

**BOARD OF TRUSTEES  
FINANCE AND ADMINISTRATION COMMITTEE**

**November 22, 2024, 9:00 a.m.  
Morris University Center, Room 214**

**Agenda**

**1.0 Call to Order**

**2.0 Roll Call**

**3.0 Information**

Clark, Schaefer, Hackett & Co. representatives, Kyle Overly – Senior Manager, and Brad Billet – Shareholder, will present the audit results of the University’s FY24 Financial Report.

**4.0 Action Items**

**4.1 Resolution F22-24  
Shawnee State University Development Foundation Adoption of Resolution  
2024.1**

Mr. Chris Moore, Chief Advancement Officer, will present the resolution adopting Foundation Resolution 2024.1.

**4.2 Resolution F23-24  
Shawnee State University Foundation Adoption of Resolution 2024.3**

Mr. Moore will present the resolution adopting Foundation Resolution 2024.3.

**4.3 Resolution F24-24  
Acceptance of Shawnee State University’s FY24 Financial Report**

Mr. Greg Ballengee, Chief Financial Officer, will present the resolution to accept the FY24 Financial Report.

**4.4 Resolution F25-24  
Approval of the Efficiency Report**

Mr. Ballengee will present the resolution to accept the FY24 Efficiency Report.

## **5.0 Information Items**

### **5.1 Budget Status Report**

Ms. Aimee Welch, Director of Institutional Budgeting, will provide a year-to-date budget status report.

### **5.2 Cash Reserves Investment Portfolio**

Mr. Ballengee will report on the cash reserves investment portfolio.

### **5.3 Personnel Activity Report**

Ms. Malonda Johnson, Chief Operating Officer, will report on recent personnel activity.

### **5.4 Capital Projects Report**

Mr. John Temponeras, Director of Facilities, Planning and Construction, will report on capital projects.

### **5.5 Strategic Planning Report**

Ms. Johnson and Mr. Ballengee will provide a strategic planning update.

### **5.6 Retirement Plan Committee Report**

Mr. Ballengee will report on activities of the Retirement Plan Committee.

### **5.7 Campus Safety Report**

Jon Peters, Director of Public Safety, will provide an update on the annual Campus Safety Report.

### **5.8 Campus Flooding Report**

Mr. Joe Van Deusen, Executive Director, Business Operations & Auxiliary Services, will report on the September 27, 2024 flooding on campus.

**RESOLUTION F22-24**

**SHAWNEE STATE UNIVERSITY DEVELOPMENT FOUNDATION  
ADOPTION OF RESOLUTION 2024.1**

WHEREAS, as the sole member of the Shawnee State University Development Foundation, the Board of Trustees of Shawnee State University must ratify Development Foundation policies and members; and

WHEREAS, the Foundation Resolution 2024.1 changes the name of the Shawnee State University Development Foundation to the Shawnee State University Foundation, enhancing brand recognition and acknowledging importance of relationship with Shawnee State University; and

WHEREAS, the Shawnee State University Development Foundation has acted and approved Resolution 2024.1 at their May 17, 2024 quarterly meeting;

THEREFORE, BE IT RESOLVED that the Board of Trustees of Shawnee State University hereby approves the attached Development Foundation Resolution 2024.1.

(November 22, 2024)

## **RESOLUTION 2024.1**

### **Authorization to Change Name to Shawnee State University Foundation**

WHEREAS, the Shawnee State University Development Foundation Board recognizes the evolving needs and strategic goals of Shawnee State University;

WHEREAS, the Board believes that the name "Shawnee State University Foundation" better aligns with the mission, vision, and identity of Shawnee State University;

WHEREAS, the Board acknowledges the importance of clear and concise communication with stakeholders, donors, and the community;

WHEREAS, the Board seeks to streamline operations and enhance brand recognition;

NOW, THEREFORE BE IT RESOLVED, that the Shawnee State University Development Foundation Board hereby resolves to change its name on July 1, 2024, to the "Shawnee State University Foundation",

All references to the "Shawnee State University Development Foundation Board" in official documents, communications, and materials shall be updated to reflect the new name, "Shawnee State University Foundation",

The Executive Director of the Shawnee State University Development Foundation is authorized to take all necessary actions to implement this resolution, including but not limited to updating legal documents, notifying stakeholders, and updating branding materials.

(May 17, 2024)

**RESOLUTION F23-24**

**SHAWNEE STATE UNIVERSITY FOUNDATION  
ADOPTION OF RESOLUTION 2024.3**

WHEREAS, as the sole member of the Shawnee State University Foundation, the Board of Trustees of Shawnee State University must ratify Foundation policies and members; and

WHEREAS, the name change to the Shawnee State University Foundation necessitated a review of the Foundation's Code of Regulations and Policies to reflect the name change; and

WHEREAS, the Shawnee State University Foundation has acted and approved Resolution 2024.3 at their October 29, 2024 special meeting;

THEREFORE, BE IT RESOLVED that the Board of Trustees of Shawnee State University hereby approves the attached Foundation Resolution 2024.3.

(November 22, 2024)

## **RESOLUTION 2024.3**

### **Shawnee State University Foundation Policies & Code of Regulations**

WHEREAS, as the sole member of the Shawnee State University Development Foundation, the Board of Trustees of Shawnee State University ratifies Foundation policies and board members; and

WHEREAS, a name change of the Shawnee State University Development Foundation to the Shawnee State University Foundation has occurred, and a review of the policies and Code of Regulations has been undertaken and updates are required;

THEREFORE, BE IT RESOLVED, the Shawnee State University Foundation hereby recommends to the SSU Board of Trustees, revisions to Shawnee State University Foundation policies and code of regulations as presented.

(October 29, 2024)

**RESOLUTION F24-24**

**ACCEPTANCE OF SHAWNEE STATE UNIVERSITY'S  
FY24 FINANCIAL REPORT**

WHEREAS, pursuant to O.R.C. 117.11, the financials of Shawnee State University must be audited every year by an independent certified public accountant; and

WHEREAS, the University's designated independent firm of Clark, Schaefer, Hackett & Co. completed an audit of the University's FY24 financials, issued an unmodified report, and reviewed the report results with the Finance and Administration Committee;

THEREFORE, BE IT RESOLVED, the Board of Trustees accepts the Shawnee State University FY24 audit report as presented.

(November 22, 2024)

**RESOLUTION F25-24**

**APPROVAL OF FY24 EFFICIENCY REPORT**

WHEREAS, Ohio higher education institutions are required to annually submit an efficiency report to the Ohio Department of Higher Education (ODHE); and

WHEREAS, in order to comply with the legislated due date of November 15, 2024, the University's FY24 Efficiency Report was submitted to ODHE in draft form pending approval by the Board of Trustees; and

WHEREAS, the report reflects Shawnee State's continued commitment and efforts toward meeting or exceeding efficiency goals;

THEREFORE, BE IT RESOLVED that the Board of Trustees of Shawnee State University approves the FY24 Efficiency Report.

