and university regulations.
  - (2) Social events for students, or events to which a significant number of students are invited, sponsored by university organizations and/or departments, at which alcoholic beverages are served must be registered via the major events process. Events held in the student union must be registered with the department of student life. Those events sponsored by residence hall organizations must be registered in the office of residence life and housing. Those events sponsored by a Greek-letter organization must be registered with the office of Greek life as a major event and adhere to the policies and procedures set forth by the office of student life for a major event. Groups which are uncertain about whether registration is required should contact the department of student life.
  - (3) Sponsors of events held on property owned or leased by the University of Akron (other than in private residence hall rooms, suites, or townhouses in compliance with state laws) must use university dining services as their third-party vendor. The registering office will facilitate this permission for 3359-47-01 3 the sponsoring group.
  - (4) The charge for the alcohol sold will be set by university dining services.
  - (5) Any event associated with the university may not be promoted for the consumption of alcoholic beverages and/or beer. Prices of the beer or alcoholic beverages may not be advertised other than at the point of distribution.
  - (6) Sufficient amount and equally visible, alternative, non-alcoholic beverages must be made available whenever alcoholic beverages are available to be sold at the same or lower price as is the beer or alcoholic beverage. Snacks and/or food must be made available at all places where beer and alcoholic beverages are served.
  - (7) Individuals who sign the registration form and who thus sponsor an event will be responsible for behavior at the event.
  - (8) Alcohol use/abuse is no excuse for unacceptable behavior.
- (F) Failure to comply with the university alcohol policy may result in appropriate disciplinary sanctions.

**Tailgating.** The University of Akron Athletic Department oversees the administration of the policy. With assistance from Parking and Transportation Services and the University of Akron Police Department, the University of Akron Athletic Department oversees the monitoring and discipline of the policy. The following are the tailgating guidelines applicable to The University of Akron football games played at InfoCision Stadium-Summa Field. These guidelines are relevant to University owned surface lots, parking decks and campus owned green space designated for tailgating. The University of Akron tailgating policy is designed to ensure:

- The comfort and enjoyment of game day patrons.
  - The safety, security and well-being of all people associated with game day activities.
  - The safeguarding and preservation of all public property under the management of the University.
1. All guests on campus are required to comply with applicable University and State of Ohio laws and regulations.
  2. Possession and consumption of alcohol on the property of The University of Akron, including its buildings, facilities, grounds and parking areas is subject to the laws and regulations of the State of Ohio.
  3. Overnight parking, including recreational vehicles, is permitted only in designated parking lots with the prior approval of Parking and Transportation Services (parking@uakron.edu or 330.972.7213).
  4. Lots 6, 8, 9, and 10 will be open by 8 a.m. on game days. All other campus parking lots will open four (4) hours prior to each game.
  5. Vehicle and related tailgating activities can occupy no more than one (1) parking space and must not interfere with traffic lanes and vehicular or pedestrian movement. Saving spaces for other vehicles is not permitted.
  6. The unauthorized distribution or sale of merchandise, food or beverages is prohibited. Outside caterers are prohibited without prior application and approval from Aramark.
  7. The use of small gas grills is permitted in open surface parking lots. The use of charcoal grills is permitted in Lots 8, 9, and 10. Grills are prohibited in parking decks.
  8. Tents larger than 10'x10' are not allowed in tailgating areas. The use and location of larger tents must be approved by the University prior to the day of game and may require special permits. Tents or other raised structures cannot be secured directly into the ground or pavement. Tents must be attended at all times.
  9. Guests are required to bag and dispose of all trash and recyclable products.
  10. Portable restrooms will be available adjacent to designated tailgating areas on game day. University buildings and restrooms are available per each building's game day guidelines.
  11. The University of Akron reserves the right to restrict tailgating at its discretion due to game time, weather conditions, etc.

**Alcoholic beverages and substance abuse - University housing.** The Residence Hall Handbook addresses alcoholic beverages in University Housing. Residence Life and Housing oversees the administration and monitoring of the policy. Residence Life and Housing with the Office of Student Conduct and Community Standards oversees the discipline of the policy. The Residence Hall Handbook states that:

*Alcoholic beverages.* Maturity must be exercised with the use of alcohol to avoid damage and to maintain order and an appropriate environment for study. Regulations regarding alcoholic beverages are always subject to immediate change in federal/state law or University Rules and policy. The possession and consumption of alcoholic beverages is permissible in student rooms, provided that: The Ohio Revised Code regarding the possession and consumption of various alcoholic beverages is strictly followed. In accordance with Ohio law and University Rules, no student under the age of 21 may possess or consume beverages containing alcohol. The consumption of alcoholic beverages takes place inside a resident's room; not in public areas, including but not limited to hallways, lounges, balconies, or outside buildings on University property. No alcoholic beverages or containers of any type are allowed in the rooms, bedrooms, apartments or common areas of residents who are not of legal age (21). Students under the legal age may not be present where alcohol is being consumed. Beer kegs or beer balls are not permitted in the residence halls. "Monuments" to alcohol consumption, in public view, are not permitted. Monuments would include but not limited to: empty alcohol containers such as plastic or glass bottles, kegs, pouches, cardboard boxes that held alcohol cans or bottles, and bottle tops from glass alcohol bottles. Incidents involving excessive quantities (beer bong, beer pong, and other drinking games, etc.) of alcohol or continued alcohol violations are prohibited. *Drugs.* The possession, use, manufacture or sale of illicit drugs or drug paraphernalia by students and/or their guests are not permitted in the residence halls. Students believed to have violated this policy will be referred to the Department of Student Conduct and Community Standards for adjudication as outlined by the Code of Student Conduct.

*Smoke and tobacco free campus.* What's out: The use of products that contain tobacco or nicotine, that is intended for human consumption, or is likely to be consumed, whether smoked, vaped, heated, chewed, absorbed, dissolved or ingested by any means including electronic devices. Exceptions are in place for controlled research or for educational, clinical or smoking-cessation programs. Who's affected: All on campus, including (but not limited to) faculty, staff, students, visitors, vendors, consultants, contractors or volunteers. Locations affected: The use of tobacco products is prohibited on all University grounds, whether leased or owned and in vehicles parked on university grounds, and at all university sponsored events, regardless of the venue. To remain good neighbors with our community, students and employees of the University are requested to refrain from tobacco use on sidewalks and other areas adjacent to university property.

*Smoke and vapor free residence halls.* All University residence halls are smoke/vapor-free environments. Residents and their guests are not permitted to burn any

substance that will put smoke into the private or public spaces of their residence halls or balconies. Residents and their guests are not permitted to use any device that will put vapor into the private or public spaces of the residence halls. Residents are responsible for the conduct of their guests. Examples of items that are not acceptable include, but are not limited to, cigarettes, e-cig, vapes, vape pens, hookahs, e-hookahs, cigars, incense, cigarillos, bong, or smoke machines.

**Guidelines for student organization, fraternity, and sorority use of alcohol.** The Department of Student Life oversees the administration, monitoring, and discipline of the policy. The University of Akron Police Department also assists with monitoring and discipline. As well, the Office of Student Conduct and Community Standards assists with discipline of the policy. Student organizations and fraternities and sororities may serve alcohol at events but they must register the event as a major event. The policy regarding alcohol at major events includes:

1. Those who arrive at the event and appear to be intoxicated or under the influence of drugs will be denied admission by UAPD.
2. All student organizations are required to follow the University Alcohol Policy, as set forth in University Rule 3359-47-01 in addition to all state and local laws regarding to the possession, consumption or distribution of alcoholic beverages.
3. Alcohol cannot be purchased on University VISA Cards and therefore cannot come from a student organization's SAF/UAF/EAF account(s).
4. The Alcohol Policy of University Catering is as follows.
  - a. All prices are set forth by University Catering and are subject to change.
  - b. It is the practice of University Catering to have one available bartender for every 100 guests.
  - c. Alcohol service ends no later than 11:45pm.
  - d. All alcohol is poured over ice and "shots" will not be served.
  - e. Alcohol must be carried away from the bar before being consumed.
  - f. Guests ordering drinks at the bar may not be served more than two drinks at a time.
  - g. Bartenders have the authority to refuse to serve anyone who is obviously intoxicated.
  - h. Absolutely no alcohol may be brought in from outside.

**Smoke free/tobacco free campus.** The Board of Trustees oversees the administration of the policy. All campus community members, but particularly The University of Akron Police Department enforces and monitors the policy. Policy 3359-20-05.10 addresses the Tobacco Free Campus policy at The University of Akron approved by Ted A. Mallo, Secretary, Board of Trustees.

(A) Policy Statement.

(1) The University of Akron recognizes the serious health consequences of tobacco use both to users and non-users as well as creating issues with litter and cleanliness. The university is committed to maintaining a safe, healthy, clean and respectful learning and working environment for members of the University community.

(2) Tobacco use, including the sale, advertising, sampling and distribution of tobacco products is prohibited in all university facilities, on all university grounds, whether leased or owned and in vehicles parked on university grounds, and at all university sponsored events, regardless of the venue.

(3) All tobacco industry and related company sponsorship or promotion of any event or activity affiliated with the university or located on university grounds is prohibited.

**(B) Definitions.**

(1) "Tobacco" is defined to include any product that contains tobacco or contains nicotine [or lobelia], that is intended for human consumption, or is likely to be consumed, whether smoked, heated, chewed, absorbed, dissolved, or ingested by any means including electronic devices, but does not include any cessation product approved by the United States food and drug administration for use as a medical treatment, including, but are not limited to nicotine replacement therapy and other products.

(2) "University facilities" are defined as any building, facility or vehicle owned, leased, used or occupied by the university.

(3) "Members of the university community" are defined as anyone on campus including, but not limited to faculty, staff, students, visitors, vendors, consultants, contractors, or volunteers.

**(C) Exceptions and limitations.**

(1) Tobacco use may be permitted for controlled research with prior approval of the provost, and in the case of smoking, the review and recommendation of the department of environmental and occupational health and safety.

(2) Tobacco use may be permitted as part of educational, clinical, smoking-cessation programs, or other special events with the prior approval of the provost and in the case of smoking, the review and recommendations of the department of environmental and occupational health and safety. 3359-20-05.10 2

(3) In an effort to remain good neighbors with our community, students and employees of the university are requested to refrain

from tobacco use on sidewalks and other areas adjacent to university property.

(D) **Signage.** Appropriate signs indicating that tobacco use is not permitted on campus will be posted throughout the campus, at the discretion of the university, at various locations such as entrances of academic buildings, administrative spaces and athletic venues.

(E) **Tobacco education and cessation.** Tobacco education and cessation shall be closely coordinated with other components of the university's employee assistance program and with Student Health Services and may include programming, activities and cessation programs and support.

**Fraternity and Sorority Life alcohol and drug policies.** The Office of Fraternity and Sorority Life has guidelines that the social fraternities and sororities are expected to follow for any activity or event sponsored or endorsed by the chapter/organization, including those that occur on or off organizational/chapter premises. The guidelines the office uses are a national best practice and were created in the Summer of 2019 by the North American Interfraternity Conference. These new guidelines are to update and replace FGIP Guidelines that the office previously followed (Appendix C). Social fraternities and sororities must also follow general student organization policies, specific council policies related to events and risk management (Appendix D), and their international policies.

**Amnesty/responsible action protocol policies.** An amnesty/responsible action protocol policy is currently being written and revised through collaborative effort between the Office of Student Conduct and Community Standards and General Counsel. No current policy is in place.

**Athletic Department alcohol and other drug testing and use policy.** The Board of Trustees oversees the administration of the policy. The University of Akron Athletic Department oversees monitoring of the policy. The Office of Student Conduct and Community Standards oversees discipline of the policy. Policy 3359-48-04 addresses the University of Akron athletic department drug education and testing approved by Ted A. Mallo, Secretary, Board of Trustees (Appendix E)

**Financial aid drug convictions policy.** The U.S. Department of Education oversees the administration, monitoring, and discipline of the policy. The University of Akron Financial Aid also oversees the monitoring of the policy in order to comply with standards. The University of Akron Financial Aid department follows the guidelines for federal aid eligibility. According to the information on a student's Free Application for Federal Student Aid, if the student either answered "yes" to Question 23 ("Have you ever been convicted of possessing or selling illegal drugs") or the student left the question blank, the student needs to complete the Drug Offense

Conviction worksheet and return it to the Office of Student Financial Aid before the office can determine the student's financial aid eligibility.

**Gender-based misconduct protocol.** The Title IX team oversees the administration, monitoring, and discipline of The Gender-Based Misconduct Protocol. The Gender-Based Misconduct Protocol describes how The University of Akron responds to reports of gender-based misconduct involving students and/or employees (Appendices F and G).

**Alcohol/drug use in the classroom.** There is no current formal policy regarding classroom alcohol/drug use in particular. All students should follow 3359-47-01 Alcohol Policy.

**Alcohol poisoning/drunk students protocol.** There is not currently a campus wide protocol regarding alcohol poisoning and drunk students. Typically, should a faculty, staff, Residence Life employee, or concerned student recognize an individual on-campus is experiencing alcohol poisoning or is drunk, it is recommended to call The University of Akron Police department and then submit a Student Conduct and Community Standards Referral once the police have handled the situation.

#### **Enforcement of Policy**

The three primary departments on campus that enforce policies and laws regarding alcohol and other drug use/distribution are the University of Akron Police Department, Human Resources, and the Office of Student Conduct and Community Standards.

**Law enforcement and authority/jurisdiction.** The University of Akron Police Department operates around the clock providing the campus and adjoining neighborhoods with law-enforcement services that enhance safety and security. They are full-time officers fully commissioned by the State of Ohio and have law-enforcement authority identical to municipal police officers and sheriff's deputies.

**Relationships with off-campus law enforcement and jurisdiction.** There is not a current Memorandum of Understanding between The University of Akron and The City of Akron Police Department for alcohol and drug related incidents involving students.

**Others who may provide monitoring of alcohol and other drug policies.** Although the three primary departments on campus that enforce policies and laws regarding alcohol and other drug use/distribution are the University of Akron Police Department, the Office of Student Conduct and Community Standards, and Human Resources, other departments such as

Residence Life and Housing and Athletics uphold and monitor students, employees, and student athletes in following policies regarding alcohol and other drug use.

**Number of violations observed/reported to each discipline.**

***University of Akron Police Department.***

Crimes Reported	Year	Campus (not including residence facilities)	Residence Facilities Only	Campus Total	Non-Campus	Public Property
<b>Arrests</b>						
Alcohol Law Violations	2019	0	0	0	1	0
	2018	9	0	9	0	3
	2017	6	0	6	0	6
Drug Law Violations	2019	6	1	7	3	3
	2018	13	3	16	1	4
	2017	4	4	8	0	8
<b>Disciplinary Referrals</b>						
Alcohol Law Violations	2019	2	133	135	12	0
	2018	1	76	77	0	0
	2017	1	150	151	1	0
Drug Law Violations	2019	10	82	92	2	0
	2018	8	37	45	0	0
	2017	4	67	71	0	0



***Student Conduct.***

<b>Number of Responsible Findings</b>		
<b>Code of Student Conduct Charge</b>	<b>July 1, 2018 to June 30, 2019</b>	<b>July 1, 2019 to June 30, 2020</b>
(9) Use, possession, manufacture, cultivation, distribution or facilitating the distribution of marijuana or any narcotic, hallucinogenic, or other controlled substances as defined in applicable federal, state, or municipal law.	37	43
(10) Use, possession, manufacture or distribution of alcoholic beverages, or public intoxication in a manner prohibited by law or university policy including but not limited to any violation of rule 3359-47-01 of the Administrative Code. Alcoholic beverages may not, in any circumstances, be used by, possessed by or distributed to any person under twenty-one years of age.	38	78

Please note a student may have been found responsible for multiple violations of the Code and may be counted in both categories listed above. These figures do not reflect the number of referrals for discipline for violations of drug and alcohol laws in which the student is found not responsible, which are included in the University's Annual Security Report.

***Residence Life and Housing.***

<b>Violations Reported</b>	<b>Year</b>	<b>Residence Facilities Only</b>
<b>Arrests</b>		
<b>Alcohol Law Violations</b>	2019	0
	2018	0
	2017	0
<b>Drug Law Violations</b>	2019	1
	2018	3
	2017	4

Violations Reported	Year	Residence Facilities Only
<b>Disciplinary Referrals</b>		
<b>Alcohol Law Violations</b>	2019	133
	2018	76
	2017	150
<b>Drug Law Violations</b>	2019	82
	2018	37
	2017	67

**Human Resources.** There were 0 violations for 07/01/2018 to 06/30/2020.

**Type and number of sanctions administered for violations.**

**Student Conduct and Community Standards.** The following are possible sanctions and penalties of violations of the Code of Student Conduct. Section (F)(2)(c) of the Code of Student Conduct read in pertinent part: “(c) Sanctions should be commensurate with the violation(s) found to have occurred. More than one sanction may be imposed for any single violation. Individual circumstances, attitude, and prior conduct history are some of the factors that are considered when determining the sanction(s). Possible sanctions include, but are not limited to:

- (i) Deactivation – a student organization’s loss of all privileges, including university recognition, for a specified period of time.
- (ii) Educational sanctions – other appropriate sanctions may be imposed, including but not limited to workshops, work assignments, essays, service to UA, residence hall actions up to and including cancellation of contract, or other related discretionary sanctions.
- (iii) Fine – monetary charge assigned for a violation in accordance with the schedule approved by the board of trustees.
- (iv) Formal reprimand – a notice in writing to the student that the student is violating or has violated university regulations and that future violations will result in further charges and sanctions.
- (v) Loss of privileges – denial of specified privileges for a designated period of time.
- (vi) Probation – probation is imposed for a designated period of time and includes the probability of more severe disciplinary sanctions if the student is found to violate

any university regulation(s) during the probationary period. Students shall not be considered to be in good standing with the university until the probationary period has ended. Probation may affect a student's ability to participate in athletics, serve in a leadership capacity in a student organization or act as a representative of The University of Akron.

- (vii) Revocation of an academic degree.
- (viii) Revocation of admission (for violations that occur prior to the student's first class attendance.)
- (ix) Restitution – compensation for loss, damage, or injury. This may take the form of appropriate service and/or monetary or material replacement.
- (x) University suspension – separation of the student from the university for a specified period of time, after which the student is eligible to return. Conditions for readmission may be required.
- (xi) University dismissal - permanent separation of the student from the university.

Although each case is unique and handled individually, SCCS generally uses the above sanction guidelines when applying specific sanctions for violations of the drug and alcohol provisions of the Code.

	<b>Code of Conduct Alcohol Violation</b>	<b>Code of Conduct Drug Violation*</b>
<b>1<sup>st</sup> Offense</b>	<ul style="list-style-type: none"> <li>● Formal Warning</li> <li>● Disciplinary Probation</li> <li>● Complete E-CHUG Survey</li> <li>● Attend Discussing Our Choices Workshop offered by Counseling and Testing Center</li> <li>● Fact Finding Meeting/Hearing Board Fee</li> <li>● 1<sup>st</sup> Offense Alcohol Fine</li> </ul>	<ul style="list-style-type: none"> <li>● Formal Warning</li> <li>● Disciplinary Probation</li> <li>● Complete the online education course Marijuana 101 offered by 3rd Millennium Classrooms</li> <li>● Fact Finding Meeting/Hearing Board Fee</li> <li>● 1<sup>st</sup> Offense Drug Fine</li> <li>● Residence Life and Housing Warning - Future violation results in removal from University Housing</li> </ul>
<b>2<sup>nd</sup> Offense</b>	<ul style="list-style-type: none"> <li>● Formal Warning</li> <li>● Disciplinary Probation</li> <li>● Alcohol Assessment with Counseling and Testing Center and follow Treatment Recommendations</li> <li>● Fact Finding Meeting/Hearing Board Fee</li> <li>● 2<sup>nd</sup> Offense Alcohol Fine</li> </ul>	<ul style="list-style-type: none"> <li>● Formal Warning</li> <li>● Disciplinary Probation</li> <li>● Drug Assessment with Counseling and Testing Center and follow Treatment Recommendations</li> <li>● Fact Finding Meeting/Hearing Board Fee</li> <li>● 2<sup>nd</sup> Offense Drug Fine</li> <li>● Removal of resident student from University Housing</li> </ul>

	Code of Conduct Alcohol Violation	Code of Conduct Drug Violation*
3 <sup>rd</sup> Offense	<ul style="list-style-type: none"> <li>● Formal Warning</li> <li>● Disciplinary Probation</li> <li>● Suspension from University</li> <li>● Alcohol Assessment/Counseling Off Campus</li> <li>● Readiness to Return Form filled out by Licensed Counselor</li> <li>● Fact Finding Meeting/Hearing Board Fee</li> <li>● 3<sup>rd</sup> Offense Alcohol Fine</li> </ul>	<ul style="list-style-type: none"> <li>● Formal Warning</li> <li>● Disciplinary Probation</li> <li>● Suspension from University</li> <li>● Drug Assessment/Counseling Off Campus</li> <li>● Readiness to Return Form filled out by Licensed Counselor</li> <li>● Fact Finding Meeting/Hearing Board Fee</li> <li>● 3<sup>rd</sup> Offense Alcohol Fine</li> </ul>
		<ul style="list-style-type: none"> <li>*Drug Distribution</li> <li>Dismissal from University</li> <li>Trespass Warning for University Property</li> <li>Drug Sales/Distribution Fine</li> </ul>

**Human Resources.** There were 0 violations for 07/01/2018 to 06/30/2020. If someone is found responsible for using drugs/alcohol, they may be expected to participate in a mandatory referral for professional counseling and rehabilitation through the University's EAP provider. Such employee shall be subject to disciplinary procedures as from time to time are promulgated by the Board of Trustees, up to and including termination, but in accordance with the established rights of the employee, including the right to due process. If The University of Akron receives notice of conviction of an employee for violation of any criminal drug statute, the University, within thirty days of receiving such notice shall:

1. take appropriate personnel action against such an employee subject to established disciplinary procedures, up to and including termination, in accordance with the requirements of due process or
2. require such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a federal, state, or local health, law enforcement, or other appropriate agency.

**Number of requests for permission/authorization.** Academic year 2018-2019, there were two authorized alcohol sales for a student organization. Academic year 2019-2020 there were four authorized alcohol sales for a student organization.

From July 1, 2019 to June 30, 2020, there were six F Permits issued to the University. From July 1, 2018 to June 30, 2019, there were nine F Permits issued to the University.

## **AOD Comprehensive Programs, Data and Outcomes**

The University of Akron provides educational programming for individuals, groups, and to the entire campus community. This comprehensive inventory will highlight the programs submitted for the 2018-2020 review period. Due to COVID-19, spring semester courses were moved to online instruction during week eight of the semester (March 11, 2020). As a result, spring 2020 programming is not as extensive as it typically is. However, programs that could be delivered virtually continued to be delivered to students during this time. Additional programming information can be found in the CollegeAIM Strategy Planning Worksheet (Appendix H).

### **Individual Based Programs/Interventions**

**Electronic Screening Tools: e-CHUG and e-TOKE.** The Counseling and Testing Center (CTC) offers e-CHUG (electronic Check-Up to Go) and e-TOKE free to all The University of Akron students as an interactive Web survey that allows college and university students to enter information about their drinking and marijuana use patterns and receive feedback about their use at anytime from any location. The assessment takes about six to seven minutes to complete, is self-guided, and requires no face-to-face contact time with a counselor or administrator. No identifiable information is required for e-CHUG or e-TOKE, allowing students to complete it anonymously. After all information has been entered, the information is validated and processed. The e-CHUG and e-TOKE programs calculate a number of variables and compares students' responses to national and local college norms. Students receive personalized feedback and assessment in an easy-to-read format. CollegeAIM lists e-Chug as a best practice program.

The Office of Student Conduct and Community Standards may require completion as a sanction, with students then required to attend "Discussing Our Choices." This enables this training to be used as part of educational learning opportunities for students with sanctions for substance abuse. Student Health Services refers students who score high on the Audit to e-CHUG. Some classes will require completion as a class assignment.

"Discussing Our Choices" is a two hour workshop that the CTC hosts at least three times each fall and spring semester. This group discussion addresses alcohol and drug use. Students are required to take e-CHUG and e-Toke.

**Summary metrics.** E-Chug and e-TOKE is offered 365 days and is continuously available to students. E-Chug was completed by 238 students between July 2018 and December 2019 and e-TOKE was completed by 30 students between July 2018 and December 2019. E-Chug was completed by 38 students between January 2020 and June 2020 and e-TOKE was completed by 5 students between January 2020 and June 2020.

**Satisfaction and reflections of staff/faculty administering.** CollegeAIM certifies e-Chug as a highly effective program. The staff would agree that this program is cost efficient and highly effective for The University of Akron students. CTC staff would like more students to proactively use the e-Check up to Go programs.

**Individual assessment programs through health services.** Student Health Services (SHS) assists students in meeting their academic and personal goals by addressing their health concerns and providing quality, cost-effective, culturally-competent and compassionate health care and health education. SHS partners with several other campus offices to provide information and programming about alcohol use among college students and the potential detrimental effects of drug and alcohol abuse, while serving as a conduit between students and the community resources that are available to treat health-related issues brought on by drug and/or alcohol abuse. SHS is also in partnership with the Dean of Students office in providing training and programming with student Certified Peer Educators to The University of Akron community surrounding topics related to health, alcohol, and other substance use.

As part of the intake process for all students identified as first-time visits to SHS or as repeat patients being seen in a new calendar year, questions are posed regarding health history and alcohol and substance use. During the Spring Semester of 2017, the intake process included completion of the AUDIT C questionnaire (Alcohol Use Disorders Identification Test) and depending upon the answers provided, the full AUDIT is provided. The AUDIT C is an abbreviated version of the full AUDIT Questionnaire that consists of the following three questions:

- How often do you have a drink containing alcohol?
- How many standard drinks containing alcohol do you have on a typical day when drinking?
- How often do you have six or more drinks on one occasion?

The AUDIT questionnaire is designed to assist in the self-assessment of alcohol consumption and to point out any implications for the person's health and wellbeing now and in the future. The responses to these questions are incorporated into the student's electronic medical record (EMR) and can be scored, with the total score providing feedback to that person. In some cases, the medical professional is prompted to provide specific advice for potential problem use and a referral to a higher level of care that could consist of CTC, CARE Team, or community treatment provider.

**Summary metrics.** EMR data was collected in late Spring Semester of the 2017-2018 academic year and indicated that 26 percent of Females and 29 percent of Males were positive for the initial three-question screen. This data prompted Student Health Services to request students complete the more detailed full AUDIT screen starting 2018-2019 academic year. Illicit and prescription drug use is also addressed. Fall 2018 data is irretrievable at this time from the electronic medical records. More thorough data will be provided in the next biennium review. A total of 1819 three question alcohol screenings were completed in 2019. 403 or 22.48% of those

screens were positive and eligible to complete the full 10 question AUDIT for alcohol. 207 of the 403 were eligible patients or 51.36% completed screening. Of the 207 participants that completed the full screening, 78 or 37.68% were under 21 alcohol users - 44 or 56.41% were male and 34 or 43.58 were female. Assessed risk level of the 207 full screen participants were: 163 or 78.74% low risk, 42 or 20.28% risky, 1 or 0.48% harmful, and 1 or 0.48% was possible dependent.

***Total screens by month (3 question).***

<b>Month</b>	<b>Total Screens</b>	<b>Positive</b>	<b>% Positive Screen</b>
January	140	32	22.85
February	226	64	28.31%
March	160	38	23.75
April	197	50	25.38
May	94	23	24.46
June	51	14	27.45
July	80	15	18.75
August	111	26	23.42
September	253	50	19.76
October	225	35	15.55
November	186	36	19.35
December	96	20	20.83
<b>Total</b>	<b>1819</b>	<b>403</b>	<b>22.48</b>

***Total screens by month for females (3 question).***

<b>Month</b>	<b>Total Screens</b>	<b>Positive</b>	<b>% Positive Screen</b>
January	88	20	22.73
February	133	34	25.56
March	82	14	17.07

Month	Total Screens	Positive	% Positive Screen
April	122	29	23.77
May	50	12	22.00
June	23	6	26.09
July	42	9	21.43
August	62	12	19.35
September	136	28	20.59
October	135	19	14.07
November	97	15	15.46
December	50	9	18.00
<b>Total</b>	<b>1020</b>	<b>207</b>	<b>20.67</b>

*Total screens by month for males (3 question).*

Month	Total Screens	Positive	% Positive Screen
January	52	12	23.08
February	93	30	32.26
March	78	24	30.77
April	75	21	28.00
May	44	11	25.00
June	28	8	28.57
July	38	6	15.79
August	49	14	28.57
September	117	22	18.80
October	90	16	17.78
November	89	21	23.60
December	46	11	23.91



Month	Total Screens	Positive	% Positive Screen
Total	799	196	24.67

*Total screens by month (10 question).*

Month	Full Audit	Underage Drinkers	Male	Female
January	13	2	2	0
February	32	14	8	6
March	20	2	0	2
April	25	8	3	5
May	6	2	2	0
June	2	0	0	0
July	13	3	1	2
August	13	6	3	3
September	34	11	5	6
October	16	11	6	5
November	21	12	10	2
December	12	7	4	3
<b>Total</b>	<b>207</b>	<b>78 (37.68%)</b>	<b>44 (56.41%)</b>	<b>34 (43.59%)</b>

***Satisfaction and reflections of staff/faculty administering.*** The SHS staff have identified the following four strengths related to AUDIT C:

1. Opportunity for self-awareness related to personal choice-making connected to alcohol with personalized information and educational discussions.
2. Educational opportunity for social norming.
3. Opportunity to engage 1:1 with students and healthcare providers utilizing modified SBIRT and Motivational Interviewing techniques.
4. Discussions and shared information surrounding harm reduction and available resources

The following are two key weaknesses related to AUDIT C:

1. Can be time consuming when maintaining 15-20 minute appointment slots for medical appointments.
2. Unsuccessful in gaining data on follow-up referrals to E-CHUG completion rates.

**Individual assessment programs through Counseling and Testing Center.** CTC psychologists and interns conduct clinical interviews to determine substance use impact upon functioning. Referrals for services include counseling in the center, online web tools, groups/workshops, and services in the community.

**Summary metrics.** CTC incorporates information about these assessments into general data about services.

**Satisfaction and reflections of staff/faculty administering.** CTC staff members are satisfied with this tool rated as a best practice by CollegeAIM.

**Individual based counseling and interventions programs.** CTC staff provides individual counseling and psychotherapy services for students seeking help for substance abuse concerns. All communication is held in strict confidence and all identifying information, including the fact that an individual has visited CTC, may be released to others only with the written consent of the patient, unless the patient is a clear danger to himself/herself/theirself or others. There is no charge to eligible students except for nominal fees associated with certain career and psychological tests.

**Summary metrics.** The CTC does not share the data from their individual counseling and psychotherapy services.

**Satisfaction and reflections of staff/faculty administering.** CTC staff are satisfied with these tools and services.

**Referral programs to off-campus treatment providers for students.** Students can get referred or connected to off-campus treatment providers through several different avenues. CTC makes referrals on an as-needed basis to available specialized community resources (e.g. Alcoholic Anonymous, Narcotics Anonymous, Community Health Services (CHS), or Portage Path Behavioral Health). Through the ZipAssit Office and the CARE Team students may also get connected to off-campus treatment providers and given off-campus options for support.

**Summary metrics.** In the past two years, CTC had not tracked the referrals or recommendations in a way that data could be pulled. However, the CTC is hoping that for the next reporting period they will be able to track.

***Satisfaction and reflections of staff/faculty administering.*** CTC has great off-campus agencies with established strong working relationships. Due to the campus' location, many of these agencies are close to campus, allowing students to seek services and support without having to travel.

**Individual interventions for faculty and staff.** Employees have access to confidential professional support 24 hours a day, 365 days a year through IMPACT Solutions. This includes access to unlimited phone consultation, six complimentary face-to-face counseling sessions per person per occurrence, plus an expansive collection of resources. IMPACT solutions is The University of Akron's Employee Assistance Program. Employees can seek help on their own or may be referred if they self disclose issues related to drugs or alcohol. Employees undergoing a disciplinary action may receive a mandatory referral.

***Summary metrics.*** There was one mandatory referral of an employee to the Employee Assistance Program for substance abuse during the reporting period. De-identified utilization data from our EAP provider indicates that two people of the 13 who contacted the EAP from July 1 - June 30, 2020 had the primary presenting problem of substance abuse.

***Satisfaction and reflections of staff/faculty administering.*** The Human Resource Office has been very satisfied with the resources that they are able to provide employees both on a voluntary and mandatory basis. The EAP program is available to all full time employees and their family members, allowing them six free sessions per issue per year. It is a tremendous benefit and resource of our employees and their families.

**Educational programs for policy violators that others can participate in.** Educational programs for policy violators of the University's drug and alcohol policies could include events during Alcohol Awareness Week, classes that CTC offers in the College Survival Guide, E-Chug and Discussing Our Choices (through CTC), and e-Toke (all options can be sanctioned by Student Conduct and Community Standards). All of the Alcohol Awareness Week programs, College Survival Guide classes, e-Chug, and e-Toke are available to all The University of Akron students.

***Summary metrics.*** Attendance and participation for the above mentioned programs are detailed in the CollegeAIM Strategy Planning Worksheet.

***Satisfaction and reflections of staff/faculty administering.*** Overall, the DFSCA Team is pleased with the quality and variety of program options available to individual students. The team plans to further utilize the CollegeAIM matrix to address additional areas of programming for the upcoming year.

## **Group Based Programs/Interventions**

**Small group social norm interventions.** Discussing Our Choices (DOC), is a two-hour group education program where students explore attitudes, risks, and decision-making surrounding the use of alcohol and other drugs. The program is offered three to six times per semester by CTC.

**Summary metrics.** During Spring 2019, six groups were offered with a total of eight students attending during Spring semester. In Fall 2019, three group sessions were offered with over 24 students in attendance. Due to COVID-19, in Spring 2020, only two of the three group sessions were offered. The first session was done in person and no one attended. The second session was offered virtually and one person attended.

**Satisfaction and reflections of staff/faculty administering.** CTC staff are satisfied with the results of the tools and services, but would like for more students to take advantage proactively of the DOC program.

**Peer education/theatre programs.** In Spring 2019, ten students completed the evidence-based 12-hour NASPA BACCHUS initiative training and became Certified Peer Educators. These students have been trained in the core skills that will make them better leaders, role models, activists, and team members in order to educate and support students around topics related to health and wellness, particularly alcohol and other drug use.

In Fall 2019, eight of the Certified Peer Educators received a supplemental five-hour training on administering intranasal Naloxone, underage drinking, responding to disclosure of sexual violence, and gender identity and sexuality.

Two Certified Peer Educators presented to the Congressional Addiction, Treatment and Recovery Caucus co-chaired by Rep. Tim Ryan on September 19, 2019 about their drug awareness group, Rachel's Angels, in order to ask for funding and the possibility for a law to be created that would allow there to be harsher punishments for dealers who sell to underage teenagers and kids.

**Summary metrics.** In Spring 2019 and Fall 2019 there were ten Certified Peer Educators (CPE). In Spring 2020, there were eight CPE.

**Satisfaction and reflections of staff/faculty administering.** Overall, the trainers of the CPE program are satisfied with the start-up of the Peer Education Program. They had personable, dedicated, and caring Peer Educators committed to making a difference. However, due to the unexpected Spring 2020 semester, recruitment for the program and the current CPE students'

office hours were put on temporary pause. The next focus for this program will be the recruiting and training of a new class of Peer Educators in a possibly virtual world.

***What's Brewing with CPE.*** Held during Alcohol Awareness Week, this engagement activity encouraged participants to answer a single question related to Alcohol Awareness. Participants received education around the alcohol question they answered and were given a Starbucks coffee voucher.

***Summary metrics.*** There were 150 participants, four CPE students and one Advisor.

***Satisfaction and reflections of staff/faculty administering.*** The program was well received by participants and organizers. Strengths included: Student led, direct student to student interactions, and the non-confrontational atmosphere for openingly discussing alcohol use.

***Think Before You Drink Event.*** The educational content was presented by the ADM Board to encourage students to think before they drink.

***Summary metrics.*** There were three participants for the duration, 10 drop-in students for a limited time, eight CPE students and one advisor.

***Satisfaction and reflections of staff/faculty administering.*** The program was beneficial and engaging to the students in attendance. The attendance was limited though. Marketing needs to be a focus for future events held by the CPE students.

**Alcohol and other drug programs delivered during orientation programming.** All incoming first year students are required to attend "Know the Code", a mandatory workshop presented by the University of Akron Police Department, the Department of Student Conduct and Community Standards, Parking Services, and the Dean of Students Office. This workshop covers campus safety, the code of student conduct, and important information regarding sexual misconduct. Students are pre-assigned to a scheduled workshop during opening weekend based on their status as a resident or commuter student.

***Summary metrics.*** During Fall 2018, 83% of first year students (2,227) participated in the program. In Fall 2019, four sessions were offered at the start of Fall semester, all occurring prior to the first day of classes. In Fall 2019, 91% first year students (2,412) participated in the program. Those who did not attend were asked to participate in an online make-up session, which was newly launched in Fall 2019. In Fall 2019, 2% of students (42) didn't attend their in-person workshop but successfully completed the online workshop, resulting in 93% of first year students completing the program.

***Satisfaction and reflections of staff/faculty administering.*** “Know the Code” was revised going into Fall 2018 and overall the team is pleased with the changes made. Current students were invited to participate in the program’s delivery. It was helpful for new freshmen to hear about these topics from peers. This program is one of two mandatory programs for incoming students and the rate of attendance has tracked up, especially since offering a virtual make-up program for students missing their in-person session.

**Educational Awareness Programs.** Every fall Campus Programs’ helps to coordinate, market, and plan Alcohol Awareness Week. A majority of the events held during this week are done in collaboration with other organizations and departments on-campus. Each year, faculty of some classes will require attendance at certain programs as an assignment or provide extra credit for participation. This section contains the information for the five key events that were a part of Alcohol Awareness Week in Fall 2018 and Fall 2019. The full calendar of events for Fall 2018 and Fall 2019 can be found in the appendix (Appendix I).