(November 22, 2024)





# FY25 Operating Budget Status

Report Date 10.31.2024

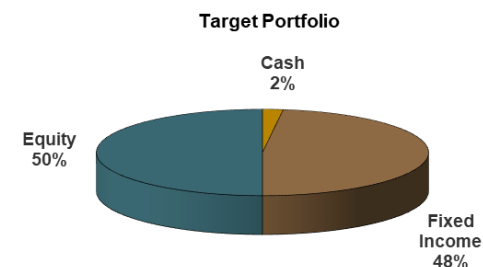
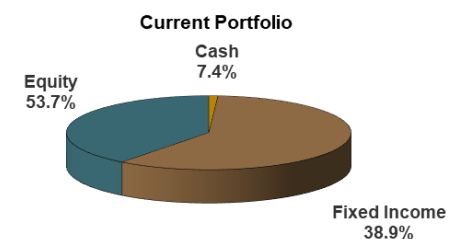
	FY25 Budget	Q1 Actuals	Q2 Actuals	Q3 Actuals	Q4 Actuals	YTD Actuals	% of Budget
<b>Revenue</b>							
Tuition & Student Fees	\$ 28,108,054	\$ 15,322,223	\$ (287,398)	\$ -	\$ -	\$ 15,034,825	53.5%
State Share of Instruction	\$ 13,235,852	\$ 3,308,961	\$ 1,102,987	\$ -	\$ -	\$ 4,411,948	33.3%
Shawnee Supplement	\$ 9,000,000	\$ 2,250,000	\$ -	\$ -	\$ -	\$ 2,250,000	25.0%
Scholarship	\$ (5,446,200)	\$ (2,751,749)	\$ 17,940	\$ -	\$ -	\$ (2,733,809)	50.2%
Other Income	\$ 4,711,324	\$ 910,136	\$ 239,588	\$ -	\$ -	\$ 1,149,724	24.4%
Commissions	\$ 442,500	\$ 73,356	\$ 21,747	\$ -	\$ -	\$ 95,104	21.5%
General Fund Operating Grants	\$ 1,120,535	\$ 43,517	\$ 12,685	\$ -	\$ -	\$ 56,203	5.0%
Miscellaneous Revenue	\$ 2,250,789	\$ 445,027	\$ 116,574	\$ -	\$ -	\$ 561,600	25.0%
Service Fees/Memberships	\$ 277,500	\$ 79,128	\$ 18,386	\$ -	\$ -	\$ 97,514	35.1%
Ticket Sales/Rentals	\$ 620,000	\$ 269,108	\$ 70,195	\$ -	\$ -	\$ 339,303	54.7%
Transfers In	\$ 1,500,000	\$ -	\$ -	\$ -	\$ -	\$ -	-
<b>Revenue Total</b>	<b>\$ 51,109,030</b>	<b>\$ 19,039,571</b>	<b>\$ 1,073,117</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 20,112,688</b>	<b>39.4%</b>
<b>Expense</b>							
Compensation	\$ 33,956,011	\$ 5,932,218	\$ 3,747,663	\$ -	\$ -	\$ 9,679,880	28.5%
Salaries	\$ 24,406,126	\$ 4,112,082	\$ 2,842,866	\$ -	\$ -	\$ 6,954,948	28.5%
Benefits	\$ 9,549,885	\$ 1,820,136	\$ 904,797	\$ -	\$ -	\$ 2,724,933	28.5%
Non-Compensation	\$ 13,669,333	\$ 4,018,660	\$ 1,452,905	\$ -	\$ -	\$ 5,471,565	40.0%
Equipment	\$ 216,772	\$ 185,717	\$ 174,386	\$ -	\$ -	\$ 360,103	166.1%
External Professional Services	\$ 715,491	\$ 222,342	\$ 122,771	\$ -	\$ -	\$ 345,113	48.2%
Information/Comm/Shipping	\$ 800,605	\$ 264,630	\$ 30,370	\$ -	\$ -	\$ 295,000	36.8%
Maintenance & Service Contracts	\$ 4,028,131	\$ 1,856,577	\$ 627,583	\$ -	\$ -	\$ 2,484,160	61.7%
Meal Plan Expense	\$ 2,021,009	\$ 251,266	\$ 130,346	\$ -	\$ -	\$ 381,612	18.9%
Miscellaneous Expense	\$ 1,394,783	\$ 455,358	\$ 23,329	\$ -	\$ -	\$ 478,687	34.3%
Supplies	\$ 1,970,594	\$ 232,427	\$ 81,951	\$ -	\$ -	\$ 314,378	16.0%
Travel	\$ 874,220	\$ 186,008	\$ 122,411	\$ -	\$ -	\$ 308,419	35.3%
Utilities	\$ 1,647,728	\$ 364,336	\$ 139,757	\$ -	\$ -	\$ 504,093	30.6%
Transfers Out	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	-
<b>Expense Total</b>	<b>\$ 47,625,344</b>	<b>\$ 9,950,878</b>	<b>\$ 5,200,567</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 15,151,445</b>	<b>31.8%</b>
Net Transfer to Capital Fund	\$ 1,564,825	\$ -	\$ -	\$ -	\$ -	\$ -	0.0%
<b>Net Operating Budget</b>	<b>\$1,918,861</b>	<b>\$9,088,693</b>	<b>(\$4,127,450)</b>	<b>\$0</b>	<b>\$0</b>	<b>\$4,961,243</b>	<b>259%</b>

# Shawnee State University

## Asset Allocation – As of October 31, 2024



Asset Class	Market Value	% of Assets	Target %
<b>Cash Equivalents</b>			
TIAA Trust Cash Deposit Account	\$860,004	7.4%	
<b>Total Cash Equivalents</b>	<b>\$860,004</b>	<b>7.4%</b>	<b>2.0%</b>
<b>Fixed Income</b>			
Fixed Income Separately Managed Account	\$3,458,748	29.7%	
PGIM High Yield Fund	255,851	2.2%	
Vanguard Intermediate-Term Bond Index	\$411,609	3.5%	
VanEck J. P. Morgan EM Local Currency Bond ETF	\$145,987	1.3%	
DFA Inflation Protected SEC Fund	\$125,442	1.1%	
PIMCO 1-5 Year U.S. TIPS Index Exchange Traded Fund	\$128,429	1.1%	
<b>Total Fixed Income</b>	<b>\$4,526,066</b>	<b>38.9%</b>	<b>48.0%</b>
<b>Domestic Equity</b>			
TIAA-CREF Large Cap Growth Index Fund	\$2,761,519	23.7%	
TIAA-CREF Large Cap Value Index Fund	\$1,900,773	16.3%	
iShares Russell Mid-Cap Growth ETF	\$260,334	2.2%	
iShares Russell Mid Cap Value ETF	\$251,696	2.2%	
iShares Russell 2000 Growth ETF	160,692	1.4%	
iShares Russell 2000 Value ETF	155,649	1.3%	
<b>Total Domestic Equity</b>	<b>\$5,490,663</b>	<b>47.2%</b>	<b>45.0%</b>
<b>International Equity</b>			
iShares Core MSCI EAFE ETF	\$214,774	1.8%	
iShares MSCI International Quality Factor ETF	\$316,194	2.7%	
iShares MSCI EAFE Small-Cap ETF	\$0		
iShares Core MSCI Emerging Markets ETF	\$221,479	1.9%	
<b>Total International Equity</b>	<b>\$752,447</b>	<b>6.5%</b>	<b>5.0%</b>
<b>Total Equity</b>	<b>\$6,243,110</b>	<b>53.7%</b>	<b>50.0%</b>
<b>Total Portfolio Market Value</b>	<b>\$11,629,180</b>	<b>100.0%</b>	<b>100.0%</b>