***Summary metrics.*** In 2018, Alcohol Awareness Week had 12 programs. The planning committee added new members, with representatives from Rape Crisis Center and the Dean of Students Office joining the team. In Fall 2018, the total attendance for all programs was 1,177. In Fall 2019, Alcohol Awareness Week had 10 advertised programs. Several of these were new and innovative programs, led by students. The total attendance in 2019 was 1,130.

***Satisfaction and reflections of staff/faculty administering.*** In Fall 2018, some critical changes were made to programming and marketing. There was a drastic increase in attendance numbers. In Fall 2019, there were fewer programs and fewer people in attendance. The Thursday evening program needs additional thought and student buy-in to hopefully increase attendance at this late night program.

***Mocktails.*** This is the annual Alcohol Awareness Week program that kicks off the week. This fun program allows student organizations to create non-alcoholic beverages for peers to taste. Facts about alcohol use are displayed on each table. This fun alternative to drinking shows students that they can be creative with enjoying fun beverages in college without the impacts of alcohol.

***Summary metrics.*** In Fall 2018, 226 students attended the program and 27 student organizations participated in making drinks. In Fall 2019, 241 students attended the program and 18 student organizations participated.

***Satisfaction and reflections of staff/faculty administering.*** Overall, Mocktails continues to be a successful program to kick start Alcohol Awareness Week. The program is effective and

low cost. Year to year, participants are mainly first-year students and thus it provides an opportunity to continue education on alcohol use and misuse while in college.

***Fraternity and Sorority Life Program.*** As part of Alcohol Awareness Week, the Interfraternity and Panhellenic Governing Councils work with the Office of Fraternity and Sorority Life to create an interactive and educational program on alcohol use and misuse that is open to all students. In Fall 2018, the program was “Rethinking Drinking”, focusing on changing perceptions of binge drinking and knowing your pour. In Fall 2019, the program was “Law and Order”, focusing on laws surrounding alcohol use and misuse and the legal implications drinking can have.

***Summary metrics.*** In Fall 2018, 141 students attended the program. In Fall 2019, 113 students attended the program. Each year the governing councils require a certain percentage of chapter members to attend these programs.

***Satisfaction and reflections of staff/faculty administering.*** In Fall 2018, CTC had a counseling intern present on the impacts of binge drinking. The students then participated in hands-on pouring to understand what is considered binge amounts. The information paired with activities was found to be valuable by 70% of students. In Fall 2019, an UAPD Officer presented information about consequences from drinking and students found the presentation to be authentic and informative. Overall, the new direction for the program was positively received, as 84% of the students attending found the information provided at the event as interesting and informative. These continue to be low cost programs that allow for collaboration with other officers or agencies.

***Zip N Paint.*** Zip N Paint is also an annual Alcohol Awareness Week program that allows students to experience a traditional paint and sip event without the alcohol.

***Summary metrics.*** In Fall 2018, 40 students attended and in Fall 2019, 51 students attended.

***Satisfaction and reflections of staff/faculty administering.*** This is a fun program that provides students with an alcohol-free environment to paint. This program has been effective.

***Trivia Night.*** In 2018, Campus Programs hosted a trivia night based on alcohol awareness facts. Health Services, University of Akron Police Department, Counseling Center, and Student Conduct and Community Standards created 4 rounds of questions on alcohol use. For example, health risks or laws pertaining to alcohol consumption.

***Summary metrics.*** In Fall 2018, 49 students and 6 staff participated in the program.

*Satisfaction and reflections of staff/faculty administering.* This program was deemed to have low to medium effectiveness. While the event was well-organized, it lacked participation from students on a Thursday night. We modified the event from 2017 to add food for more attendance but that was not effective.

*Taco Thursday.* For Alcohol Awareness Week 2019, the Thursday night program was modified from trivia to a Taco Thursday. This event lacked educational resources yet provided students a late night alternative on a Thursday in the Roo Lounge in the Jean Hower Taber Student Union.

*Summary metrics.* Offered only in Fall 2019, 69 students attended this late night program.

*Satisfaction and reflections of staff/faculty administering.* This program was more successful than the previous years (2017 and 2018) Thursday night programming. This continues to be a difficult night to provide an alcohol-free program that draws in the student attendance hoped for. This program was more expensive due to the cost of food.

*Root Beer Kegger.* This program tends to conclude The University of Akron Alcohol Awareness Week, by providing an educational and social environment for students. This co-sponsored event is hosted by ZPN, Undergraduate Student Government, Residence Life and Housing, Student Conduct, and the University of Akron Police Department. This event is successful due to the different topics discussed about alcohol-use. In 2019, Student Conduct and Community Standards incorporated information about drinking alcohol and using marijuana, also known as "cross faded" to Generation Z. This department provided information about the risks of drinking and eating marijuana edibles.

*Summary metrics.* In Fall 2018, 142 students and four staff members participated in the program. In Fall 2019, 196 students and three staff members participated in the program.

*Satisfaction and reflections of staff/faculty administering.* Overall, this program is effective and has low costs. It provides an educational environment, with fun and interactive activities. It has been recommended to continue to provide education on drug use during this program.

**Group based programs delivered through housing, fraternity and sorority life, athletics.**

*Residence Life and Housing.* Every year, Residence Life and Housing (RLH) provides a wide variety of educational programming concerning alcohol and drug use to its student residents during the academic year. Individual Resident Assistants and Residence Life



Coordinators design and implement programming to best meet the needs of their particular resident communities. The department conducts a resident satisfaction survey annually, which includes questions related to alcohol use, the results of which are used to assist the department with setting its annual programming priorities and to serve as a resource for employees. In addition to its own internal programming, RLH supports and participates in Alcohol Awareness Week events. The subcategories below will highlight the main training and programs offered during this reporting period.

*Know the Code- RLH Student Leader Training Summer 2019.* This small group program provided the RLH student leaders with the information their first year residents would be learning during New Student Orientation.

*Summary metrics.* In Summer 2019, 75 resident assistants, 25 student leaders and five Residence Life Coordinators (professional staff members) attended the program.

*Satisfaction and reflections of staff/faculty administering.* This program was viewed to be an effective and direct way to provide education on the Code of Student Conduct policies surrounding drugs and alcohol.

*Mocktails.* In collaboration with UAPD Officers, RLH students are asked to attend a function in their residence hall. Upon arrival, the officers ask attendees to look for a specific marking on their drinking cup. If a student has a marking on their cup, the cup is then said to have been drugged. Officers then conduct an informational talk about safety at parties.

*Summary metrics.* This event is held in various residence halls each year. Improvements in collecting and tracking attendance will be made for future events.

*Satisfaction and reflections of staff/faculty administering.* This is a low cost, impactful event for students that helps educate them on the real risks that exist at parties/bars.

*Party Awareness.* In collaboration with UAPD, an Officer talked to residents about underage drinking and party safety. This was followed by a game night and drunk goggles were provided for Mario Kart and Catch.

*Summary metrics.* This event was held in Fall 2019 and had 27 students in attendance.

*Satisfaction and reflections of staff/faculty administering.* This is a low cost, impactful event for the students that helps educate them on risks associated with underage drinking and how they can be safe at parties.

***Fraternity and Sorority Life.*** Throughout the year, the Office and three governing councils - Interfraternity, National Pan-Hellenic and Panhellenic Councils- provide a variety of education on hosting safe events with alcohol, risk management, and anti-hazing education. The subcategories below will provide information for the main programs offered. The program that is sponsored during Alcohol Awareness Week is covered in the previous section.

***Risk management leadership training.*** At the start of each semester there is a mandatory training on all risk management procedures and policies, which extensively covers alcohol use and events with alcohol, that all 24 chapters are required to have an officer attend. In Fall 2019, all chapter presidents and risk management officers were educated on major updates to policies that limit the number of guests per member, expanded implications for use of illegal drugs, and best practices for hosting safe events with alcohol. Various activities have been added like: Who Killed Jane Doe; case studies surrounding alcohol and new member processes; role playing to address alcohol/drug use, hazing, and other risky behaviors; and quizzes on content covered.

***Summary metrics.*** In Fall 2018, 45 student leaders were provided with training and in Spring 2019, 75 student leaders were educated. In Fall 2019, 41 student leaders attended the training and in Spring 2019, education was provided to 74 students.

***Satisfaction and reflections of staff/faculty administering.*** Overall, the assessment results show that the educational sessions provided students with the opportunity to successfully learn the information while providing them with opportunities to critically think through scenarios and policy implementation.

***IFC and PHC Event Registration and Event Meetings.*** In partnership with the IFC and PHC governing councils, the Office of Fraternity and Sorority Life staff members review and meet with chapter leaders for every event with alcohol their chapter holds. The chapters are required to register all events with alcohol 14 business days prior to their event, have a certificate of liability insurance on file, have a final guest list submitted, have extensive policies regarding alcohol and drug use, risk management and event management, and then meet with their council leaders and the office to review and discuss the event.

***Summary metrics.*** For the 13 IFC fraternities and six Panhellenic sororities, the following numbers are approved event registrations for events with alcohol. Fall 2018, IFC fraternities registered 35 events and PHC registered 5. Spring 2019, IFC had 32 and PHC had 5. In Fall 2019, IFC had 23 registered events and PHC had 5. In Spring 2020, IFC had 20 registered events with alcohol and PHC had 2.

*Satisfaction and reflections of staff/faculty administering.* In the last two years, increased focus has been put on educating the risk management officers and requiring the point of contact for the chapter to be in attendance for these event meetings. The meetings provide opportunities to ask the student leaders questions about potential situations that could occur, requiring them to think through how they would actually carry out their well written policies. These meetings have been helpful in assisting chapters in running their events safely.

*GreekLifeEdu.* GreekLifeEdu is a hazing, alcohol abuse and college sexual assault prevention program administered through Everfi. Throughout this online program's interactive scenarios, fraternity and sorority members learn to leverage their values and strengths while practicing safer decision-making—leading to a safer, healthier environment for all.

*Summary Metrics.* Of the 24 fraternities and sororities, ten offer this program through their national organization. The program is offered each semester that a chapter has new members. Nine of the 10 chapters provide the program to new members of their chapter. One of the chapters requires all members to complete it annually. In Fall 2019, 135 new members completed the program and in Spring 2020, 32 new members completed the program.

*Satisfaction and reflections of staff/faculty administering.* The office does not currently have assessment data on this program since it is not facilitated by the University. The office is planning to start collecting general feedback about this program in Fall 2020.

*Athletics.* The Department of Athletics provides a variety of training programs for student athletes. Training is provided in a variety of formats to include on-line programs and in person presentations. The programs provide information concerning the effects and risks of alcohol, marijuana, performance-enhancing drugs, prescription drugs, NCAA-banned substances, and tobacco. Counseling and education are provided to student-athletes by the Center for Peak Performance, Sport Psychology practice for any violations to Athletics Drug-Testing policy. The Student-Athlete Concern Team provides an additional resource for supporting and managing student-athletes through any issue including alcohol and drug concerns.

*Summary Metrics.* With 17 men's and women's varsity teams, there are over 300 student-athletes. All student athletes are required to participate in the various programs, which are coordinated by their team.

*Satisfaction and reflections of staff/faculty administering.* Overall, the various formats and programs used to provide education to student athletes has been successful.

**Group based programs for employees.** At this time, The University of Akron does not have any formalized group based programs for employees. In Summer 2019, an Addiction & Opiates: What's New, What's Next Conference was hosted by the College of Health Professions and was offered to employees to attend for free to gather more information on addiction and to network with community resources focused on addiction recovery.

**Summary metrics.** This program was open to members of the greater Akron community and thus an exact breakdown of which participants were employees of the 252 participants is not available. 104 individuals received training on Narcan during this conference.

**Satisfaction and reflections of staff/faculty administering.** This program was sponsored in partnership with ARI-AHEC, Summit ADM Board and HRSA. Overall, attendees rated their experience and learning at the conference very high.

**Recovery Based Programs.** The University of Akron has the Collegiate Recovery Community, Roos-in-Recovery which started in 2018. Through regular weekly meetings this diverse group of students work to support one another. All members in this group are in recovery from a substance use disorder and seek to find and support other students like themselves, while pursuing academic success at The University of Akron.

**Summary metrics.** The group has seen members come and go. Fall 2019 membership numbers were 15 regular attendees.

**Satisfaction and reflections of staff/faculty administering.** This registered student organization is fulfilling a vital need for students that previously had not existed. Their campus advisor is involved and committed to supporting this group, which has allowed them to make great strides as an organization. For the students that attend the weekly meetings, this is a meaningful part of their college experience.

### **Environmental/Socio-Ecological Based Program**

**Alcohol-Free social options.** The University of Akron provides a variety of alcohol-free social options for students. There are two student-run programming boards who plan alcohol free events.

The Zips Programming Network (ZPN) is a major student organization that plans regularly-scheduled events stimulating, educating, and entertaining the students at the University. Each executive board member implements programs specific to their position (i.e. diversity, late night, traditional). All of the programs offered by ZPN are alcohol-free. The ZPN Late Night Chair executes one program a month, that is an alcohol-free alternative, for students

between Thursday, Friday, and Saturday nights. In addition to these events, ZPN also shows newer released movies in the Student Union Movie Theatre several times throughout the week.

The Residence Life Hall Programming Board (RHPB) plans regular 7:17pm and 9:09pm programs, as well as other late night alternative programs. These programs are mainly geared towards residence hall students but are open to all.

In addition to the work done by these boards, all the events planned by the Department of Student Life and the Student Recreation and Wellness Center are alcohol free. This year the DFSCA committee created and began to use an "Alcohol-Free" event logo, to help all students know what events are alcohol free.

**Alcohol-free residence facilities.** The Substance and Alcohol Free Environments (SAFE) were developed in response to student requests for an on-campus living environment that would be free from smoke, alcohol, and drugs. Each year, the Department of Residence Life and Housing reviews the number of SAFE requests to make appropriate adjustments to the size and scope of the SAFE program. Students who live in SAFE areas are asked to sign an agreement at the beginning of the school year and support a community free of all tobacco products, alcohol, and other drugs at all times. These community standards apply to all common areas as well as private rooms and include use by both residents and guests. The Substance and Alcohol Free Environments are located in the following areas (space is reserved solely for students agreeing to abide by SAFE community standards):

- Bulger Residence Hall – Floors 2 & 9
- Honors Complex – Floors 3 & 5
- Ritchie Residence Hall – Floors 2 & 3
- Sisler-McFawn Residence Hall – Floor 1
- Spanton Residence Hall – Floors 2 & 3

Due to the independent nature of University students' lives, the primary responsibility for holding themselves and their peers accountable for these community standards shall rest with those individuals who elect to live in SAFE areas. The Residence Life and Housing staff will assist in this process and in situations where residents have been unable to secure compliance. As with other Residence Life and Housing policies, residents are responsible for the actions of their guests.

If, at any time, a resident feels he/she/they is no longer able to commit to this agreement, measures will be taken to voluntarily reassign that student to another residence hall assignment as space is available. If space is not immediately available, said resident will continue to abide by these community standards during the interim period.

Responses to violations of the SAFE agreement and community standards will be made on a case-by-case basis. Actions that may be taken include:

- Increased care and support for the individuals personal health needs
- Initiation of a student conduct case as outlined in the Residence Hall Handbook

- Voluntary relocations
- Administrative reassignment of housing assignment

**Wellness programming facilities.** Student Recreation and Wellness Services (SRWC) provides many opportunities for students to practice a healthy lifestyle in their drug and alcohol free facilities. With options for group fitness classes, intramural and club sports, open gym time, and personal fitness training there are group activities for students to participate with peers. Many of the club sports teams practice regularly from 10:00pm to midnight and include triathlon, wrestling, rugby, running, paintball, water polo, baseball, lacrosse, and ultimate frisbee. The Intramural Sports program offers a variety of late-night programming throughout the year, with their games usually running between 8:00pm and 11:00pm. In addition, the expanded evening and weekend hours of the SRWC provides a late-night drop-in recreation adoption for swimming, rock climbing, weight training, basketball, and cardio training. These are all available until 11:00pm each weekday night, with the exception of Friday when they are available until 9:00pm.

**Enforcing underage drinking.** The University of Akron Police Department (UAPD) is at the forefront of enforcing underage drinking laws and works collaboratively with Student Conduct and Community Standards to help educate and hold students accountable. Residence Life and Housing also works collaboratively with both departments to handle underage drinking in the residence halls. Although there is no formal MOU regarding alcohol and other drug violations, UAPD does partner with the City of Akron Police Department.

Additionally, UAPD and the City of Akron Police actively enforce state Keeper of the Place laws which penalize those in control of property for providing or allowing those underage with alcohol. They enforce and penalize those who are drinking underage.

The UAPD works to develop good relationships with students and through their outreach programming they help to reinforce the drinking age, while educating students on the risks associated with AOD use. They regularly provide alcohol awareness presentations, training on impacts of alcohol while utilizing drunk goggles, and education to off-campus students on social host laws and liability.

**Increased service learning/volunteer opportunities.** Through ServeAkron, students have the opportunity to participate in numerous volunteer experiences each week. Through week day drop-in service programs held on campus and Super Service Fridays/Saturdays, there are a variety of ways for students to make a difference in the Akron community. Students that enjoy service can also apply to be a Service Engagement Guide (SEG). These students go through training and attend monthly meetings. The SEG's help table and promote service opportunities, run drop-in service events, and lead trips to community agencies on Fridays and Saturday mornings.

In addition, in Spring 2019, there were two Alternative Spring Trips that provided an alcohol free opportunity for students during their Spring Break week. One trip was exclusive to the fraternity and sorority community and one was open to all students. Unfortunately, due to the COVID-19 pandemic, both trips for Spring 2020 had to be cancelled.

## **Summary**

There are a variety of AOD programs provided by various departments across campus aimed at educating students and providing alcohol/drug-free alternatives. Several University departments like University of Akron Police Department, Counseling and Testing Center, and Student Health Services have regular programs they can facilitate per request. Additional programs are listed in Appendix H. With a decentralized programming approach the major strengths are: programs are tailored to specific groups of students; an expansive reach of students across all areas of campus; new and innovative ideas stemming from collaborations. The main weakness to this approach is the team may inevitably not know of every AOD program that occurs and the collection of data for these programs is a time consuming task.

## **AOD Comprehensive Program Goals and Objectives**

### **Previous AOD Comprehensive Program Goals and Objectives**

The following goals and objectives were established for this biennium and the achievement results are reported by each.

**Recommendations for the biennium.** The following are the recommendations and outcomes for the previous biennium review consisting of fiscal years 2016-2018.

1. Centralized staffing and ownership of a more organized prevention program.  
*Due to a lack of disengagement making it difficult for the departments most involved to meet the organizational needs of the AOD committee, the AOD committee as described in the previous DFSCA report was disbanded in June 2018. A new AOD advisory task force was first launched in Spring 2020 but momentum quickly dwindled due to COVID-19.*
2. Expand alcohol screening in Student Health Services to include full AUDIT tool/SBIRT for all who have positive screens on AUDIT C. All those with a positive screen will be referred to e-CHUG located on the Counseling and Testing Center website. Those with higher scores indicating alcohol use disorder will be referred to local addiction resources.  
*This goal is currently implemented and in progress with goals for the next Biennium Review being established.*
3. All programming should have built-in learning objectives and assessment to evaluate outcomes.

*Goal is partially implemented, with a goal for complete implementation of built-in learning objectives and assessments for the next Biennium Report to be established.*

4. There should be yearly university-wide assessments of alcohol and drug patterns. This could easily be done with the National College Health Assessment and would assess trends by performing a yearly survey done on a smaller sample.

*Due to financial and workforce restrictions the goal of using the National College Health Assessment was not actualized. But, the Prescription Drug Study, the Campus Climate Survey, the Resident Student Annual Assessment, and the AFA/Benchworks Fraternity/Sorority Assessment were all conducted. We now must take these results and have them inform programming.*

5. Identify chances to work with Human Resources to develop informational programs for employees.

*Goal was not actualized due to financial barriers and lack of meaningful innovative ideas for implementation. Employees are referred to the Employee Assistance Program for self identified gaps in knowledge and assistance.*

6. More programming addressing drug use due to opiate crisis and CPSD survey results indicating diversion of stimulants. Goal is currently in progress with the establishment of an active Certified Peer Educator team on campus providing outreach and programming. Innovative and varied programming was implemented by Student Life for Alcohol Awareness Week 2019. Student Health Services is providing the "How to Stay Healthy in College" presentation to any Akron Experience class requesting a speaker.

7. Identify opportunities for our students to participate in Alcohol Education.

*This goal is currently in progress. The actualization of a Certified Peer Education program is leading to more opportunities for students to become engaged with AOD programming. A stipend from SAMHSA increased student led programming to address underage and harmful alcohol use during Alcohol Awareness Week 2019. There was also submission with pending funding for the OhioCorps Grant pilot program partnering college students with at risk middle and high school students impacted by the opiate epidemic in Northeastern Ohio.*

## **SWOT/C Analysis**

### **Strengths.**

- Use of CollegeAIM as the chosen matrix to evaluate our programming efforts against evidence-based criteria
- Development and training of a campus Certified Peer Educator program
- The presence of a student lead Peer Recovery (collegiate recovery) group on campus



- Launching of a focused goal driven AOD task force that includes campus and community stakeholders
- Timely and focused response of CARE Team for at-risk student behaviors
- The responsibility for AOD awareness programming is shared among a wide range of offices and University divisions
- Creation of an alcohol and drug-free logo to promote alcohol and substance free campus events

#### **Weaknesses.**

- Lack of a certified Addiction Counselor with availability to assist in program development and campus educational opportunities
- Lack of a designated Health Educator position on campus to oversee and direct AOD programming
- Efforts have largely focused on students with lack of enhancement of educational and supportive offerings to employees. This is especially concerning considering the backdrop of an opioid epidemic plaguing the country and specifically our state.
- AOD awareness has primarily focused on the general undergraduate population. There is a gap in programming that targets high-risk students, non-traditional students, international students and graduate student populations.
- The University of Akron AOD programming has a heavy focus on alcohol awareness and harm reduction with lesser programming focused on other drug/substance misuse and abuse.
- Financial constraints system wide that impede and prohibit advancement of AOD programming and expansion.
- There is no MOU between The University of Akron police and the Akron City police related to alcohol and other drug incidents involving The University of Akron students.
- Lack of an amnesty policy for students reporting AOD concerns
- Staff turnover/vacant positions
- Many areas on The University of Akron campus clearly address AOD issues; however, obtaining specific information to add to the Biennial review has been problematic in obtaining and is in need of further review and streamlining
- Communication to the campus community overall regarding AOD programming goals, objectives, achievements and needs, as well as dissemination of the DFSCA report requires improvement in structure and streamlining

#### **Opportunities.**

- Renewed partnerships with community resources and stakeholders

- Expanded growth of the Certified Peer Educator program
- Potential grant funding to support AOD programming and research
- Partnerships with other colleges and universities
- New Senior level management
- Location and Heritage of the campus

#### **Threats/Challenges.**

- Continued Financial Constraints
- Staffing resources
- Continuation of the opioid epidemic with the added component of vaping
- Outreach to high-risk students, non-traditional students, international students and graduate student populations
- Mediocrity and apathy
- COVID-19 virtual world

#### **Recommendations for Next Biennium**

Due to the current coronavirus disease pandemic, the University setting has and will continue to consistently change. Until further knowledge is known about COVID-19 and the returning to normal campus operations, it is challenging to establish tangible goals and objectives. Additionally, The University of Akron will be changing its campus structure and personnel. Without knowing where layoffs and furloughs may occur, it is difficult to determine what employees may be able to implement recommendations. Yet, we recognize the need to still progress and support and educate our students regarding alcohol and other drug use. At this time, we recommend the following goals for the next biennium:

1. Develop built-in learning objectives and assessment to evaluate outcomes more consistently
2. Streamline the process of becoming aware of AOD programs across campus
3. Use results from Prescription Drug Study, the Campus Climate Survey, the Resident Student Annual Assessment, and the AFA/Benchworks Fraternity/Sorority Assessment to inform programming
4. Increase collaboration with community resources
5. Collaborate with individuals at other colleges or universities to determine their practice and determine the ability to implement within our own university setting
6. Support and actively assist the efforts of those awarded the Garrett Lee Smith Campus Suicide Prevention Grant. These efforts include:
  - a. Increase assessment of student needs and campus resources
  - b. Launch a social norming campaign
  - c. Enhance services for students, including those at risk for substance use disorders

- d. Promote help-seeking behavior
- e. Improve the identification and treatment of at-risk college students
7. Expand The Drug Free Schools and Community Act Committee to include areas on campus that clearly address AOD issues and are not currently part of the committee
8. Improve the dissemination of the DFSCA report and related policies

### **Recommendations for Revising AOD Programming**

The current pandemic has caused a need to re-evaluate the recommendations for further AOD programming at The University of Akron. Planning for Fall 2020 and most likely Spring 2021 will not be normal as restrictions in gathering sizes and more courses being offered online, much of the Fall and Spring programming will need to be offered in a virtual format. While this impacts some programs more than others, it does require the staff responsible for AOD programming to rethink how they deliver content, how they educate and support students, and how they provide multiple avenues for students to learn about alcohol and other drugs.

Areas of focus for 2020-2022 should be:

1. Develop a comprehensive data collection tool for all AOD programming, so we can accurately track and report on all AOD programs provided to faculty, staff and students
2. Launch social norm marketing campaigns
3. Intentional (re)design of programs that can be provided virtually to students
4. Continue to enhance the Peer Educator Program, including recruiting and training new peer educators and finding ways to connect them with students through training or 1-1 support
5. Utilize EAP resources to enhance programs and training for faculty and staff
6. Develop a comprehensive online listing of resources, programs, and services related to AOD for employees and students

The academic year 2021-2022 will hopefully provide a return to normal allowing many of the previous in person programs to be offered again. During this time, programmers should collaboratively work to create comprehensive alcohol and other drug programs for all students. The CollegeAIM matrix should continue to be used to track programming, with an additional report being submitted to the DFSCA work group that provides information needed for this report.

### **Conclusion**

The University of Akron continues to develop reachable goals to achieve a quality of life on campus, a rewarding college experience, and fulfilling employment in higher education. The following lists major goals that were met this past biennial to reduce alcohol and other drug use: use of evidence-based programming through CollegeAIM, the development of a Certified Peer

**Educator program, Roos in Recovery, vast AOD awareness programming, and individualized interventions and support. Future goals for the team will be challenged with reaching the campus community while adhering to the guidelines for COVID-19.**

## Appendix A

### 3359-47-02 Drug-Free Workplace Policy

The university considers the use of drugs as well as their abuse to be a very serious matter and one that cannot be tolerated. As a responsible source and participant with the federal government in many programs and activities, including student financial aid and federal grants and contracts for research, the university is required to follow federal law, including the “Safe and Drug Free Schools and Communities Act” and the “Drug Free Workplace Act” and cannot tolerate the illegal use of drugs in the face of the federal government's increasing efforts to combat drug abuse. Therefore, it is expected that employees will abide by the terms of this policy.

It shall continue to be the policy of the university of Akron to maintain a drug-free workplace. Recognizing that illegal drug use poses health and safety hazards to employees and to the community at large, the possession or use of illegal drugs on all university property and at any other location where employees are conducting university business is prohibited. All employees are henceforth notified that the unlawful manufacture, distribution, dispensing, possession, or use of any drug or controlled substance is prohibited at the university of Akron.

#### (A) Drug-free awareness program.

The university of Akron hereby establishes a drug-free awareness program. Under this program, the university will from time to time publish literature warning about the dangers of the abuse of drugs in the workplace or in any environment. The program will specifically cover the following major topics:

- (1) Health and safety concerns associated with drug abuse;
- (2) University policy regarding illegal drug use;
- (3) Availability of counseling and assistance for employees;
- (4) Penalties that may be imposed for drug-abuse violations.

#### (B) Medical marijuana.

The use and possession of marijuana is prohibited by, and remains both a violation of university policy and a crime under federal law, despite Ohio law allowing certain activities related to the possession and use of medical marijuana. This prohibition applies even when the possession and use would be legal under the laws of the state of Ohio. Individuals with medical marijuana prescriptions/cards are not permitted to use medical marijuana on campus, in the conduct of university business or as related to any university activity. Sanctions for students and employees who are found to be in possession of, or using medical marijuana will be consistent with applicable university rules and may include suspension, dismissal and/or termination from employment. This prohibition does not extend to research related to marijuana that is approved by an authorized federal, state or local entity. The university will reasonably accommodate

employees and students who are legally authorized Ohio medical marijuana users on a case-by-case basis.

**(C) Compliance with university substance abuse policy.**

All university of Akron employees are expected to abide by the terms of this policy. An employee found to be in possession of or using illegal drugs shall be subject to the sanctions. Such employee shall be subject to such disciplinary procedures as from time to time are promulgated by the board of trustees, up to and including termination, but in accordance with the established rights of the employee, including the right to due process.

The University of Akron Board of Trustees reserves the right to test and to otherwise secure the workplace in order to achieve and maintain compliance with the Drug-Free Workplace Act, subject, however, to those rights guaranteed to employees, the requirements of applicable statutes and regulations, and the restraints contained in the state and federal constitutions.

All university employees who are engaged in employment or other work under the terms of any grant from an agency of the federal government shall as a condition of employment to abide by the following requirements:

- (1) Acknowledge receipt of and abide by the terms of the university's drug-free policy.
- (2) Notify his/her administrative supervisor of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such conviction. Any employee who fails to report a substance abuse conviction within five days will be subject to sanctions, up to and including termination of employment.

Upon receipt of notice under the preceding paragraph or if the university should otherwise receive actual notice of such conviction, the university shall notify the granting or contract agency within ten days after receiving such notice.

Any employee who is in any way chemically dependent will not be disciplined for disclosing his/her dependency; such employee will not be disciplined for not coming forward, unless the dependency hinders the ability of the employee to perform his/her job. If it is found that the dependency adversely affects the employee's job performance, such employee shall be subject to sanctions, up to and including termination.

Upon receipt of a notice of conviction of an employee for violation of any criminal drug statute, the university, within thirty days of receiving such notice, shall:

- (a) Take appropriate personnel action against such an employee subject to established disciplinary procedures, up to and including termination, in accordance with requirements of due process; or

- (b) Require such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a federal, state, or local health, law enforcement, or other appropriate agency.

The principal investigator of any grant, project, or contract from a federal agency is required to ensure that each employee engaged in the performance of the grant be given a copy of and acknowledge receipt of this policy.

(D) Employee assistance program.

The University of Akron currently has an employee assistance program to provide confidential, professional counseling services to eligible persons. Such services include assisting employees with problems such as drug abuse. Any employee suspected of drug abuse or other use of drugs will be expected to participate in such program and may be referred thereto. The university's employee assistance program makes available drug counseling and rehabilitation efforts.

(E) Due process.

If any disciplinary action under this policy is taken against an employee who is tenured, nontenured, or not part of a collective bargaining unit, such employee may formally appeal the action to the board of trustees within ten days. Such employee will receive a hearing before the board or its designated representative, at which time the employee may offer evidence, cross examine witnesses, and have an attorney present.

If disciplinary action under this policy is taken against an employee covered by a collective bargaining agreement, the action will be subject to grievance procedures set forth in the bargaining agreement.

(F) Definitions.

For purposes of this policy statement, the following definitions shall apply:

- (1) "Unlawful manufacture"--to plant, cultivate, harvest, process, make, prepare, or otherwise engage in any part of the production of a drug by propagation, extraction, chemical synthesis, compounding, or any combination of the same and includes packaging, repackaging, labeling, and other activities incident to production.
- (2) "Distribute"--to deal in, ship, transport, or deliver but does not include administering or dispensing a drug.
- (3) "Dispense"--to sell, leave with, give away, dispose of, or deliver.
- (4) "Possess or Possession"--having control over a thing or substance but may not be inferred solely from mere access to the thing or substance through ownership or occupation of the premises upon which the thing or substance is found.
- (5) "Use"--use of a drug or other controlled substance.

(6) "Drug abuse offense"--corrupting another with drugs, trafficking in drugs, drug abuse, possessing drug abuse instruments, permitting drug abuse, theft of drugs, deception to obtain a dangerous drug, illegal processing of drug documents, abusing harmful intoxicants, trafficking harmful intoxicants, or illegal dispensing of drug samples; a violation of any existing or former law of this or any other state or of the United States that is substantially equivalent to any of the above offenses; an offense under an existing or former law of this or any other state or of the United States of which planting, cultivating, harvesting, processing, making, manufacturing, producing, shipping, transporting, delivering, acquiring, possessing, storing, distributing, dispensing, selling, inducing another to use, administering to another, using, or otherwise dealing with a controlled substance is an element; or a conspiracy or an attempt to commit, or complicity in committing or attempting to commit any of the above offenses.

(7) "Controlled substance"--a drug, compound, mixture, preparation, or other substance as defined in Chapters 2925. and 3719. of the Ohio Revised Code, or as defined by applicable statutes of other states and the federal government.

(G) Good faith.

The university, in adopting and implementing this policy pursuant to the "Drug-Free Workplace Act of 1988," further certifies that it will make a good faith effort to continue to maintain a drug-free workplace and to respect the privacy rights of its employees.



## **Appendix B**

### **3359-41-01 Code of Student Conduct of The University of Akron**

#### **(A) Introduction, purpose and disciplinary authority of the university.**

(1) The disciplinary power of the university is inherent in its responsibility to protect its educational purposes and processes through the setting of standards of conduct and scholarship for its students and through the regulation of the use of its facilities. The university of Akron's code of student conduct (CSC) reflects and supports the educational mission of the institution, balancing the ideals of individual rights and responsibilities with community citizenship and responsibility. The CSC expresses the university's values of civility, integrity in all matters, and responsible behavior on- and off-university premises. Students also are required to abide by applicable federal, state, and local laws.

(2) Students at the university of Akron are responsible to know and abide by all university rules, regulations and policies. Failure to abide by the university's rules, regulation and policies may result in sanction by the university. Students are subject to public laws, which the university police and other law enforcement agencies are empowered to enforce on or off university premises, either through their statutory jurisdiction or pursuant to a mutual aid agreement. Public laws include federal, state and local laws and ordinances. Should a student's conduct violate public law and the CSC, the university may proceed with its own investigation and disciplinary action under the CSC without awaiting the outcome of concurrent criminal, administrative or civil proceedings.

(3) There are significant differences between the university of Akron's conduct process and state and federal criminal processes. Criminal processes are adversarial, with one side opposing the accused. The conduct process is designed to be a tool for student learning and development while still protecting the interests of complainants, accused, victims and all members of the university community. Although the university of Akron's student disciplinary process is not designed to function as a court of law, there are policies and procedures in place to ensure that each student is treated in a fair and equitable manner. However, the formal rules of criminal procedure that apply to the criminal justice system do not apply to the student disciplinary process.

(4) The overarching goal of the enforcement of the CSC is to focus on the growth of the individual student, encourage self-discipline, and maintain a civil environment that is safe and conducive for learning. Each intervention within the university's conduct process is intended to assess the cause of a student's inappropriate behavior and to develop resolutions that will benefit the individual student and the university community.

(5) Involvement of parents or guardians in these proceedings will be governed by the "Family Educational Rights and Privacy Act" as provided in rule 3359-11-08 of the Administrative Code.

(6) These rules shall not be interpreted, construed or applied in any manner that abridges or denies to any student his or her constitutional rights as guaranteed under the constitutions of the United States or the state of Ohio.

**(B) Definitions.**

(1) "Advisor." "Advisor" includes anyone assisting or supporting a student during his or her involvement in a student conduct and community standards proceeding, including but not limited to, an attorney, parent(s), guardian, social worker, student advocate, professor, acquaintance or friend.

(2) "Chairperson of the hearing board." "Chairperson of the hearing board" or "chairperson" refers to a member of the hearing board who is selected by the vice president for student affairs upon recommendation of the director of the department of student conduct and community standards from a smaller pool of hearing board members who have received additional training. The chairperson presides over the deliberations of the hearing board and reports the hearing board's decisions.

(3) "Code of student conduct." "Code of student conduct" refers to this rule of the administrative code, which outlines the expectations for student behavior and the procedures through which the department of student conduct and community standards addresses student misconduct.

(4) "Complainant." "Complainant" means any person who submits a report alleging that a student has violated this code of student conduct.

(5) "Contract professional." "Contract Professional" means persons who are full-time or part-time non-teaching professional personnel of the university as described in paragraph (A) of rule 3359-22-01 of the Administrative Code.

(6) "Disciplinary hold." "Disciplinary hold" is a restriction placed on a student's account that prevents a student from obtaining certain university services, including but not limited to: registering for classes; obtaining enrollment or degree verification; receiving an official transcript; and/or issuance of a housing contract.

(7) "Disciplinary referral." "Disciplinary referral" is a communication to the department of student conduct and community standards of information about a possible violation of the code of student conduct with a request that the department of student conduct and community standards initiate action concerning the alleged violation.

(8) "Faculty member." "Faculty member" means any person hired by the university to conduct classroom or teaching activities, research activities or who is otherwise considered by the university to be a member of the faculty.

(9) "Investigating officer." "Investigating officer" refers to representative of the department of student conduct and community standards who: investigates allegations of

student misconduct; meets with the accused student; decides whether to proceed to a hearing; determines sanction(s) if student accepts responsibility for alleged violation; and presents information about the alleged misconduct to the hearing board or, if the accused student has waived his or her right to have the case heard by a hearing board, to the student conduct administrator.

(10) "Member of the university community." "Member of the university community" includes students, university employees, and persons lawfully present on university premises.

(11) "Student." "Student" includes all persons taking credit or non-credit courses from the university of Akron. Persons who have been notified of their acceptance for admission, persons who withdraw after allegedly violating the code of student conduct and persons who are matriculated but not officially enrolled for a particular term also are considered "students."

(12) "Student Conduct Administrator." "Student conduct administrator" refers to the representative of the department of student conduct and community standards who: presides over hearings conducted pursuant to this code; rules on questions and motions during the hearing; and ensures that the hearing procedures specified in this code are followed. In the event that the student waives his or her right to have his or her case heard by a hearing board, the student conduct administrator also makes findings of responsibility and determines sanction(s).

(13) "Student organization." "Student organization" means any number of persons who have complied with the formal requirements for or are actively seeking university recognition as a student organization.

(14) "University official." "University official" includes any person employed or appointed by the university and performing administrative or professional responsibilities within the scope of his/her authority.

(15) "University policy." "University policy" generally means the written regulations of the university as found in, but not limited to: the code of student conduct; the residence hall handbook; the school of law student handbook; departmental operating manuals; the university web page; university rules; and the undergraduate and graduate bulletins. University policy also includes unwritten policies that are commonly applied and utilized consistent with written policies or in order to carry out the effect of written policies.

(16) "University premises." "University premises" includes all land, buildings, facilities, and other property in the possession of or owned, leased, used or controlled by the university or its foundations including adjacent streets and sidewalks.

(17) "University." "University" means the university of Akron and all of its campuses, centers or other locations on which it operates.

(18) "Weapon." "Weapon" is defined in accordance with federal, state and local law, and includes any object or substance designed to inflict a wound or cause injury.

**(C) Jurisdiction.**

(1) University authority should not be used merely to duplicate the function of general laws. The university of Akron code of student conduct applies to the conduct of all students and student organizations that occurs on university owned premises or on non-university premises, where the conduct away from university premises is deemed by the university to affect the university or its students and university employees, including but not limited to:

- (a) Any professional practice assignment;
- (b) Any activity performed to satisfy academic course requirements, such as internships, field trips, or student teaching;
- (c) Any activity supporting pursuit of a degree, such as research at another institution;
- (d) Any activity sponsored, conducted, or authorized by the university or by student organizations including but not limited to social events, athletic contests and philanthropic activities;
- (e) Any activity that causes substantial destruction of property belonging to the university or members of the university community or causes serious harm to the health or safety of members of the university community; or
- (f) Any activity in which a police report has been filed; a criminal indictment or information has been issued; or an arrest has occurred for a crime of violence.

(2) Each student shall be responsible for his or her conduct from the time of notification of acceptance for admission through the actual awarding of a degree, even though conduct may occur before classes begin or after classes end, as well as during the academic year and during periods between terms of actual enrollment, even if his or her misconduct while a student is not discovered until after a degree is awarded. The code of student conduct shall apply to a student's conduct even if the student withdraws from school while a disciplinary matter is pending. The director of student conduct and community standards or his or her designee shall determine whether the code of student conduct shall be applied to conduct occurring off university premises, on a case by case basis.

**(D) Definition of student misconduct.** The university of Akron defines "student misconduct" as behavior that violates university policies, rules and regulations. Any student or student organization alleged to have committed or to have attempted to commit the following misconduct is subject to the disciplinary process outlined in this rule.

(1) Academic misconduct is any activity that compromises the academic integrity of the student and university, and undermines the educational process. Academic misconduct includes but is not limited to:

- (a) Cheating, including but not limited to:

- (i) Use of unauthorized assistance in taking quizzes, tests, or examinations.
- (ii) Submitting substantially the same work to satisfy requirements for one course or academic requirement that has been submitted in satisfaction of requirements for another course or academic requirement, without permission of the faculty member of the course for which the work is being submitted or supervising authority for the academic requirement.
- (iii) Use of sources prohibited by the faculty member in writing papers, preparing reports, solving problems, or carrying out other assignments.
- (iv) Inappropriate acquisition and/or improper distribution of tests or other academic materials without the permission of the faculty member.
- (v) Engaging in any behavior specifically prohibited by a faculty member in the course syllabus or during class discussion. Paragraphs (D)(1)(a)(iii)(iv) and (v) of this rule shall not be interpreted as permitting a faculty member to limit a student's right to responsibly engage in free inquiry and expression, when relevant to the subject under study or discussion, or to be treated fairly in the academic setting and to have his/her performance evaluated solely on an academic basis.

(b) Plagiarism, including but not limited to:

- (i) Intentional or unintentional representation of ideas or works of another author or creator in whole or in part as the student's own without properly citing the original source for those ideas or works.
  - (ii) The use of materials prepared by another person or agency engaged in the selling of term papers or other academic materials.
- (2) Knowingly furnishing false or misleading information to university officials or faculty members either verbally, in writing or in any other form of communication or on university records, including but not limited to forgery, alteration, or misuse of any university document, record, or instrument of identification.
  - (3) Engaging in or threatening physical abuse, verbal abuse, threats, intimidation, harassment, coercion, and/or other conduct which intentionally or recklessly threatens or endangers the health, welfare or safety of any person.
  - (4) Disorderly, disruptive, lewd or indecent conduct.
  - (5) Unauthorized use of an electronic or other device(s) to make an audio or video recording of any person without his or her prior knowledge or consent, except as is otherwise permitted by law and except in a public setting where there is not a reasonable expectation of privacy and such use is consistent with the law.
  - (6) Unauthorized distribution or dissemination of an audio or video recording or photograph of any person without his or her prior knowledge or consent, even if the audio or video recording or photograph originally had been produced with the person's consent.

(7) Sexual misconduct, sexual assault as defined in applicable federal, state or municipal law, or imposition or sexual harassment in violation of rule 3359-11-13 of the Administrative Code. Sexual misconduct includes but is not limited to:

(a) Any physical act of a sexual nature perpetrated against an individual without consent or when an individual is unable to freely give consent.

(b) Unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature that expressly or implicitly imposes conditions upon, threatens, interferes with, or creates an intimidating, hostile, or demeaning environment for an individual's:

(i) Academic pursuits;

(ii) University employment;

(iii) Participation in activities sponsored by the university or organizations or groups related to the university, or

(iv) Opportunities to benefit from other aspects of university life.

(8) Theft or attempted theft, or willfully, recklessly, or negligently destroying, damaging, injuring, or using another's property without the consent of the owner.

(9) Use, possession, manufacture, cultivation, distribution or facilitating the distribution of marijuana or any narcotic, hallucinogenic, or other controlled substances as defined in applicable federal, state or municipal law.

(10) Use, possession, manufacture or distribution of alcoholic beverages, or public intoxication in a manner prohibited by law or university policy including but not limited to any violation of rule 3359-47-01 of the Administrative Code. Alcoholic beverages may not, in any circumstance, be used by, possessed by or distributed to any person under twenty-one years of age.

(11) Unlawful gambling or participating in unlawful games of chance as defined in applicable federal, state and municipal law.

(12) Unlawful or unauthorized possession of firearms, fireworks, explosives, other weapons, or dangerous chemicals, or using any such item, even if lawfully possessed, in a manner that harms, threatens or causes fear to others.

(13) Commission of any felony or misdemeanor under applicable federal, state and municipal law.

(14) Unauthorized possession, distribution, duplication, retention or use of keys to any university premises or unauthorized entry into, presence in, or use of university facilities.

(15) Behavior that the student knew or reasonably should have known would cause a disruption or obstruction of teaching, research, administration, disciplinary proceedings, or other university activities, including its public service functions on or off university premises, or of other authorized non-university activities occurring on university premises.

(16) Participation in a disturbance with the purpose to commit or incite any action that presents a clear and present danger to others, causes physical harm to others, or damages property. Prohibited behavior in the context of a riot includes but is not limited to those behaviors prohibited by federal, state and municipal law and:

- (a) Engaging in conduct designed to incite another to engage in riotous behavior;
- (b) Causing or threatening damage to or destruction of university premises or property of others, whether done intentionally or with reckless disregard;
- (c) Failing to comply with a directive to disperse by university officials, faculty members, law enforcement or emergency personnel; or
- (d) Intimidating, impeding, hindering or obstructing university officials, faculty members, or law enforcement or emergency personnel in the performance of their duties. Paragraph (D)(16)(d) of this rule shall not be interpreted as prohibiting peaceful demonstrations, peaceful picketing, a call for a peaceful boycott, or other forms of peaceful dissent.

(17) Possession of or permitting animals inside buildings owned or leased by the university of Akron or its foundation. This excludes disability-related service animals and animals permitted within the residence halls by the residence life and housing contract. Animals must not be disruptive to the learning or living environment of the university. Owners must control their animals at all times and abide by all applicable federal, state, and local laws (e.g., use of leashes and removal of waste) while on university premises.

(18) Theft or other abuse of computer facilities and resources, including but not limited to:

- (a) Unauthorized entry into a file, to use, read, or change the contents, or for any other purpose.
- (b) Unauthorized transfer of a file.
- (c) Use of another individual's identification and/or password.
- (d) Use of computing facilities and resources to interfere with the work of another student, faculty member or university official.
- (e) Use of computing facilities and resources to send obscene or abusive messages.
- (f) Use of computing facilities and resources to interfere with normal operation of the university computing system.
- (g) Any violation of the university computer use policy as outlined rules 3359-11-09 to 3359-11-10 of the Administrative Code.

(19) Hazing, as defined by the Ohio Revised Code and federal law, is prohibited. It is a violation of this rule for an individual, knowing that hazing has been or is being committed, to knowingly fail to report such information to law enforcement authorities or to student conduct and community standards. Officers of a student organization must

report any hazing incident(s) of which they are aware. The consent of the victim is not a defense.

(20) Willful failure to comply with directions of university officials, faculty members, law enforcement officers or emergency personnel acting in performance of their duties and/or willful failure to identify oneself to these persons when requested to do so.

(21) Abuse of the student conduct system, including but not limited to:

(a) Failing to comply with notice (with confirmation of delivery) from the department of student conduct and community standards or university official to appear for a meeting or hearing as part of the student conduct system.

(b) Knowingly falsifying, distorting, or misrepresenting information during the student conduct process or initiating a conduct proceeding in bad faith.

(c) Engaging in behavior that an individual knew or reasonably should have known would cause disruption or interference with the orderly proceeding of the student conduct process.

(d) Attempting to discourage an individual's proper participation in, or use of, the student conduct system.

(e) Attempting to influence the impartiality of a member of the hearing board prior to, and/or during the course of, the hearing board proceeding. (f) Failing to comply with the sanctions imposed under the code of student conduct.

(g) Influencing or attempting to influence another person to commit an abuse of the student conduct system.

(22) Willfully, recklessly, or knowingly engaging in conduct that violates any university policy, rule, or regulation. It is not a defense that the student was unaware of the policy, rule, or regulation.

(E) Investigation of student misconduct.

(1) It is the intent of this provision that the department of student conduct and community standards shall be the exclusive administrative unit that has authority to investigate reports of misconduct as defined in this rule and to implement the procedures and sanctions as provided in this rule. While other units and organizations such as residence halls, athletic teams and professional schools may have separate rules and administer separate penalties or sanctions, whether by contract or otherwise, that may apply to certain categories of students, the commission of misconduct as defined in this rule shall also be reported to the department of student conduct and community standards for action as appropriate under this rule.

(2) The fact-finding process shall be as follows:

(a) The department of student conduct and community standards, generally within five business days of receipt of a disciplinary referral, will send written notice to any student or student organization identified as allegedly being in violation of university rules. Notice may be given in person or by mail to the student or



student organization's last known address or by any other official means of notification adopted by the university now or in the future. The department of student conduct and community standards must request, and the vice president for student affairs or his or her designee must within three days of such request either deny or approve, any extension of time that will delay notice to the student beyond fifteen business days. A copy of the request for an extension, and the final decision as to that request, shall be included in the student's disciplinary file.

(b) The student or authorized representative of the student organization shall be required to appear before an officer of the department of student conduct and community standards no more than five business days following receipt of notice, unless otherwise determined by the department of student conduct and community standards. Upon his or her appearance in the department of student conduct and community standards, the student or authorized representative of the student organization shall be informed of the initial report that alleges violations of university rules and regulations. All available materials related to the alleged violation of university rules shall be made available to the student or authorized representative of the student organization at this meeting, or in advance if practicable. The student or authorized representative of the student organization shall be requested to make a statement concerning the reported violation, but prior to this request the student shall be informed that:

(i) S/He is not required to make a statement; provided however that the authorized representative of a student organization shall be required to make a statement on behalf of the organization; and

(ii) Any statement s/he may wish to make may later be used in disciplinary proceedings, and

(iii) S/He has the right to have an advisor present. The role of an advisor is explained in paragraph (F)(2)(g) of this rule.

(c) Investigation(s) generally will be completed within fifteen business days of the initial meeting. If additional time is needed to gather more information, student conduct and community standards shall make a request to the vice president for student affairs or his or her designee for a time extension(s) if the vice president determines that the circumstances warrant an extension.

(d) Upon completion of the investigation, the fact-finding process shall be concluded if both of the following conditions are satisfied:

(i) The student or authorized representative of the student organization denies the alleged misconduct, and

(ii) Based on the information gathered, the student conduct administrator determines that no university rule or regulation was violated. If these conditions are satisfied, the student or authorized representative of the

student organization shall be informed that the matter is closed with no prejudice to him or her.

(e) If the investigation reveals that there is sufficient information to support an allegation that the student or the student organization has violated university rules, the department of student conduct and community standards may place a disciplinary hold on the student's or the student organization's account and may refer the matter to the university hearing board for further proceedings.

(f) If the student or authorized representative of the student organization admits responsibility for violating university rules, the investigating officer shall issue a sanction or sanctions. If the student or authorized representative of the student organization disagrees with the sanction(s) assigned, s/he may appeal the sanction(s) to the university appeals board.

(g) If the student or authorized representative of the student organization does not agree with the charge(s), and if the investigating officer determines that the charge(s) are appropriate based upon the information collected, the student or authorized representative of the student organization may choose to pursue a determination of responsibility before a student conduct administrator or a university hearing board. An explanation of the charges and the process shall be given to the accused student and all information revealed by the investigation and known to the department of student conduct and community standards shall be included in a comprehensive, detailed, written report by the investigating officer and made available to the accused student or authorized representative of the student organization.

(h) If the matter is referred to a university hearing board, the student or authorized representative of the student organization shall be informed that the university hearing board generally will meet no later than ten business days from the date of the hearing board charge letter. When necessary, the university may continue the date of the hearing beyond ten business days with the approval of the vice president for student affairs or his or her designee.

(i) In cases where more than one student or student organization is involved, each student or student organization has the right to a separate hearing upon written request. Additionally the department of student conduct and community standards may hold separate hearings at its discretion.

(j) The student or authorized representative of the student organization shall be informed in writing by the department of student conduct and community standards of the time and place of the hearing, the specific university rule(s) or regulation(s) that the student is accused of violating, and information on the hearing procedures and the general facts surrounding the incident that led to the charge(s). The notice may be hand-delivered, placed into a student or authorized

representative of the student organization's residence hall mailbox or mailed to the last known address of the student or authorized representative of the student organization, either by certified mail or first class mail or given via any method officially recognized by the university now or in the future. Notice of the hearing generally will be provided at least five business days prior to the scheduled hearing. The student or authorized representative of the student organization may be granted an earlier hearing upon written request to, and approval by the department of student conduct and community standards.

(3) Alternative resolution process. Based on the nature of the incident and the willingness of the complainant and the accused to participate, the department of student conduct and community standards may recommend to the parties that the matter be addressed through an educational conference, mediation or restorative justice process. Such mediation sessions shall be conducted by a person chosen by the department of student conduct and community standards who has been trained in mediation based on the principles of restorative justice. No such mediation shall be conducted unless the accused student and the person(s) harmed by the student's misconduct consent to the mediation.

**(F) Student procedural rights.**

(1) Alleged violations of the code of student conduct shall be heard by a student conduct administrator or university hearing board. In every instance, proper procedural safeguards shall be observed to protect each party's rights.

(2) Although the procedural requirements are not as formal as those existing in criminal or civil courts of law, the following procedural rights shall pertain to all formal proceedings:

(a) Proceedings are instituted only for violation of university rules and regulations established under this code.

(b) Investigation of alleged misconduct is conducted as described in this code.

(c) Sanctions should be commensurate with the violation(s) found to have occurred. More than one sanction may be imposed for any single violation.

Individual circumstances, attitude, and prior conduct history are some of the factors that are considered when determining the sanction(s). Possible sanctions include, but are not limited to:

(i) Deactivation - a student organization's loss of all privileges, including university recognition, for a specified period of time.

(ii) Educational sanctions - other appropriate sanctions may be imposed, including but not limited to workshops, work assignments, essays, service to the university, residence hall actions up to and including cancellation of contract, or other related discretionary sanctions.

(iii) Fine - monetary charge assigned for a violation in accordance with the schedule approved by the board of trustees.

(iv) Formal reprimand - a notice in writing to the student that the student is violating or has violated university regulations and that future violations will result in further charges and sanctions.

(v) Loss of privileges - denial of specified privileges for a designated period of time.

(vi) Probation - probation is imposed for a designated period of time and includes the probability of more severe disciplinary sanctions if the student is found to violate any university regulation(s) during the probationary period. Students shall not be considered to be in good standing with the university until the probationary period has ended. Probation may affect a student's ability to participate in athletics, serve in a leadership capacity in a student organization or act as a representative of the university of Akron.

(vii) Revocation of an academic degree.

(viii) Revocation of admission (for violations that occur prior to the student's first class attendance.)

(ix) Restitution - compensation for loss, damage, or injury. This may take the form of appropriate service and/or monetary or material replacement.

(x) University suspension - separation of the student from the university for a specified period of time, after which the student is eligible to return. Conditions for readmission may be required.

(xi) University dismissal - permanent separation of the student from the university.

(d) University officials have the right to enter property owned, leased or operated by the university for purposes of inspecting for cleanliness, orderliness and safety, to perform maintenance, and to administer university regulations. Evidence of violations of this code obtained as a result of this entry, may be used in disciplinary proceedings. In cases involving suspicion of misconduct, as defined in this code, except in health, welfare and safety emergencies, student premises and possessions shall not be searched without first obtaining proper authorization from the associate vice president and dean of students or his or her designee. Notwithstanding the foregoing, university police have the right to enter property, subject to the normal requirements of applicable policy and law.

(e) Pending action on the alleged violation(s), the status of the student shall not be altered or his or her right to be present on campus and to attend classes suspended, except when the student's continued presence disrupts the good order and discipline of the university or poses a threat to his or her own physical or emotional safety or to that of others. The president or his or her designee shall determine whether such a threat exists. If the president or his or her designee,

concludes that such a disruption or threat exists, s/he may suspend the student immediately. When a student is suspended in this manner, the department of student conduct and community standards shall convene the hearing board as soon as practical. This interim suspension does not replace the regular judicial process, which shall proceed on the normal schedule, up to and through a university hearing.

(f) Prior to a conduct hearing, a representative of the department of student conduct and community standards shall inform the student in writing of the reasons for the proposed disciplinary action. The department of student conduct and community standards will make available to the charged student copies of all information related to the conduct hearing that is in its possession at the time of the notice, including the names of all known witnesses who may testify in support of the allegations. Such information generally will be available at least five business days before the hearing to ensure that the student has an opportunity to prepare for the hearing. If the department of student conduct and community standards receives additional information less than five business days before the hearing, the department shall promptly make that information available to the charged student. If the student requests an earlier hearing and such request is granted by the department of student conduct and community standards, such information also may be provided to the student less than five business days before the hearing.

(g) The complainant and the accused student shall have the right to have an advisor of his or her choice present to provide advice and counsel in the hearing and in any meetings with representatives of the department of student conduct and community standards. The advisor may only give counsel to the parties and may not actively participate in the hearing; provided however that in extraordinary circumstances and at the sole discretion of the student conduct administrator, an advisor may be permitted to actively participate, subject to the limited terms and conditions set by the student conduct administrator. The student shall speak and act on his or her own behalf. Questions asked or testimony given by the accused student shall be limited to elements directly related to the alleged violations and potential sanctions.

(h) Either party may raise a continuing objection to the proceedings or on any other matter; any such objection shall be noted by the chairperson.

(i) Either party, during the course of the hearing, may request a short break. Such requests may be granted by the student conduct administrator at his or her discretion. The student conduct administrator shall advise the chairperson in order to assure an orderly hearing process in order to observe fairness and due process. The student conduct administrator, at the direction of the chair, is authorized to

exclude persons from the hearing who are disruptive, or may postpone the hearing due to such disruption.

(j) The student conduct administrator may request advice from a university attorney. A university attorney may be present during the hearing. The role of the university attorney shall be limited to advising the student conduct administrator on matters of procedure and on the rights of the parties; provided however that if the student conduct administrator allows a student advisor to actively participate in the hearing, the university attorney shall be afforded the same opportunity to actively participate, subject to any limited terms and conditions set by the student conduct administrator.

**(G) University hearing board.**

(1) Pool of members. The president shall appoint a pool of hearing board members from a list of nominees submitted by the senior vice president, provost and chief operating officer. This pool shall be collected as follows:

**(a) Nominees.**

(i) Faculty members. Every other year, the dean of each academic college shall nominate, for a two-year renewable term, a minimum of one interested full-time faculty member from his or her college and forward the nominee(s)' name(s) to the director of the department of student conduct and community standards. The director of the department of student conduct and community standards shall compile the list of all interested nominees and forward it, along with his or her recommendations to serve, to the senior vice president, provost and chief operating officer. The senior vice president, provost and chief operating officer will review these nominees and recommendations and forward to the vice president for student affairs his or her recommendations for hearing board membership.

(ii) Contract professionals. Every other year, a supervisor may nominate, for a two-year renewable term, a minimum of one interested contract professional from his or her administrative unit and forward the nominee(s)' name(s) to the director of the department of student conduct and community standards. The director of the department of student conduct and community standards shall compile a list of all interested nominees and forward it, along with his or her recommendations to serve, to the vice president for student affairs.

(iii) Undergraduate students. Undergraduate students seeking appointment to the hearing board shall apply to the department of student conduct and community standards and be recommended by the undergraduate student

government (USG) as provided by the USG bylaws. Nominations shall be forwarded to the vice president for student affairs.

(iv) Graduate students. Graduate students seeking appointment to the hearing board shall apply to the department of student conduct and community standards and be recommended by the graduate student government (GSG), consistent with its bylaws. Nominations shall be forwarded to the vice president for student affairs.

(b) The vice president for student affairs shall review the pool of nominees and the recommendations submitted by the director of the department of student conduct and community standards and the senior vice president, provost and chief operating officer and shall forward to the president his or her final, recommended nominees for hearing board membership.

(c) The president initially shall appoint ten faculty members and ten contract professionals from the list of nominees to serve as hearing board members. Of the initial appointees, five members from each group shall serve a two-year term and five shall serve a one-year term. The president also shall appoint fifteen students, graduate/professional and undergraduate, to serve one-year renewable appointments as hearing board members.

(d) Following the first year appointments, the president thereafter shall appoint annually five faculty members and five contract professionals from the list of nominees to two-year appointments as hearing board members and fifteen students, graduate/professional and undergraduate, to serve one-year renewable appointments as hearing board members.

(2) Composition of the boards. The university hearing board shall be composed of five members as follows:

(a) Three faculty members or contract professionals; and,

(b) Two student members.

(c) Hearing boards shall be organized by the director of the department of student conduct and community standards and shall be organized into standing hearing boards. Alternate hearing board members also may be designated to participate in standing hearing boards as needed.

(d) Each hearing board shall have a minimum of one faculty member for non-academic charges and a minimum of two faculty members for a hearing in which a student is charged with academic misconduct.

(e) In the case of a graduate or professional student accused of misconduct, the student members of the hearing board will be graduate or professional students.

(f) The chairperson for the hearing board shall be appointed by the vice president for student affairs upon recommendation by the director of the department of student conduct and community standards from among the board members.

(g) The accused student shall have the right to challenge any member of the university hearing board, for good cause. If the student conduct administrator determines that good cause has been shown, the challenged member shall be excused and a substitute member appointed by the student conduct administrator.

(h) The student conduct administrator shall attend all meetings of the hearing board with the exception of deliberations which shall be closed.

(3) Training. All hearing board members shall be trained by the department of student conduct and community standards on core competencies needed to perform their duties, including but not limited to hearing board procedure, evaluating information, techniques for questioning witnesses, applying the standard of proof, sanctioning, and issues of diversity. All members who complete training shall be eligible to serve on the university hearing board if needed. Chairpersons will receive further training from the department of student conduct and community standards.

(4) Procedures. When a case of alleged student misconduct is to be heard by the university hearing board, all of the student procedural rights in this code of student conduct shall apply, and the following procedures shall be followed:

(a) The department of student conduct and community standards shall notify the student in writing of the time and place of the hearing, the specific university rule(s) or regulation(s) that the student is charged with violating, information on the hearing procedures and the facts surrounding the incident that led to the charges.

(b) If the accused student does not appear before the university hearing board or the university student conduct administrator, the charges shall be reviewed as scheduled on the basis of the information available and a decision shall be made.

(c) The accused student shall not be required to testify against himself or herself. No inference may be drawn against the student for failing to attend a hearing or remaining silent. The conclusion shall be based on the evidence presented and, if applicable, the sanction shall be imposed in accordance with the findings.

(d) The student has the right to have his or her responsibility or lack of responsibility determined by the university hearing board. It is the responsibility of the complainant to present information to support the allegation(s) that the student has violated university rules. To provide for a fair and impartial hearing the following processes shall apply:

(i) No member of the university hearing board shall be a party to prior investigation of the alleged violation against the student, nor should any member of the university hearing board be placed in a position of developing or presenting the information related to the charges. If any member is unavoidably involved, s/he must disclose and shall not participate in the proceedings as a member of the hearing board.



(ii) The student conduct administrator shall begin the hearing by reviewing the hearing board procedures that include the standard of evidence needed to support the finding of responsibility and a summary of the hearing procedure. The student conduct administrator also shall be responsible for recording the hearing.

(iii) The chairperson of the board shall advise the student of the alleged violation(s) by reading the notice of hearing and shall inform the student that s/he may admit responsibility, deny responsibility or partly admit and partly deny responsibility.

(iv) An admission of complete responsibility would require no further proceedings, except that any student shall be offered the opportunity to present evidence of extenuating circumstances, good character, scholarship, or previous record of good conduct bearing only upon the sanction to be assessed by the university hearing board.

(v) A denial or partial denial of responsibility by the accused student shall require the complainant to present information to support the charges(s).

(a) Information related to the charge(s) shall be presented by the complainant and/or a representative of the department of student conduct and community standards.

(b) Such information may consist of oral testimony and the introduction of any physical exhibits that pertain to the charge(s).

(c) The complainant and the accused student shall be given an opportunity to hear and question all witnesses, as well as to present information and call witnesses.

(d) The members of the hearing board and a representative of the department of student conduct and community standards shall have the right to question any witness.

(e) If a witness, for good reason, cannot attend the hearing, he or she may testify by telephone-or video-conference. If the witness cannot testify by telephone-or video-conference, he or she may submit a written statement. If the student conduct administrator determines that a written statement may be considered by the hearing board, the accused student shall have the right to object to its consideration by the hearing board and, if admitted, to provide a rebuttal to said evidence.

(f) The student conduct administrator shall facilitate the operation of the hearing.

- (g) The standard of proof that shall apply to all hearings is "preponderance of the evidence", (i.e., more likely than not), that the alleged conduct occurred.
- (e) Members of the university hearing board or a representative of the department of student conduct and community standards may request any member of the faculty, staff or student body who might have pertinent information to participate in a hearing. Only information that will tend to establish either a violation or an absence of violation of the code shall be considered by the hearing board in making its decision concerning responsibility.
- (f) Findings regarding responsibility and sanction(s) shall be decided by a majority vote. The chairperson shall participate in balloting. Four members constitute a quorum; three affirmative vote(s) shall be required for a finding of responsibility.
- (g) The report of the university hearing board shall consist of a simple statement covering the chronological sequence of the hearing procedure, together with a summary of evidence presented to the university hearing board, the conclusions reached by it on the basis of such evidence, its conclusion as to the finding of responsibility and, if applicable, sanction(s). The report shall be signed by all members of the university hearing board and shall be final, subject only to the student's right of appeal to the university appeals board and to the limited right for presidential review pursuant to section (I).
- (h) The representative of the department of student conduct and community standards shall transmit the report of the university hearing board in writing to the student.
- (i) Consistent with the requirements of the "Family Educational Rights and Privacy Act," disciplinary records and information concerning students may be provided from time to time to other university officials, in accordance with rule 3359-11-08 of the Administrative Code or others as prescribed by law. In such instances, neither the consent of the student nor that of the student's parents shall be required.

**(H) University appeals board.**

**(I) Composition.**

- (a) The university appeals board shall be composed of three members including one student and at least one faculty member; it may include one contract professional. The appeals board shall be selected by the director of the department of student conduct and community standards from the pool of hearing board members. No appeals board member may have participated in the initial adjudication of the case. All appeals board members must be members of the hearing board pool.

(b) The university appeals board shall meet in closed session to review all records of the hearing and to determine whether the grounds presented for appeal have merit.

**(2) Procedures.**

(a) The complainant or adjudicated student ("the appellant(s)") shall have five business days from the time that s/he is notified of the outcome of the hearing in which to petition the appeals board in writing for a review. In order to prepare for the appeal the appellant(s) may have access to materials that shall be provided to the appeals board, including a complete record of the hearing.

(b) The appellant(s) must prepare a written statement appealing the outcome of the hearing and deliver it to the department of student conduct and community standards. The appeal must specify the applicable grounds for appeal, as listed in paragraphs (H)(3)(a) through (H)(3)(e) of this rule, and the facts that support the appellant(s)' claim that an error was made.

(c) The department of student conduct and community standards may provide the appeals board with a written response, a copy of which shall be provided to the appellant(s).

(d) If the appellant(s)' appeal(s) the outcome of the hearing, the sanction issued shall not be imposed until the appeal has been considered by the university appeals board and the appellant has been notified of the outcome of the appeal process; provided, however, that a student suspended pursuant to paragraph (F)(2)(e) of this rule shall remain suspended during the pendency of an appeal. Upon conclusion of this appeal process no additional appeal may be requested.

**(3) Grounds for appeal.** An appeal shall be limited to review of the record of the hearing and the supporting documents for one or more of the following purposes:

(a) To determine whether there was a misapplication or misinterpretation of the rule alleged to have been violated;

(b) To determine whether the hearing was conducted in violation of procedural requirements set forth in the code of student conduct, and whether these violation(s) could have affected the outcome of the hearing;

(c) To determine, based solely upon a review of the original hearing record, whether there was a reasonable basis for the hearing board's or student conduct administrator's conclusion that a violation of the code of student conduct had been proven by the applicable standard of the evidence;

(d) To determine whether the sanction(s) imposed were grossly disproportionate to the violation(s) of the code of student conduct for which the appellant(s) was found responsible; or

(e) To consider new evidence unavailable to the appellant(s) at the time of the hearing, which is sufficient to alter a decision.

(4) Possible dispositions by the university appeals board. The university appeals board may exercise one of the following options in response to the appeal:

- (a) The appeal may be denied and the outcome of the hearing upheld.
- (b) The case may be remanded for a new hearing.
- (c) The university appeals board may reverse the finding of responsibility, in whole or in part, made by the university hearing board or student conduct administrator.
- (d) The university appeals board may uphold, reduce or increase the sanction(s) imposed by the university hearing board or student conduct administrator.
- (e) The university appeals board may dismiss the appeal if the appeal is not based upon one or more of the grounds set forth in paragraphs (H)(3)(a) to (H)(3)(e) of this rule.
- (f) The decision of the university appeals board is final, subject only to the limited right for presidential review pursuant to paragraph (I) of this rule.

**(I) Presidential review.**

(1) The vice president for student affairs may request a presidential review. Such review shall be requested only in rare cases where there were procedural violations that rendered the decision unreliable, where the decision reached is not supported by the evidence or where the sanction imposed is excessively severe or lenient.

(2) Notwithstanding any other provision in this code, and after exhaustion of all other rights of appeal and review, a student who has been dismissed or had a degree revoked pursuant to this code of conduct may request to have such decision reviewed by the president.

(3) Upon review, the president may:

- (a) uphold or reverse the finding of responsibility in whole or in part; and/or
- (b) uphold, increase, or decrease the sanction(s) imposed by the university hearing board or the university appeals board in whole or in part.

(4) A student is entitled only to one presidential review, pursuant either to paragraph (I)(1) or (I)(2) of this rule, of a finding that results in a student's dismissal or degree revocation, and the president's decision is final.

**(J) Academic misconduct procedure.**

(1) Procedure for addressing allegations of academic misconduct.

(a) An incident of academic misconduct may be resolved and a sanction assessed in a meeting between the faculty member and student. If the student and faculty member agree on the facts of the incident and the proposed sanction(s), the matter can be resolved informally. The faculty member shall confer with the department of student conduct and community standards to determine whether any prior academic misconduct has occurred. Written documentation of the agreement as to the facts and the sanction should be created by the faculty member, signed by the

student and retained for the faculty member's records. A copy shall be sent to the department of student conduct and community standards and the student.

(b) If the student and faculty member disagree about the facts of the incident or the proposed sanction(s), then the matter shall be referred to the department of student conduct and community standards for adjudication as provided in the code of student conduct. The matter also may be referred directly to the department of student conduct and community standards if the faculty member does not wish to have the matter resolved informally as provided in this rule. Such decision by the faculty member shall not prejudice the student's case.

(2) When the alleged misconduct of the student creates an immediate health and safety concern, including but not limited to, clinical and internship environments, in addition to any other academic disciplinary processes, the student may be immediately removed from the clinical or internship environment upon recommendation of the academic dean, in accordance with the rules of the academic program, professional governing body or contract between the university and the site, pending the outcome of the university judicial process.

**(K) Authority for amendments.**

The procedures outlined in this document are the instrument of the board of trustees of the university of Akron. Amendments to the code may be proposed in accordance with the procedures outlined in the board's bylaws.

## Appendix C

### Fraternity and Sorority Life Alcohol and Drug Policy

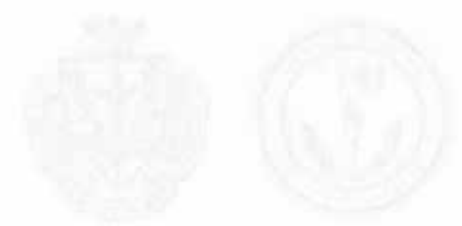
In any activity or event sponsored by the chapter/organization, including those that occur on or off organization/chapter premises:

- The chapter/organization, members and guests must comply with all federal, state, provincial and local laws. No person under the legal drinking age may possess, consume, provide or be provided alcoholic beverages.
- The chapter/organization, members and guests must follow the federal law regarding illegal drugs and controlled substances while on chapter/organizational premises or at any activity or event sponsored or endorsed by the chapter/organization.
- Alcoholic beverages must either be:
  - Provided and sold per-drink basis by a licensed and insured third-party vendor (e.g., restaurant, bar, caterer, etc.); or
  - Brought by individuals members and guests through a bring your own beverage (“BYOB”) system. The presence of alcohol products above 15% alcohol by volume (“ABV”) is prohibited on any chapter/organization premises or at any event, except when served by a licensed and insured third-party vendor.
- Common sources of alcohol, including bulk quantities, which are not being served by a licensed and insured third-party vendor, are prohibit (i.e. amounts of alcohol greater than what a reasonable person should consume over the duration of an event).
- Alcoholic beverages must not be purchased with chapter/organizational funds or funds pooled by members of guests (e.g. admission fees, cover fees, collecting funds through digital apps, etc.).
- A chapter/organization must not co-host or co-sponsor an event with a bar, event promoter or alcohol distributor; however, a chapter/organization may rent a bar, restaurant, or other licensed and insured third-party vendor to host a chapter/organization event.
- Attendance by non-members at any event where alcohol is present must be by invitation only, and the chapter/organization must utilize a guest list system. Attendance at events with alcohol is limited to a 3:1 maximum guest-to-member ratio and must not exceed local fire or building code capacity of the chapter/organizational premises or host venue.
- Any event or activity related to the new member joining process (e.g. recruitment, intake, rush, etc.) must be substance free. No alcohol or drugs may be present if the event or activity is related to new member activities, meetings, or initiation into an organization, including but not limited to “bid night,” “big/little” events or activities, “family” events or activities and any ritual or ceremony.

- The chapter/organization, members or guests must not permit, encourage, coerce, glorify or participate in any activities involving the rapid consumption of alcohol, such as drinking games

*Copied from the North American Interfraternity Conference  
Fall 2019*

THE UNIVERSITY OF ALABAMA  
RISK MANAGEMENT AND EVENT POLICIES  
FOR FORMAL FRATERNITIES  
AND SOCIETIES



Approved by the National Interfraternity Conference, Inc. on 10/15/18  
Approved by the National Interscholastic Athletic Association, Inc. on 10/15/18  
Approved by the National Collegiate Athletic Association, Inc. on 10/15/18

**Appendix D**

**The Interfraternity Council  
&  
The Panhellenic Council  
at  
THE UNIVERSITY OF AKRON**

**RISK MANAGEMENT AND EVENT POLICIES  
FOR IFC/PHC FRATERNITIES  
AND SORORITIES**

Revised August 2019



*The Interfraternity Council and Panhellenic Council are registered student organizations at The University of Akron. Registration shall not be construed as approval, endorsement or sponsorship by The University of Akron of the student organizations/publications, activities, purposes, actions, or positions.*



## **I. OVERVIEW**

The following policy has been developed to assist chapters in the area of: event management, responsible member behavior and decision-making, reducing legal liability, providing a healthy and safer environment for members and guests, maintaining the condition of the chapter house, and enhancing the relationship with the surrounding community:

Throughout this policy, the terms "IFC" and "PHC" refer to the Interfraternity Council and the Panhellenic Council, respectively.

**CHAPTER OFFICERS ARE RESPONSIBLE FOR THE EDUCATION OF ALL ACTIVE AND NEW/ASSOCIATE MEMBERS, AS WELL AS ALUMNI/AE, ABOUT THESE POLICIES.** Ignorance is not tolerated, and chapters may be held responsible for all active and new/associate members actions. It is recommended that these policies be reviewed regularly at chapter and new member meetings, as well as prior to coordination any event.

This *Event Policy* shall not supersede the policies of The University of Akron, the State of Ohio, or the National International Fraternity.