Asset Class/Security	Market Value as of October 31, 2024	Market Value as of June 30, 2024	Market Value as of June 30, 2023
<b>OPERATING CASH:</b>			
U.S. Bank	\$ 7,078,323	\$ 7,648,535	\$ 5,381,923
<b>Total Operating Cash Balance</b>	<b>\$ 7,078,323</b>	<b>\$ 7,648,535</b>	<b>\$ 5,381,923</b>
<b>LIQUID POOL INVESTMENT PORTFOLIO:</b>			
STAROhio	\$ 1,238,472	\$ 1,216,621	\$ 203,642
<b>Total Liquid Investment Pool Balance</b>	<b>\$ 1,238,472</b>	<b>\$ 1,216,621</b>	<b>\$ 203,642</b>
<b>TIAA DIVERSIFIED INVESTMENT POOL SUMMARY:</b>			
<b>Cash Equivalents:</b>			
	\$ 1,035,135	\$ 1,809,159	\$ 427,436
<b>% of Total TIAA Portfolio</b>	<b>8.9%</b>	<b>16.2%</b>	<b>5.2%</b>
<b>Fixed Income Holdings:</b>			
Fixed Income Managed Acct (US and Agency Securities)	\$ 2,250,409	\$ 2,161,706	\$ 3,157,590
DFA Inflation Protected Securities Portfolio	\$ 125,442	\$ 123,610	\$ 124,641
iShares MBS ETF	\$ 1,004,343	\$ 993,201	\$ -
PGIM High Yield Fund	\$ 254,330	\$ 247,998	\$ -
PIMCO 1-5 Year U.S. TIPS Index ETF	\$ 128,429	\$ 126,518	\$ 123,235
TIAA-CREF Short-Term Bond Fund	\$ -	\$ -	\$ 436,366
VanEck J.P.Morgan EM Local Currency Bond ETF	\$ 145,987	\$ 143,750	\$ -
Vanguard Intermediate Term Bond Fund	\$ 410,268	\$ 404,670	\$ -
Vanguard Short Term Bond Index Fund	\$ -	\$ -	\$ 344,546
<b>Total Fixed Income</b>	<b>\$ 4,319,209</b>	<b>\$ 4,201,452</b>	<b>\$ 4,186,378</b>
<b>% of Total TIAA Portfolio</b>	<b>37.2%</b>	<b>37.5%</b>	<b>50.8%</b>
<b>Domestic Equity Holdings:</b>			
iShares Russell 2000 Growth ETF	\$ 160,692	\$ 136,253	\$ -
iShares Russell 2000 Value ETF	\$ 155,649	\$ 129,912	\$ -
iShares Russell Mid-Cap Growth ETF	\$ 260,334	\$ 228,756	\$ -
iShares Russell Mid Cap Value ETF	\$ 251,696	\$ 221,075	\$ 154,106
TIAA-CREF Large Cap Growth Index Fund	\$ 2,761,519	\$ 2,057,838	\$ 1,307,298
TIAA-CREF Large Cap Value Index Fund	\$ 1,900,773	\$ 1,689,018	\$ 1,245,680
TIAA-CREF Small Cap Blend Index Fund	\$ -	\$ -	\$ 135,165
Vanguard Mid-Cap Growth Index	\$ -	\$ -	\$ 155,725
Vanguard REIT Index Fund	\$ -	\$ -	\$ 53,565
Cohen & Steers Real Estate Fund	\$ -	\$ -	\$ 38,543
<b>Total Domestic Equity</b>	<b>\$ 5,490,664</b>	<b>\$ 4,462,852</b>	<b>\$ 3,090,082</b>
<b>% of Total TIAA Portfolio</b>	<b>47.3%</b>	<b>39.9%</b>	<b>37.5%</b>
<b>International Equity Holdings:</b>			
iShares Core MSCI EAFE ETF	\$ 214,734	\$ 211,455	\$ 196,492
iShares Core MSCI Emerging ETF	\$ 221,479	\$ 180,878	\$ 133,280
iShares MSCI EAFE Small-Cap ETF	\$ -	\$ 24,348	\$ -
iShares MSCI International Quality Factor ETF	\$ 316,194	\$ 299,006	\$ 199,467
<b>Total International Equity</b>	<b>\$ 752,406</b>	<b>\$ 715,687</b>	<b>\$ 529,239</b>
<b>% of Total TIAA Portfolio</b>	<b>6.5%</b>	<b>6.4%</b>	<b>6.4%</b>
<b>Total Equity</b>	<b>\$ 6,243,069</b>	<b>\$ 5,178,538</b>	<b>\$ 3,619,321</b>
<b>% of Total TIAA Portfolio</b>	<b>53.8%</b>	<b>46.3%</b>	<b>44.0%</b>
<b>TOTAL TIAA DIVERSIFIED POOL PORTFOLIO MARKET VALUE</b>	<b>\$ 11,597,414</b>	<b>\$ 11,189,149</b>	<b>\$ 8,233,135</b>
	<b>100.0%</b>	<b>100.0%</b>	<b>100.0%</b>
<b>TOTAL CASH AND INVESTMENTS BALANCE</b>	<b>\$ 19,914,209</b>	<b>\$ 20,054,305</b>	<b>\$ 13,818,701</b>

**TOTAL TIAA  
PORTFOLIO**

Value as of June 30, 2024	\$ 11,189,149
Value as of October 31, 2024	\$ 11,597,414
Diff \$	\$ 408,265
Diff %	3.58%

# PERSONNEL ACTIVITY REPORT FY25

November 22, 2024

## New Hires

### ➤ **Administrative Staff**

- John Redoutey – Director, EMS, Center for Lifelong Learning, August 26, 2024
- Rebecca Baldrige – Dean’s Assistant, College of Health and Human Services, September 23, 2024
- Julie Buckler – Success Coach, Student Success Center, September 30, 2024
- Sargina Engle – BH Workforce Accelerator Navigator, College of Health and Human Services, October 31, 2024

### ➤ **Support Staff**

- Carlos Royster – Custodian, Facilities, October 30, 2024
- Kelly Rase – Custodian, Facilities, November 4, 2024

## Change of Status

### ➤ **Administrative Staff**

- Polly Brown – Executive Assistant, Office of the Provost, September 16, 2024
- Lindsay Monihen – Clinical & Field Coordinator, School of Education, October 1, 2024
- Jenny Lawson – Assistant Director, Selective Admissions, College of Health and Human Services, October 12, 2024
- Jeff Hamilton – Interim Dean of Students, Academic and Student Affairs, November 1, 2024
- Gail Chinn – LISD Lead Officer, School of Education, November 18, 2024

### ➤ **Support Staff**

- Emma Shoemaker – Specialist, Financial Aid, October 28, 2024

# PERSONNEL ACTIVITY REPORT FY25

November 22, 2024

## Departures

### ➤ **Administrative Staff**

- Spencer Stevens – Director, Human Resources, October 2, 2024
- Kerrie James-Hunter – Coordinator, Academic Advising and Support, October 10, 2024
- Elizabeth Kline – Dean of Students, Academic and Student Affairs, November 1, 2024
- Alannah Bihl – Counselor, Counseling and Health Services, November 10, 2024
- Linda Koenig – Director, Counseling and Health Services, November 10, 2024
- Angela Duduit – Director, Workforce Development, November 10, 2024
- Camryn Zornes – Coordinator, Mental Health and Wellness, November 15, 2024
- Tracy Rice – Coordinator, Educational Opportunity Center, November 29, 2024

# CAPITAL PROJECTS STATUS REPORT

November 22, 2024

## **Gateway and Third Street Re-Opening - \$3M - Capital**

- A new campus gateway will be developed as well as a plan to reopen Third Street between Gay and Waller Streets. This will include traffic calming strategies, incorporate bicycle traffic, landscape features, and pedestrian crossings. Design activity and associated estimating continue.
- Controlling Board request was approved at the November 4, 2024 meeting; contract sent to Attorney General's office for approval. Anticipate construction mobilization by the end of November, 2024.

## **Campus Wayfinding Project - \$750,000 – Capital**

- Wayfinding scope has been revised to include an interior signage phase. Exterior and interior signage packages to be bid together in single phase.
- In process of completing final design and construction documents; project to be advertised for bid upon completion in December, 2024. Anticipate construction to begin Spring, 2025.

## **Roof and Infrastructure Project - \$1.25M – Capital**

- Project will include complete/partial roof replacements and building envelope integrity updates of Kricker Hall and the Rhodes Athletic Center.
- Added possible alternates for Massie Hall roof and flashing items. Final drawings currently under review by Department of Industrial Compliance for final plan approval. Project to be advertised for bid upon completion.

## **Clark Memorial Library Renovation Project - \$4.5 million - Capital**

- Design contract approved by Controlling Board; contract signed by Attorney General's office.
- Kick off meeting scheduled for December 11, 2024.

## **Health Science Labs Renovations Project - \$3M – Capital**

- Design contract to be submitted for Controlling Board approval at the December 2, 2024 hearing.

## **Strategic Plan – Shawnee at 40 – Annual Progress Report (Operations)**

### **July 1, 2023 – June 30, 2024**

#### **Goal #2. We strive to grow our enrollment and build a diverse and sustainable student body.**

- To aid in athletics recruitment efforts, initial surveying and design activities for an on-campus softball field are underway. Construction will commence in Fall 2024 once the property transfer (Spartan Stadium) is finalized.

#### **Goal #4. We enhance the quality of life of our community and region through positive partnerships.**

- In partnership with the City of Portsmouth, the basic design of an improved intersection between 3<sup>rd</sup> and Gay Street is complete - construction is contingent upon funding being released by the City of Portsmouth. Plans to re-open 3rd Street are underway - design prepared for bid.
- Plans for near and on-campus signage and wayfinding are progressing. The scope has been revised to include an interior signage phase. The final design and construction documents will be delivered in Fall 2024.

#### **Goal #5. We provide student-centered and customer-focused processes in our administrative operations.**

- In the Spring 2024 we engaged with a consultant, Peak Performance, to evaluate our software usage and needs campus-wide. Extensive interviews with departments and constituent groups highlighted a need to explore replacing multiple software systems or reconfiguring existing systems, depending on what the market provided. The RFP process was drafted and scheduled to launch in June 2024. RFP requirements were designed based on stakeholder feedback and the process is expected to conclude in Fall 2024.
- Human Resources coordinates with key leaders to ensure compliance courses are delivered and tracked in the NEOED learning management system. Required training is offered to all employees upon hire and refreshers are offered annually - typically at the beginning of the academic year.
- As part of the leadership change, we shifted from a long-term 10-year Facilities Master Plan to a 6-year outlook - where we identify actions that can be taken immediately, short-term and mid-term. This approach aligns with the state's capital funding cycle and positions us to use the funds more effectively. The updated plan was presented to the Board of Trustees in Fall 2023. Designs for Clark Memorial Library, Allied Health Science Labs, and Esports Arena were set as priorities for FY25. Designs for Natural Science Labs, the Shawnee Manufacturing Center, and a Sports Complex will start to develop in Spring 2025.
- The draft Technology Master Plan is under review and will be refined in collaboration with stakeholder groups based on the system evaluation mentioned above and other needs or priorities identified.
- Microsoft Teams, an alternative to our voice-over-internet protocol (VoIP) telephone system, was implemented across campus Spring 2024.

- During Summer 2023 we reduced the number of lab computers (by 64 machines) leaving power connectivity in place so students can bring their own laptop for use. For faculty and staff, it has been determined to allow choice of desktop vs laptop depending on the individual office needs; an across-the-board decision for employees will not meet the needs of every department.
- During Spring 2024 remote/hybrid work arrangements were assessed by the President's Cabinet. Adjustments to work arrangements were implemented to ensure campus life, student-facing, and front-office operations were not negatively impacted by flexible work arrangements.