## **II. ALCOHOL AND DRUG GUIDELINES**

In any activity or event sponsored or endorsed by the chapter/organization, including those that occur on or off organizational chapter premises:

- The chapter/organization, members and guests must comply with all federal, state, provincial and local laws. No person under the legal drinking age may possess, consume, provide or be provided alcoholic beverages.
- The chapter/organization, members and guests must follow the federal law regarding illegal drugs and controlled substances. No person may possess, use, provide, distribute, sell and or manufacture illegal drugs or other controlled substances while on chapter/organizational premises or at any activity or event sponsored or endorsed by the chapter/organization.
- Alcoholic beverages must either be:
  - Provided and sold on a per-drink basis by a licensed and insured third-party vendor (e.g., restaurant, bar, caterer, etc.); or
  - Brought by individual members and guests through a bring your own beverage ("BYOB") system. The presence of alcohol products above 15% alcohol by volume ("ABV") is prohibited on any chapter/organization premises or at any event, except when served by a licensed and insured third-party vendor.
- Common sources of alcohol, including bulk quantities, which are not being served by a licensed and insured third party vendor, are prohibited (i.e., amounts of alcohol greater than what a reasonable person should consume over the duration of an event).
- Alcoholic beverages must not be purchased with chapter/organizational funds or funds pooled by members or guests (e.g., admission fees, cover fees, collecting funds through digital apps, etc.).
- A chapter/organization must not co-host or co-sponsor, or in any way participate in, an activity or event with another group or entity that purchases or provides alcohol.
- A chapter/organization must not co-host or co-sponsor an event with a bar, event promoter or alcohol distributor; however, a chapter/organization may rent a bar, restaurant, or other licensed and insured third-party vendor to host a chapter/organization event.

- Attendance by non-members at any event where alcohol is present must be by invitation only, and the chapter organization must utilize a guest list system. Attendance at events with alcohol is limited to a 3:1 maximum guest-to-member ratio and must not exceed local fire or building code capacity of the chapter/organizational premises or host venue.
- Any event or activity related to the new member joining process (e.g., recruitment, intake, rush, etc.) must be substance free. No alcohol or drugs may be present if the event or activity is related to new member activities, meetings, or initiation into an organization, including but not limited to "bid night," "big/little" events or activities, "family" events or activities and any ritual or ceremony.
- The chapter/organization, members or guests must not permit, encourage, coerce, glorify or participate in any activities involving the rapid consumption of alcohol, such as drinking games.

*Copied from the North American Interfraternity Conference*

### III. FRATERNITY AND SORORITY LIFE EVENT POLICIES

1. Chapters are required to hold one alcohol-free social event with another fraternity/sorority each academic semester.
2. Chapters are required to register social events 10 business days in advance via RooConnect Form that meet any of the following criteria.
  - a. An event hosted/sponsored/co-sponsored at a chapter facility where alcohol is present and the number of guests exceeds or is equal to 50% of the chapter membership of the host chapter.
  - b. An event hosted at a third party location and alcohol is present.
  - c. An event hosted at a third party location and alcohol is not present.
3. The event registration form must be complete when submitted otherwise it will not be accepted.
  - a. A final guest list is due by noon the day prior to the event. (No open parties.)
  - b. Email approvals from the chapter president and chapter advisor must be received no later than 5 business days prior to the event.
4. Open parties are prohibited and all events with alcohol must utilize a guest list with a 3:1 maximum guest-to-member ratio.
5. Chapters must have a current Certificate of Liability Insurance on file with the Office of Fraternity and Sorority Life.
6. Social events with alcohol may only occur on Thursday, Friday, and Saturday during the Fall and Spring semesters and may not be held during finals week or academic breaks.
  - a. The academic semester is considered concluded at the end of finals week, therefore no events with alcohol should take place the weekend following finals (Graduation Weekend).
7. Any event or activity related to the new member joining process (e.g., recruitment, intake, rush, etc.) must be substance free. No alcohol or drugs may be present if the event or activity is related to new member activities, meetings, or initiation into an organization, including but not limited to "bid night," "big/little" events or activities, "family" events or activities and any ritual or ceremony.
8. Chapters are required to have an "Officer in Charge" (OIC). An OIC is the one primary officer from each sponsoring organization who remains sober during the entire event and coordinates communication among chapter members, security, police, venue representatives, etc. "Sober" is defined as not being under the influence of drugs or alcohol prior to or during the event.
9. The Officer in Charge will have a meeting with the IFC/PHC Risk Management Officer and the Office of Fraternity and Sorority Life within 5 business days of the event.
  - a. If your event is being held on campus and deemed a Major Event, a Major Event Meeting with also need to occur.

10. Failure to adhere to these policies may result in a chapter being referred to Student Conduct and Community Standards or their respective governing council and/or outreach made to their international organization.

Keep in mind...

Events with alcohol could include but are not limited to: Formal/Semi-Formal, Founders Day, Date Party, Registered Party, Social Mixer, Tailgate, Alumni Event, and/or a Parents/Family Event.

You may also be required to submit a separate social event registration to your international fraternity or sorority. Please contact them directly for any necessary paperwork.

#### **IV. EVENT REGISTRATION GUIDELINES**

Per the Fraternity and Sorority Life Event Policies, chapters are required to register social events 10 business days in advance via RooConnect Form that meet any of the following criteria:

- a. An event hosted/sponsored/co-sponsored at a chapter facility where alcohol is present and the number of guests exceeds or is equal to 50% of the chapter membership of the host chapter.
- b. An event hosted at a third party location and alcohol is present.
- c. An event hosted at a third party location and alcohol is not present.

The above criteria describe an event that must be registered with IFC/PHC, however, the definition of a chapter event is not limited to the above criteria. The items above serve as a guide and reference to assist chapters in responsible event management. Chapters may be held responsible for actions, behavior, and events outside of registered events, at any activity where the number of people in attendance from any chapter leads people to believe that it is a function of that chapter, where alcohol is present.

Registration of an event includes all of the following (incomplete registrations will not be accepted):

1. **Complete Event Registration Form.** This form must be submitted at least ten (10) business days prior to the event on the IFC/PHC RooConnect page.
2. **Email approvals from the Chapter President and Chapter Advisor.** Both approvals must be received no later than five (5) business days prior to the event.
3. **Guest List.** The final guest list must be received no later than noon on the day prior to the event and should follow these guidelines:
  - a. Members of host/sponsoring/co-sponsoring organizations may be listed separately from non-member guests, but must also appear on the guest list.
  - b. The guest list must clearly show the name, birth date, and/or age of all invited.
  - c. The OIC must appear at the top of the guest list in **BOLD**.
4. **Certificate of Liability Insurance.** A current policy must be on file with the Office of Fraternity and Sorority Life.
5. **A meeting between the chapter's Officer in Charge and the Risk Management Officer for IFC/PHC and the Office of Fraternity and Sorority Life.** This meeting is required within five (5) business days of the event.

In accordance with NPC guidelines, events co-sponsored between fraternities and sororities are prohibited in men's fraternity houses, unless the event is totally alcohol-free.

Events not registered with the Office of Fraternity and Sorority Life and IFC/PHC, which meet the aforementioned criteria, will be subject to immediate review by the respective IFJB/PHJB or Student Conduct and Community Standards.

The Risk Management Officer for IFC/PHC reserves the right to deny any Event Registration Form that does not fulfil the stated requirements.

#### **HOST/SPONSOR CHAPTER AND CO-SPONSORSHIP**

One fraternity or sorority shall primarily coordinate every event, and that chapter becomes the Host/Sponsoring Chapter. When an event takes place at a fraternity or sorority chapter house, that chapter automatically assumes Host Sponsor responsibilities.

The Host/Sponsor Chapter is responsible for submission and full completion of the Event Registration Form, and coordination of the master guest list, information, and/or meetings with the IFC/PHC Risk Management Officer.

Any Co-Sponsoring Chapter must be listed as such on the Event Registration Form, with appropriate contact information. Any Co-Sponsoring Chapter's Office in Charge must be in attendance for the meeting with IFC/PHC. Any Co-Sponsoring Chapter can be held accountable for the event along with the Host/Sponsor Chapter.

#### **SCHEDULING EVENTS**

Social events with alcohol may only occur on Thursday, Friday, and Saturday during the fall and spring semesters and may not be held during finals week or academic breaks. The academic semester is considered concluded at the end of finals week, therefore no events with alcohol can take place the weekend following finals (Graduation Weekend).

Chapters may seek special approval to hold an event outside of the permitted time frame (i.e. Super Bowl Sunday Party). The IFC/PHC Risk Management Officer and the Office of Fraternity and Sorority Life shall review all requests on a case by case basis. All requests are recommended to be submitted 20 business days in advance of the event as all event registration guidelines must still be followed.

All alcohol-related events must announce "last call" at 1:30 AM and all alcohol shall cease to be consumed by 2:00 AM. All alcohol-related events must end by 2:30 AM. This is in accordance with State of Ohio law.

The IFC/PHC Risk Management Officer will not approve events for the period recognized as IFC and PHC Membership Recruitment.

#### **INVITATIONS AND GUEST LISTS**

Open parties are prohibited, and all events with alcohol must utilize guest list procedures as listed in this policy with a 3:1 maximum guest-to-member ratio. Some international organizations may have different recommendations. We strongly encourage you to follow your international organization's policy regarding guests.

Chapters must compile guest list information on a unique, event-specific basis, meaning a new guest list must be compiled for each event and may not be recycled.

Publicity for promoting your event must be approved and included with the Event Registration Form. Posting flyers for events is allowed within Fraternity and Sorority chapter housing only, at the discretion of respective organizations, as a means of collecting names for the guest list. Flyers do not serve as invitations. Chapters may not hang banners, paint the "rock," or post other types of "open" invitations for events with alcohol on social media.

A system of identifying students and guests of legal drinking age, and those who are not, must be used for all alcohol-related events. Proof of legal drinking age, issued by appropriate State or National authorities, shall be the sole responsibility of the sponsoring chapter(s) to obtain. College IDs (i.e. Zip Cards) are not acceptable forms of proof of legal drinking age.

The Office of Fraternity and Sorority Life recommends that all members and guests sign in and sign out when entering/leaving the event. Guest lists should be kept for three (3) months after the event.

OIC(s) and/or hired security must designate legal drinking age through the use of wristbands or a unique hand stamp. Note: Use of pens or markers is unacceptable.

Special attention should be given to local fire code and occupancy regulations of the house/venue when preparing guest lists. Chapters should be prepared to potentially host every individual listed on the guest list at one time.

Hired security may be responsible for checking identification of all persons wishing to consume alcohol at the event. However, responsibility for the actions and employment of hired security, including off-campus events, rests with the host sponsoring/co-sponsoring chapter(s).

#### **EVENTS HOSTED AT A CHAPTER FACILITY**

Chapter members and guests must bring their own alcohol (BYOB) to be consumed at alcohol-related events that are hosted at a chapter facility. Chapters may not purchase alcohol nor dispense alcohol to anyone who did not bring alcohol for their individual consumption.

Alcoholic beverages may not be served to or consumed by members or guests under the age of 21, in accordance with State of Ohio law. Guests 21 and older may bring up to 6 bottles/cans of alcohol for their individual consumption.

Members and guests are not permitted to bring alcohol in mass quantities, including but not limited to a keg, wine in a box, trash cans/containers of alcoholic mixtures, and bottles of hard liquor or spirits (as defined by the Ohio State Liquor Control Agency).

A registration system must be implemented for the collection and distribution of alcohol brought by members and guests to an event. Collection and distribution processes are as follows:

- Members and guests who have been verified to be of legal drinking age and bring alcohol to the event should receive a non-adjustable, event specific wristband.
- Alcohol must be checked in at the front entrance and given to a runner (sober monitor) who will take the alcohol to the bar.
  - There should be one centralized distribution center designated as the "bar" for all alcoholic beverages.
  - Members of the Host Chapter who are of legal drinking age are permitted to check in their alcohol prior to the start of the event.
- Members and guests will then receive a beverage card designating how many drinks they brought to the event. Maximum of 6 drinks allowed.

- o It is preferred that chapters are using the IFC/PHC supplied beverage card. If a chapter makes their own it should include name, event date, name/type of alcohol and amount, and location to mark up to 6 drinks for consumption.
- To obtain a drink, members and guests will show their wristband and present their beverage card to the bartender. One drink will be marked off the beverage card for each alcoholic beverage distributed.
  - o Members and guests may not serve themselves.
- The bartender should be a designated officer within the host sponsoring/co-sponsoring chapter(s) and be pre-designated prior to the start of the event.
  - o The bartender must remain sober before and during their designated time as bartender.
  - o The bartender shall refuse service to anyone who appears to be intoxicated.
  - o Only those persons nineteen (19) years of age or older shall be permitted to serve and/or operate the distribution of alcohol, in accordance with State of Ohio law.
- No members or guests may leave the venue or premises with any opened or unopened containers of alcohol under any circumstances.
- "Last call" should be made 30 minutes prior to the end of the event or no later than 1:30am as all alcohol shall cease to be consumed by 2:00am.

All alcohol-related events must be enclosed in the chapter house and/or in a fenced-in area on chapter property. No members or guests may be permitted to gather outside of the facility, on roofs or fences, or in the street or sidewalks surrounding the house.

#### EVENTS AT A THIRD PARTY LOCATION

Events held at Third Party Locations should be registered regardless of alcohol being present or served at the event. This would include all parties, formals, socials or any event sponsored by an organization (philanthropy event, chapter retreats, alumni events, family/parent event, or other). Events at Third Party Locations that are dry events may be open events *IF* the international organization's risk management and event policies allow.

#### Insurance and Licensing

- It is recommended that the third party location be properly insured with a minimum of \$1,000,000 of general liability insurance, evidenced by a properly completed certificate of insurance prepared by the insurance provider. The certificate should name as additional insured (at a minimum) the local chapter of the fraternity hiring the vendor as well as the international fraternity with whom the local chapter is affiliated.
- If alcohol will be served, the 'certificate of insurance' should also show evidence that the third party vendor has, as part of their coverage, 'off premise liquor liability coverage and non-owned and hired auto coverage.'
- Vendors must be properly licensed (including, but not limited to state and local ordinances) to serve alcohol. This may involve both a liquor license and a temporary license to sell on the premises where the function is to be held.
  - o Copies of the state and local license must be kept on file with the chapter, kept with the OIC during the event, and must be made available to IFC/PHC upon request.

#### Third Party Vendor

When a Third Party Location serves alcohol at an event, they are acting as a Third Party Vendor. Third Party Vendor Policies are as follows:

- “We retain the right to refuse entry to anyone” (even with an invitation)
- “Must be 21 to consume alcohol-no exceptions”
- Taxi and/or “safe ride” information, including phone numbers
- “Re-Entry Only At Front Entrance” (at exits only)

**Authorized Sale/Purchase of Alcohol:** No chapter may provide alcoholic beverages to members or guests by selling tickets or cups, by charging an admission fee, by taking up a collection, or by using any other direct or indirect means of collecting monies from members and guests attending chapter events.

## V. GENERAL RISK MANAGEMENT GUIDELINES

Emergency Contact List for Crisis Response should be updated each academic semester and clearly posted in the chapter facility.

Evacuation Route and Sheltering Locations should be clearly posted in the chapter facility.

### **SAFETY AWARENESS ON CAMPUS**

Remaining safe on campus is a top priority. To enhance the personal safety of your chapter members, University of Akron Police recommend the following:

When in any public place, keep these general safety tips in mind:

- Alcohol and other drugs can impair your perceptions and decision-making. Do not place yourself in a vulnerable position by being intoxicated or under the influence of other drugs.
- Travel in groups late at night. Often, there is safety in numbers. If you are going to separate from your group, tell someone when you will return. Take a cell phone.
- Park in well-lit areas.
- If you feel threatened, cross the street or enter a store or business.
- Have your keys in hand as you approach your car. Check under the car and the back seat before you enter.
- Stash valuables in your trunk.
- If you do drink, set a limit and stick to it. Don't drink on an empty stomach. Also: Don't leave a drink unattended. If you are away from your drink any amount of time, toss it. It's not worth the risk.
- Use campus emergency phones as needed. Be able to identify their locations and what they look like.
- Know alternative routes to your location. If you feel threatened or feel unsafe, chose a different route to take.
- Trust your instincts and don't be distracted. Walking with headphones in or while talking on the phone may limit your ability to hear someone approaching you.
- All students should save the police department's number in their phone: 330.973.2911
- Encourage all members to sign up for Emergency text messaging (Z-Alert) —UA will notify you when campus closes or when there's a major event that affects safety.

### **FIRE SAFETY FOR CHAPTER FACILITIES**

We encourage every chapter with a facility holds a fire drill at the beginning of each academic semester. Chapters with facilities should also have the Fire Marshall inspect their property annually. Letters from the Fire Marshall should be shared with IFC/PHC Risk Management Officer. All chapter facilities should

- No chapter may engage in business with a vendor where alcohol is provided as part of a package deal, including but not limited to: "free drinks."
- Events with alcohol may not be used as fundraising or profit-making events for the chapter or for a charity.
- The vendor must assume in writing all the responsibilities that any other seller of alcoholic beverages would assume in the normal course of business, including, but not limited to:
  - Checking identification cards upon entry
  - Identify those who are of legal age to consume alcohol
  - Per-drink sales only during the function
  - Refrain from serving minors
  - Refrain from serving individuals who appear to be intoxicated
  - All alcohol sales are cash/credit per drink to individuals
  - Restricting sale of alcoholic beverages to not include shots
  - Maintaining absolute control of all alcoholic containers present
  - Collecting remaining alcohol at the end of the function and remove all alcohol from the premises
  - No excess alcohol- opened or unopened – is to be given, sold, or furnished to the chapter

It is recommended that the chapter verify the ability to sell alcohol on chapter premises and during chapter-sponsored functions off-campus prior to signing any contracts with a third-party vendor.

Ultimately, responsibility for the actions and employment of hired third-party vendors, including off-campus events, rests with the host/sponsoring/co-sponsoring chapter(s).

#### **ADDITIONAL INFORMATION FOR ALL EVENTS WITH ALCOHOL**

**Officer In Charge:** At least one (1) OIC of the host chapter (and one from each co-sponsoring chapter, if applicable) must be stationed at the front entrance of the event at all times. The OIC must remain sober throughout the entire event and be an officer or appointed member of their respective chapter. The OIC, while not responsible for all actions that may occur during the event, is the official chapter representative during the event. They are responsible for overseeing the ID/guest list check, age verification and identification, alcohol beverage check-in, and for communication with other officers, police, security, band/DJ, neighbors, University officials and individuals attending the event.

**Sober Monitors:** There must be at least one (1) additional sober monitor, who is a member of the host/sponsoring/co-sponsoring organization, per 25 guests at a function, based upon the pre-prepared guest list. All OIC's and sober monitors must be designated at the top of the guest list as such. OIC's and sober monitors must be designated at the time of event registration.

**Food and Beverages:** Non-alcoholic food and beverages must be present and available throughout the duration of the event. Water and coin-operated vending machines do not qualify as acceptable non-alcoholic beverage options.

**Walk-Out Policy:** If a chapter co-sponsors an event, and there is a violation of policy (this Event Policy, headquarters policy, University codes, and/or State of Ohio law), the chapter(s) must vacate everyone in your group from the event (generally within 5 minutes) or the respective Council Judicial Board may hold that chapter partially responsible for the violation. Such violations include but are not limited to: common sources of alcohol, underage consumption of alcohol, not using a guest list, not appropriately dispensing alcohol, etc.

**Posted Signage:** The following signs should be clearly and legibly printed and displayed, for the duration, at the entrance, all exits, and the bar for all events hosted at a chapter facility:



have functioning smoke detectors. Other fire safety recommendations from the Akron Fire Department are:

- Have an evacuation plan posted
- Make sure furniture poses no hazards in the house
- Do not burn or have candles, incense, and matches in house
- Have a designated smoking area away from the chapter facility with proper smoking/match disposal.
- Do not store flammable materials in the house (paint thinner, propane, gasoline, oils, etc.)
- Do no overload circuits as it may lead to an electrical fire.
- Check that fire extinguishers are in working order, accessible and up-to-date.

#### **INAPPROPRIATE BEHAVIOR**

Inappropriate behavior is inclusive of but not limited to pranks, vandalism, theft, social media posts, inappropriate use of alcohol, and/or other public actions that do not align with IFC/PHC and the greater fraternity and sorority life's community values.

Chapters are responsible for holding their members accountable for actions or displays of inappropriate behavior, as in accordance with their own Chapter Bylaws or Membership Expectations.

- Violations of the IFC/PHC Constitution and/or Bylaws by individual chapter members or by entire chapters will be handled in accordance with your respective council's Judicial Policy.
- Violations of the Student Code of Conduct could result in individual or organizational outcomes through the Student Code of Conduct's process.

#### **GETTING HOME SAFE**

IFC/PHC does not condone or support any member driving under the influence of alcohol or other substance. There are many safe options for rides home, which may include using one of the following services:

- Uber/Lyft
- Taxi
- Public Transportation or the Roo Shuttle
- Walking with a buddy
- Calling a sober friend

Chapters are encouraged to hold members accountable through conversation, and seek help if necessary, if they become aware of members driving under the influence.

#### **VI. JURISDICTION AND ENFORCEMENT**

Individual chapters maintain all responsibility for following this policy. Any reports of alleged violations of this policy, which are received by the IFC/PHC and/or Fraternity and Sorority Life, will be forwarded to the IFJB/PHJB and/or Student Conduct and Community Standards for adjudication.

Chapters who are brought to the IFJB and PHJB will have the rights and responsibilities as outlined in the Constitutions of the Interfraternity and Panhellenic Councils

## **Appendix E**

### **Athletic Department Alcohol and Other Drug Testing and Use Policy**

#### **(A) Purpose.**

(1) Substance abuse is a serious health and safety concern in our society, with negative and sometimes deadly effects. The use of illegal substances is a crime and the use of performance enhancing drugs is detrimental to student health and is a form of cheating. Alcohol use by student-athletes under the legal drinking age is illegal and the excessive use of alcohol by students who are of legal drinking age is strongly discouraged.

(2) The department of athletics at the University of Akron firmly believes that substance abuse can have a negative effect on the performance of the student-athlete, both in the classroom and on the playing field. Increased drug and alcohol education and counseling, although critical, are not sufficient by themselves to prevent substance abuse. Drug testing is necessary both to deter drug use and to detect such use as it occurs. Therefore, the department of athletics has adopted a rigorous drug testing program, which strictly enforces the prohibition against the use of illegal and performance enhancing drugs. Students who participate in intercollegiate athletics at the University of Akron are required to participate in the university's drug and alcohol education program and comply with its drug testing policy. Students-athletes also are subject to NCAA and conference regulations concerning prohibited drug and alcohol use and their respective drug testing requirements.

#### **(B) Organization.**

(1) The NCAA executive committee has final authority over the procedures and implementation of the NCAA drug-testing program.

(2) The athletics department has final authority over the university of Akron drug testing program, which is conducted by a licensed drug-testing laboratory selected by the university.

(3) The licensed drug-testing laboratory selected to conduct testing on behalf of the university will be required to demonstrate, to the satisfaction of the university, proficiency in detection and confirmation of the banned substance categories on the NCAA list of banned-drug classes.

(4) All drug-testing results and reviews will be considered confidential student education records.

(C) Drug and alcohol education. The department of athletics' drug and alcohol education program is an ongoing, comprehensive program designed to educate student-athletes about the adverse effects of substance abuse and to encourage them to engage in

responsible behavior. Each member of every intercollegiate athletic team at the university of Akron is required annually to participate in drug education activities.

**(D) Prohibited substances.**

(1) The University of Akron adopts and incorporates the NCAA banned substance list as of the date of drug testing, copies of which are available from the department of athletics at the University of Akron and on the NCAA website, [www.ncaa.org](http://www.ncaa.org). The student-athlete is responsible for knowing the banned substances identified on the NCAA site and, if uncertain whether a substance is banned, to consult with the team physician or the head athletic trainer.

(2) Alcohol. Alcohol is a mood-altering substance that can cause significant health risks when used in excess. Alcohol consumption is illegal and unacceptable for individuals under the legal drinking age and excessive alcohol use by individuals of legal drinking age is strongly discouraged. Alcohol-related violations of the law, including but not limited to driving while impaired and underage possession or consumption of alcohol, shall constitute a violation of this policy.

(3) Performance enhancing drugs. Performance enhancing drugs are medically harmful and are expressly prohibited by the University of Akron, the mid-American conference and the NCAA. Federal, state and local laws also prohibit the sale, distribution and/or use of many of these substances. Examples of performance enhancing drugs include, but are not limited to steroids and other anabolic agents that are identified annually on the NCAA banned-drug classes list, as well as agents used to block/mask detection, which also are identified annually on the NCAA banned-drug classes list.

(4) Street drugs. Street drugs, including but not limited to schedule I, II and III drugs such as marijuana, amphetamines and opiates, have the potential to cause physical harm and dependence. The use of these drugs also may impair performance and reaction time, possibly resulting in injury to student-athletes or others during an athletic activity. Street drugs are expressly prohibited by the University of Akron, the mid-American conference and the NCAA. Federal, state and local laws also prohibit the sale, distribution and/or use of many of these substances.

(5) Dietary/nutritional supplements. The University of Akron and its athletics personnel do not distribute or encourage the use of any dietary/nutritional supplements that have not been approved by the NCAA for distribution by member institutions. Student-athletes, who take a dietary/nutritional substance that contains banned substances or take permissible substances without proper physician supervision, 3359-48-04 2 endanger their own health and safety and the health and safety of others during an athletic activity. Student-athletes are solely

responsible for any dietary/nutritional supplements they ingest, (including supplements that are labeled as vitamins/minerals), which may contain banned substances. The discovery of banned substances through a drug test is a violation of this policy, even if the substance was ingested through a dietary/nutritional supplement. Student-athletes should not use any dietary/nutritional supplements without first consulting with their physician and the head athletic trainer.

(6) Medical exceptions and prescription drugs. It is recognized that some banned substances may be necessary for legitimate medical purposes. The university allows for an exception to this policy if there is a documented medical history that demonstrates the need for use of the substance, including documentation of all relevant prescription information. Medical exceptions will be reviewed on an individual basis, but will not be granted unless all supporting documentation is provided to the team physician. Student-athletes must have a current, valid prescription from a licensed physician to them in order to take prescription medications. The identification through a drug test of an otherwise banned prescription medication will result in the student athlete receiving a positive drug test result under any of the following circumstances.

(a) Taking prescription medications without a current, valid prescription.

(b) Taking medication from an old prescription without knowledge of the head athletic trainer and without the supervision of a physician.

Student-athletes not under the care of the medical staff for an injury/illness (including rehabilitation) should not use medication from an earlier-issued prescription without permission from a physician and/or athletic trainer.

**(E) Drug testing procedures.**

(1) The analytical goal for our testing component is to ensure the sensitivity and specificity necessary to detect drug users. The standard used for a positive test is the same standard used by the NCAA to trigger NCAA discipline. The exception to this testing standard is in the Opiate class of drugs. This means that should an administered drug test evidence any level of use, the university may institute discipline in accord with its own policy. The department of athletics, through a licensed drug-testing laboratory, shall conduct testing for banned substances, including performance enhancing substances. It is a mandatory condition for participation in the intercollegiate athletic program at the University of Akron that 3359-48-04 3 each student-athlete who is on a team's roster participates in the testing procedures.

(2) All student-athletes are eligible for testing at any time in accord with this policy. All student-athletes are eligible to be selected for every test. NCAA postseason qualifying student-athletes may be subjected to additional drug testing at their post-season events. All student-athletes are subject to year round testing

by the NCAA on the university of Akron campus. Any student-athlete who tests positive in the NCAA drug testing program is subject to discipline by both the NCAA and the University of Akron.

**(3) Student-athlete selection and notification.**

**(a) No advance notice of testing will be given. Types of testing include:**

**(i) Random testing.** Periodic testing of a portion of the total student-athlete population for each sport. The list of students to be tested will be generated randomly by computer from each team roster. All student athletes are eligible for each test; provided, however that student-athletes listed on the roster who have exhausted their eligibility or who have career-ending injuries will not be selected for random testing, but are eligible for reasonable suspicion testing.

**(ii) Total team testing.** The entire roster of a team may be selected for testing at any time or at the request of a department of athletics administrator or athletic coach.

**(iii) Reasonable suspicion testing.** All student-athletes may be tested individually or as part of a regularly scheduled test. This test will be used for student-athletes who demonstrate symptoms or behaviors that are indicative of the use of banned substances. Student-athletes who have exhausted their eligibility or who have career-ending injuries, but who remain on athletic scholarship, also will be eligible for individual, reasonable suspicion testing.

**(b) An athletic department staff member will notify the student-athlete of a drug test during an athletic department sponsored function.**

**Student-athletes selected for testing must report to the designated collection station at the assigned time.**

**(c) An athletic department staff member must be in the collection station to certify the identity of the student-athletes selected for testing.**

**Student-athletes selected for testing must present picture identification to enter the collection station. In the event the student-athlete does not have picture identification available, the athletic department will use other means to certify the student's identity. 3359-48-04 4**

**(4) Student testing.**

**(a) Student-athletes are required to annually execute a consent to testing form provided by the department of athletics. Student-athletes will be tested in accordance with the protocol developed by the licensed drug-testing laboratory with which the university contracts to conduct student-athlete drug testing.**

(b) Only those persons authorized by the collection station supervisor will be allowed in the collection station.

(c) The collection station supervisor may release a sick or injured student-athlete from the collection station or may release a student-athlete to return to competition or to meet academic obligations only after appropriate arrangements for having the student-athlete tested have been made and documented.

(d) A copy of information concerning the testing procedures is available from the sports medicine staff.

(e) Failure to comply with the collection process; to arrive at the collection station at the designated time without justification; to provide a specimen according to protocol; to attempt to dilute, tamper with or falsify a sample; or to use a masking agent will be deemed as a positive test result.

(f) Student-athletes who refuse to execute the required consent to testing shall be prohibited from participating in intercollegiate athletics for the remainder of the academic year. A non-recruited student-athlete in sports other than those involved in the NCAA's year-round drug-testing program may participate in preseason practice activities prior to the team's first contest or date of competition without signing the drug-testing consent form. The failure of a student-athlete to participate in any phase of testing and/or required counseling procedures will be considered, for disciplinary purposes, to be a positive test result.

**(F) Voluntary disclosure/safe harbor.**

(1) Any student-athlete who has engaged in the use of prohibited substances is encouraged to seek assistance from the athletics department by voluntarily disclosing such use. The student-athlete may initiate evaluation or counseling by contacting a coach, athletic trainer or team physician. This arrangement is confidential and if the student-athlete seeks assistance prior to being identified as having violated this policy or being notified that s/he must undergo drug testing, the impermissible use will not be deemed a violation for the purpose of assessing sanctions under this policy. Notwithstanding the foregoing, a student-athlete still may be subject to sanction by the NCAA or the conference if the student-athlete tests positive for a banned substance during an NCAA administered drug test.

(2) A student-athlete may remain in the safe harbor program for a reasonable period of time, (not to exceed thirty days) as determined by the treatment plan. The treatment plan will be developed by the athletic department drug policy management team ("management team"), in consultation with the student-athlete. The management team consists of: a senior associate athletic director, the

administrator for the student-athlete's sport (or designee), the head athletic trainer, the team physician and a counselor approved by the athletic department.

However, the student-athlete may not be permitted to continue participation in intercollegiate athletics if the athletic director and the team physician determine that there is an associated health risk, and may return only when it has been determined by the athletic director, in consultation with the management team, that re-entry into intercollegiate sports is safe and appropriate. In order to exit the safe harbor program, the student-athlete will be required to undergo and successfully pass a drug test. Positive test results from drug tests that are administered as part of the safe harbor program shall not count as a positive test result for purposes of section G. While complying with the plan of the Safe Harbor Program, the student-athlete would not be included in the list of student-athletes eligible for institutional drug testing. However, the student-athlete in the safe harbor program will be eligible for selection for NCAA drug testing. If any obligation required by the safe harbor program is violated or if continued drug use is detected, this will be deemed a second positive drug test under this policy and the student-athlete will be removed from the safe harbor program.

(3) While in the safe harbor program, if the student-athlete regains eligibility to participate in intercollegiate sports, that student-athlete may be required to undergo periodic unannounced follow-up tests at the discretion of the athletics director (or designee) and the consulting physician or head athletics trainer.

(4) The voluntary safe harbor program provisions apply only one time per student athlete, and only for the first disclosure of personal use of banned substances.

**(G) Notification and secondary testing requests.**

**(1) Notification of specimen A positive test results.**

(a) For student-athletes who have a positive finding, the laboratory will contact the director of sports medicine. The director of sports medicine will make a written notation of the test results and may, in the director's discretion, request written notification from the lab. 3359-48-04 6

(b) The athletic department shall notify the student-athlete of the finding. Upon informing the student-athlete of a positive test result, the athletic department will notify the student, in writing, of the right to request that specimen B be tested to review the accuracy of the positive finding. The student-athlete must make the request to the director of athletics in writing within seven days after receipt of the specimen A results.

**(2) Specimen B testing.**

(a) A laboratory other than the one that analyzed the student-athlete's specimen A must conduct the testing and analysis of specimen B. The laboratory chosen by the student-athlete must meet industry standards for

drug testing. The department of athletics will notify the original lab to release specimen B for testing by the lab selected by the student-athlete.

(b) The student-athlete will be required to pay the university for the cost of the testing in advance. In the event that the specimen B findings are negative, the university will cause the student to be reimbursed in full for the cost of the test.

(c) Sanctions will remain in place until the results of specimen B are received. These results will be shared with the student-athlete upon receipt by the department of athletics.

**(H) Penalties.**

**(1) Performance enhancing drugs.**

**(a) First positive.**

(i) The team physician, director of sports medicine, athletic director, and head coach will be notified. At the athletic director's discretion, the parents of a student-athlete who is under twenty-one years of age may be notified.

(ii) The student-athlete will be suspended from twenty-five per cent of all regularly scheduled competition (standard rounding rules apply [e.g., greater than 1.5 equals 2 games]) during the current or upcoming playing and practice season commencing from notification of test results.

(iii) The student-athlete must also undergo a counseling program designated by the University of Akron.

(iv) At the conclusion of the suspension period, the student-athlete must pass a subsequent drug test to be eligible to return to athletic competition.

(v) The student-athlete will be subject to future testing at the discretion of the 3359-48-04 7 department of athletics.

**(b) Second positive.**

(i) The team physician, director of sports medicine, athletic director, and head coach will be notified. At the athletic director's discretion, the parents of a student-athlete who is under twenty-one years of age may be notified.

(ii) The student-athlete will be suspended from fifty per cent of all regularly scheduled competition (standard rounding rules apply [e.g., greater than 1.5 equals 2 games]) during the current or upcoming playing and practice season commencing upon notification of test results. Suspension may be carried over to the next seasons regularly scheduled competition.



(iii) The student-athlete must again undergo a counseling program designated by the University of Akron.

(iv) At the conclusion of the suspension period, the student-athlete must pass a subsequent drug test to be eligible to return to athletic competition.

(v) Return to athletic activities is at the discretion of the athletic director and head coach.

(vi) The student-athlete will be subject to future testing at the discretion of the department of athletics.

**(c) Third positive.**

(i) The team physician, director of sports medicine, athletic director, head coach and parents of a student-athlete who is under twenty-one years of age will be notified.

(ii) The student-athlete will be suspended from all athletic activities for a period of one year, commencing upon notification of test results.

(iii) The student-athlete's scholarship (if applicable) will be revoked.

(iv) The student-athlete must undergo a treatment program at the student athlete's own expense.

(v) At the conclusion of the one-year period, the student-athlete must pass a subsequent drug test to be eligible to return to athletic activities.

(vi) At the conclusion of one year and completion of the treatment program, the student-athlete may request reinstatement into the athletic program.

(vii) Return to athletic activities is at the discretion of the athletic director and 3359-48-04 8 head coach.

(viii) Reinstatement to athletic activities will not include reinstatement of the student-athlete's scholarship (if applicable) unless otherwise determined by the athletics director in the exercise of the athletics director's discretion.

**(2) Street drugs or other substances.**

**(a) First positive.**

(i) The team physician, director of sports medicine, athletic director, and head coach will be notified. At the athletic director's discretion, the parents of a student-athlete who is under twenty-one years of age may be notified.

(ii) The student-athlete must undergo a counseling program designated by the University of Akron.

(iii) The student-athlete will be subject to future testing at the discretion of the department of athletics.

**(b) Second positive.**

(i) The team physician, director of sports medicine, athletic director, and head coach will be notified. At the athletic director's discretion, the parents of a student-athlete who is under twenty-one years of age may be notified.

(ii) The student-athlete will be suspended from twenty per cent of all regularly scheduled competition (standard rounding rules apply [e.g., greater than 1.5 equals 2 games]) during the current or upcoming playing and practice season commencing upon notification of test results. Suspension may be carried over to the next seasons regularly scheduled competition.

(iii) The student-athlete must again undergo a counseling program designated by the University of Akron.

(iv) At the conclusion of the suspension period, the student-athlete must pass a subsequent drug test to be eligible to return to athletic competition.

(v) The student-athlete will be subject to future testing at the discretion of the department of athletics.

**(c) Third positive.**

(i) The team physician, director of sports medicine, athletic director, and head coach will be notified. At the athletic director's discretion, the parents of a student-athlete who is under twenty-one years of age may be notified.

(ii) The student-athlete will be suspended from fifty per cent of all regularly scheduled competition (standard rounding rules apply [e.g., greater than 1.5 equals 2 games]) during the current or upcoming playing and practice season commencing upon notification of test results. Suspension may be carried over to the next seasons regularly scheduled competition.

(iii) The student-athlete must again undergo a counseling program designated by the University of Akron.

(iv) At the conclusion of the suspension period, the student-athlete must pass a subsequent drug test to be eligible to return to competition.