## **Strategic Plan – Shawnee at 40 – Annual Progress Report (Finance & Administration) July 1, 2023 – June 30, 2024**

### **Goal #5. We provide student-centered and customer-focused processes in our administrative operations.**

- Implemented Budget training sessions during FY24 and ongoing. Procurement training aids are available online and one-on-one sessions are provided as requested. Cash Management training is provided during onboarding training for new employees.
- The Fiscal Year 2024 new budget development calendar, submission materials and presentation model were developed and implemented during 2024 and in the development of the 2025 budget.
- An automated process was developed using Planning and Budget Cloud Services (“PBCS”) software for budgeting for vacant positions for FY24 and FY25’s budgets. Budget reports are delivered in real-time via PowerBI to budget managers and executives. Budget managers receive email alerts if the spending in their units have exceeded a pace determined at certain intervals during the fiscal year. PBCS was used to develop the FY24, FY25 and future budgets, which dramatically improved modeling and forecasting capabilities. Budget reports are delivered in real-time via PowerBI to budget managers and executives.
- Meetings were held during AY24 with student club leaders and procedures were updated and new controls were put into place. We developed a PowerBI report for each club, a student club email account and DocuSign account. Other items have been updated as well such as online power forms, event ticketing process, mandatory trainings and unit funding requests. We have designed instructional handbooks for the club members and advisors to help new leaders manage student club accounts.
- ACH payment module on the U.S. Bank system was developed, tested, and is being implemented during Fall 2024. Positive Pay application was put in place during FY24 to reduce exposure to fraudulent banking activity. The University is reviewing services to adopt (ex. Cashless processing, automation of processes) prior to issuing RFP. RFP will be issued during FY25.
- Frequency of journal entries to reflect current financial activity (ex: prepaids, centralized telephone charges and facilities charge backs for housing) has increased. Senate Bill 6 ratios are calculated for second, third, and final quarters of the fiscal year. The development of PowerBI for reporting has eliminated the need for a hard quarter system closing of the ERP system (labor intensive process).

### **Goal #6. We use evidence, data, and best practices when making decisions.**

- PowerBI functionality utilized to create a Budget Manager Dashboard that allows unit managers to view budget and expense actuals in real-time. The dashboard also includes prior year reporting on Non-Compensation and Discretionary Compensation budget vs. actuals, access to Budget Transfer & Journal Entry Request Forms and a comprehensive Course & Program Fee report.
- University uses KPI’s associated with our bond credit rating review, quarterly Senate Bill 6 scores (based on our Viability, Primary Reserve and Net Income ratios) and annual HLC accreditation

Composite Score to assist management during budget development and performance measures. These ratios/scores are communicated to the Board of Trustees throughout the year as well.

- Housing and Meal Plan Dashboards created to monitor counts for savings opportunities and aid in forecasting/budgeting.

**Goal #7. We are a diverse community that is equitable and inclusive.**

- The University reviews potential food options with food service provider to consider alternatives (including various culturally based options) during each semester.



# 2024 Annual Campus Security & Fire Safety Report

15B Published in compliance with the Campus Security Act, 20 USC § 1092 (f)

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# Letter from the Director of Public Safety

Creating and maintaining a safe university community is a responsibility the entire campus community takes seriously. The Shawnee State University Department of Public Safety (SSU DPS) is a key resource in meeting that commitment, providing SSU with professional Law enforcement education programs and safety/security services to support the University's mission.

The Department of Public Safety embraces the philosophy of community-based policing. In using the community-based policing approach, the police / security officers have a collaborative partnership with the campus community. The partnership that is forged serves to develop solutions to problems and reduce crime.

This report is intended to provide you with essential information regarding Shawnee State University's programs, services, policies, and statistics about the occurrence of crime on campus, policies regarding sexual assault, domestic violence, dating violence and stalking. The disciplinary procedures on campus, they are explained and services available to any student are outlined. Our mission is to provide the highest quality services while maintaining a safe environment in which to learn, live, and grow. We see ourselves as educators who provide law enforcement services in support of the mission of Shawnee State University. If you have any questions or suggestions concerning this publication, please contact the Department of Public Safety at (740) 351-4377 or, [CampusSecurity@shawnee.edu](mailto:CampusSecurity@shawnee.edu), or stop by our office located at Administration Building Room 023.

Sincerely,

**Jon Peters**

Director of Public Safety  
Shawnee State University



# Shawnee State University's Mission, Vision, & Values

*“We prepare today’s students to succeed in tomorrow’s world.”*

A mission statement succinctly describes why we exist – our purpose. We prepare today’s students to succeed in tomorrow’s world.

*“We will be a best-value university offering a wide range of high-quality signature programs.”*

A vision statement stakes a claim on our aspirations and states the kind of university we plan to become. Our vision is to be, recognized as a “best-value” university, combining academic excellence and student success with affordability, and establishing signature programs that give us a competitive edge.

Enduring values provide a foundation for everything we do. Shawnee State University’s enduring values include; 1) Student-Focused Service, 2) Community Engagement, 3) Authentic Dialogue, 4) Thoughtful Risk Taking, 5) Culture of Continuous Improvement. They guide how we behave in our interactions with our students, families, alumni, friends of the University, and each other. They tell our clients what is important to us, and what they can expect from us.

## The Campus

Shawnee State University (SSU), located in Scioto County, serves the higher education needs of the south central part of Ohio. The campus, situated on a 65-acre site on the banks of the Ohio River in downtown Portsmouth, a city of approximately 20,000. SSU is located in the southern part of Ohio, across the Ohio River, by Kentucky. Columbus, the capital city of Ohio, lies 90 miles to the north, while 115 miles west is Cincinnati. With approximately 3,000 students, SSU has more than 70 associate, bachelor, and master degree programs offered through the College of Arts and Sciences and the College of Professional Studies. SSU, one of fourteen state universities in the University System of Ohio, is a regional campus serving a primarily commuter population, with approximately 500+ housing students.

Shawnee State University (SSU) is committed to the safety and security of its students and employees and demonstrates this commitment through the development of policies and programs to reduce crime and protect students and staff. It is the intent of SSU to continue to enhance current safety and security

education and prevention programs throughout the year. The purpose of the programs is to ensure that the campus community receives information on SSU's safety and crime policies and procedures and on alcohol and drug abuse prevention.

A campus with a safe environment, it can only be achieved with the cooperation of the entire campus community. SSU publishes this report to help you keep the campus a safe and secure educational environment.

# Shawnee State University

## Department of Public Safety

*“Our goal is to provide a secure and safe learning environment for the university community.”*

### Mission, Vision, and Values

#### Mission Statement

We serve the campus in partnership with our community, to protect life and property, prevent crime, and resolve problems that may arise.

#### Vision

We will provide the highest quality of services to the campus community by constantly evaluating and improving our efforts to enhance public safety with the goal of improving the quality of life on campus.

#### Values

These values guide in all decisions and actions made by this department's employees:

- Strive to learn and grow
- Be honest, ethical and professional
- Strive for excellence
- Lead by example
- Treat all persons with respect and compassion
- Do the right thing



# SSU DPS Authority & Services Provided

The Shawnee State University Department of Public Safety (SSU DPS) is comprised of 5 full-time OPOTA certified police officers, 1 full-time security sergeant, 4 full-time security officers and 3 part-time security officers. DPS officers provide 24-hour police and security services on campus and respond to request for services. SSU DPS reports and/or investigates criminal and non-criminal activity occurring on campus, and off-campus when requested by the Portsmouth Police Department.