**(d) Fourth positive.**

- (i) The team physician, director of sports medicine, athletic director, head coach and parents of student-athlete who is under twenty-one years of age will be notified.
  - (ii) The student-athlete will be suspended from all athletic activities for a period of one year, commencing upon notification of test results.
  - (iii) The student-athlete's scholarship (if applicable) will be revoked.
  - (iv) The student-athlete must undergo a treatment program at the student athlete's own expense.
  - (v) At the conclusion of the one-year period, the student-athlete must pass subsequent drug test to be eligible to return to athletic activities.
  - (vi) At the conclusion of one year and completion of the treatment program, the student-athlete may request reinstatement into the athletic program.
  - (vii) Return to athletic activities is at the discretion of the athletic director and head coach.
  - (viii) Reinstatement to athletic activities will not include reinstatement of the student-athlete's scholarship (if applicable) unless otherwise determined by the athletics director in the exercise of the athletics director's discretion.
- (3) Positive test results are not negated at the end of each academic year. Positive test results accumulate over the student-athlete's career at the University of Akron. A positive test result in the student-athlete's first year followed by another positive test result in the student-athlete's second year would invoke procedures listed in 3359-48-04 10 "second positive" in the penalty section.
- (4) Any encouragement, persuasion, or assistance to the student-athletes in the use or procurement of illicit drugs or sport-enhancing substances by university employees is strictly prohibited. A student-athlete having knowledge of such activity should inform either the university physician or an athletic administrator.
- (5) Under NCAA bylaw reference 10.2, athletic department staff members must inform the athletic director when they have knowledge that a student-athlete is using a substance on the list of banned drugs.
- (I) Drug testing review procedure.
- (1) A The student-athlete may request a review of the accuracy of a positive finding in writing, including supporting evidence, directed to the university

president within five business days from the date of notification of a positive finding. The university president or the president's designee will convene an ad hoc committee to review the request as well as the supporting evidence. No members of the department of athletics may participate as members of the committee. The committee may request the student's presence, if deemed necessary, at a review meeting to discuss the evidence presented.

(2) The committee will notify the athletic director and the student of its decision within seven days of the committee meeting.

**(J) Restoration of eligibility.**

(1) Before a student-athlete is considered for eligibility restoration, the athletic department will test the student-athlete for the presence of banned substances.

(2) Student-athletes who are ineligible as a result of a positive drug test shall be subject to testing by the athletic department at any time during their remaining period of ineligibility.

(3) Student-athlete requests for reinstatement of eligibility will not be considered until after the student-athlete retests negative and the athletic director has received the results.

**(K) NCAA drug testing.**

(1) The University of Akron adopts the list of banned substances as determined by the NCAA.

**(2) Use of banned substances:**

(a) The NCAA regularly establishes a list of banned substances. Failure to share with appropriate university authorities the knowledge of the use of any banned substance is improper. Student-athletes should not assume that the list is limited to street drugs. Some of the banned substances can be found in prescription and over-the-counter medications such as cold remedies and nutritional supplements. Therefore, before taking any medication or nutritional supplement, student-athletes are advised to consult with their team trainer or team doctor.

(b) Strict penalties have been established for first and subsequent violations of the NCAA banned substances rules. In addition, student-athletes who refuse to participate in drug testing or who attempt to manipulate a drug test to cause an incorrect result will also receive a penalty.

(c) The NCAA executive committee has been authorized to determine the time and methods for drug testing of student-athletes. Students-athletes are selected randomly for testing during the regular season and prior to, or immediately following, any post-season championship or certified football game.

## Appendix F

### The University of Akron Gender-Based Misconduct Protocol for Students

#### The University of Akron Gender Based Misconduct Protocols

This Protocol describes how The University of Akron responds to reports of gender-based misconduct involving students. It also:

- Provides guidance for students who have been discriminated against;
- Outlines The University of Akron disciplinary response to formal complaints of discrimination;
- Identifies who is able to help and where to turn to for support.

When gender-based misconduct occurs, the University will take appropriate steps to end the discrimination/harassment, prevent its recurrence and remedy the discriminatory effect on the complainant and others, as appropriate.

#### Policy and Procedural Definitions

##### Consent, Incapacitation and Coercion

Consent is when a person agrees or gives permission to another person to engage in certain sexual acts.

- Consent is a knowing and voluntary verbal or non-verbal agreement between all parties to participate in each and every sexual act.
- Consent to one sexual act does not imply consent to other or all sexual acts.
- Conduct will be considered "non-consensual" if no clear consent, verbal or non-verbal, is given. The absence of "no" does not mean "yes."
- A person has the right to change one's mind at any time during the act. In other words, consent can be withdrawn at any point, as long as the person clearly informs the other party of the withdrawal.
- Taking drugs or consuming alcohol does not relieve the obligation to obtain consent.

##### Effective Consent

Effective consent can be given by words or actions so long as the words or actions create a mutual understanding between all parties regarding the conditions of the sexual activity. A helpful tool is to ask yourself: "Do all of us understand and agree regarding the who, what, when, where, why, and how this sexual activity will take place?"

##### Consent in Relationships

Current or past sexual relationships or current or past dating relationships are not sufficient grounds to constitute consent.

- Regardless of past experiences with other partners or a current partner, consent must be obtained.
- Consent can never be assumed, even in the context of a relationship. A person has the right to say "no" and has the right to change their mind at any time for whatever reason.

##### Incapacitation – Cannot Give Consent (No Matter What They Might Say)

Incapacitation can occur in several ways. For example, when a person is severely intoxicated due to use of alcohol or drugs. They may be unconscious or severely impaired.

A helpful tool is to ask yourself: "Do all of us understand and agree regarding the who, what, when, where, why, and how this sexual activity will take place?"

A person may also be incapacitated if that person is physically or mentally disabled.

##### Coercion

The use of force, threat of force, deception or when a person is beaten, threatened, isolated, or intimidated.

When a person affirmatively demonstrates that (1) they do not want to have sex, (2) they want to stop any sort of the sexual acts, or (3) they do not want to go any further, the other party must stop completely. Continued pressure after that point can be coercive. A person is not required to physically or otherwise resist an aggressor.

##### Reporting Protocol Definitions

##### The Parties

These terms are used throughout this document and are defined as follows:

##### Complainant

Complainant(s) are individuals who are eligible to file a formal complaint or to report a violation of this policy. Complainants also include any person who is reported to have experienced a violation of this policy in cases where a third party has made a report. Terms that may be commonly used to describe a complainant: survivor, victim, target, or reporting party.

**Respondent**

Respondent(s) are individuals who have been alleged to have violated this policy. Terms that may be commonly used to describe a respondent: accused, alleged, perpetrator, or responding party.

**Witness**

A Witness is an individual who may have additional information about a report or formal complaint of gender-based misconduct. Witnesses may include, but are not limited to: eye-witnesses, friends, police, University students and staff who responded to an incident or received an initial report.

**Advisor**

Complainants and respondents have the right to be accompanied to any meeting or proceeding by an advisor of their choice. Advisors may include an attorney or advocate. Advisors are not permitted to participate or interject during any meeting or proceeding.

**Campus Security Authority**

The Clery Act requires the University to designate University staff members who have significant responsibility for student or campus activities as Campus Security Authorities. At The University of Akron, Campus Security Authorities include: the Dean of Students and Deputy Title IX Coordinator for Students; most managerial staff in The Division of Student Affairs; Residence Life staff, including resident assistants; advisors to registered student organizations; the Director and Associate Directors of Athletics and athletic coaches.

**Report**

A Report refers to notice provided to the University that gender-based misconduct has or may have occurred. Reports may be submitted by a complainant, respondent, responsible employee, a campus security authority (CSA), or by a third party.

**Formal Complaint**

A formal complaint refers to a request for an investigation by The University of Akron to determine if a University Policy has been violated or a criminal act has occurred. The University of Akron Police Department (or local police agency), The Department of Student Conduct and Community Standards, or The Office of Equal Employment Opportunity and Affirmative Action investigate formal complaints. Formal complaints may be initiated by a complainant, The University of Akron Title IX Coordinator, or their designee.

**Timely Warning – Safety Advisory**

If a report of a sexual misconduct or intimate partner violence indicates there is an immediate threat to the health or safety of persons on campus or that an on-going serious or continuing threat to the campus community exists, a Timely Warning Safety Advisory ("Timely Warning") will be issued to the campus community. The purpose of a Timely Warning is to enable persons to protect themselves, heighten safety awareness, and seek information that will lead to an arrest and conviction of the perpetrator. Timely Warnings will not include the complainant's name or other personally identifying information.

Information regarding Timely Warnings and sexual misconduct and intimate partner violence are included in the Annual Security and Fire Safety Report/Crime Statistics at: <http://www.uakron.edu/safety/annual-safety-report/>.

**Title IX Coordinator**

Ms. Jolene Lane serves as Chief Diversity Officer, Vice President for Inclusion and Equity and Title IX Coordinator. As Title IX Coordinator she is responsible for overseeing the University's Title IX process and coordinates the University's efforts and responsibilities to ensure compliance with Title IX.

**Deputy Title IX Coordinators**

The Title IX Coordinator is assisted by Deputy Title IX Coordinators:

**Deputy Title IX Coordinator for Students**

Mr. Michael Strong serves as the Dean of Students and Deputy Title IX Coordinator for Students. Mr. Strong serves as the intake coordinator for all reports of gender-based misconduct involving students on the main campus. Mr. Strong meets with both complainants and respondents and may implement interim measures of support for both parties, when necessary to stop and prevent the effects of gender-based misconduct. Mr. Strong also refers formal complaints to the Office of Student Conduct and Community Standards. Mr. Strong can be reached at the Student Union, 152, The University of Akron, OH 44325-4612, (330) 972-6048 or [mstrong@uakron.edu](mailto:mstrong@uakron.edu).

**Deputy Title IX Coordinator for Regional Campuses, Including Wayne College**

Mr. Gordon Holly serves as Assistant Dean of Student Success and Deputy Title IX Coordinator for Wayne College. Mr. Holly meets with both complainants and respondents from the regional campuses, including Wayne College. Mr. Holly may implement interim measures of support for both parties, when necessary to stop and prevent the effects of gender-based misconduct. Mr. Holly also refers formal complaints to the Office of Student Conduct and Community Standards. Mr. Holly can be reached at Wayne College, Boyer HPE Building, E242, (330) 972-8740 or [gholly@uakron.edu](mailto:gholly@uakron.edu).

**Deputy Title IX Coordinator for Athletics**

Mrs. Mary Lu Gribschaw serves as the Senior Associate Athletics Director and Deputy Title IX Coordinator for Athletics. Mrs. Gribschaw coordinates support for student athlete complainants and respondents. Mrs. Gribschaw also coordinates response to reports and formal complaints within the Department of Athletics. Mrs. Gribschaw can be reached at James A. Rhodes Arena 183, The University of Akron, OH 44325-5201 (330) 972-7080 or [marylu@uakron.edu](mailto:marylu@uakron.edu).

**Title IX Investigators**

When a formal complaint is initiated in which the respondent is a University of Akron student, The Department of Student Conduct and Community Standards staff serve as the investigator(s) of the formal complaint. The Department of Student Conduct and Community Standards is located in Simmons Hall 302, (330) 972-6380.

When a formal complaint is initiated in which the respondent is a University of Akron faculty member, staff member, or guest of the University, The Office of Equal Opportunity Employment and Affirmative Action staff serve as the investigator(s) of the formal complaint. The Office of Equal Opportunity Employment and Affirmative is located in the Administrative Services Building, 185 E. Mill Street, 330-972-7300.

Criminal complaints occurring at The University are investigated by The University of Akron Police Department. The University of Akron Police Department may also assist and liaison with local police agencies when a crime is investigated in a nearby community. The University of Akron Police Department is located at 146 Hill St. Akron, OH 44325-0402, (330) 972-2911.

**University Staff Required to Report**

All members of the University community share a responsibility for ensuring violations of this policy are reported.

**Responsible Employees**

Pursuant to Title IX, all employees of the University of Akron are considered "responsible employees." Therefore, should a responsible employee become aware of an instance of gender-based misconduct, or if they observe such conduct, they are required to report the conduct to one of the University's Deputy Title IX Coordinators. This duty to report applies to all University of Akron administrators, supervisors, managers, faculty and staff. Specific student employees, considered responsible employees, are identified below in sections (2) and (3). To ensure the safety of the community, responsible employees are required to report when they know gender-based misconduct has occurred or when they believe misconduct may have occurred – even if they are not certain. Responsible employees are not required to investigate, ask for additional information, question or compel a complainant, respondent or witness for more information that initially provided.

**Exemption**

Responsible employees are not required to report information disclosed at public awareness events (e.g., "Take Back the Night," "candlelight vigils," "survivor speak-outs," or other public forums

or discussions in which students or employees do not intend to make a report of gender-based misconduct.) Information about the University reporting protocols for gender-based misconduct, community resources and support should be provided at such public awareness events. In the classroom, instructors should remind students that faculty are required to report gender-based misconduct.

**Confidential Employees (Not Required to Report)**

Only those employees with a legal privilege of confidentiality under Ohio law (including doctors and licensed counselors acting in their capacity as counselors) are not required to report when the information is obtained during a confidential communication. Those offices with staff who are exempt from reporting include:

- The University of Akron Counseling & Testing Center - Simmons Hall
- The University of Akron Wayne College - Counseling and Accessibility Services
- The University of Akron Health Services - Student Recreation and Wellness Center
- The University of Akron Clinic for Individual and Family Counseling - Chima Family Center
- The University of Akron Department of Psychology Counseling Clinic - Buchtel College of Arts and Sciences

**Graduate Students who are Responsible Employees (Required to Report)**

Some graduate assistants may also be required to report instances of gender-based misconduct, or retaliation. Those required to report are as follows:

- Teaching Assistants
- Graduate Assistants in administrative units

Most graduate students are not required to report.

**Undergraduate Students who are Responsible Employees (Required to Report)**

Some undergraduate students are required to report by virtue of their specific student employment to report instances of sexual misconduct, intimate partner violence, sexual harassment, or retaliation.

Those undergraduate students required to report are as follows:

- Resident Assistants
- Student employees in the Department of Student Recreation and Wellness Services
- Student employees in the Department of Student Life including, but not limited to, student employees of: the SQURCa, Zips Program Network, Student Union Game Room, Marketing, Campus Programs, Serve Akron, Lead Akron, and the Student Union Information Desk
- Office of Multicultural Development Peer Mentors
- Choose Ohio First Peer Mentors

**Campus Security Authorities**

Campus Security Authorities are required to provide information regarding any report of a Title IX offense to UAPD to be included in the University's Annual Report of Crime Statistics and, if appropriate, for issuing a safety advisory (timely warning) or other emergency notification. A victim's name and other personally identifying information is not included in any safety alert or emergency notification.

**Statement of Shared Interests and Rights**

In a University investigation participants have legal and other rights, including the right to due process. A presumption of responsibility will not be made as the result of any report or formal complaint.

All University of Akron students including complainants and respondents are provided:

- Access and encouragement to seek guidance from a member of the University community or the Deputy Title IX Coordinator for Students.
- Access to counseling and/or support services through the University's Counseling and Testing Center.
- The right to choose not to speak or choose not to respond to The University. Choosing not to respond does not absolve a student of responsibility for their actions.

All complainants and respondents are provided the following:

- The right to be notified of formal complaints made in which they are a complainant or a respondent.
- The right to be accompanied by an advisor of their choice to any related meeting or proceeding. The role of the advisor is only to be present to advise. Advisors will not be permitted to interject during the meeting or proceeding.



- The right to know the name of the reporter (and complainant if different from the reporter) and information regarding the nature of the allegation(s).
- The right to participate in an investigation which they are a complainant or a respondent.
- The opportunity to provide a written statement, to submit relevant information/evidence, and to identify relevant witnesses.
- The right to timely access to information being considered in the investigation process.
- The right to reasonable accommodations during meetings and or proceedings.

**Prohibited Behaviors Gender-Based Misconduct (Policy Violations)**

Any person, regardless of gender, can be a target of these behaviors.

**Sexual Misconduct**

The following behaviors are considered sexual misconduct and are criminal actions:

**Sexual Assault**

Sexual assault is any sexual act directed against another person, without their consent, including instances where the person is incapable of giving consent. Examples include:

**Rape**

Any non-consensual sexual intercourse, defined as any sexual penetration however slight, with any body part or object by any person upon any person without consent.

**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 or physical incapacity.

**Statutory Rape**

Non-forcible sexual intercourse with a person who is under the statutory age of consent.

**Incest**

Non-forcible sexual intercourse between persons who are related to each other within the degrees where marriage is prohibited by law.

**Sexual Exploitation**

Sexual exploitation is taking non-consensual, unjust or abusive sexual advantage of another. Examples include non-consensual video or audio recording of sexual activity, going beyond the boundaries of consent (such as knowingly allowing another to secretly watch otherwise consensual sexual activity) and engaging in non-consensual voyeurism.

**Indecent Exposure**

Indecent exposure is the exposure of the private or intimate parts of the body in a lewd manner in public or in private when the respondent(s) may be readily observed.

**Intimate Partner Violence/Interpersonal Violence**

The following behaviors are considered intimate partner violence or interpersonal violence and are prohibited:

**Dating Violence**

Dating Violence is an act of violence committed by a person who is or has been in a social relationship of an intimate or romantic nature with the victim. Examples include threatened physical violence, intimidation or force that causes a reasonable person to fear harm to self or others.

The existence of such a relationship shall be determined based on consideration of the following factors:

- Length of the relationship.
- Type of relationship.
- Frequency of interaction between the persons involved in the relationship.

**Domestic Violence**

Domestic Violence is an act of violence committed by a current or former spouse or intimate partner

of the victim or a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner or person similarly situated, or by a parent with whom the victim shares a child in common.

#### **Stalking**

Stalking is 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. Stalking includes repeatedly following, harassing, threatening, or intimidating another by telephone, mail, electronic communication, social media, or any other action, device or method that purposely or knowingly causes substantial emotional distress or reasonable fear of bodily injury or death.

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

#### **Battery**

Battery is intentionally, or negligently, causing physical contact or bodily harm to another person. When this action is taken because of a person's sex or gender the crime is also prohibited by this policy.

### **Sexual Harassment**

Sexual Harassment is unwelcome sex or gender based verbal or physical conduct that unreasonably interferes with a student's work or educational experience or creates an intimidating, hostile or offensive working, educational or residential environment. Sexual harassment includes sex or gender based conduct that is sufficiently severe or pervasive such that it unreasonably interferes with, denies, or limits a student's ability to participate in or benefit from the University's educational programs and activities. The more severe the conduct, the less need there is to show a repetitive series of incidents to demonstrate a hostile environment. In fact, a single severe incident may be sufficient to create a hostile environment. Sexual Harassment exists when:

#### **Quid Pro Quo**

There are unwelcome sexual advances, requests for sexual favors or other verbal or physical conduct and submission to such conduct is made explicitly or implicitly a term or condition of a student's employment or academic status.

The submission or rejection of such conduct is used as the basis for employment or academic decisions.

#### **Hostile Environment**

There is verbal or physical sexual conduct that is sufficiently severe or persistent that it unreasonably interferes with a student's work performance or creates an intimidating, hostile or offensive work, educational or campus residential environment.

### **Gender-Based Discrimination**

Gender-based discrimination is treating someone unfavorably because of that person's sex or gender. An example of gender-based discrimination is when a person is treated unfavorably in class, at work, or in housing due to social behavior such as the nonconformance of gender roles.

#### **Retaliation**

Retaliation, including vengeful harassment, against any individual who reports, makes a formal complaint, pursues legal action, participates in an investigation or is a witness in any investigation of gender-based misconduct is strictly prohibited. Retaliation is prohibited by Title IX. Like sexual misconduct, intimate partner violence, interpersonal violence and sexual harassment, and gender-based discrimination, retaliation is a violation of this policy.

#### **Procedures to Address Retaliation**

The same procedures outlined in this policy to address all forms of gender-based misconduct will be used to address retaliation.

Those who engage in retaliation will face University disciplinary action up to and including suspension or dismissal. Formal complaints of retaliation should be reported to the Deputy Title IX Coordinator for Students. At the Akron Campus reports are submitted to Mr. Strong, Deputy Title IX Coordinator for Students, and those that occur at any of the regional campus locations, including those at the Wayne Campus, are submitted to Mr. Gordon Holly, Deputy Title IX Coordinator for Wayne College.

## Reporting Options

### Personally Reporting

#### Reporting To Deputy Title IX Coordinator

Reporting to a Deputy Title IX Coordinator provides the complainant access to additional support, interim measures, and opportunities for investigations not available through confidential reporting and anonymous reporting options.

Reports may be submitted to a Deputy Title IX Coordinator from:

- responsible employees who are required to report;
- police who are reporting criminal conduct;
- bystanders and third parties who are concerned for the welfare of students; and,
- students who are sharing first-hand (witness) accounts of violations.

The University may be able to provide appropriate supportive measures no matter how long ago the alleged incident(s) occurred.

If the complainant is incapacitated for any reason and unable to report, a report should be made on their behalf.

#### Limited Amnesty

While the University does not condone underage drinking, drug use, or violation of other University rules/policies, it considers reporting sexual misconduct and intimate partner violence to be of paramount importance. To encourage such reporting and adjudication of sexual misconduct and intimate partner violence, The University of Akron extends limited amnesty to complainants, respondents, witnesses. The University will generally not seek to hold the student responsible for a violation of the law (e.g., underage drinking) or Code of Student Conduct during the period immediately surrounding the sexual misconduct or intimate partner violence.

#### Confidential Reporting Options

A complainant or respondent may speak confidentially to individuals in legally protected roles, including the following:

- The Rape Crisis Center of Medina and Summit Counties, Student Recreation and Wellness Center, 246, (330) 972-6328.
- The University of Akron Counseling & Testing Center, Simmons Hall, 306, (330) 972-7082.
- The University of Akron, Wayne College, Counseling and Accessibility Services, Wayne College and Boyer HPE Building, B112, Wayne College, Orrville OH (330) 972-8767.
- The University of Akron Health Services, Student Recreation and Wellness Center, 260, (330) 972-7808.
- Off-campus with clergy, counselors, physicians, and Sexual Assault Nurse Examiners (SANE).

A confidential report will not result in a report to law enforcement or a University investigation. It will not be reported to the Title IX Coordinator, a Deputy Coordinator, or to The University of Akron Equal Employment Opportunity/Affirmative Action Office. A confidential report will not be included in the annual Campus Security Report.

#### Anonymous Reporting

Anonymous reports will be accepted by The University of Akron.

Options for Anonymous reporting are available at <http://www.uakron.edu/safety/report-a-problem/anonymous-reporting.dot>. The University's options for investigating or resolving anonymous reports may be limited because of the unique challenges presented, including the following:

- The University is not able to provide support or services to a complainant that has not been identified.
- The University is not may not be able to hold a student or employee responsible for an alleged violation of this policy because a respondent has a right to know the name of the reporter (or

complainant (if different from the reporter) as well as information regarding the nature of the formal complaint.

The University encourages all complainants to consider reporting to a Title IX Coordinator or choosing a Confidential Reporting Option.

### Reporting Requirements of Responsible Employees

Responsible employees have a duty to report gender-based misconduct. In addition, Ohio law requires those not in a legally protected role with knowledge of a felony to report it to law enforcement. All responsible employees also have an obligation to notify The University of Akron Police Department of a felony. For sexual misconduct, intimate partner violence, or interpersonal violence that may also constitute a criminal offense that occurred on The University of Akron campus, contact the University Police directly at (330) 972-2911 to file a police report. The University of Akron Police officers are trained to respond quickly, with sensitivity and compassion.

Students at the Wayne College Campus should report to the Wayne College Campus Police at (330) 684-8910.

### Third Party Reports

Students, active bystanders, family, or other concerned individuals are not required, but are able to report gender-based misconduct. Reports from third parties will result in the Deputy Title IX Coordinator for Students contacting the complainant as with all other such reports.

### How to Submit a Report

All concerns about sexual misconduct, intimate partner violence, sexual harassment, or retaliation should be reported to:

- Deputy Title IX Coordinator for Students - Michael Strong [mstrong@uakron.edu](mailto:mstrong@uakron.edu) (330) 972-6048.
- Deputy Title IX Coordinator for Wayne College - Gordon Holly [gholly@uakron.edu](mailto:gholly@uakron.edu) (330) 972-8740 (if the alleged conduct is related to a regional campus, including Wayne College).
- Title IX Coordinator - Jolene Lane [jolene@uakron.edu](mailto:jolene@uakron.edu) (330) 972-7522.

Another easy and effective way to report Title IX violation is through The University of Akron's online reporting system at: [www.uakron.edu/title-ix/online](http://www.uakron.edu/title-ix/online). All online reports are transmitted electronically to the Title IX Coordinator and Deputy Title IX Coordinators.

A student who experienced gender-based misconduct (sexual misconduct, intimate partner violence, interpersonal violence, sexual harassment, or gender-based discrimination) should retain all communications from the respondent, including email, voicemail, text-messages, and social media communication.

For emergency situations, please contact The University of Akron Police Department by calling (330) 972-2911.

### When Police Receive a Report

Responsible employees are required to report criminal behavior; however, complainants are not required to speak with police. The University of Akron will comply with a student's request for assistance in notifying the University of Akron Police. A report to The University of Akron Police or other law enforcement agency does not require the complainant to pursue a University investigation (formal complaint).

When the University of Akron Police Department receives a report of sexual misconduct or intimate personal violence, they will investigate the criminal behavior. The University of Akron Police will verify that a Title IX referral has been submitted and evaluate the available information to determine if a timely warning safety notification will be made.

When the University of Akron Police receive a report from a Deputy Title IX Coordinator on behalf of a complainant who does not wish to speak to the police, the Police, when possible, will defer to the request from a complainant for privacy.

Please note that a delay in reporting to police could weaken or result in a loss of evidence used to determine whether an individual is responsible for a criminal offense. In the State of Ohio individuals may have up to 20 years to file a sexual assault report with the police.

**When a Student is arrested for A Crime of Violence**

A student arrested for certain criminal offenses, including rape, sexual battery, gross sexual imposition and domestic violence, may be subject to a "1219" proceeding. "1219" refers to the section of Ohio law which provides for the suspension and dismissal of students arrested and convicted of crimes of violence that occur on or affecting University persons or property. The initiation of a "1219" proceeding against a student does not prohibit the University from investigating and taking University disciplinary action against the same student under the Code of Student Conduct for the same conduct that gave rise to the "1219" proceeding. Additional information about "1219" procedures appears at: <http://www.uakron.edu/studentconduct/1219.dot>.

**When a report is received**

If the investigation finds sufficient information exists to believe that gender-based misconduct has occurred, the University will take immediate and appropriate steps to stop the misconduct, prevent any further violations, remedy the effects of the misconduct and prevent retaliation. Such steps may include increasing security in a designated spaces, no-contact directives, and/or required education/training of the respondent or department or campus training.

**Outreach and Support from Deputy Title IX Coordinator for Students**

Upon receipt of a report, the Deputy Title IX Coordinator for Students will reach out to the complainant and request to meet to discuss support and to ensure the complainant is aware of and understands all available options.

The Deputy Title IX Coordinator for Students provides the complainant with written notification of this policy and information about support services available to complainants.

No police report, formal complaint or investigation need occur before this support is available. A complainant can access these services at any time, even if the student initially declined the service.

When a complainant meets with the Deputy Title IX Coordinator, or designee, they will discuss the report submitted, safety planning and any possible timely warning safety notifications. The complainants will also be offered personalized support through interim measures and will discuss possible formal complaints (investigations) related to the report. Complainants have the right not to meet with the Deputy Title IX Coordinator, or designee, but are encouraged to do so.

Support or referral is available to respondents upon request.

To initiate support or report prohibited behaviors on the Akron campus, contact Mr. Michael Strong, who serves as the Deputy Title IX Coordinator for Students. Mr. Strong is available during regular business hours and serves as the intake coordinator for all reports of gender-based misconduct involving students. Mr. Strong can be reached at the Student Union, 152, The University of Akron, OH 44325-4612, (330) 972-6048 or [mstrong@uakron.edu](mailto:mstrong@uakron.edu).

To initiate support or report prohibited behaviors at a regional campus, including the Wayne College Campus, contact Mr. Gordon Holly who serves as the Deputy Title IX Coordinator for Wayne College. Mr. Holly is available during regular business hours and meets with students to discuss interim measures of support. Mr. Holly can be reached at Wayne College, Boyer HPE Building, E242, (330) 972-8740 or [gholly@uakron.edu](mailto:gholly@uakron.edu).

**Discuss - Safety Planning**

The Deputy Title IX Coordinator will assist the student with possible interim measures of support/protective measures such as:

- immediately attending to any medical needs. The Deputy Title IX Coordinator for Students can assist in arranging an advocate to accompany the student to the hospital, if requested by the student;
- contacting a support person such as a friend or parent, if desired;
- obtaining a University no contact directive or assist in referring the student for a court-issued restraining order or other lawful order of protection;
- a temporary safe space within the University residence halls;
- a new residence hall assignment so that the complainant and respondent do not share the same residence hall;
- changing class assignments so that the complainant and respondent do not share the same classes;
- changing of work locations or working conditions;
- transportation/parking options; and,

- discussing support such as safe escorts available through the University of Akron Police Department.

#### **Timely Warning Safety Advisory**

If a report of a sexual misconduct or intimate partner violence indicates there is an immediate threat to the health or safety of persons on campus or that an on-going serious or continuing threat to the campus community exists, a timely warning will be issued to the campus community. When possible, complainants will be advised if the Deputy Title IX Coordinator anticipates a timely warning may be issued.

#### **Privacy Protections**

Even if a complainant does not specifically request their information remain confidential, The University of Akron will seek to protect their privacy, to the extent possible. The Deputy Title IX Coordinator for Students will discuss with complainants what information is confidential and what information is not. This discussion includes the privacy protections related to crime logs, annual security reports, timely warnings, police reports, evidence gathered during investigations and interim measures.

It is also possible that reports of gender-based misconduct are incomplete and submitted without all possible detail. The Deputy Title IX Coordinator will discuss with the complainant what information has been reported before providing an opportunity to disclose additional information.

#### **Personalize Support**

The Deputy Title IX Coordinator will assist the student with interim measures of support which may include, but are not limited to:

- Information about medical and psychological resources available;
- assistance in receiving academic support services including tutoring;
- requesting assistance from faculty in successfully completing academic coursework;
- filing an academic or financial appeal if his or her academic performance is adversely impacted;
- reporting criminal conduct to appropriate authorities;
- offering alternative housing arrangements.

Interim measures may also take the form of a personalized or expedited referral to campus resources. Students are encouraged to seek support from such resources.

#### **Counseling**

Counselors at a variety of agencies both on and off campus can help a person decide what steps to take, such as seeking medical attention, preserving evidence, obtaining counseling, and reporting to authorities. The University of Akron has rape crisis center advocates on campus. Information, support and advice are available for anyone who wishes to discuss issues related to sexual misconduct, intimate partner violence or sexual harassment; whether a report of gender-based misconduct has been submitted or if the person is seeking information on behalf of a complainant, witness or respondent.

#### **On Campus Counseling Resources**

Professional staff members who are legally obligated to maintain confidentiality work at these offices. Meeting with one of these staff members will not initiate the reporting process.

- The Rape Crisis Center of Medina and Summit Counties, Student Recreation and Wellness Center, 246, (330) 972-6328.
- The University of Akron Counseling & Testing Center, Simmons Hall, 306, (330) 972-7082.
- The University of Akron, Wayne College, Counseling and Accessibility Services, Wayne College and Boyer HPE Building, B112, Wayne College, Orville OH (330) 972-8767.

#### **Off Campus Counseling Resources**

Crisis intervention and assistance in reporting is available to victims/survivors 24 hours a day by calling:

- The Rape Crisis Center of Medina and Summit County at 877-906-7272.
- The National Sexual Assault Telephone hotline 800-656-HOPE (4673). This hotline, operated by RAINN, connects a caller with a local RAINN affiliate organization based on the first six digits of the caller's phone number.
- Ohio Sexual Violence Helpline at 1-844-OHIO-HELP (1-844-644-6435). This helpline is a confidential, statewide hotline dedicated to serving survivors of sexual assault and relationship violence.

**Medical Treatment**

A complainant targeted with sexual misconduct or intimate partner violence is urged to seek appropriate medical evaluation immediately after the incident.

For life-threatening conditions, call (330) 972-2911, or go to the nearest hospital emergency department.

The University Health Services also offers services through the Well Women's Clinic.

**Medical – Legal Evidence Collection**

A person who has experienced a violation is encouraged to request collection of medical/legal evidence. Prompt collection of physical evidence is essential should a person later decide to pursue criminal prosecution and/or a civil action against the respondent. Collection of evidence may involve interaction with police and a police report. It is the decision of the complainant whether to speak with the police or not, even if the police are notified about the alleged violation.

A free and confidential exam can be administered at most hospitals. The sooner the sexual assault is reported, the more likely important evidence will still be present. "Date rape" drugs may still be present in the complainant's system and should be tested for if the complainant believes they may have been drugged. To help preserve evidence that may assist in proving a formal complaint or obtaining a protection order, the complainant is encouraged to put any soiled clothes in a paper (not plastic) bag, and to refrain from the following:

- Bathing or douching
- Washing hands or face
- Urinating
- Drinking any liquids
- Smoking, eating, or brushing teeth (including mouthwash and flossing)

If an individual is uncertain about whether they want to report what has occurred, they can still have evidence collected. In cases of sexual assault, the police may be called to the hospital. The complainant can then decide whether to speak with the police at that time to report what has happened.

**Legal Assistance**

For legal assistance you may contact Community Legal Aid Services In Akron at (330) 535-4191 or the Akron Bar Association at (330) 253-5007. Legal services may include, but are not limited to, restraining orders, child support, custody, divorce, visitation restrictions, visa adjustments, and division of debts and property. There may be fees associated with some or all of these legal services.

**Financial Assistance**

A student may be financially impacted by gender-based misconduct. Financial services may be available, and a Deputy Title IX Coordinator can assist with an application, through the following resources:

- Ohio Attorney General's Victims Compensation is available for "innocent victims of a violent crime." Individuals can obtain additional information and/or apply online through the Attorney General's website at: <http://www.ohioattorneygeneral.gov/VictimsCompensation.aspx>
- The University of Akron Student Emergency Financial Assistance program <http://www.uakron.edu/referral/emergency-financial-assistance>.

For information regarding The University of Akron's financial aid, please visit the financial aid website at: <http://www.uakron.edu/finaid/>.

**Advocacy**

The Deputy Title IX Coordinator will assist the complainant in contacting the Rape Crisis Center of Medina and Summit County, or other local agency, if they request assistance with a personal advocate.

### Formal Complaints and Discipline

The University of Akron recommends that all incidents of gender-based misconduct be investigated to the extent possible. A Deputy Title IX Coordinator will review available options for investigations with the complainant.

A Deputy Title IX Coordinator will assist the complainant in determining:

- If the respondent is a University of Akron student, faculty member, or staff member;
- What, if any, University of Akron policies may have been violated;
- Which University investigation model (Equal Employment Opportunity/Affirmative Action or Student Conduct and Community Standards) is applicable;
- If criminal behavior is alleged, which police agency has jurisdiction;
- Reporting options to another college or university, if applicable.

A Deputy Title IX Coordinator will encourage, but not force, the complainant to consider participating in an investigation.

#### Options for Investigation

Complainants are provided information about possible criminal investigations as well as possible University investigations.

A criminal charge and a University investigation may be pursued at the same time but they are two separate and distinct processes.

If a complainant requests an investigation, a Deputy Title IX Coordinator for Students will assist the student by submitting a formal complaint to the appropriate University department or police agency.

#### When a Complainant Requests That an Incident Not Be Investigated

The University has an obligation to promptly take steps to investigate or otherwise determine what occurred and then to take appropriate steps to resolve formal complaints, to the extent feasible, when it knows or reasonably should know about possible gender-based misconduct, from any source, regardless of whether a complainant declines to participate in the process or a respondent withdraws from the University.

Reporters (or the complainant if different from the reporter) may request that a report not be investigated or that their identity remain confidential. In such cases, a Deputy Title IX Coordinator, in consultation with the Title IX Coordinator, will evaluate the request for confidentiality in the context of the University's commitment to provide a safe and non-discriminatory campus environment.

If the request for confidentiality or that a report not be investigated is granted, the University will not conduct a formal investigation.

However, under some circumstances, a Deputy Title IX Coordinator, in consultation with the Title IX Coordinator, may determine that, despite the request for confidentiality or that the report not be investigated, the University has an obligation to formally investigate a report, such as when there is a significant risk to the campus community. In this case the complainant will be informed of the decision to conduct a formal investigation.

#### Evaluating Requests Not To Investigate

To evaluate a request for confidentiality or not to investigate a report, a Deputy Title IX Coordinator, in consultation with the University's Title IX Coordinator, may take appropriate steps to conduct a preliminary review into the alleged violation and weigh the request against the following factors:

- Seriousness of the alleged violation (including whether the violation involved the use of a weapon, other illegal activity, illegal drug or intoxicant, multiple respondents, etc.).
- Whether there have been other formal complaints or reports made regarding the respondent (e.g., a history of arrests, a record of misconduct at The University of Akron or other institutions).
- Respondent's right to access the formal complaint or report including the complainant's identity.
- Applicability of any laws requiring disclosure.
- Availability of other information to verify the formal complaint.



- Whether the circumstances suggest there is an increased risk of the respondent(s) committing additional Title IX violations (e.g., a pattern of behavior).
- Whether the respondent has threatened the complainant or others.
- Safety of the reporter and/or complainant.
- Safety of the campus community.

If the reporter (or complainant if different from the reporter) insists that their privacy be protected and that their name or other identifiable information not be disclosed to the respondent, a Deputy Title IX Coordinator will advise the reporter and/or complainant of the University's limited ability to respond to the report.

#### **Requests for Confidentiality Limit the Ability of the University to Investigate**

A respondent has a right to know the name of the reporter (or complainant if different from the reporter) as well as information included in the formal complaint; thus the University may not be able to both investigate a report and maintain the confidentiality of the reporter (or complainant if different from the reporter).

The University may take other steps to limit (stop and prevent) the effects of the reported gender-based misconduct. The University will respond to formal complaints, reports, or information about incidents of gender-based misconduct to stop prohibited discrimination, eliminate any hostile environment, take steps to prevent the recurrence of the discrimination, and address any effects on campus or in the context of any University programs and activities regardless of location.

### **Types of Investigations**

#### **University Investigations**

A Deputy Title IX Coordinator for Students will inform the complainant of their right to request an investigation through the Department of Student Conduct and Community Standards. If the respondent is someone other than a student (e.g., a University employee, vendor, contractor or subcontractor), the Deputy Coordinator for Students will inform the complainant of the right to have an investigation through The University of Akron Equal Employment Opportunity/Affirmative Action Office. If the respondent is a student at another college or university, the Deputy Coordinator will assist the complainant in reporting the alleged conduct to the respondent's school.

The University of Akron will preserve the complainant's (and respondent's) privacy to the extent possible and permitted by law.

#### **Student Conduct Investigation**

When the complainant(s) and the respondent(s) in a formal complaint are University of Akron students the Department of Student Conduct and Community Standards staff serve as the investigator(s) of the formal complaint. The Department of Student Conduct and Community Standards is located in Simmons Hall 302 and can be reached at (330) 972-6380.

#### **Equal Employment Opportunity and Affirmative Action Investigation**

When the respondent in a formal complaint is a University of Akron faculty member, staff member, or guest of the University, the Office of Equal Opportunity Employment and Affirmative Action staff serve as the investigator(s) of the formal complaint. The Office of Equal Opportunity Employment and Affirmative is located in the Administrative Services Building Room 138 and can be reached at (330) 972-7300.

#### **Police Investigations**

The University of Akron informs students who have been the victim/survivor of sexual misconduct, intimate partner violence, or interpersonal violence of their ability to pursue criminal charges against the person or persons they believe to have committed the crime.

A Deputy Title IX Coordinator will assist the student in filing a formal complaint with The University of Akron Police if on-campus or assist in referring the student to another appropriate police department, if off-campus.

If a police report has already been filed, a Deputy Title IX Coordinator may assist the student in learning about the status of an investigation.

#### Legal Options

Formal complaints may also be filed with the United States Department of Education, Office for Civil Rights. Additional information can be found at: <http://www2.ed.gov/about/offices/list/ocr/docs/howto.html>.

#### Available Interim Measures of Support, Protection, and Remedy

Interim measures are issued to protect complainants and respondents from harm and to remedy the effects of gender-based misconduct. Interim measures may also be issued to protect the larger campus community from harm. Interim measures will be issued by a Deputy Title IX Coordinator after an evaluation to ensure the complainant and respondent are treated fairly and have equitable access to support through these measures.

Students may, upon request, obtain interim support services from a Deputy Title IX Coordinator for Students, such as changing academic, residential, working, and transportation circumstances. The University will make such accommodations or provide such reasonable protective measures if they are reasonably available. A Deputy Title IX Coordinator for Students will exercise discretion and sensitivity about sharing the identity of the complainant when arranging for interim support services.

The Deputy Title IX Coordinator for Students will maintain as confidential any support services or protective measures provided to the complainant to the extent that maintaining such confidentiality would not impair the ability of the University to provide the support services or protective measures. There may be times when the University must disclose some information about the complainant to University faculty or staff to provide accommodations or protective measures. This information will be limited only to what and who is needed to complete the accommodation/protective measure(s). A Deputy Title IX Coordinator for Students will determine what information will be disclosed and to whom based upon the request.

#### No Contact Directives and Orders of Protection

The Deputy Title IX Coordinator for Students, the Rape Crisis Center of Medina and Summit County, as well as The University of Akron Police Department may assist the student in obtaining a "no contact" directive, an order of protection, or a restraining order.

#### University of Akron - No Contact Directive

A University of Akron "No Contact Directive" can be requested following a report of sexual misconduct, intimate partner violence or sexual harassment. The directive may also be requested upon the initiation of or at any point during an investigation of a formal complaint. This request can be made to a Deputy Title IX Coordinator for Students.

No contact directives can be requested by complainants or respondents.

Any violation of a No Contact Directive should be reported immediately to a Deputy Title IX Coordinator for Students. A violation of a "No Contact Directive" may result in Code of Student Conduct charges or additional charges if a formal complaint has already been made.

#### Criminal - Temporary Protection Order

Upon request, a Deputy Title IX Coordinator, The University of Akron Police, or a Rape Crisis advocate may assist complainants in requesting protection or restraining orders.

An individual who believes they have been the victim of a crime can request a court-issued order from the jurisdiction in which the crime took place and/or the accused individual is located.

Temporary Criminal Protection orders can be requested through the appropriate police departments and/or criminal court. These orders can be issued during an active criminal case against an alleged offender for a specific duration.

For additional information or to request a criminal protection order contact:

- The University of Akron Police Department, (330) 972-2911.
- Criminal Courts: Summit County Court of Common Pleas; Akron Municipal Court.

After a court order is issued, the protected party should provide a copy of the court order to a Deputy Title IX Coordinator for Students. The University of Akron will comply with a lawful order of protection upon receipt of the order.

Any violation of a court-issued order should be promptly reported to the police.

**Civil Protection Order**

Upon request, a Deputy Title IX Coordinator, The University of Akron Police, or a Rape Crisis advocate may assist complainants in requesting protection or restraining orders.

An individual who has experienced or believes they are at risk of experiencing violence, threats, or abuse may apply for a civil protection order. Protection orders may be issued following reports of: domestic violence and stalking or sexually-oriented offense. Civil protection orders can be obtained through local courts, depending upon the location of the incident/accused individual.

After a court order is issued, the protected party should provide a copy of the court order to a Deputy Title IX Coordinator for Students. The University of Akron will comply with a lawful order of protection upon receipt of the order.

Any violation of a court-issued order should be promptly reported to the police.

**Police Investigations**

A respondent who commits a crime may be subject to criminal prosecution and/or civil litigation as well as disciplinary action by The University of Akron. A police report must be made for criminal prosecution to be considered by the local prosecuting attorney. The chances of successful prosecution are greater if the report is timely and is supported by the collection of medical and/or legal evidence.

**Concurrent Investigations**

In certain circumstances the University may need to briefly suspend the investigation of a formal complaint at the request of law enforcement while the law enforcement agency is in the process of gathering evidence. The University will maintain regular contact with law enforcement to determine when it will begin/resume its investigation, usually after the law enforcement agency has completed the evidence-gathering process, or sooner if the University determines that the evidence-gathering process will be lengthy or delayed. The University will not wait until the ultimate outcome of the criminal investigation to begin or complete its own investigation of a formal complaint.

**If a Complainant Stops Speaking with Police**

The University of Akron Police Department will not close an investigation due to non-cooperation of a complainant without first providing time to respond that is adequate and reasonable under the circumstance. Nor will University police personnel prohibit the complainant or others from discussing a formal complaint. Support services and resources are available regardless of criminal charges, participation in a University investigation, or University disciplinary action.

**Code of Student Conduct****Review and Investigation**

Title IX formal complaints involving complainant(s) and respondent(s) that are University of Akron students will be investigated by the Department of Student Conduct and Community Standards (SCCS).

The University will not mediate sexual misconduct, interpersonal violence or intimate partner violence formal complaints.

The purpose of the investigation is to ascertain whether sufficient information exists to support the formal complaint and specifically to determine if the respondent has violated the Code of Student Conduct or other University Rules; and if so, to determine what responses need to occur.

The investigation is conducted in good faith to provide a prompt, adequate, reliable, equitable, and impartial investigation of the formal complaint.

The University reserves the right to pursue disciplinary action if the University believes there is sufficient information to proceed without the participation of the reported complainant.

Prior to the resolution of a Title IX formal complaint, and to ensure compliance, the Title IX Coordinator will review any proposed resolution (finding and sanctions, if any).

Even absent a finding of responsibility for a Title IX violation, the University may still institute remedial actions deemed necessary to remedy any effects, including but not limited to, education/training.

#### Notice and Due Process

The complainant and respondent have the right to be accompanied by an advisor of their choice, including an attorney or advocate, to any related meeting or proceeding. The role of the advisor is only to be present to advise; they will not be permitted to interject during the meeting. If the advisor is determined to be unreasonably interfering with the investigation, they may be asked to leave.

The complainant and respondent will have equitable and timely access to information being considered in the investigation process.

The complainant and respondent are entitled to the same opportunity to file a written statement, to submit relevant information/evidence, and to identify relevant witnesses.

The investigator will contact the parties and witnesses to establish interview times and locations, as necessary.

Confidential medical/counseling records and information regarding a student's sexual history with others will not be provided to the other party without written consent.

The investigator will prepare a written report of the findings of the investigation. The complainant and the respondent will both be provided with a copy of the final investigative report. Both parties will be given timely and equal access to information that will be used during any subsequent disciplinary meetings and/or hearings.

If the investigator determines that sufficient information exists to support the formal complaint and the respondent admits responsibility for violating university rules, the investigating officer shall issue a sanction or sanctions.

If the investigator finds there is not sufficient information to believe that a violation of the Code of Student Conduct occurred, no disciplinary action may be initiated. The failure of an investigator to find sufficient information for a violation of the Code of Student Conduct is not the same as filing a false report.

#### Disciplinary Hearings

If the investigator determines that sufficient information exists to support a violation of the Code of Student Conduct, and the respondent does not admit responsibility, the case shall be referred to a university hearing board for resolution. The detailed procedures for the university hearing board appear in the Code of Student Conduct at: <http://www.uakron.edu/ogc/UniversityRules/pdf/41-01.pdf>.

The University will accommodate concerns for personal safety, well-being, and/or concerns regarding confrontation among the complainant(s), the respondent(s) and other witnesses by providing separate facilities, by using audio and or video-conference technology.

The complainant and the respondent will be informed in writing of the outcome of the hearing and their right to appeal.

#### Disciplinary Sanctions

Student sanctions vary depending on the severity of the violation and are commensurate with the violation(s) found to have occurred. In cases where sexual misconduct is found to have occurred, the University will determine appropriate, enforceable sanctions and other measures reasonably calculated to stop the harassment and prevent its recurrence. More than one sanction may be imposed for any single violation. Individual circumstances, attitude, and prior conduct history are some of the factors that are considered when determining the sanction(s). Pursuant to Code of Student Conduct 3359-41-01(F)(c), sanctions include, but are not limited to the following:

- Deactivation - a student organization's loss of all privileges, including university recognition, for a specified period of time.
- Educational sanctions - other appropriate sanctions may be imposed, including but not limited to workshops, work assignments, essays, service to the university, residence hall actions up to and including cancellation of contract, or other related discretionary sanctions.
- Fine - monetary charge assigned for a violation in accordance with the schedule approved by the board of trustees.

- Formal reprimand - a notice in writing to the student that the student is violating or has violated university regulations and that future violations will result in further charges and sanctions.
- Loss of privileges - denial of specified privileges for a designated period of time.
- Probation - probation is imposed for a designated period of time and includes the probability of more severe disciplinary sanctions if the student is found to violate any university regulation(s) during the probationary period. Students shall not be considered to be in good standing with the university until the probationary period has ended. Probation may affect a student's ability to participate in athletics, serve in a leadership capacity in a student organization or act as a representative of the University of Akron.
- Revocation of an academic degree.
- Revocation of admission (for violations that occur prior to the student's first class attendance.)
- Restitution - compensation for loss, damage, or injury. This may take the form of appropriate service and/or monetary or material replacement.
- University suspension - separation of the student from the University for a specified period of time, after which the student is eligible to return. Conditions for readmission may be required.
- University dismissal - permanent separation of the student from the University.

### Appeal Process

Both the complainant and respondent have the right to appeal and the procedures following an appeal are defined in the Code of Student Conduct. Both parties will be given the opportunity to participate equally in the appeal process. The grounds for appeal are to determine whether there was a misapplication or misinterpretation of the rule alleged to have been violated; to determine whether the hearing was conducted in violation of procedural requirements set forth in the Code of Student Conduct, and whether these violation(s) could have affected the outcome of the hearing; to determine whether (based solely upon a review of the original hearing record) there was a reasonable basis for the hearing board's or conduct administrator's conclusion that a violation of the Code of Student Conduct had been proven by the applicable standard of the evidence; to determine whether the sanctions imposed were grossly disproportionate to the violations of the Code of Student Conduct for which the appellant(s) was found responsible; or to consider new evidence unavailable to the appellant(s) at the time of the hearing, which is sufficient to alter a decision. Notice of the outcome of the appeal will be provided to the complainant and respondent.

### Interim Measures

During any stage of the investigation, if the investigator reasonably suspects that a student's continued presence on campus disrupts the good order and discipline of the university or poses a threat to the student's own physical or emotional safety or to that of others, the investigator will notify the University of Akron Police Department, a Deputy Title IX Coordinator for Students, the Title IX Coordinator and the President. If the President, or designee, determines that such a threat exists, this individual may suspend the student immediately, pending the hearing. This interim suspension does not replace the regular conduct process.

Interim suspensions may prohibit the student from all or part of University property and activities or permit the student to remain only under specified conditions (e.g., no-contact directives). See the Code of Student for the detailed procedures regarding interim suspensions: <http://www.uakron.edu/ogc/UniversityRules/pdf/41-01.pdf>.

## Equal Employment Opportunity and Affirmative Action

Title IX formal complaints involving respondents who are non-students will be investigated by the Equal Employment Opportunity and Affirmative Action Office (EEO/AA).

A formal complaint involves an investigation, when appropriate, and will conclude with a written finding providing whether, by a preponderance of the evidence, there has been a violation of The University of Akron's Sexual Harassment and/or Affirmative Action Policy. A formal complaint can be made with the Office of EEO/AA. The investigation is conducted in good faith to provide a prompt, adequate, reliable, equitable, and impartial investigation of the formal complaint. The Office of EEO/AA also investigates allegations of retaliation, as defined by this Policy.

Note: In some instances, the parties may agree to an informal resolution. The main purpose of an informal resolution is to stop the offending behavior. Some examples of an informal resolution may include, but are not limited to, educational counseling with the respondent, or disciplinary action against the responsible employee. An informal approach does not result in finding a policy violation. An individual may choose to advance to the formal process at any time. Incidents of sexual assault will not be subject to an informal resolution.

Prior to the resolution of a formal Title IX complaint, and to ensure compliance, the Title IX Coordinator, or relevant Deputy Title IX Coordinator, will review any proposed resolution (finding and sanctions, if any). The failure of an investigator to find sufficient information for cause is not the same as filing a false allegation.

Even absent a finding of responsibility for a Title IX violation, the University may still institute remedial actions deemed necessary to remedy any effects, including but not limited to, education/training.

## Related Considerations

The University is dedicated to preventing Title IX violations by providing:

- Education and prevention programming informing the community about the risks and myths that contribute to gender-based misconduct, including bystander intervention training.
- Assistance and support, including interim support measures and accommodations.
- Processes for prompt, equitable, and impartial investigation and adjudication that include appropriate disciplinary sanctions for those who commit Title IX violations, including suspension and dismissal.

### When a Minor is Involved

When a report is received involving a student who has not yet reached the age of eighteen:

- the Deputy Title IX Coordinator completes a safety assessment to provide an environment free of harm and to identify the student's legal guardian;
- the student is advised of the University staff member's responsibility to report child abuse as outlined in the [Ohio Revised Code section 2151.421](#);
- A Deputy Title IX Coordinator works directly with the guardian in reviewing the University of Akron Sexual protocols, on and off campus resources available to the student, and seeking the permission to investigate the report;
- the student and guardian are advised of the University of Akron Student Records and Privacy Practices available at <http://www.uakron.edu/ogc/legal-policies-and-procedures/privacy-practices-and-policies/ferpa.dot> and specifically that the student's records and decisions transition to the student when they turn eighteen;
- the student and guardian are advised that the Rape Crisis Center for Medina and Summit Counties provides confidential and anonymous support for clients, including those who are not yet eighteen.

### University Records

#### Records Retention

Title IX records are subject to the University of Akron records retention policy available at <http://www.uakron.edu/ogc/legal-policies-and-procedures/records/records-retention.dot>

#### FERPA

The Family Educational Rights and Privacy Act (FERPA) protects students' educational records, including Title IX reports and investigatory records. FERPA prohibits the University from releasing these records to persons outside the institution without the student's consent except in response to a lawful subpoena or as otherwise required by law. However, if the student is found responsible for violating the Code of Student Conduct, including those sections relating to sexual misconduct or intimate partner violence, the University may release the following information:

- Name of the student found responsible (but not the identity of the complainant);
- The applicable section of the Code of Student Conduct found to have been violated;
- Sanctions imposed because of the disciplinary proceedings.

#### Protecting Directory Information

An individual's directory information can be protected and/or limited by modifying it online or through the assistance of a Deputy Title IX Coordinator for Students.

### Jurisdiction

This protocol applies to on-campus conduct, as well as off-campus conduct, academic, educational, co-curricular, athletic, study abroad, and all other University programs and activities. This protocol applies to all forms of gender based misconduct, including pregnancy or marital status-based discrimination. It applies to all Title IX athletics issues and to different treatment based on sex.

Students are enrolled from the date they matriculate until the date their degree is conferred.

### Standard of Review

The standard of review used to determine responsibility is a "preponderance" standard. This determination is based on the greater weight of the information/evidence and does not require a standard beyond a reasonable doubt.

### Timeline

The University of Akron is committed to addressing all formal complaints of Title IX violations in a prompt and equitable manner.

#### University Investigation

Reports of gender-based misconduct can be reported to a Deputy Title IX Coordinator at any time following an incident. There is no requirement that a report be submitted immediately following an incident. The extent to which a formal complaint of gender-based misconduct can be investigated may decrease when involved individuals leave The University of Akron or if evidence becomes unavailable.

The length of a University investigation and disciplinary action will vary depending on the facts and circumstances following receipt of the report. Some of the factors influencing this timeline include the complexity of the investigation and the severity and extent of the alleged violation.

The timeline may also be affected by the availability of witnesses, holidays, winter recess or spring break periods and summer or winter terms, and the parties' requests for continuances. Reasonable requests for extensions of time will not be denied and will be available equally to each party. Other factors may also affect the typical timeline.

#### Police Investigation

In the State of Ohio individuals may have over 20 years to file a sexual assault report with the police.

### Code of Student Conduct

The policies, procedures, and sanctions outlined in the Code of Student Conduct apply to all violations of the Code of Student Conduct. The Code of Student Conduct can be found at: <http://www.uakron.edu/ncr/UniversityRules/pdf/41-01.pdf>.

Additional information about the Code of Student Conduct or its implementation is available in the Department of Student Conduct and Community Standards, Simmons Hall 302 or online at [www.uakron.edu/studentconduct](http://www.uakron.edu/studentconduct).

### Affirmative Action

The University of Akron is an equal education and employment institution operating under nondiscrimination provisions of Title 41, Ohio Revised Code; Titles VI, VII of the Civil Rights Act of 1964, as amended; and Title IX of the Educational Amendments of 1972, as amended; Executive Order 11246, as amended; Vocational Rehabilitation Act section 504; Vietnam Era Veterans' Readjustment Act, as amended; Age Discrimination in Employment Act of 1967, as amended; Title II of the Genetic Information Nondiscrimination Act of 2008; and Americans with Disabilities Act, as amended as related to admissions, treatment of students, programs and activities, and employment practices.

It is the policy of this institution that there shall be no unlawful discrimination against any individual in employment or in its programs or activities at the University of Akron because of race, color, religion, sex, sexual orientation, gender identity, age, national or ethnic origin, disability, military status, genetic information, or status as a veteran. The University of Akron prohibits sexual harassment of any form in all aspects of employment and in its programs and activities and prohibits discrimination based on sexual and racial or ethnic orientation in employment and admissions. This policy applies to faculty, staff, students, visitors, applicants, and contractors in a manner consistent with applicable laws, regulations, ordinances, orders, and University policies, procedures and processes.

The University of Akron is committed to being an equal opportunity employer. As a federal government contractor, we are required to provide equal employment opportunities to qualified minorities, women, individuals with disabilities and protected veterans. The University's Affirmative Action Plan acts as an audit tool to help identify areas of underutilization for these groups. If it is determined that the University's workforce does not adequately reflect the available labor market in a group, a placement goal is set to promote movement towards adequate representation.

The Affirmative Action policy can be found at [www.uakron.edu/ogc/UniversityRules/pdf/38-01.pdf](http://www.uakron.edu/ogc/UniversityRules/pdf/38-01.pdf).

Additional information about the Affirmative Action Policy or its implementation is available in the Office of Equal Employment Opportunity and Affirmative Action, Administrative Services Building Room 138 or online at [www.uakron.edu/hr/eoaa](http://www.uakron.edu/hr/eoaa).

#### **False Reports**

It is a violation of this protocol to knowingly make a false report of a Title IX violation. However, failure to prove a claim is not equivalent to making a false report. It is also a violation of this protocol for a student or other person to knowingly make a false statement as part of the investigation or disciplinary hearing.

#### **Training of Title IX Staff and Investigators of Misconduct**

The investigation is conducted by professionals who receive annual training on issues related to Title IX violations and on conducting an investigation that protects the safety of students and promotes accountability.

University hearing board members who are involved in conducting and deciding formal complaints involving gender-based misconduct including, sexual misconduct, intimate partner violence, interpersonal violence, sexual harassment and gender-based discrimination receive annual training.

#### **Annual Review of Reporting Protocols and Procedures**

The Title IX Coordinator is responsible for this protocol. It is reviewed annually and posted as required by law as part of the Annual Campus Safety Report.

The University of Akron's Protocol is designed to comply with applicable state and federal laws. The University of Akron reserves the right to modify or deviate from this Protocol when, in the sole judgment of the University, circumstances warrant, to protect the rights of the involved parties or to comply with applicable law or regulations.

#### **Immigration or International Student Visa Information**

There are certain legal protections available to immigrants or international students. The U-visa and the T-visa are currently among those options. The U-visa provides temporary legal status and work eligibility for complainants of specific crimes (including domestic violence, sexual assault, human trafficking, involuntary servitude, and other violations). The T-visa provides complainants of human trafficking and immediate family members with temporary legal status and work eligibility. Additional information is available through the U.S. Department of Homeland Security U.S. Citizenship and Immigration Services at: [www.uscis.gov](http://www.uscis.gov). For further information with this or other immigrant status questions, please contact Community Legal Aid Services in Akron at (330) 535-4191.

### **Law Title IX**

The Education Amendments of 1972, or Title IX, provides:

No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance.

Title IX applies to institutions that receive federal financial assistance from the Department of Education, including state and local educational agencies.

Additional information about Title IX is available at <https://www2.ed.gov/about/offices/list/ocr/index.html>.

#### **First Amendment**

This Protocol is not intended to and will not be enforced to infringe upon First Amendment rights, including the right to academic freedom.



### Clery Act

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act of 1990 ("Clery Act"), requires all colleges and universities that participate in federal financial aid programs to keep and disclose information about crime on and near their respective campuses and to notify the campus community of certain safety concerns. The Clery Act requires colleges and universities to:

- Publish and distribute an annual campus security report (available at [www.uakron.edu/safety](http://www.uakron.edu/safety));
- Maintain a public log of all reported crimes;
- Issue timely warnings ("Safety Advisory") of crimes that represent a threat to the safety of students or employees; and
- Keep statistics of crime that occur on campus, in institutional residential facilities, in non-campus buildings or on public property adjacent to campus.

### Violence Against Women Act

The Violence Against Women Reauthorization Act of 2013 ("VAWA") amended the Clery Act. VAWA requires institutions to compile statistics for incidents of dating violence, domestic violence, sexual assault, and stalking and to include certain policies, procedures and programs pertaining to these incidents in their annual security reports.

Additional information about VAWA is available at [www.justice.gov/ovw](http://www.justice.gov/ovw).

### Ohio Law

#### Ohio Criminal Offenses

The following definitions of criminal behavior in the State of Ohio are considered violations of Title IX. These definitions describe many of the same crimes outlined in the prohibited behaviors section of this policy.

#### Sex Offenses

There is currently no definition of "Sexual Assault" in the Ohio Revised Code.

#### Ohio Revised Code 2907.02 – Rape

(A)(1) No person shall engage in sexual conduct with another who is not the spouse of the offender or who is the spouse of the offender but is living separate and apart from the offender, when any of the following applies:

- For the purpose of preventing resistance, the offender substantially impairs the other person's judgment or control by administering any drug, intoxicant, or controlled substance to the other person surreptitiously or by force, threat of force, or deception.
- The other person is less than thirteen years of age, whether or not the offender knows the age of the other person.
- The other person's ability to resist or consent is substantially impaired because of a mental or physical condition or because of advanced age, and the offender knows or has reasonable cause to believe that the other person's ability to resist or consent is substantially impaired because of a mental or physical condition or because of advanced age.
- No person shall engage in sexual conduct with another when the offender purposely compels the other person to submit by force or threat of force.

#### Ohio Revised Code 2907.03 – Sexual Battery

(A) No person shall engage in sexual conduct with another, not the spouse of the offender, when any of the following apply:

- The offender knowingly coerces the other person to submit by any means that would prevent resistance by a person of ordinary resolution.
- The offender knows that the other person's ability to appraise the nature of or control the other person's own conduct is substantially impaired.
- The offender knows that the other person submits because the other person is unaware that the act is being committed.
- The offender knows that the other person submits because the other person mistakenly identifies the offender as the other person's spouse.
- The offender is the other person's natural or adoptive parent, or a stepparent, or guardian, custodian, or person in loco parentis of the other person.
- The other person is in custody of law or a patient in a hospital or other institution, and the offender has supervisory or disciplinary authority over the other person.

- The offender is a teacher, administrator, coach, or other person in authority employed by or serving in a school for which the state board of education prescribes minimum standards pursuant to division (D) of section 3301.07 of the Revised Code, the other person is enrolled in or attends that school, and the offender is not enrolled in and does not attend that school.
- The other person is a minor, the offender is a teacher, administrator, coach, or other person in authority employed by or serving in an institution of higher education, and the other person is enrolled in or attends that institution.
- The other person is a minor, and the offender is the other person's athletic or other type of coach, is the other person's instructor, is the leader of a scouting troop of which the other person is a member, or is a person with temporary or occasional disciplinary control over the other person.
- The offender is a mental health professional, the other person is a mental health client or patient of the offender, and the offender induces the other person to submit by falsely representing to the other person that the sexual conduct is necessary for mental health treatment purposes.
- The other person is confined in a detention facility, and the offender is an employee of that detention facility.
- The other person is a minor, the offender is a cleric, and the other person is a member of, or attends, the church or congregation served by the cleric.
- The other person is a minor, the offender is a peace officer, and the offender is more than two years older than the other person.

**Ohio Revised Code 2907.04 - Unlawful Sexual Conduct with a Minor**

(A) No person who is eighteen years of age or older shall engage in sexual conduct with another, who is not the spouse of the offender, when the offender knows the other person is thirteen years of age or older but less than sixteen years of age, or the offender is reckless in that regard.

**Ohio Revised Code 2907.05 - Gross Sexual Imposition**

(A) No person shall have sexual contact with another, not the spouse of the offender; cause another, not the spouse of the offender, to have sexual contact with the offender; or cause two or more other persons to have sexual contact when any of the following applies:

- The offender purposely compels the other person, or one of the other persons, to submit by force or threat of force.
- For the purpose of preventing resistance, the offender substantially impairs the judgment or control of the other person or of one of the other persons by administering any drug, intoxicant, or controlled substance to the other person surreptitiously or by force, threat of force, or deception.
- The offender knows that the judgment or control of the other person or of one of the other persons is substantially impaired as a result of the influence of any drug or intoxicant administered to the other person with the other person's consent for the purpose of any kind of medical or dental examination, treatment, or surgery.
- The other person, or one of the other persons, is less than thirteen years of age, whether or not the offender knows the age of that person.
- The ability of the other person to resist or consent or the ability of one of the other persons to resist or consent is substantially impaired because of a mental or physical condition or because of advanced age, and the offender knows or has reasonable cause to believe that the ability to resist or consent of the other person or of one of the other persons is substantially impaired because of a mental or physical condition or because of advanced age.

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

**Ohio Revised Code 2907.06 - Sexual Imposition**

(A) No person shall have sexual contact with another, not the spouse of the offender; cause another, not the spouse of the offender, to have sexual contact with the offender; or cause two or more other persons to have sexual contact when any of the following applies:

- The offender knows that the sexual contact is offensive to the other person, or one of the other persons, or is reckless in that regard.
- The offender knows that the other person's, or one of the other person's, ability to appraise the nature of or control the offender's or touching person's conduct is substantially impaired.
- The offender knows that the other person, or one of the other persons, submits because of being unaware of the sexual contact.
- The other person, or one of the other persons, is thirteen years of age or older but less than sixteen years of age, whether or not the offender knows the age of such person, and the offender is at least eighteen years of age and four or more years older than such other person.
- The offender is a mental health professional, the other person or one of the other persons is a mental health client or patient of the offender, and the offender induces the other person who is the client or patient to submit by falsely representing to the other person who is the client or patient that the sexual contact is necessary for mental health treatment purposes.

#### **Domestic Violence**

##### **Ohio Revised Code 2919.25 – Domestic Violence**

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

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

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

#### **Dating Violence**

There is currently no definition of "Dating Violence" in the Ohio Revised Code.

##### **Ohio Revised Code 2903.11 – Felonious Assault**

(A) No person shall knowingly do either of the following:

- Cause serious physical harm to another or to another's unborn;
- Cause or attempt to cause physical harm to another or to another's unborn by means of a deadly weapon or dangerous ordnance.

(B) No person, with knowledge that the person has tested positive as a carrier of a virus that causes acquired immunodeficiency syndrome, shall knowingly do any of the following:

- Engage in sexual conduct with another person without disclosing that knowledge to the other person prior to engaging in the sexual conduct;
- Engage in sexual conduct with a person whom the offender knows or has reasonable cause to believe lacks the mental capacity to appreciate the significance of the knowledge that the offender has tested positive as a carrier of a virus that causes acquired immunodeficiency syndrome;
- Engage in sexual conduct with a person under eighteen years of age who is not the spouse of the offender.

#### **Stalking**

##### **Ohio Revised Code 2903.211 – Menacing by Stalking**

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

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

- Violate division (A)(1) of this section;
- Urge or incite another to commit a violation of division (A)(1) of this section.
- No person, with a sexual motivation, shall violate division (A)(1) or (2) of this section.

#### Additional

The following is a list of additional specific offenses under Ohio law that may fall under the broader categories identified above. This list is not exhaustive and, depending upon the circumstances of the crime and the individuals involved, other offenses could fall into these categories:

- Ohio Revised Code 2903.12 – Aggravated Assault
- Ohio Revised Code 2903.13 – Assault
- Ohio Revised Code 2903.14 – Negligent Assault
- Ohio Revised Code 2905.01 – Kidnapping
- Ohio Revised Code 2905.02 – Abduction
- Ohio Revised Code 2905.03 – Unlawful Restraint
- Ohio Revised Code 2917.11 – Disorderly Conduct
- Ohio Revised Code 2903.21 – Aggravated Menacing
- Ohio Revised Code 2903.22 – Menacing
- Ohio Revised Code 2917.21 – Telecommunications Harassment
- Ohio Revised Code 2151.421 describes the responsibility to report child abuse or neglect which may become apparent when working with students under the age of eighteen.

## Education and Prevention

By providing resources for prevention, education, support, investigation, and a fair disciplinary process, The University of Akron seeks to eliminate all Title IX violations.

### Sexual Assault and Violence Education (SAVE) Team Initiatives

The SAVE team, Office of Student Success, in collaboration with the Title IX Coordinator, creates, supports, and evaluates educational and support programs aimed at the eradication of Title IX violations involving the University of Akron. To support these programs, the Deputy Coordinator for Students at Akron's main campus coordinates campus-wide Title IX violation education, awareness, and prevention programs.

Through this commitment, the Office of Student Success educates students on the following:

- Title IX Protocol and the University's commitment to enforce it.
- Code of Student Conduct, including the applicable Title IX Code violations.
- The definitions of dating violence, domestic violence, sexual assault, and stalking as those terms are defined for purposes of VAWA and the Clery Act.
- Steps to minimize individual risk of sexual assault, sexual misconduct, domestic violence, dating violence and stalking, including crime reduction tips, safety tips, and healthy relationship education.
- Process and responsibility for reporting Title IX violations.
- How to recognize and obtain consent for sexual activity.
- Resources for students who have been victim/survivors of Title IX violations as well as for those students accused of Title IX violations.
- How to be a knowledgeable and supportive peer presence, including bystander intervention education training.
- On-going wellness promotion programs that address issues including but not limited to sexual health and wellness, healthy relationships, violence prevention, and drug and alcohol education.
- Comprehensive, ongoing, universal campus-wide campaign committed to creating an environment that promotes responsibility, dignity, and respect.

Additional information about these University educational opportunities is available at:

- [www.uakron.edu/sexual-respect](http://www.uakron.edu/sexual-respect)
- [www.uakron.edu/save-team](http://www.uakron.edu/save-team)

### Campus Orientation Programs

The University of Akron requires all incoming students to complete an online education program entitled *Think About It*, through the education technology company Everfi. Additionally, new incoming students are invited to attend and participate in *New Roo Weekend*, where they can access prevention and awareness programming, even if not required to take it. Incoming students are also encouraged to take the *Akron Experience Course* which features Title IX education and prevention training embedded in its content.

The University of Akron Police foster a safe and non-discriminatory campus environment by doing the following:

- Providing safety and security patrols as part of regular University police/regional campus security responsibilities.
- Including Title IX Protocol information on its website and directly to victim/survivors who elect to file a police report.
- Provide survivor centered investigatory techniques.
- Accurately maintain and report statistics of Title IX violations as required by the Clery Act.
- Provide sufficient emergency phones and cameras throughout campus.

Revised March 29, 2018

## Appendix G

### The University of Akron Gender-Based Misconduct Protocol for Employees

#### The University of Akron Gender Based Misconduct Protocols

This Protocol describes how The University of Akron responds to reports of gender-based misconduct involving employees. It also:

- Provides guidance for employees who have been discriminated against;
- Outlines The University of Akron disciplinary response to formal complaints of discrimination;
- Identifies who is able to help and where to turn to for support.

When gender-based misconduct occurs, the University will take appropriate steps to end the discrimination/harassment, prevent its recurrence and remedy the discriminatory effect on the complainant and others, as appropriate.

#### Policy and Procedural Definitions

##### Consent, Incapacitation and Coercion

Consent is when a person agrees or gives permission to another person to engage in certain sexual acts.

- Consent is a knowing and voluntary verbal or non-verbal agreement between all parties to participate in each and every sexual act.
- Consent to one sexual act does not imply consent to other or all sexual acts.
- Conduct will be considered "non-consensual" if no clear consent, verbal or non-verbal, is given. The absence of "no" does not mean "yes."
- A person has the right to change one's mind at any time during the act. In other words, consent can be withdrawn at any point, as long as the person clearly informs the other party of the withdrawal.
- Taking drugs or consuming alcohol does not relieve the obligation to obtain consent.

##### Effective Consent

Effective consent can be given by words or actions so long as the words or actions create a mutual understanding between all parties regarding the conditions of the sexual activity. A helpful tool is to ask yourself: "Do all of us understand and agree regarding the who, what, when, where, why, and how this sexual activity will take place?"

##### Consent in Relationships

Current or past sexual relationships or current or past dating relationships are not sufficient grounds to constitute consent.

- Regardless of past experiences with other partners or a current partner, consent must be obtained.
- Consent can never be assumed, even in the context of a relationship. A person has the right to say "no" and has the right to change their mind at any time for whatever reason.

##### Incapacitation – Cannot Give Consent (No Matter What They Might Say)

Incapacitation can occur in several ways. For example, when a person is severely intoxicated due to use of alcohol or drugs. They may be unconscious or severely impaired.

A helpful tool is to ask yourself: "Do all of us understand and agree regarding the who, what, when, where, why, and how this sexual activity will take place?"

A person may also be incapacitated if that person is physically or mentally disabled.

##### Coercion

The use of force, threat of force, deception or when a person is beaten, threatened, isolated, or intimidated.

When a person affirmatively demonstrates that (1) they do not want to have sex, (2) they want to stop any sort of the sexual acts, or (3) they do not want to go any further, the other party must stop completely. Continued pressure after that point can be coercive. A person is not required to physically or otherwise resist an aggressor.

##### Reporting Protocol Definitions

###### The Parties

These terms are used throughout this document and are defined as follows:

###### Complainant

Complainant(s) are individuals who are eligible to file a formal complaint or to report a violation of this policy. Complainants also include any person who is reported to have experienced a violation of this policy in cases where a third party has made a report. Terms that may be commonly used to describe a complainant: survivor, victim, target, or reporting party.

**Respondent**

Respondent(s) are individuals who have been alleged to have violated this policy. Terms that may be commonly used to describe a respondent: accused, alleged, perpetrator, or responding party.

**Witness**

A Witness is an individual who may have additional information about a report or formal complaint of gender-based misconduct. Witnesses may include, but are not limited to: eye-witnesses, friends, police, University students and staff who responded to an incident or received an initial report.

**Advisor**

Complainants and respondents have the right to be accompanied to any meeting or proceeding by an advisor of their choice. Advisors may include an attorney or advocate. Advisors are not permitted to participate or interject during any meeting or proceeding.

**Campus Security Authority**

The Clery Act requires the University to designate University staff members who have significant responsibility for student or campus activities as Campus Security Authorities. At The University of Akron, Campus Security Authorities include: the Dean of Students and Deputy Title IX Coordinator for Students; most managerial staff in The Division of Student Affairs; Residence Life staff, including resident assistants; advisors to registered student organizations; the Director and Associate Directors of Athletics and athletic coaches.

**Report**

A Report refers to notice provided to the University that gender-based misconduct has or may have occurred. Reports may be submitted by a complainant, respondent, responsible employee, a campus security authority (CSA), or by a third party

**Formal Complaint**

A formal complaint refers to a request for an investigation by The University of Akron to determine if a University Policy has been violated or a criminal act has occurred. The University of Akron Police Department (or local police agency), The Department of Student Conduct and Community Standards, or The Office of Equal Employment Opportunity and Affirmative Action investigate formal complaints. Formal complaints may be initiated by a complainant, The University of Akron Title IX Coordinator, or their designee.

**Timely Warning – Safety Advisory**

If a report of a sexual misconduct or intimate partner violence indicates there is an immediate threat to the health or safety of persons on campus or that an on-going serious or continuing threat to the campus community exists, a Timely Warning Safety Advisory ("Timely Warning") will be issued to the campus community. The purpose of a Timely Warning is to enable persons to protect themselves, heighten safety awareness, and seek information that will lead to an arrest and conviction of the perpetrator. Timely Warnings will not include the complainant's name or other personally identifying information.