Safety and security services DPS provides to the campus community include general patrol; safety escorts; facility/residence access and security; vehicle jumps starts and unlocks; bicycle registration; crime prevention programming; and emergency preparedness and training. DPS enforces state law, the ordinances of the City of Portsmouth, and the rules and regulations promulgated by the Board of Trustees of Shawnee State University.

## Community Policing

The Shawnee State University Department of Public Safety (SSU DPS) utilizes a community policing philosophy with the goals of (1) establishing positive contacts with the campus community, (2) identifying real and/or perceived problems that exist in the campus community, and (3) developing programs that aid in the resolution of identified problems. SSU DPS uses various modes of transportation to patrol the campus, including bicycles, cars, and walking officers.

## Working Relationship and MOU with Portsmouth Police

Shawnee State University maintains a close working relationship with the Portsmouth Police Department (PPD) and surrounding local law enforcement agencies. The Portsmouth Police Department is located one block west of the campus. SSU DPS officers work closely with the PPD investigative staff, when incidents arise, sharing crime related reports and information, as deemed necessary. A mutual aid agreement between Shawnee State University and the City of Portsmouth was enacted that enables SSU police officers to provide mutual aid assistance to Portsmouth Police upon request or during emergency situations, and grants SSU DPS jurisdictional authority on roadways passing through and adjacent to campus property.

A mutual aid agreement between Shawnee State University and the Village of New Boston was enacted that enables SSU police officers to provide mutual aid assistance to the New Boston Police Department (NBPD) upon request or during Emergency Situations. New Boston is located approximately 2.8 miles east of Campus.

DPS also works closely with other federal, state, and university departments to enhance the level of law enforcement service available to the university community and to provide those who may be the victim of a crime or other Emergency Situations information regarding university options available to them. The Village of New Boston provides L.E.A.D.S. & other dispatch functions for DPS.

## Ohio Revised Code 3345.04

3345.04B: Subject to division (C) of this section, the board of trustees of a state university, the board of trustees of the northeast Ohio medical university, the board of trustees of a state community college, and the board of trustees of a technical college or community college district operating a technical or a community college may designate one or more employees of the institution, as a state university law enforcement officer, in accordance with section 109.77 of the Revised Code, and, as state university law enforcement officers, those employees shall take an oath of office, wear the badge of office, serve as peace officers for the college or university, and give bond to the state for the proper and faithful discharge of their duties.

## Department of Public Safety is Hybrid

In February of 2012 Shawnee State University transitioned from a Security Department to a hybrid department bringing on Police Officers. This was done pursuant to ORC3345.04. (see right insert). There are sworn Police Officers along with Security Officers patrolling on campus.

# University Security

The SSU DPS officers are responsible for maintaining the security of the physical facilities, patrolling campus (on foot, by bike and by patrol car), providing escort services, distributing and controlling campus parking permits, taking reports of any criminal activity, investigating any reported criminal incident, and enforcing local ordinances, state laws and University rules and regulations regarding the unauthorized use of alcohol, use of controlled substances, and weapons violations. The SSU DPS also provides assistance to PPD in all matters in which their involvement is required. The first contact for on-campus medical and fire emergencies and traffic accidents is 9-1-1. The SSU DPS is responsible for developing all University reports pertaining to such incidents.

Campus Security is primarily the responsibility of the Shawnee State University Department of Public Safety (SSU DPS), which is located at the southeast end of campus adjacent to the floodwall. The goal of the SSU DPS is to provide a safe and secure environment for the SSU community, with a 24-hour police and security presence on campus. Police officers of Shawnee State University, they are designated by statute as the law enforcement officers for the university. They are empowered to use investigative authority on reasonable suspicion of crime, to search and arrest as authorized by law, and to use reasonable and necessary force to enforce law and protect property on University land and as provided by mutual aid compacts established with other jurisdictions. Their oath of office is a personal commitment to the rule of law and constitutional limitations of police authority. The University Police perform the same duties and have the same authority as all police departments in Ohio. They evaluate reported crimes and conduct investigations to determine the responsible party. University Police enforce laws regulating underage drinking, the use of controlled substances, weapons, and all other incidents requiring police assistance. They have police jurisdiction on all University property.

The security officers of Shawnee State University are screened and trained in personnel and property protection; however, they are not police officers and do not have law enforcement arresting authority. They do work in conjunction with their police counterparts to provide for the safest campus environment in which to work, live, and receive an education.

## Facilities Access

The Shawnee State University Department of Public Safety (SSU DPS) maintains security of all buildings on campus.

## Student Housing

Shawnee State has two apartment complexes on campus and two privately owned

contiguous complexes north of campus, which can jointly accommodate more than 1,000 residents. Only residents and authorized University personnel have keys to the apartments. Staffing includes a VP-Student Affairs, Director of Housing and Residence Life, Residence Life Coordinators (who live on campus), and resident advisors (RA's), specially trained in personal safety and campus security. Routine safety inspections are conducted by the RA's to maintain a safe environment. The SSU DPS conducts regular foot, bike, and vehicle patrols of the residence 24 hours a day. Professional staff members conduct programs throughout the year aimed at heightening residential student awareness of safety on campus.

### **Safe Apartment**

The purpose of having a "safe apartment" on-campus is to have an open apartment for residential students to have a place to reside in the event of an incident occurring that would necessitate an emergency move to a safe location.

## **Student Organizations**

Shawnee State University does not have any officially recognized Student Organizations that have off campus housing facilities. Any criminal activity involving SSU students will normally be reported by the PPD to SSU DPS.

## **Campus Buildings**

During regular academic semesters, campus buildings are open from 7:00 a.m. to approximately 10:00 p.m. on weekdays. Except for the Library and University Center, most campus buildings are closed on weekends. Students, staff and faculty must present a SSU identification card for admittance to any building that is not open. Staff must provide permission to SSU DPS via email or letter for a student to enter a closed building.

Shawnee State University Department of Public Safety provides 24-hour patrols of the physical facilities. Officers respond to reports of safety hazards upon receipt and document each incident. Officers perform monthly safety inspections and forward those discrepancies and maintenance issues to the Facilities Department. The University maintains exterior lighting, , emergency phones inside academic buildings, crime reducing landscape practices, and closed-circuit electronic surveillance of most public areas of campus. The University maintains an indoor PA and strobe mass notification system, in addition to an outdoor mass notification siren system. Outdoor sirens are located on the east and west side of the campus and are used primarily for notification of severe weather. The system can be used manually to issue timely warnings concerning other emergency events on campus.

# Reporting Crime/Emergencies

Students, employees and visitors on campus are encouraged to, immediately report suspected criminal activity or other incidents to the SSU Department of Public Safety (SSU DPS) by calling (740) 351-3232 from any campus phone. With such information, the University can take steps to help ensure the future safety of the campus by keeping an accurate record of the number of incidents involving students, employees and visitors and alert the campus community to potential danger if necessary.