Information regarding Timely Warnings and sexual misconduct and intimate partner violence are included in the Annual Security and Fire Safety Report/Crime Statistics at: <http://www.uakron.edu/safety/annual-safety-report/>.

**Title IX Coordinator**

Ms. Jolene Lane serves as Chief Diversity Officer, Vice President for Inclusion and Equity and Title IX Coordinator. As Title IX Coordinator she is responsible for overseeing the University's Title IX process and coordinates the University's efforts and responsibilities to ensure compliance with Title IX.

**Deputy Title IX Coordinators**

The Title IX Coordinator is assisted by Deputy Title IX Coordinators:

**Deputy Title IX Coordinator for Employees**

Mrs. Tami Hannon serves as the intake coordinator for all reports of gender-based discrimination involving employees and third-parties. Mrs. Hannon meets with both complainants and respondents and may implement interim measures of support for both parties, when necessary to stop and prevent the effects of gender-based discrimination. Mrs. Hannon's office investigates complaints and he can be reached at The Administrative Services Building, The University of Akron, Akron, OH, 44325-4709, (330) 972-7300 or [thz2@uakron.edu](mailto:thz2@uakron.edu).

**Deputy Title IX Coordinator for Students**

Mr. Michael Strong serves as the Dean of Students and Deputy Title IX Coordinator for Students. Mr. Strong serves as the intake coordinator for all reports of gender-based misconduct involving students on the main campus. Mr. Strong meets with both complainants and respondents and may implement interim measures of support for both parties, when necessary to stop and prevent the effects of gender-based misconduct. Mr. Strong also refers formal complaints to the Office of Student Conduct and Community Standards. Mr. Strong can be reached at the Student Union, 152, The University of Akron, OH 44325-4612, (330) 972-6048 or [mstrong@uakron.edu](mailto:mstrong@uakron.edu).

**Deputy Title IX Coordinator for Regional Campuses, Including Wayne College**

Mr. Gordon Holly serves as Assistant Dean of Student Success and Deputy Title IX Coordinator for Wayne College. Mr. Holly meets with both complainants and respondents from the regional campuses, including Wayne College. Mr. Holly may implement interim measures of support for both parties, when necessary to stop and prevent the effects of gender-based misconduct. Mr. Holly also refers formal complaints to the Office of Student Conduct and Community Standards. Mr. Holly can be reached at Wayne College, Boyer HPE Building, E242, (330) 972-8740 or [gholly@uakron.edu](mailto:gholly@uakron.edu).

**Deputy Title IX Coordinator for Athletics**

Mrs. Mary Lu Gribshaw serves as the Senior Associate Athletics Director and Deputy Title IX Coordinator for Athletics. Mrs. Gribshaw coordinates support for student athlete complainants and respondents. Mrs. Gribshaw also coordinates response to reports and formal complaints within the Department of Athletics. Mrs. Gribshaw can be reached at James A. Rhodes Arena 183, The University of Akron, OH 44325-5201 (330) 972-7080 or [marylu@uakron.edu](mailto:marylu@uakron.edu).

**Title IX Investigators**

When a formal complaint is initiated in which the respondent is a University of Akron student, The Department of Student Conduct and Community Standards staff serve as the investigator(s) of the formal complaint. The Department of Student Conduct and Community Standards is located in Simmons Hall 302. (330) 972-6380.

When a formal complaint is initiated in which the respondent is a University of Akron faculty member, staff member, or guest of the University, The Office of Equal Employment Opportunity and Affirmative Action staff serve as the investigator(s) of the formal complaint. The Office of Equal Opportunity Employment and Affirmative is located in the Administrative Services Building, 185 E. Mill Street, 330-972-7300.

Criminal complaints occurring at The University are investigated by The University of Akron Police Department. The University of Akron Police Department may also assist and liaison with local police agencies when a crime is investigated in a nearby community. The University of Akron Police Department is located at 146 Hill St. Akron, OH 44325-0402, (330) 972-2911.

**University Staff Required to Report**

All members of the University community share a responsibility for ensuring violations of this policy are reported.

**Responsible Employees**

Pursuant to Title IX, all employees of the University of Akron are considered "responsible employees." Therefore, should a responsible employee become aware of an instance of gender-based misconduct, or if they observe such conduct, they are required to report the conduct to one of the University's Deputy Title IX Coordinators. This duty to report applies to all University of Akron administrators, supervisors, managers, faculty and staff. Specific student employees, considered responsible employees, are identified below in sections (2) and (3). To ensure the safety of the



community, responsible employees are required to report when they know gender-based misconduct has occurred or when they believe misconduct may have occurred – even if they are not certain. Responsible employees are not required to investigate, ask for additional information, question or compel a complainant, respondent or witness for more information than initially provided.

#### Exemption

Responsible employees are not required to report information disclosed at public awareness events (e.g., "Take Back the Night," "candlelight vigils," "survivor speak-outs," or other public forums or discussions) in which students or employees do not intend to make a report of gender-based misconduct. Information about the University reporting protocols for gender-based misconduct, community resources and support should be provided at such public awareness events. In the classroom, instructors should remind students that faculty are required to report gender-based misconduct.

#### Confidential Employees (Not Required to Report)

Only those employees with a legal privilege of confidentiality under Ohio law (including doctors and licensed counselors acting in their capacity as counselors) are not required to report when the information is obtained during a confidential communication. Those offices with staff who are exempt from reporting include:

- The University of Akron Counseling & Testing Center - Simmons Hall
- The University of Akron Wayne College - Counseling and Accessibility Services
- The University of Akron Health Services - Student Recreation and Wellness Center
- The University of Akron Clinic for Individual and Family Counseling - Chuma Family Center
- The University of Akron Department of Psychology Counseling Clinic - Buchtel College of Arts and Sciences

#### Graduate Students who are Responsible Employees (Required to Report)

Some graduate assistants may also be required to report instances of gender-based misconduct, or retaliation. Those required to report are as follows:

- Teaching Assistants
- Graduate Assistants in administrative units

Most graduate students are not required to report.

#### Undergraduate Students who are Responsible Employees (Required to Report)

Some undergraduate students are required to report by virtue of their specific student employment to report instances of sexual misconduct, intimate partner violence, sexual harassment, or retaliation. Those undergraduate students required to report are as follows:

- Resident Assistants
- Student employees in the Department of Student Recreation and Wellness Services
- Student employees in the Department of Student Life including, but not limited to, student employees of: the SOuRCe, Zips Program Network, Student Union Game Room, Marketing, Campus Programs, Serve Akron, Lead Akron, and the Student Union Information Desk
- Office of Multicultural Development Peer Mentors
- Choose Ohio First Peer Mentors.

#### Campus Security Authorities

Campus Security Authorities are required to provide information regarding any report of a Title IX offense to UAPD to be included in the University's Annual Report of Crime Statistics and, if appropriate, for issuing a safety advisory (timely warning) or other emergency notification. A victim's name and other personally identifying information is not included in any safety alert or emergency notification.

## Prohibited Behaviors Gender-Based Misconduct (Policy Violations)

Any person, regardless of gender, can be a target of these behaviors.

### Sexual Misconduct

The following behaviors are considered sexual misconduct and are criminal actions:

#### Sexual Assault

Sexual assault is any sexual act directed against another person, without their consent, including instances where the person is incapable of giving consent. Examples include:

**Rape**

Any non-consensual sexual intercourse, defined as any sexual penetration however slight, with any body part or object by any person upon any person without consent.

**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 or physical incapacity.

**Statutory Rape**

Non-forcible sexual intercourse with a person who is under the statutory age of consent.

**incest**

Non-forcible sexual intercourse between persons who are related to each other within the degrees where marriage is prohibited by law.

**Sexual Exploitation**

Sexual exploitation is taking non-consensual, unjust or abusive sexual advantage of another. Examples include non-consensual video or audio recording of sexual activity, going beyond the boundaries of consent (such as knowingly allowing another to secretly watch otherwise consensual sexual activity) and engaging in non-consensual voyeurism.

**Indecent Exposure**

Indecent exposure is the exposure of the private or intimate parts of the body in a lewd manner in public or in private when the respondent(s) may be readily observed.

**Intimate Partner Violence/Interpersonal Violence**

The following behaviors are considered intimate partner violence or interpersonal violence and are prohibited:

**Dating Violence**

Dating Violence is an act of violence committed by a person who is or has been in a social relationship of an intimate or romantic nature with the victim. Examples include threatened physical violence, intimidation or force that causes a reasonable person to fear harm to self or others.

The existence of such a relationship shall be determined based on consideration of the following factors:

- Length of the relationship.
- Type of relationship.
- Frequency of interaction between the persons involved in the relationship.

**Domestic Violence**

Domestic Violence is an act of violence committed by a current or former spouse or intimate partner of the victim or a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner or person similarly situated, or by a parent with whom the victim shares a child in common.

**Stalking**

Stalking is 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. Stalking includes repeatedly following, harassing, threatening, or intimidating another by telephone, mail, electronic communication, social media, or any other action, device or method that purposely or knowingly causes substantial emotional distress or reasonable fear of bodily injury or death.

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

**Battery**

Battery is intentionally, or negligently, causing physical contact or bodily harm to another person. When this action is taken because of a person's sex or gender the crime is also prohibited by this policy.

**Sexual Harassment**

Sexual Harassment is unwelcome sex or gender based verbal or physical conduct that unreasonably interferes with a student or employee's work or educational experience or creates an intimidating, hostile or offensive working, educational or residential environment. Sexual harassment includes sex or gender based conduct that is sufficiently severe or pervasive such that it unreasonably interferes with, denies, or limits a student or employee's ability to participate in or benefit from the University's educational programs and activities. The more severe the conduct, the less need there is to show a repetitive series of incidents to demonstrate a hostile environment. In fact, a single severe incident may be sufficient to create a hostile environment. Sexual Harassment exists when:

**Quid Pro Quo**

There are unwelcome sexual advances, requests for sexual favors or other verbal or physical conduct and submission to such conduct is made explicitly or implicitly a term or condition of a student or employee's employment or academic status.

The submission or rejection of such conduct is used as the basis for employment or academic decisions.

**Hostile Environment**

There is verbal or physical sexual conduct that is sufficiently severe or persistent that it unreasonably interferes with a student or employee's work performance or creates an intimidating, hostile or offensive work, educational or campus residential environment.

**Gender-Based Discrimination**

Gender-based discrimination is treating someone unfavorably because of that person's sex or gender. An example of gender-based discrimination is when a person is treated unfavorably in class, at work, or in housing due to social behavior such as the nonconformance of gender roles.

**Retaliation**

Retaliation, including vengeful harassment, against any individual who reports, makes a formal complaint, pursues legal action, participates in an investigation or is a witness in any investigation of gender-based misconduct is strictly prohibited. Retaliation is prohibited by Title IX. Like with sexual misconduct, intimate partner violence, interpersonal violence and sexual harassment, and gender-based discrimination, retaliation is a violation of this policy.

**Procedures to Address Retaliation**

The same procedures outlined in this policy to address all forms of gender-based misconduct will be used to address retaliation.

Those who engage in retaliation will face University disciplinary action up to and including suspension or termination. Formal complaints of retaliation should be reported to the Deputy Title IX Coordinator for Employees. At the Akron Campus reports are submitted to Mrs. Hannon, Deputy Title IX Coordinator for Employees, and those that occur at any of the regional campus locations, including those at the Wayne Campus, are submitted to Mr. Gordon Holly, Deputy Title IX Coordinator for Wayne College.

**Reporting Options Personally Reporting**

**Reporting To Deputy Title IX Coordinator**

Reporting to a Deputy Title IX Coordinator provides the complainant access to additional support, interim measures, and opportunities for investigations not available through confidential reporting and anonymous reporting options.

Reports may be submitted to a Deputy Title IX Coordinator from:

- responsible employees who are required to report;
- police who are reporting criminal conduct;

- bystanders and third parties who are concerned for the welfare of employees or students; and
- employees who are sharing first-hand (witness) accounts of violations.

The University may be able to provide appropriate supportive measures no matter how long ago the alleged incident(s) occurred.

If the complainant is incapacitated for any reason and unable to report, a report should be made on their behalf.

#### **Confidential Reporting Options**

A complainant or respondent may speak confidentially to individuals in legally protected roles, including the following:

- The Rape Crisis Center of Medina and Summit Counties, Student Recreation and Wellness Center, 246, (330) 972-6328.
- The University of Akron's Employee Assistance Program provider ("EAP"). Information about the EAP can be obtained from Mrs. Tami Hannon at The Administrative Services Building, The University of Akron, Akron, OH, 44325-4709, (330) 972-7300 or tl22@uakron.edu.
- The University of Akron, Wayne College, Counseling and Accessibility Services, Wayne College and Boyer HPE Building, B112, Wayne College, Orrville OH (330) 972-8767.
- The University of Akron Health Services, Student Recreation and Wellness Center, 260, (330) 972-7808.
- Off-campus with clergy, counselors, physicians, and Sexual Assault Nurse Examiners (SANE).

A confidential report will not result in a report to law enforcement or a University investigation. It will not be reported to the Title IX Coordinator, a Deputy Coordinator, or to The University of Akron Equal Employment Opportunity/Affirmative Action Office. A confidential report will not be included in the annual Campus Security Report.

#### **Anonymous Reporting**

Anonymous reports will be accepted by The University of Akron.

Options for Anonymous reporting are available at <http://www.uakron.edu/safety/report-a-problem/anonymous-reporting.do>. The University's options for investigating or resolving anonymous reports may be limited because of the unique challenges presented, including the following:

- The University is not able to provide support or services to a complainant that has not been identified.
- The University may not be able to hold a student or employee responsible for an alleged violation of this policy because a respondent has a right to know the name of the reporter (or complainant if different from the reporter) as well as information regarding the nature of the formal complaint.

The University encourages all complainants to consider reporting to a Title IX Coordinator or choosing a Confidential Reporting Option.

#### **Reporting Requirements of Responsible Employees**

Responsible employees have a duty to report gender-based misconduct. In addition, Ohio law requires those not in a legally protected role with knowledge of a felony to report it to law enforcement. All responsible employees also have an obligation to notify The University of Akron Police Department of a felony. For sexual misconduct, intimate partner violence, or interpersonal violence that may also constitute a criminal offense that occurred on The University of Akron campus, contact the University Police directly at (330) 972-2911 to file a police report. The University of Akron Police officers are trained to respond quickly, with sensitivity and compassion.

Employees at the Wayne College Campus should report to the Wayne College Campus Police at (330) 684-8910.

#### **Third Party Reports**

Students, active bystanders, family, or other concerned individuals are not required, but are able to report gender-based misconduct. Reports from third parties will result in the Deputy Title IX Coordinator for Employees contacting the complainant as with all other such reports.

#### **How to Submit a Report**

All concerns about sexual misconduct, intimate partner violence, sexual harassment, or retaliation should be reported to:

- Deputy Title IX Coordinator for Employees – Tami Hannon tlz2@uakron.edu (330) 972-7300.
- Deputy Title IX Coordinator for Wayne College - Gordon Holly gholly@uakron.edu (330) 972-8740 (if the alleged conduct is related to a regional campus, including Wayne College).
- Title IX Coordinator – Jolene Lane jolenealane@uakron.edu (330) 972-7522.

Another easy and effective way to report Title IX violation is through The University of Akron's online reporting system at: [www.uakron.edu/title-ix/online](http://www.uakron.edu/title-ix/online). All online reports are transmitted electronically to the Title IX Coordinator and Deputy Title IX Coordinators

An employee who experienced gender-based misconduct (sexual misconduct, intimate partner violence, interpersonal violence, sexual harassment, or gender-based discrimination) should retain all communications from the respondent, including email, voicemail, text-messages, and social media communication.

For emergency situations, please contact The University of Akron Police Department by calling (330) 972-2911.

### When Police Receive a Report

Responsible employees are required to report criminal behavior; however, complainants are not required to speak with police. The University of Akron will comply with an employee's request for assistance in notifying the University of Akron Police. A report to The University of Akron Police or other law enforcement agency does not require the complainant to pursue a University investigation (formal complaint).

When the University of Akron Police Department receives a report of sexual misconduct or intimate personal violence, they will investigate the criminal behavior. The University of Akron Police will verify that a Title IX referral has been submitted and evaluate the available information to determine if a timely warning safety notification will be made.

When the University of Akron Police receive a report from a Deputy Title IX Coordinator on behalf of a complainant who does not wish to speak to the police, the Police, when possible, will defer to the request from a complainant for privacy.

Please note that a delay in reporting to police could weaken or result in a loss of evidence used to determine whether an individual is responsible for a criminal offense. In the State of Ohio individuals may have up to 20 years to file a sexual assault report with the police.

### When an Employee Is Arrested for A Crime of Violence

An employee arrested for certain criminal offenses, including rape, sexual battery, gross sexual imposition and domestic violence, may be subject to a "1219" proceeding. "1219" refers to the section of Ohio law which provides for the suspension and termination of employees arrested and convicted of crimes of violence that occur on or affecting University persons or property. The initiation of a "1219" proceeding against an employee does not prohibit the University from investigating and taking University disciplinary action against the same employee applicable University Rules/Policies for the same conduct that gave rise to the "1219" proceeding.

### When a report is received

If the investigation finds sufficient information exists to believe that gender-based misconduct has occurred, the University will take immediate and appropriate steps to stop the misconduct, prevent any further violations, remedy the effects of the misconduct and prevent retaliation. Such steps may include increasing security in a designated spaces, no-contact directives, and/or required education/training of the respondent or department or campus training.

### Outreach and Support from Deputy Title IX Coordinator for Employees

Upon receipt of a report, the Deputy Title IX Coordinator for Employees will reach out to the complainant and request to meet to discuss support and to ensure the complainant is aware of and understands all available options.

The Deputy Title IX Coordinator for Employees provides the complainant with written notification of this policy and information about support services available to complainants.

No police report, formal complaint or investigation need occur before this support is available. A complainant can access these services at any time, even if the employee initially declined the service.

When a complainant meets with the Deputy Title IX Coordinator, or designee, they will discuss the report submitted, safety planning and any possible timely warning safety notifications. The complainants will also be offered personalized support through interim measures and will discuss possible formal complaints (investigations) related to the report. Complainants have the right not to meet with the Deputy Title IX Coordinator, or designee, but are encouraged to do so.

To initiate support or report prohibited behaviors on the Akron campus, contact Mrs. Tami Hannon, who serves as the Deputy Title IX Coordinator for Employees. Mrs. Hannon is available during regular business hours and serves as the intake coordinator for all reports of gender-based misconduct involving employees. Mrs. Hannon can be reached at the Administrative Services Building, 138B, The University of Akron, OH 44325-4709, (330) 972-7300 or [tl2@uakron.edu](mailto:tl2@uakron.edu).

To initiate support or report prohibited behaviors at a regional campus, including the Wayne College Campus, contact Mr. Gordon Holly who serves as the Deputy Title IX Coordinator for Wayne College. Mr. Holly is available during regular business hours and meets with students to discuss interim measures of support. When appropriate, Mr. Holly may coordinate support with Mrs. Smith at the main campus. Mr. Holly can be reached at Wayne College, Boyer HPE Building, E242, (330) 972-8740 or [gholly@uakron.edu](mailto:gholly@uakron.edu).

#### **Discuss - Safety Planning**

The Deputy Title IX Coordinator will assist the employee with possible interim measures of support/ protective measures such as:

- immediately attending to any medical needs. The Deputy Title IX Coordinator for Employees can assist in arranging an advocate to accompany the employee to the hospital, if requested by the employee;
- contacting a support person such as a friend or family member, if desired;
- obtaining a University no contact directive or assist in referring the employee for a court-issued restraining order or other lawful order of protection;
- amending work schedules, when appropriate, to minimize the chance of contact with the respondent;
- changing of work locations or working conditions;
- transportation/parking options; and,
- discussing support such as safe escorts available through the University of Akron Police Department.

#### **Timely Warning Safety Advisory**

If a report of a sexual misconduct or intimate partner violence indicates there is an immediate threat to the health or safety of persons on campus or that an on-going serious or continuing threat to the campus community exists, a timely warning will be issued to the campus community. When possible, complainants will be advised if the Deputy Title IX Coordinator anticipates a timely warning may be issued.

#### **Privacy Protections**

Even if a complainant does not specifically request their information remain confidential, The University of Akron will seek to protect their privacy, to the extent possible. The Deputy Title IX Coordinator for Employees will discuss with complainants what information is confidential and what information is not. This discussion includes the privacy protections related to crime logs, annual security reports, timely warnings, police reports, evidence gathered during investigations and interim measures.

It is also possible that reports of gender-based misconduct are incomplete and submitted without all possible detail. The Deputy Title IX Coordinator will discuss with the complainant what information has been reported before providing an opportunity to disclose additional information.

#### **Personalize Support**

The Deputy Title IX Coordinator will assist the employee with interim measures of support which may include, but are not limited to:

- Information about medical and psychological resources available through the EAP;
- assistance in receiving academic support services including tutoring;
- reporting criminal conduct to appropriate authorities;
- offering an alternative work location or work schedule.

Interim measures may also take the form of a personalized or expedited referral to campus resources. Employees are encouraged to seek support from such resources.

#### Counseling

Counselors at a variety of agencies both on and off campus can help a person decide what steps to take, such as seeking medical attention, preserving evidence, obtaining counseling, and reporting to authorities. The University of Akron has rape crisis center advocates on campus. Information, support and advice are available for anyone who wishes to discuss issues related to sexual misconduct, intimate partner violence or sexual harassment; whether a report of gender-based misconduct has been submitted or if the person is seeking information on behalf of a complainant, witness or respondent.

#### On Campus Counseling Resources

Professional staff members who are legally obligated to maintain confidentiality work at these offices. Meeting with one of these staff members will not initiate the reporting process.

- The Rape Crisis Center of Medina and Summit Counties, Student Recreation and Wellness Center, 246, (330) 972-6328.
- The University of Akron EAP. Information about the EAP can be obtained from Mrs. Tami Hannon at The Administrative Services Building, The University of Akron, Akron, OH, 44325-4709, (330) 972-7300 or tlz2@uakron.edu.
- The University of Akron, Wayne College, Counseling and Accessibility Services, Wayne College and Boyer HPE Building, B112, Wayne College, Orville OH (330) 972-8767.

#### Off Campus Counseling Resources

Crisis intervention and assistance in reporting is available to victims/survivors 24 hours a day by calling:

- The Rape Crisis Center of Medina and Summit County at 877-906-7272.
- The National Sexual Assault Telephone hotline 800-656-HOPE (4673). This hotline, operated by RAINN, connects a caller with a local RAINN affiliate organization based on the first six digits of the caller's phone number.
- Ohio Sexual Violence Helpline at 1-844-OHIO-HELP (1-844-644-6435). This helpline is a confidential, statewide hotline dedicated to serving survivors of sexual assault and relationship violence.

#### Medical Treatment

A complainant targeted with sexual misconduct or intimate partner violence is urged to seek appropriate medical evaluation immediately after the incident.

For life-threatening conditions, call (330) 972-2911, or go to the nearest hospital emergency department.

The University Health Services also offers services through the Well Women's Clinic.

#### Medical – Legal Evidence Collection

A person who has experienced a violation is encouraged to request collection of medical/legal evidence. Prompt collection of physical evidence is essential should a person later decide to pursue criminal prosecution and/or a civil action against the respondent. Collection of evidence may involve interaction with police and a police report. It is the decision of the complainant whether to speak with the police or not, even if the police are notified about the alleged violation.

A free and confidential exam can be administered at most hospitals. The sooner the sexual assault is reported, the more likely important evidence will still be present. "Date rape" drugs may still be present in the complainant's system and should be tested for if the complainant believes they may have been drugged. To help preserve evidence that may assist in proving a formal complaint or obtaining a protection order, the complainant is encouraged to put any soiled clothes in a paper (not plastic) bag, and to refrain from the following:

- Bathing or douching
- Washing hands or face
- Urinating
- Drinking any liquids
- Smoking, eating, or brushing teeth (including mouthwash and flossing)

If an individual is uncertain about whether they want to report what has occurred, they can still have evidence collected. In cases of sexual assault, the police may be called to the hospital. The complainant can then decide whether to speak with the police at that time to report what has happened.

**Legal Assistance**

For legal assistance you may contact Community Legal Aid Services in Akron at (330) 535-4191 or the Akron Bar Association at (330) 253-5007. Legal services may include, but are not limited to, restraining orders, child support, custody, divorce, visitation restrictions, visa adjustments, and division of debts and property. There may be fees associated with some or all of these legal services.

**Advocacy**

The Deputy Title IX Coordinator will assist the complainant in contacting the Rape Crisis Center of Medina and Summit County, or other local agency, if they request assistance with a personal advocate.

**Formal Complaints and Discipline**

The University of Akron recommends that all incidents of gender-based misconduct be investigated to the extent possible. A Deputy Title IX Coordinator will review available options for investigations with the complainant.

A Deputy Title IX Coordinator will assist the complainant in determining:

- If the respondent is a University of Akron student, faculty member, or staff member;
- What, if any, University of Akron rules/policies may have been violated;
- Which University investigation model (Equal Employment Opportunity/Affirmative Action or Student Conduct and Community Standards) is applicable;
- If criminal behavior is alleged, which police agency has jurisdiction;
- Reporting options to another college or university, if applicable.

A Deputy Title IX Coordinator will encourage, but not force, the complainant to consider participating in an investigation.

**Options for Investigation**

Complainants are provided information about possible criminal investigations as well as possible University investigations.

A criminal charge and a University investigation may be pursued at the same time but they are two separate and distinct processes.

If a complainant requests an investigation, the Deputy Title IX Coordinator for Employees will assist the employee by submitting a formal complaint to the appropriate University department or police agency.

**When a Complainant Requests That an Incident Not Be Investigated**

The University has an obligation to promptly take steps to investigate or otherwise determine what occurred and then to take appropriate steps to resolve formal complaints, to the extent feasible, when it knows or reasonably should know about possible gender-based misconduct, from any source, regardless of whether a complainant declines to participate in the process or a respondent is a third-party or is no longer a University employee.

Reporters (or the complainant if different from the reporter) may request that a report not be investigated or that their identity remain confidential. In such cases, a Deputy Title IX Coordinator, in consultation with the Title IX Coordinator, will evaluate the request for confidentiality in the context of the University's commitment to provide a safe and non-discriminatory campus environment.

If the request for confidentiality or that a report not be investigated is granted, the University will not conduct a formal investigation.

However, under some circumstances, a Deputy Title IX Coordinator, in consultation with the Title IX Coordinator, may determine that, despite the request for confidentiality or that the report not be investigated, the University has an obligation to formally investigate a report, such as when there is a significant risk to the campus community. In this case the complainant will be informed of the decision to conduct a formal investigation.



#### Evaluating Requests Not To Investigate

To evaluate a request for confidentiality or not to investigate a report, a Deputy Title IX Coordinator, in consultation with the University's Title IX Coordinator, may take appropriate steps to conduct a preliminary review into the alleged violation and weigh the request against the following factors:

- Seriousness of the alleged violation (including whether the violation involved the use of a weapon, other illegal activity, illegal drug or intoxicant, multiple respondents, etc.).
- Whether there have been other formal complaints or reports made regarding the respondent (e.g., a history of arrests, a record of misconduct at The University of Akron or other institutions).
- Respondent's right to access the formal complaint or report including the complainant's identity.
- Applicability of any laws requiring disclosure.
- Availability of other information to verify the formal complaint.
- Whether the circumstances suggest there is an increased risk of the respondent(s) committing additional Title IX violations (e.g., a pattern of behavior).
- Whether the respondent has threatened the complainant or others.
- Safety of the reporter and/or complainant.
- Safety of the campus community.

If the reporter (or complainant if different from the reporter) insists that their privacy be protected and that their name or other identifiable information not be disclosed to the respondent, a Deputy Title IX Coordinator will advise the reporter and/or complainant of the University's limited ability to respond to the report.

#### Requests for Confidentiality Limit the Ability of the University to Investigate

A respondent has a right to know the name of the reporter (or complainant if different from the reporter) as well as information included in the formal complaint; thus the University may not be able to both investigate a report and maintain the confidentiality of the reporter (or complainant if different from the reporter).

The University may take other steps to limit (stop and prevent) the effects of the reported gender-based misconduct. The University will respond to formal complaints, reports, or information about incidents of gender-based misconduct to stop prohibited discrimination, eliminate any hostile environment, take steps to prevent the recurrence of the discrimination, and address any effects on campus or in the context of any University programs and activities regardless of location.

### Types of Investigations

#### University Investigations

The Deputy Title IX Coordinator for Employees will inform the complainant of their right to request an investigation through the Equal Employment Opportunity/Affirmative Action Office if the respondent is an employee or third-party. If the respondent is a student, the Deputy Coordinator will notify the employee of their right to request an investigation. In this case the matter may be investigated by either The University of Akron Equal Employment Opportunity/Affirmative Action Office and/or The Department of Student Conduct and Community Standards. If the respondent is a third party, the Deputy Coordinator will assist the complainant in reporting the alleged conduct to the authorities in the appropriate jurisdiction.

The University of Akron will preserve the complainant's (and respondent's) privacy to the extent possible and permitted by law.

#### Student Conduct Investigation

When the complainant(s) and the respondent(s) in a formal complaint are University of Akron students the Department of Student Conduct and Community Standards staff serve as the investigator(s) of the formal complaint. The Department of Student Conduct and Community Standards is located in Simmons Hall 302 and can be reached at (330) 972-6380.

**Equal Employment Opportunity and Affirmative Action Investigation**

When the respondent in a formal complaint is a University of Akron faculty member, staff member, or guest of the University, the Director of The Office of Equal Employment Opportunity and Affirmative Action will serve as the investigator of the formal complaint. The Office of Equal Opportunity Employment and Affirmative is located in the Administrative Services Building Room 138 and can be reached at (330) 972-7300.

**Police Investigations**

The University of Akron informs employees who have been the victim/survivor of sexual misconduct, intimate partner violence, or interpersonal violence of their ability to pursue criminal charges against the person or persons they believe to have committed the crime.

A Deputy Title IX Coordinator will assist the employee in filing a formal complaint with The University of Akron Police if on-campus or assist in referring the student to another appropriate police department, if off-campus.

If a police report has already been filed, a Deputy Title IX Coordinator may assist the employee in learning about the status of an investigation.

**Legal Options**

Formal complaints may also be filed with the United States Department of Education, Office for Civil Rights. Additional information can be found at: <http://www2.ed.gov/about/offices/list/ocr/docs/howto.html>.

**Available Interim Measures of Support, Protection, and Remedy**

Interim measures are issued to protect complainants and respondents from harm and to remedy the effects of gender-based misconduct. Interim measures may also be issued to protect the larger campus community from harm. Interim measures will be issued by a Deputy Title IX Coordinator after an evaluation to ensure the complainant and respondent are treated fairly and have equitable access to support through these measures.

Employees may, upon request, obtain interim support services from a Deputy Title IX Coordinator, such as changing work schedules, working locations, and transportation circumstances. The University will make such accommodations or provide such reasonable protective measures if they are reasonably available. A Deputy Title IX Coordinator will exercise discretion and sensitivity about sharing the identity of the complainant when arranging for interim support services.

The Deputy Title IX Coordinator will maintain as confidential any support services or protective measures provided to the complainant to the extent that maintaining such confidentiality would not impair the ability of the University to provide the support services or protective measures. There may be times when the University must disclose some information about the complainant to University faculty or staff to provide accommodations or protective measures. This information will be limited only to what and who is needed to complete the accommodation/protective measure(s). A Deputy Title IX Coordinator will determine what information will be disclosed and to whom based upon the request.

**No Contact Directives and Orders of Protection**

A Deputy Title IX Coordinator, the Rape Crisis Center of Medina and Summit County, as well as The University of Akron Police Department may assist the employee in obtaining a "no contact" directive, an order of protection, or a restraining order.

**University of Akron - No Contact Directive**

A University of Akron "No Contact Directive" can be requested following a report of sexual misconduct, intimate partner violence or sexual harassment. The directive may also be requested upon the initiation of or at any point during an investigation of a formal complaint. This request can be made to a Deputy Title IX Coordinator.

No contact directives can be requested by complainants or respondents.

Any violation of a No Contact Directive should be reported immediately to a Deputy Title IX Coordinator. A violation of a "No Contact Directive" may result in referral to the Equal Employment Opportunity/Affirmative Action Office for possible rule/policy violations even if a formal complaint has already been made.

**Criminal – Temporary Protection Order**

Upon request, a Deputy Title IX Coordinator, The University of Akron Police, or a Rape Crisis advocate may assist complainants in requesting protection or restraining orders.

An individual who believes they have been the victim of a crime can request a court-issued order from the jurisdiction in which the crime took place and/or the accused individual is located.

Temporary Criminal Protection orders can be requested through the appropriate police departments and/or criminal court. These orders can be issued during an active criminal case against an alleged offender for a specific duration.

For additional information or to request a criminal protection order contact:

- The University of Akron Police Department, (330) 972-2911.
- Criminal Courts: Summit County Court of Common Pleas; Akron Municipal Court.

After a court order is issued, the protected party should provide a copy of the court order to the Deputy Title IX Coordinator for Employees. The University of Akron will comply with a lawful order of protection upon receipt of the order.

Any violation of a court-issued order should be promptly reported to the police.

**Civil Protection Order**

Upon request, a Deputy Title IX Coordinator, The University of Akron Police, or a Rape Crisis advocate may assist complainants in requesting protection or restraining orders.

An individual who has experienced or believes they are at risk of experiencing violence, threats, or abuse may apply for a civil protection order. Protection orders may be issued following reports of: domestic violence and stalking or sexually-oriented offense. Civil protection orders can be obtained through local courts, depending upon the location of the incident/accused individual.

After a court order is issued, the protected party should provide a copy of the court order to the Deputy Title IX Coordinator for Employees. The University of Akron will comply with a lawful order of protection upon receipt of the order.

Any violation of a court-issued order should be promptly reported to the police.

**Police Investigations**

A respondent who commits a crime may be subject to criminal prosecution and/or civil litigation as well as disciplinary action by The University of Akron. A police report must be made for criminal prosecution to be considered by the local prosecuting attorney. The chances of successful prosecution are greater if the report is timely and is supported by the collection of medical and/or legal evidence.

**Concurrent Investigations**

In certain circumstances the University may need to briefly suspend the investigation of a formal complaint at the request of law enforcement while the law enforcement agency is in the process of gathering evidence. The University will maintain regular contact with law enforcement to determine when it will begin/resume its investigation, usually after the law enforcement agency has completed the evidence-gathering process, or sooner if the University determines that the evidence-gathering process will be lengthy or delayed. The University will not wait until the ultimate outcome of the criminal investigation to begin or complete its own investigation of a formal complaint.

**If a Complainant Stops Speaking with Police**

The University of Akron Police Department will not close an investigation due to non-cooperation of a complainant without first providing time to respond that is adequate and reasonable under the circumstance. Nor will University police personnel prohibit the complainant or others from discussing a formal complaint. Support services and resources are available regardless of criminal charges, participation in a University investigation, or University disciplinary action.

## University Investigations

### Review and Investigation

Title IX formal complaints involving respondents who are employees of The University of Akron will be investigated by the Equal Employment Opportunity and Affirmative Action Office (EEO/AA).

A formal complaint involves an investigation, when appropriate, and will conclude with a written finding providing whether, by a preponderance of the evidence, there has been a violation of The University of Akron's Sexual Harassment and/or Affirmative Action Policy. A formal complaint can be made with the Office of EEO/AA. The investigation is conducted in good faith to provide a prompt, adequate, reliable, equitable, and impartial investigation of the formal complaint. The Office of EEO/AA also investigates allegations of retaliation, as defined by this Policy.

Note: In some instances, the parties may agree to an informal resolution. The main purpose of an informal resolution is to stop the offending behavior. Some examples of an informal resolution may include, but are not limited to, educational counseling with the respondent, or disciplinary action against the responsible employee. An informal approach does not result in finding a policy violation. An individual may choose to advance to the formal process at any time. Incidents of sexual assault will not be subject to an informal resolution.

Prior to the resolution of a formal Title IX complaint, and to ensure compliance, the Title IX Coordinator, or relevant Deputy Title IX Coordinator, will review any proposed resolution (finding and sanctions, if any). The failure of an investigator to find sufficient information for cause is not the same as filing a false allegation.

Even absent a finding of responsibility for a Title IX violation, the University may still institute remedial actions deemed necessary to remedy any effects of the alleged incident, including but not limited to, education/training.

Title IX formal complaints involving complainant(s) and respondent(s) that are University of Akron students will be investigated by the Department of Student Conduct and Community Standards (SCCS). The complaint process for students is outlined in the Title IX Reporting Protocol for Students at: [www.uakron.edu/title-ix/students](http://www.uakron.edu/title-ix/students).

### Notice and Due Process

The complainant and respondent have the right to be accompanied by an advisor of their choice, including an attorney or advocate, to any related meeting or proceeding. The role of the advisor is only to be present to advise; they will not be permitted to interject during the meeting. If the advisor is determined to be unreasonably interfering with the investigation, they may be asked to leave.

The complainant and respondent will have equitable and timely access to information being considered in the investigation process.

The complainant and respondent are entitled to the same opportunity to file a written statement, to submit relevant information/evidence, and to identify relevant witnesses.

The investigator will contact the parties and witnesses to establish interview times and locations, as necessary.

Confidential medical/counseling records and information regarding an employee's sexual history with others will not be provided to the other party without written consent.

The investigator will prepare a written report of the findings of the investigation. The complainant and the respondent will both be provided with a copy of the final investigative report.

If the investigator determines that, based on a preponderance of the evidence, a violation of the Sexual Harassment Policy and/or Affirmative Action Policy has occurred, the investigating officer shall provide a copy of the investigative report to the respondents immediate supervisor, the Dean of the relevant College, Talent Development & Human Resources, and any other relevant individuals, to issue an appropriate sanction or sanctions.

The failure of an investigator to find a rule/policy violation is not the same as filing a false report.

### Disciplinary Sanctions

Employee sanctions vary depending on the severity of the violation and are commensurate with the violation(s) found to have occurred. In cases where sexual misconduct is found to have occurred,

the University will determine appropriate, enforceable sanctions and other measures reasonably calculated to stop the harassment and prevent its recurrence. More than one sanction may be imposed for any single violation. Individual circumstances and prior conduct history are included in the factors that are considered when determining the sanction(s).

Sanctions include, but are not limited to, the following:

- Verbal reprimand - a documented verbal notice to the employee that the employee has violated university rules/policies and that future violations will result in progressive disciplinary action.
- Formal reprimand - a notice in writing to the employee that the employee has violated university rules/policies and that future violations will result in progressive disciplinary action.
- Loss of privileges - denial of specified privileges for a designated period of time.
- Suspension - separation of the employee from the University for a specified period of time, after which the employee is eligible to return.
- Termination - permanent separation of the employee from the University.

### Appeal Process

Both the complainant and respondent have the right to appeal the findings of the EEO/AA Officer. Appeals of EEO/AA findings shall be submitted to the Associate Vice President for Human Resources at sarah30@uakron.edu within five (5) business days from the date of the EEO/AA findings. The party filing the appeal shall give notice of the appeal, along with the specific reason(s) for the appeal, in writing, to the Title IX Coordinator.

The grounds for appeal are to determine the following:

- whether there was a misapplication or misinterpretation of the rule/policy alleged to have been violated;
- to determine whether the investigation was conducted in violation of procedural requirements set forth in the rule/policy and whether these violation(s) could have affected the outcome;
- to determine whether there was a reasonable basis for the findings of the EEO/AA Officer that a violation of the Sexual Harassment Policy and/or Affirmative Action Policy has been established by the applicable standard of the evidence, or;
- to consider new evidence unavailable to the appellant(s) at the time of the investigation, which is also sufficient to alter the decision.

Notice of the outcome of the appeal will be provided to the complainant and respondent.

### Interim Measures

During any stage of the investigation, if the investigator reasonably suspects that an employee's continued presence on campus presents a safety threat to the university community or a threat to the employee's own physical or emotional safety, the investigator will notify the University of Akron Police Department, the Deputy Title IX Coordinator for Employees and the Title IX Coordinator. If it is determined that such a threat exists, the employee may be placed on administrative leave immediately, pending the investigation. This administrative leave does not replace the regular investigation process.

Administrative leave may prohibit the employee from all or part of University property and activities or permit the employee to be present on campus only under specified conditions (e.g., with a police escort).

## Related Considerations

The University is dedicated to preventing Title IX violations by providing:

- Education and prevention programming informing the community about the risks and myths that contribute to gender-based misconduct, including bystander intervention training.
- Assistance and support, including interim support measures and accommodations.
- Processes for prompt, equitable, and impartial investigation and adjudication that include appropriate disciplinary sanctions for those who commit Title IX violations, including suspension and termination.

### University Records

#### Records Retention

Title IX records are subject to the University of Akron records retention policy available at <http://www.uakron.edu/ogc/legal-policies-and-procedures/records/records-retention.dot>

### **Jurisdiction**

This protocol applies to on-campus conduct, as well as off-campus conduct, academic, educational, co-curricular, athletic, study abroad, and all other University programs and activities. This protocol applies to all forms of gender based misconduct, including pregnancy or marital status-based discrimination. It applies to all Title IX athletics issues and to different treatment based on sex.

### **Standard of Review**

The standard of review used to determine responsibility is a "preponderance" standard. This determination is based on the greater weight of the information/evidence and does not require a standard beyond a reasonable doubt.

### **Timeline**

The University of Akron is committed to addressing all complaints of Title IX violations in a prompt and equitable manner.

#### **University Investigation**

Reports of gender-based misconduct can be reported to a Deputy Title IX Coordinator at any time following an incident. There is no requirement that a report be submitted immediately following an incident. The extent to which a formal complaint of gender-based misconduct can be investigated may decrease when involved individuals leave The University of Akron or if evidence becomes unavailable.

The length of a University investigation and disciplinary action will vary depending on the facts and circumstances following receipt of the report. Some of the factors influencing this timeline include the complexity of the investigation and the severity and extent of the alleged violation.

The timeline may also be affected by the availability of witnesses, holidays, break periods, and the parties' requests for continuances. Reasonable requests for extensions of time will not be denied and will be available equally to each party. Other factors may also affect the typical timeline.

#### **Police Investigation**

In the State of Ohio individuals may have over 20 years to file a sexual assault report with the police.

### **Code of Student Conduct**

The policies, procedures, and sanctions outlined in the Code of Student Conduct apply to all student violations of the Code of Student Conduct. The Code of Student Conduct can be found at: <http://www.uakron.edu/ogc/UniversityRules/pdf/41-01.pdf>.

Additional information about the Code of Student Conduct or its implementation is available in the Department of Student Conduct and Community Standards, Simmons Hall 302 or online at [www.uakron.edu/studentconduct](http://www.uakron.edu/studentconduct).

### **Affirmative Action**

The University of Akron is committed to a working and learning environment free of discrimination. The University of Akron Affirmative Action policy can be found at [www.uakron.edu/ogc/UniversityRules/pdf/38-01.pdf](http://www.uakron.edu/ogc/UniversityRules/pdf/38-01.pdf).

Additional information about the Affirmative Action Policy or its implementation is available in the Office of Equal Employment Opportunity and Affirmative Action, Administrative Services Building Room 138 or online at [www.uakron.edu/hr/eeoaa](http://www.uakron.edu/hr/eeoaa).

### **False Reports**

It is a violation of this protocol to knowingly make a false report of a Title IX violation. However, failure to prove a claim is not equivalent to making a false report. It is also a violation of this protocol for an employee or other person to knowingly make a false statement as part of the investigation or disciplinary hearing.

### **Training of Title IX Staff and Investigators of Misconduct**

The investigation is conducted by professionals who receive annual training on issues related to Title IX violations and on conducting an investigation that protects the safety of employees and promotes accountability.

### Annual Review of Reporting Protocols and Procedures

The Title IX Coordinator is responsible for this protocol. It is reviewed annually and posted as required by law as part of the Annual Campus Safety Report.

The University of Akron's Protocol is designed to comply with applicable state and federal laws. The University of Akron reserves the right to modify or deviate from this Protocol when, in the sole judgment of the University, circumstances warrant, to protect the rights of the involved parties or to comply with applicable law or regulations.

### Immigration or International Visa Information

There are certain legal protections available to international employees or international students. The U-visa and the T-visa are currently among those options. The U-visa provides temporary legal status and work eligibility for complainants of specific crimes (including domestic violence, sexual assault, human trafficking, involuntary servitude, and other violations). The T-visa provides complainants of human trafficking and immediate family members with temporary legal status and work eligibility. Additional information is available through the U.S. Department of Homeland Security U.S. Citizenship and Immigration Services at [www.uscis.gov](http://www.uscis.gov). For further information with this or other immigrant status questions, please contact Community Legal Aid Services in Akron at (330) 535-4191.

## Law Title IX

The Education Amendments of 1972, or Title IX, provides:

No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance.

Title IX applies to institutions that receive federal financial assistance from the Department of Education, including state and local educational agencies.

Additional information about Title IX is available at <https://www2.ed.gov/about/offices/list/ocr/index.html>.

### First Amendment

This Protocol is not intended to and will not be enforced to infringe upon First Amendment rights, including the right to freedom of speech or academic freedom.

### Clery Act

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act of 1990 ("Clery Act"), requires all colleges and universities that participate in federal financial aid programs to keep and disclose information about crime on and near their respective campuses and to notify the campus community of certain safety concerns. The Clery Act requires colleges and universities to:

- Publish and distribute an annual campus security report (available at [www.uakron.edu/safety](http://www.uakron.edu/safety));
- Maintain a public log of all reported crimes;
- Issue timely warnings ("Safety Advisory") of crimes that represent a threat to the safety of students or employees; and
- Keep statistics of crime that occur on campus, in institutional residential facilities, in non-campus buildings or on public property adjacent to campus.

### Violence Against Women Act

The Violence Against Women Reauthorization Act of 2013 ("VAWA") amended the Clery Act. VAWA requires institutions to compile statistics for incidents of dating violence, domestic violence, sexual assault, and stalking and to include certain policies, procedures and programs pertaining to these incidents in their annual security reports.

Additional Information about VAWA is available at [www.justice.gov/dww](http://www.justice.gov/dww).

### Ohio Law

#### Ohio Criminal Offenses

The following definitions of criminal behavior in the State of Ohio are considered violations of Title IX.

These definitions describe many of the same crimes outlined in the prohibited behaviors section of this policy.

**Sex Offenses**

There is currently no definition of "Sexual Assault" in the Ohio Revised Code.

**Ohio Revised Code 2907.02 – Rape**

(A)(1) No person shall engage in sexual conduct with another who is not the spouse of the offender or who is the spouse of the offender but is living separate and apart from the offender, when any of the following applies:

- For the purpose of preventing resistance, the offender substantially impairs the other person's judgment or control by administering any drug, intoxicant, or controlled substance to the other person surreptitiously or by force, threat of force, or deception.
- The other person is less than thirteen years of age, whether or not the offender knows the age of the other person.
- The other person's ability to resist or consent is substantially impaired because of a mental or physical condition or because of advanced age, and the offender knows or has reasonable cause to believe that the other person's ability to resist or consent is substantially impaired because of a mental or physical condition or because of advanced age.
- No person shall engage in sexual conduct with another when the offender purposely compels the other person to submit by force or threat of force.

**Ohio Revised Code 2907.03 – Sexual Battery**

(A) No person shall engage in sexual conduct with another, not the spouse of the offender, when any of the following apply:

- The offender knowingly coerces the other person to submit by any means that would prevent resistance by a person of ordinary resolution.
- The offender knows that the other person's ability to appraise the nature of or control the other person's own conduct is substantially impaired.
- The offender knows that the other person submits because the other person is unaware that the act is being committed.
- The offender knows that the other person submits because the other person mistakenly identifies the offender as the other person's spouse.
- The offender is the other person's natural or adoptive parent, or a stepparent, or guardian, custodian, or person in loco parentis of the other person.
- The other person is in custody of law or a patient in a hospital or other institution, and the offender has supervisory or disciplinary authority over the other person.
- The offender is a teacher, administrator, coach, or other person in authority employed by or serving in a school for which the state board of education prescribes minimum standards pursuant to division (D) of section 3301.07 of the Revised Code, the other person is enrolled in or attends that school, and the offender is not enrolled in and does not attend that school.
- The other person is a minor, the offender is a teacher, administrator, coach, or other person in authority employed by or serving in an institution of higher education, and the other person is enrolled in or attends that institution.
- The other person is a minor, and the offender is the other person's athletic or other type of coach, is the other person's instructor, is the leader of a scouting troop of which the other person is a member, or is a person with temporary or occasional disciplinary control over the other person.
- The offender is a mental health professional, the other person is a mental health client or patient of the offender, and the offender induces the other person to submit by falsely representing to the other person that the sexual conduct is necessary for mental health treatment purposes.
- The other person is confined in a detention facility, and the offender is an employee of that detention facility.
- The other person is a minor, the offender is a cleric, and the other person is a member of, or attends, the church or congregation served by the cleric.
- The other person is a minor, the offender is a peace officer, and the offender is more than two years older than the other person.



**Ohio Revised Code 2907.04 – Unlawful Sexual Conduct with a Minor**

(A) No person who is eighteen years of age or older shall engage in sexual conduct with another, who is not the spouse of the offender, when the offender knows the other person is thirteen years of age or older but less than sixteen years of age, or the offender is reckless in that regard.

**Ohio Revised Code 2907.05 – Gross Sexual Imposition**

(A) No person shall have sexual contact with another, not the spouse of the offender; cause another, not the spouse of the offender, to have sexual contact with the offender; or cause two or more other persons to have sexual contact when any of the following applies:

- The offender purposely compels the other person, or one of the other persons, to submit by force or threat of force.
- For the purpose of preventing resistance, the offender substantially impairs the judgment or control of the other person or of one of the other persons by administering any drug, intoxicant, or controlled substance to the other person surreptitiously or by force, threat of force, or deception.
- The offender knows that the judgment or control of the other person or of one of the other persons is substantially impaired as a result of the influence of any drug or intoxicant administered to the other person with the other person's consent for the purpose of any kind of medical or dental examination, treatment, or surgery.
- The other person, or one of the other persons, is less than thirteen years of age, whether or not the offender knows the age of that person.
- The ability of the other person to resist or consent or the ability of one of the other persons to resist or consent is substantially impaired because of a mental or physical condition or because of advanced age, and the offender knows or has reasonable cause to believe that the ability to resist or consent of the other person or of one of the other persons is substantially impaired because of a mental or physical condition or because of advanced age.

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

**Ohio Revised Code 2907.06 – Sexual Imposition**

(A) No person shall have sexual contact with another, not the spouse of the offender; cause another, not the spouse of the offender, to have sexual contact with the offender; or cause two or more other persons to have sexual contact when any of the following applies:

- The offender knows that the sexual contact is offensive to the other person, or one of the other persons, or is reckless in that regard.
- The offender knows that the other person's, or one of the other person's, ability to appraise the nature of or control the offender's or touching person's conduct is substantially impaired.
- The offender knows that the other person, or one of the other persons, submits because of being unaware of the sexual contact.
- The other person, or one of the other persons, is thirteen years of age or older but less than sixteen years of age, whether or not the offender knows the age of such person, and the offender is at least eighteen years of age and four or more years older than such other person.
- The offender is a mental health professional, the other person or one of the other persons is a mental health client or patient of the offender, and the offender induces the other person who is the client or patient to submit by falsely representing to the other person who is the client or patient that the sexual contact is necessary for mental health treatment purposes.

#### Domestic Violence

##### Ohio Revised Code 2919.25 – Domestic Violence

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

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

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

#### Dating Violence

There is currently no definition of "Dating Violence" in the Ohio Revised Code.

##### Ohio Revised Code 2903.11 – Felonious Assault

(A) No person shall knowingly do either of the following:

- Cause serious physical harm to another or to another's unborn;
- Cause or attempt to cause physical harm to another or to another's unborn by means of a deadly weapon or dangerous ordnance.

(B) No person, with knowledge that the person has tested positive as a carrier of a virus that causes acquired immunodeficiency syndrome, shall knowingly do any of the following:

- Engage in sexual conduct with another person without disclosing that knowledge to the other person prior to engaging in the sexual conduct;
- Engage in sexual conduct with a person whom the offender knows or has reasonable cause to believe lacks the mental capacity to appreciate the significance of the knowledge that the offender has tested positive as a carrier of a virus that causes acquired immunodeficiency syndrome;
- Engage in sexual conduct with a person under eighteen years of age who is not the spouse of the offender.

#### Stalking

##### Ohio Revised Code 2903.211 – Menacing by Stalking

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

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

- Violate division (A)(1) of this section;
- Urge or incite another to commit a violation of division (A)(1) of this section.
- No person, with a sexual motivation, shall violate division (A)(1) or (2) of this section.

#### Additional

The following is a list of additional specific offenses under Ohio law that may fall under the broader categories identified above. This list is not exhaustive and, depending upon the circumstances of the crime and the individuals involved, other offenses could fall into these categories:

- Ohio Revised Code 2903.12 – Aggravated Assault
- Ohio Revised Code 2903.13 – Assault
- Ohio Revised Code 2903.14 – Negligent Assault

- Ohio Revised Code 2905.01 – Kidnapping
- Ohio Revised Code 2905.02 – Abduction
- Ohio Revised Code 2905.03 – Unlawful Restraint
- Ohio Revised Code 2917.11 – Disorderly Conduct
- Ohio Revised Code 2903.21 – Aggravated Menacing
- Ohio Revised Code 2903.22 – Menacing
- Ohio Revised Code 2917.21 – Telecommunications Harassment
- Ohio Revised Code 2151.421 describes the responsibility to report child abuse or neglect which may become apparent when working with students under the age of eighteen.

## Education and Prevention

By providing resources for prevention, education, support, investigation, and a fair disciplinary process, The University of Akron seeks to eliminate all Title IX violations.

### Sexual Assault and Violence Education (SAVE) Team Initiatives

The SAVE team, Office of Student Success, in collaboration with the Title IX Coordinator, creates, supports, and evaluates educational and support programs aimed at the eradication of Title IX violations involving the University of Akron. To support these programs, the Deputy Coordinator for Students at Akron's main campus coordinates campus-wide Title IX violation education, awareness, and prevention programs. These educational opportunities are available for both students and employees.

Through this commitment, the Office of Student Success educates the campus community on the following:

- Title IX Protocol and the University's commitment to enforce it.
- Code of Student Conduct, including the applicable Title IX Code violations.
- The definitions of dating violence, domestic violence, sexual assault, and stalking as those terms are defined for purposes of VAWA and the Clery Act.
- Steps to minimize individual risk of sexual assault, sexual misconduct, domestic violence, dating violence and stalking, including crime reduction tips, safety tips, and healthy relationship education.
- Process and responsibility for reporting Title IX violations.
- How to recognize and obtain consent for sexual activity.
- Resources for those who have been victim/survivors of Title IX violations as well as for those accused of Title IX violations.
- How to be a knowledgeable and supportive peer presence, including bystander intervention education training.
- On-going wellness promotion programs that address issues including but not limited to sexual health and wellness, healthy relationships, violence prevention, and drug and alcohol education.
- Comprehensive, ongoing, universal campus-wide campaign committed to creating an environment that promotes responsibility, dignity, and respect.

### Campus Orientation Programs

The University of Akron requires all incoming employees to complete an online education program entitled Eliminate Campus Sexual Violence, through the education technology company Everfi. Additionally, new faculty are invited to attend and participate in New Faculty Orientation, where they receive Title IX specific training, including sexual harassment training and that they are responsible employees with a duty to report Title IX related violations. They have access prevention and awareness programming. All employees will be offered the online education programming which features Title IX education and prevention training embedded in its content. Targeted training sessions are provided to various departments and colleges including but not limited to the Athletics Department and Residence Life & Housing. Trainings are also provided by EEO/AA and/or the Title IX Coordinator(s), upon request.

The University of Akron Police foster a safe and non-discriminatory campus environment by doing the following:

- Providing safety and security patrols as part of regular University police/regional campus security responsibilities.
- Including Title IX Protocol information on its website and directly to victim/survivors who elect to file a police report.
- Provide survivor centered investigatory techniques.

- Accurately maintain and report statistics of Title IX violations as required by the Clery Act.
- Provide sufficient emergency phones and cameras throughout campus.

Revised April 15, 2019

## **The University of Akron Non-discrimination Statement**

The University of Akron does not discriminate on the basis of race, color, religion, sex, sexual orientation, gender identity, age, national or ethnic origin, disability, military status, genetic information, or status as a veteran in its programs and activities. The University does not tolerate discrimination, sexual harassment, or retaliation on these bases and takes steps to ensure that students, employees, and third parties are not subject to a hostile environment in University programs or activities.

The University responds promptly and effectively to allegations of discrimination, sexual harassment, and retaliation. It promptly conducts investigations and takes appropriate action, including disciplinary action, against individuals found to have violated its policies, as well as provides appropriate remedies to complainants and the campus community. The University takes immediate action to end a hostile environment if one has been created, prevent its recurrence, and remedy the effects of any hostile environment on affected members of the campus community.

## **Contacts**

Jolene Lane serves as Chief Diversity Officer, Vice President for Equity and Inclusion and Title IX Coordinator. As Title IX Coordinator she is responsible for overseeing the University's Title IX process and coordinates the University's efforts and responsibilities to ensure compliance with Title IX. Ms. Lane can be reached at Buchtel Hall, 209, The University of Akron, OH 44325-6237, (330) 972-7522 or [jolene.lane@uakron.edu](mailto:jolene.lane@uakron.edu).

Michael Strong serves as the Dean of Students and Deputy Title IX Coordinator for Students. Mr. Strong serves as the intake coordinator for all reports of gender-based discrimination involving students on the main campus. Mr. Strong meets with both complainants and respondents and may implement interim measures of support for both parties, when necessary to stop and prevent the effects of gender-based discrimination. Mr. Strong also refers complaints to the Office of Student Conduct and Community Standards. Mr. Strong can be reached at the Student Union, 152, The University of Akron, OH 44325-4612, (330) 972-6048 or [mstrong@uakron.edu](mailto:mstrong@uakron.edu).

Tami Hannon serves as the intake coordinator for all reports of gender-based discrimination involving employees and third parties. Mrs. Hannon meets with both complainants and respondents and may implement interim measures of support for both parties, when necessary to stop and prevent the effects of gender-based discrimination. Mrs. Hannon refers complaints to the Equal Employment Opportunity and Affirmative Action Office and she can be reached at The Administrative Services Building, The University of Akron, Akron, OH, 44325-4709, (330) 972-7300 or [tlz2@uakron.edu](mailto:tlz2@uakron.edu).

Mary Lu Gribshaw serves as the Senior Associate Athletics Director and Deputy Title IX Coordinator for Athletics. Ms. Gribshaw coordinates support for student athlete complainants and respondents. Ms. Gribshaw also coordinates response to reports and complaints within the Department of Athletics. Ms. Gribshaw can be reached at James A. Rhodes Arena 183, The University of Akron, OH 44325-5201 (330) 972-7080 or [marylu@uakron.edu](mailto:marylu@uakron.edu).

Gordon Holly serves as Assistant Dean of Student Success and Deputy Title IX Coordinator for Wayne College. Mr. Holly meets with both complainants and respondents from the University regional campuses, including Wayne College. Mr. Holly may implement interim measures of support for complainants and respondents, when necessary to stop and prevent the effects of gender-based discrimination. Mr. Holly also refers complaints to the Office of Student Conduct and Community Standards. Mr. Holly can be reached at Wayne College, Boyer HPE Building, E242, (330) 972-8740 or [gholly@uakron.edu](mailto:gholly@uakron.edu).

Tami Hannon is the Director of Equal Employment Opportunity and Affirmative Action and he investigates all complaints of discrimination, including gender discrimination, involving University employees and third parties. Mrs. Hannon can be reached at the Administrative Services Building 138B, The University of Akron, OH 44325-4709, (330) 972-7300 or [tlz2@uakron.edu](mailto:tlz2@uakron.edu).

The strength of the University's process and procedures is that these individuals work collaboratively to provide multiple levels of support along with various campus offices for both complainants and respondents, to respond promptly, and when necessary provide measures to stop and prevent the effects of gender-based discrimination.

## Appendix H

### CollegeAIM Strategy Planning Worksheet

Strategy Planning Worksheet						
Current Strategies						
Added By: Name and Area/Department	Strategy Name/Comments	Individual / Environmental	CollegeAIM Rating			
			Effectiveness	Cost	Barriers	Reach: Broad/Focus (% of students)
Campus Programs	<b>Alcohol Awareness Week: Root Beer Kegger 2018</b> Root Beer Kegger wraps up Alcohol Awareness Week provides an educational and social environment for students. This co-sponsored event is hosted by ZPH, Undergraduate Student Government, Residence Life and Housing, Student Conduct, and the University of Akron Police Department. This event is successful due to the different topics discussed about alcohol use.	IND	★★★★	\$		142 students + 4 contract professionals
Campus Programs	<b>Alcohol Awareness Week: Root Beer Kegger 2019</b> In 2019 Root Beer Kegger hit on the same educational topics on alcohol use. However, Student Conduct and Community Standards incorporated information about drinking alcohol and using marijuana, also known as "cross foded" in Generation Z. This department provided information about the risks of drinking and eating marijuana edibles. Recommend to incorporate drug use throughout Alcohol Awareness Week.	IND	★★★★	\$		196 students + 3 contract professionals
Campus Programs	<b>Alcohol Awareness Week: Trivia Night 2018</b> Alcohol Awareness Week 2018 hosted a trivia night based on alcohol awareness facts. Health Services, University of Akron Police Department, Counseling Center, and Student Conduct and Community Standards created 4 rounds of questions on alcohol use. For example health risks or laws pertaining to alcohol consumption. This event was well-organized but lacked participation from students on a Thursday night. We modified the event from 2017 to add food for more attendance but that was not effective.	IND	★★	\$		59 students + 6 staff
Campus Programs	<b>Alcohol Awareness Week: Taco Thursday 2019</b> Alcohol Awareness Week 2019 modified the Thursday night program from trivia to a Taco Thursday. This event lacked educational resources yet provided students a late night alternative on a Thursday in the Roo Lounge in the Jean Howe Taber Student Union.	IND	★★	\$		83 students
CTC	<b>E-CheckUP to Go - E-Chug</b> College AIM certifies E-Chug as a highly effective program. Available on the Counseling & Testing Center webpage to any UA student.	IND	★★★★	\$		students
Added By: Name and Area/Department	Strategy Name/Comments	Individual / Environmental	Effectiveness	Cost	Barriers	Reach: Broad/Focus (% of students)
CTC	<b>Increasing Our Choices</b> Counseling & Testing Center offers this 2 hour workshop at least 3 times each spring and fall semester that addresses alcohol use, students take E-Chug or E-Take in conjunction with the program.	IND				students
CTC	<b>Individual counseling and psychotherapy</b> Counseling and Testing Center does not keep separate track of evaluations for students with alcohol use concerns.	IND				students
NSO	<b>SCS Workshop Fall Fall 2018</b> New Student Orientation coordinates a mandatory workshop for new first year students centered around campus safety, code of student conduct, and sexual respect. Presenters from UAPD, Student Conduct and Community Standards, and the Dean of Students Office assist in presenting the workshop. Multiple workshop dates are available targeting residential and commuter populations. A make-up workshop is available for those who do not attend their scheduled workshop date. Now for 2019, an online Know the Code workshop was launched for those who still did not attend or receive the workshop information at the make-up date.	ENV	★★★	\$		83% FY Students (2,217)
NSO	<b>Know the Code (Previously SCS Workshop) Fall 2019</b>	ENV	★★★★	\$		91% FY Students (2,412)
NSO	<b>Online Know the Code Workshop Pilot Fall 2019</b>	ENV	★★			2% FY Students (42) who didn't attend their in-person 2019 workshop
RLH	<b>Know the Code RLH Student Leader Training Summer 2019</b>	ENV	★★★			103 (25 RAAs, 23 Student Leaders, and 5 Residence Life coordinators)
RLH	<b>Maxient &amp; Student Conduct Training Fall 2018</b> Residence Life Training on Maxient Software and student conduct policies for Residence Assistants and Staff.	ENV	---	\$		6 (1 staff, 5 students)
RLH	<b>Water pong</b> Residents played water pong and learned about alcohol awareness.	IND	?	\$		0-4 students
RLH	<b>Party Awareness</b> Officer Pearson talked briefly to residents about underage drinking and party safety. This was followed by a game night and drunk goggles were provided for more heat and catch.	ENV	4	\$		0-37 students
SCS	<b>University Hearing Board Training Fall 2018</b> Mandatory Hearing Board Training for Hearing Board Members to review code of student conduct and business legal procedures.	ENV	---	\$		4 (3 faculty, contract professionals, 1 student)

Added By, Name and Area/Department	Strategy Name/Comments	Individual / Environmental	College/AM Rating			
			Effectiveness	Cost	Barriers	Reach: Broad/Focus (% of students)
SCT S	University Hearing Board Title IX & Foundations Training Spring 2 Mandatory Hearing Board Training for Hearing Board Members to review Title IX policies, the code of student conduct and hearing board procedures	ENV	---	\$1		9 (2 faculty, contract professionals, 7 students)
SHS	Certified Peer Educator's Think Before You Drink Event  The educational materials itself presented by the ADM Board were beneficial and engaging to the students in all audience. The attendance was limited though. Marketing needs to be a focus for future events held by the CPE Students. For these students who have not done programming more, more hands-on guidance and supervision and possibly a more small scale events would be beneficial	IND	★	\$	marketing	3 participants, 10 work in student visitors, 1 CPE students, 1 Advisor
SHS	Alcohol Awareness Week: What's Brewing with CPE  Engagement activity that encourages participants to answer a single question related to Alcohol Awareness and an introduction and invitation to participate in the Alcohol Awareness week of events. Participants received education around the alcohol question they answered and were given a Starbucks coffee voucher. The program was well received by participants and organizers will consider bringing the event back next year possibly having a guest appearance with Zoey to gain added attention. Strengths included: Student led, direct student to student interactions, and non-transactional. Weakness: Timing of event and need for improved visibility on campus to reach a broader range of students.	IND	*	\$1		4 CPE students, 1 Advisor, 150 student participants
SHS	Alcohol C screening with Brief Motivational Intervention & E-Chug ref. Students coming to SHS complete the 3 question alcohol screening. Those that are positive go on to complete the long form. Results are discussed and potential risks reviewed. Encouraged to complete E-Chug programming on CTC website. Strength: incorporates multi-level engagement and is individualized. Weakness: SHS does not have access to E-Chug completion data despite attempt to obtain. Attempted to use T-shirt give-aways as incentive to return with certificate of completion but poor student response/return. Will continue to evaluate potential follow-up avenues that support students and reveal completion data.	IND	---	\$1	follow up	Members pending Fall Semester completion

Added By, Name and Area/Department	Strategy Name/Comments	Individual / Environmental	College/AM Rating			
			Effectiveness	Cost	Barriers	Reach: Broad/Focus (% of students)
SHS	Staying Healthy in College guest lecture from Student Health Services  Lecture and PP presentation involving Wellness Wheel, Campus Resources, and discussion/completion of E-chug programming. Strength: general life skills training, harm reduction, and resource sharing. Weakness: limited availability of presenters. Will continue to offer program to interested teaching staff.	IND	---	\$1		10 students and 2 Healthcare Workers/staff
UAPD	Alcohol Awareness presentations To enhance effectiveness perhaps add interactive activities	IND	★	\$	#	
UAPD	Drunk Goggles  Participants are asked to wear goggles which smear when and then ride tricycles through an obstacle course or play a video game to demonstrate levels of intoxication and the effects on cognitive abilities and muscle function.	IND	★	\$1	#	
UAPD	Social Host Property Laws UAPD and the City of Akron Police actively enforce a state Keeper of the Place laws which penalize those in control of property with providing or allowing those under the law with alcohol.	ENV	★★	\$	#	
UAPD	Enforce age 21 drinking age UAPD enforces the state legal age of drinking alcohol. Those found to be in violation are subject to Ohio laws and/or sanctions by The University of Akron Student Conduct and Community Standards.	ENV	★★★	\$1	#	
UAPD	Party Patrols  UAPD officers visit homes after complaints of loud noise or music. After explaining the complaint, officer also advise those in charge of Ohio laws for furnishing or allowing those underage to consume or possess alcohol.	ENV	?	\$	#	
UAPD and RLI	Mocktails  Officers are asked to attend a function usually held at residence halls. Upon arrival the officers ask attendees to look for a specific marking on their drinking cup. If a student has a marking on the cup the cup is then said to have been drugged. Officers then conduct an informational talk about safety at parties.	IND	★	\$	#	

Added By: Name and Area/Department	Strategy Name/Comments	Individual / Environmental	CollegeAIM Ratings			
			Effectiveness	Cost	Barriers	Reach: Broad/Focus (% of students)
ZPN	Alcohol Awareness Week: Mocktails Mocktails is an annual Alcohol Awareness Week program that allows student organizations to create non-alcoholic beverages for peers to taste. Facts about alcohol use are displayed on each table. This allows students a fun alternative.	DND	★★★★★	\$		226 students in 2010 and 241 in 2013
ZPN	Alcohol Awareness Week: Zip n Paint Zip n Paint is also an annual Alcohol Awareness Week program that allows student to experience a traditional paint and sip event without the alcohol.	DND	★★★★★	\$1		68 students in 2010 and 51 students in 2013
	Alison Early College Orientation Fall 2010 Early College Orientation to provide an understanding of student responsibilities, the code of student conduct, and the reporting process for misconduct.	ZMV	---	\$		121 (10 faculty, 115 students)
	Rape Crisis Center Student Conduct Training Fall 2010 Rape Crisis Center Training on the functions of the Department of Student Conduct and Community Standards, the code of student conduct and the reporting process.	LNV	---	\$		9 (4 staff, 5 students)
	Biomedical Engineering GA Orientation Fall 2010 Graduate Assistant Training on the functions of the Department of Student Conduct and Community Standards, the code of student conduct, and reporting process.	LNV	---	\$		7 (2 faculty, 5 students)
	Summer Bridge Program Student Conduct Training Fall 2010 Summer Bridge Training to provide an understanding of student responsibilities, the code of student conduct, and the reporting process for misconduct.	LNV	---	\$		32 (2 staff, 30 students)
	Help-A-Zip Referral Form (Category: Other) Providing the opportunity for students to be referred for support and resources related to stress and alcohol addiction.	DND	★★★	\$		
	Student Veterans of America "On the Table Greater Alton" Great starting point for student veterans to connect with other student veterans with similar addictions and discuss and share resources. We really did not come up with any solutions, we responded to the On the Table People with stress during retreat.	DND	---	\$		20 students

Added By: Name and Area/Department	Strategy Name/Comments	Individual / Environmental	CollegeAIM Ratings			
			Effectiveness	Cost	Barriers	Reach: Broad/Focus (% of students)
	Alcohol Awareness Week: Say It Straight Evidence-based prevention program to build communication skills and reduce harmful behaviors. Strength program well received by participants and interactive. Weakness: length of programming can deter participation. Will continue to pilot programming Spring semester and evaluate for interest in participation.	DND	---	\$	duration	6 students and 2 Guest Speakers
	Addiction & Opiates: What's New, What's Next Addiction & Opiates Conference held on campus by ARI-AHEC and the College of Health Professions. Audience open to anyone and included the community Partnership with ARI-AHEC, Summit ADM Board, HRSA. Overall attendees rated the conference 4.53 on a scale of 1 (strongly disagree to 5 (strongly agree). Funding will be the barrier for continued conference opportunities but the organizers will be looking for additional opportunities to partner with Summit ADM Board on future projects.	DND	---	\$11	length	252 attended the event, 104 received training and 100 in line



## Appendix I

### Alcohol Awareness Week Fall 2018

**ALCOHOL AWARENESS WEEK  
OCTOBER 15-19**

<p><b>DON'T SNICKER ABOUT SOBRIETY</b> Date: October 15 &amp; 18 Time: 11am-1pm Location: SU Concourse Sponsor: Rape Crisis Center</p>	<p><b>MOCKTAILS</b> Date: October 15 Time: 6-8pm Location: SU Ballrooms Sponsor: ZPN</p>	<p><b>RETHINKING DRINKING</b> Date: October 17 Time: 6:00-9:00pm Location: SU Ballrooms Sponsor: IFC, PhiC, NPHC, FSU</p>	<p><b>FRIES AND CONSENT</b> Date: October 16 Time: 11am-2pm Location: SU 2nd floor Atrium Sponsor: Rape Crisis Center</p>	<p><b>SOBERFEST</b> Date: October 18 Time: 7pm Location: Phi Delta Theta House Sponsor: Phi Delta Theta Fraternity</p>
<p><b>ALCOHOL ASSESSMENT DAY</b> Date: October 15 Time: 11am-2pm Location: STUN Concourse Sponsor: Health Services</p>	<p><b>DON'T SNICKER ABOUT SOBRIETY</b> Date: October 16 &amp; 17 Time: 11am-1pm Location: Polky Sponsor: Rape Crisis Center</p>	<p><b>POP IN FOR RESOURCES</b> Date: October 18 Time: 11am-1pm Location: SU Piano Lounge Sponsor: Dean of Students, Counseling &amp; Testing Center, Health Services, ZipAssist, Student Conduct, UAPD</p>	<p><b>NACHO STANDARD TRIVIA PARTY</b> Date: October 18 Time: 6-10pm Location: SU Marketplace Sponsor: PCC, Health Services, Dean of Students, Counseling and Testing Center, UAPD, Student Conduct</p>	<p><b>ROOTBEER KEGGER</b> Date: October 19 Time: 9-11pm Location: SU Marketplace Sponsor: ZPN, CASA, SAAC, RHC, Student Conduct, UAPD</p>
<p><b>RETHINKING DRINKING: FACTS AND FANTASY</b> Date: October 15 Time: 11am-1pm Location: SU Piano Lounge Sponsor: PhiC, IFC</p>	<p><b>ZIP 'N PAINT</b> Date: October 16 Time: 6-8pm Location: SU Ballroom A Sponsor: ZPN</p>	<p><small>For more information, please contact Student Programs at 337-784-2262</small></p> <p><b>CAMPUS PROGRAMS</b></p>		

Alcohol Awareness Week Fall 2019

# ALCOHOL AWARENESS WEEK

OCTOBER  
21-25

**What's Brewing with CPE**  
Monday, October 21st  
10am-12pm  
Join CPE and the CPE Institute for a special event featuring a live demonstration of the CPE Institute's new CPE program.

**Mocktails**  
All week (10/21-10/25)  
12pm-2pm  
Join us for a special event featuring a live demonstration of the CPE Institute's new CPE program.

**Law & Order**  
Tuesday, October 22nd  
10am-12pm  
Join us for a special event featuring a live demonstration of the CPE Institute's new CPE program.

**Don't Snicker about Sobriety**  
Wednesday, October 23rd  
11am-12pm  
Join us for a special event featuring a live demonstration of the CPE Institute's new CPE program.

**Think Before You Drink**  
Wednesday, October 23rd  
12pm-2pm  
Join us for a special event featuring a live demonstration of the CPE Institute's new CPE program.

**Elaine Pasqua Surviving the Party**  
Wednesday, October 23rd  
11am-12pm  
Join us for a special event featuring a live demonstration of the CPE Institute's new CPE program.

**Zip & Paint**  
Wednesday, October 23rd  
10am-12pm  
Join us for a special event featuring a live demonstration of the CPE Institute's new CPE program.

**Taco Thursday**  
Thursday, October 24th  
11am-12pm  
Join us for a special event featuring a live demonstration of the CPE Institute's new CPE program.

**Rootbeer Kegger**  
Friday, October 25th  
11am-12pm  
Join us for a special event featuring a live demonstration of the CPE Institute's new CPE program.

**Say It Straight**  
October 16th & 20th (based on local laws)  
10am-12pm  
Join us for a special event featuring a live demonstration of the CPE Institute's new CPE program.

ALCOHOL  
& SUBSTANCE  
-FREE-

If you have any questions, please contact Britany Ferguson-Mike at [bmf@dukeon.ca](mailto:bmf@dukeon.ca).