The campus community is advised to contact the SSU DPS from an off campus phone or by cell phone, at (740) 351-3232. For non-emergencies the number to call from a campus phone is ext. 3423, or if off campus phone or by cell phone, the non-emergency number is (740) 351-3243. The e-mail address for DPS is: [campussecurity@shawnee.edu](mailto:campussecurity@shawnee.edu).

## Everbridge

Shawnee State University has a safety app that is available to all students, staff and employees. Just download the Everbridge App on your phone and follow the directions to log on

## Title IX Violation Reporting

Students, employees and visitors on campus are encouraged to immediately report suspected Title IX violations to the Title IX coordinator. For a complete list of Title IX officers and online complaint form please visit <https://www.shawnee.edu/campus-life/title-ix/report-incident>

## Confidential Reporting

Under the Ohio "Sunshine Law", alleged criminal activity and other incidents officially reported to the SSU DPS, and other campus security authorities, becomes public record. If a student does witness a crime and it becomes part of a counseling discussion the student is informed of the process to follow in order to report the crime to SSU DPS.

Campus "Professional Counselors", when acting as such, are not considered to be campus security authorities and are not required to report crimes for inclusion into the annual disclosure of crime statistics. However, Counseling & Health Services is contacted and asked for the data related to any reportable offenses, to include in the annual crime statistics for the University. Only the number of reportable offenses is requested, no confidential information is requested or given

## Anonymous Reporting

Individuals may anonymously report criminal and non-criminal incidents to the SSU DPS via the Silent Witness link (see "Silent Witness" insert at right) on the SSU DPS web site at <https://www.shawnee.edu/campus-life/safety-campus-police/report->



The "Clery Act" is named in memory of 19-year-old Lehigh University freshman Jeanne Ann Clery who was raped and murdered while asleep in her residence hall room by another Lehigh University student on April 5, 1986.

Jeanne's parents, Connie and Howard, discovered that students hadn't been told about 38 violent crimes on their daughter's campus in the three years before her murder. They joined with other campus crime victims and persuaded Congress to enact this law, which was originally known as the "Crime Awareness and Campus Security Act of 1990."

## Silent Witness

Silent Witness is available to provide persons with an opportunity to anonymously report information to SSU DPS that they would not be as willing to provide otherwise.

crimesilent-witness. It is important to understand that the United States Supreme Court has ruled that anonymous tips require independent verification by law enforcement before acted up on. Therefore, any anonymous information received about criminal activity is independently verified by law enforcement before action is taken.

## Local Law Enforcement, Counseling Services, and Support Agencies

### Emergency / Crime Reporting Contacts

#### Emergency

Fire, Police, Medical.....Dial 911

#### Local Police

Portsmouth Police Department.....(740) 353-4101  
 Ohio State Highway Patrol.....(740) 354-2888  
 Scioto County Sheriff Department.....(740) 354-7566  
 Federal Bureau of Investigation (FBI).....(740) 354-5645

#### Shawnee State University

Department of Public Safety (Emergency).....(740) 351-3232  
 Department of Public Safety (Non-Emergency).....(740) 351-3243  
 Vice President for Student Affairs.....(740) 351-3280  
 Dean of Students.....(740) 351-3262  
 Housing and Residence Life.....(740) 351-3222  
 Residence Life Coordinator.....(740) 351-3123  
 Compass Bear Care Clinic.....(740) 351-7102  
 Residence Advisors – My RA Hotline.....(740) 351-6972  
 Title IX Coordinator.....(740) 351-3010

## Crime Statistics

Shawnee State University continues to experience a good record of low crime rates. The University is proud of this record and will continue to strive to keep the campus an oasis for its students and employees through university public safety services, the development of policies and procedures to meet the changing security needs of the University, and the continuation and enhancement of its educational/prevention programs.

Shawnee State University Department of Public Safety (SSU DPS) prepares the annual Campus Security & Fire Safety Report in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act, 20 USC § 1092(f), which is the landmark federal law, originally known as the Campus Security Act, that

requires colleges and universities across the United States to disclose information about crime on and around their campuses.

This report is prepared in cooperation with the local law enforcement agency (Portsmouth Police Department), Dean of Students, Director of Housing & Residence Life, and the Office of Counseling and Health Services. Annual information requests are made via e-mail and personal contact with the local PPD, campus security authorities (C.S.A.s) and the Office of Counseling and Health Services.

This annual disclosure of crime statistics is also available electronically on the SSU DPS web site at: <https://www.shawnee.edu/campus-life/safety-campus-police>. Each year, an e-mail is sent to all staff, faculty and enrolled students to notify the campus community of the availability of the current Campus Security & Fire Safety Report via the web site address. New and prospective employees receive information from the Human Resources Department providing notice of the annual report and web address. Prospective students can access the annual report through direct on-line quick link available under the Admission & Financial Aid tab as well as the Visit SSU Campus, New Student Orientation, Transfer Students, Acceptance Requirements, and Admission web pages. Paper copies of the annual report may be obtained at the SSU Department of Public Safety, which is located at the southeast end of campus adjacent to the floodwall.

The following statistics are compiled from the SSU DPS's Uniform Crime Reporting program for the past three calendar years. The statistics represent **alleged** criminal offenses **reported** to campus security authorities and/or local police agencies. **Therefore, the data collected does not necessarily reflect prosecutions or convictions for crime.** Because some statistics are provided by non-police authorities, the data are not directly comparable to data from the FBI's Uniform Crime Reporting System, which only collects statistics from police authorities. Definitions of each criminal offense can be found in the attached glossary.

**Clery Act Crime Statistics – Criminal Offenses**

Type of offense	Year	On campus (not including residence hall)	Residence halls	Non-campus	Public property	Campus Total
<b>Murder and Non-Negligent Manslaughter</b>	2021	0	0	0	0	0
	2022	0	0	0	0	0
	<b>2023</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Manslaughter by Negligence</b>	2021	0	0	0	0	0
	2022	0	0	0	0	0
	<b>2023</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Rape</b>	2021	0	0	0	0	0
	2022	0	0	0	0	0
	<b>2023</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Fondling</b>	2021	1	0	0	0	1
	2022	1	0	0	0	1
	<b>2023</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Incest</b>	2021	0	0	0	0	0
	2022	0	0	0	0	0
	<b>2023</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Statutory Rape</b>	2021	0	0	0	0	0
	2022	0	0	0	0	0
	<b>2023</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

<b>Robbery</b>	2021	0	0	0	0	0
	2022	0	0	0	0	0
	<b>2023</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Aggravated assault</b>	2021	0	0	0	0	0
	2022	0	0	0	0	0
	<b>2023</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Burglary</b>	2021	1	0	2	0	1
	2022	2	0	2	0	2
	<b>2023</b>	<b>1</b>	<b>0</b>	<b>2</b>	<b>0</b>	<b>1</b>
<b>Motor Vehicle Theft</b>	2021	0	0	0	0	0
	2022	0	0	0	0	0
	<b>2023</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Arson</b>	2021	0	0	0	0	0
	2022	0	0	0	0	0
	<b>2023</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Hate crimes</b>						
NOTE: There were no hate crimes reported for 2019, 2020 and 2021.						

## SAVE Act Crime Statistics – Criminal Offenses

Type of offense	Year	On campus (not including residence halls)	Residence halls	Non-campus	Public property	Campus Total
<b>Domestic Violence</b>	2021	0	0	0	0	0
	2022	0	0	0	0	0
	<b>2023</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Dating Violence</b>	2021	0	1	0	0	1
	2022	0	0	0	0	0
	<b>2023</b>	<b>0</b>	<b>3</b>	<b>0</b>	<b>0</b>	<b>3</b>
<b>Stalking</b>	2021	0	0	0	0	1
	2022	1	2	0	0	3
	<b>2023</b>	<b>2</b>	<b>4</b>	<b>0</b>	<b>0</b>	<b>6</b>

## Arrest and Judicial Referrals

Type of offense	Year	On campus (not including residence halls)	Residence halls	Non-campus	Public property	Campus Total
<b>Arrests</b>						
<b>Liquor law violations</b>	2021	0	0	0	0	0
	2022	0	0	0	0	0
	<b>2023</b>	<b>1</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>2</b>
<b>Drug law violations</b>	2021	1	1	0	0	0
	2022	1	0	1	1	3
	<b>2023</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	
<b>Weapons law violations</b>	2021	1	1	0	0	2
	2022	0	0	0	0	0
	<b>2023</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Judicial Referrals</b>						
<b>Liquor violations</b>	2021	3	17	0	0	20
	2022	0	11	1	1	13
	<b>2023</b>	<b>0</b>	<b>16</b>	<b>0</b>	<b>0</b>	<b>16</b>
<b>Drug violations</b>	2021	0	1	1	0	1
	2022	0	0	1	0	1
	<b>2023</b>	<b>0</b>	<b>2</b>	<b>0</b>	<b>0</b>	<b>2</b>
<b>Weapons violations</b>	2021	0	0	0	0	0
	2022	0	0	0	0	0
	<b>2023</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>



# Unfounded Crimes

If a reported crime is investigated by law enforcement authorities and found to be false or baseless, the crime is “unfounded” and will not be included in the crime statistics. Only sworn or commissioned law enforcement personnel may “unfound” a crime. (This does not include a district attorney who is sworn or commissioned.) Note that the recovery of stolen property, the low value of stolen property, the refusal of the victim to cooperate with the prosecution or the failure to make an arrest does not “unfound” a legitimate offense. The findings of a coroner, court, jury or prosecutor do not “unfound” offenses or attempts that law enforcement investigations establish to be legitimate.

## Unfounded Clery Act Crime Statistics For 2023

Shawnee State University did not have any unfounded Clery Act Crime for 2021.

# Department Of Education Clery Definitions

## Campus

1. Any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of or in a manner related to the institution's educational purposes, including residence halls; and
2. Any building or property that is within or reasonably contiguous to the area identified in paragraph (1) that is owned by the institution but controlled by another person, is frequently used by students and supports institutional purposes (such as the privately owned residence halls).

## Non-Campus

1. Any building or property owned or controlled by a student organization that is officially recognized by the institution (Shawnee State University has none at this time); or
2. Any building or property owned or controlled by an institution that is used in direct support of, or in relation to, the institution's educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution.

## Public Property

All public property, including thoroughfares, streets, sidewalks and parking facilities, that is within the campus, or immediately adjacent to and accessible from the campus. Public property, for purposes of data collection and this report, does not include businesses or private residences adjacent to the campus.



# Timely Warnings

A Campus Crime Alert is designed to inform the University community in a timely fashion of crimes committed on campus and to heighten safety awareness as well as to request information that will assist the SSU Department of Public Safety (SSU DPS) and the local law enforcement in arresting and convicting the perpetrator when crimes have been committed against persons or property.

When a crime that constitutes an ongoing or continuing a threat to the health and safety of the members of the University community is reported to the SSU DPS, local law enforcement or a campus security authority, a timely warning will be issued in the form of a Campus Alert. The Director of DPS, or his designee, will determine if the incident represents an ongoing or continuing threat.

The SSU DPS, Director, Risk Management & Safety or Director of Communications may issue a timely warning. Every attempt will be made to issue the alert as soon as the pertinent information is available concerning the incident. The Campus Alert will be distributed to the University community through some or all of the following: the SSU Alert System (electronic text to voice/phone, e-mail, text), indoor PA mass notification system and/or the outdoor mass notification system (pre-recorded message or manual voice override).

## Crime Prevention

During the academic year, various University offices including Counseling and Health Services, Student Activities, Residence Life, Department of Public Safety, Office of Diversity and Inclusion, Student Programming Board, Human Resources, and the Division of Academic Affairs-offer a variety of educational programs to the University community. Programs address issues of crime prevention, personal safety, sexual assault, drug and alcohol abuse, and related topics and are presented in various formats, including seminars, films, lectures, and brochures.

### Programs include:

- **Campus Security and Personal Responsibility:** a freshman orientation to campus and security services includes information on personal safety to residential students.
- **Speak Up — Speak Out:** focuses on bystander mentality, addressing the impact of intervention on situations of sexual aggression. It stresses sexual aggression can no longer be ignored, empowering students to stand up, take a stand, and help keep others safe. This event was presented to all new students at the annual Weekend of Welcome.
- **Safety Awareness:** a series of workshops for students and employees on campus security guidelines, personal safety, dating violence, date rape, sexual assault and self-protection.

- **Sexual Assault/Date Rape:** a program for students and employees which addresses a realistic view of rape, date/acquaintance rape, stranger rape, responses to a potential assault, reporting and prosecuting, and victim support and recovery.
- **Passport for Safety and Information:** brochures, books and videos available to students and employees through Counseling and Health Services. Includes a broad range of information on crime prevention, personal safety, sexual assault/date rape, and drug and alcohol abuse prevention.
- **Self-Protection for Women:** a workshop to increase women's awareness, assertiveness, verbal confrontation skills, safety strategies and physical techniques.
- **Handling the Distraught/Acting-Out Individual:** a program to provide staff and student employees with effective assessment and coping skills in dealing with potentially hostile/aggressive situations.
- **Weekend of Welcome (WOW):** a program to introduce new residential students to various aspects of living on campus, with specific emphasis on personal safety and community security.
- **Anti-Hazing:** a training conducted as required at Weekend of Welcome for all students through Bear Beginnings.

## Drug-Free Campus Policy

The Drug-Free Workplace Act of 1988 and the Drug-Free Schools and Communities Act Amendments of 1989 require that the University adopt and implement a program to prevent the illicit use of drugs and the abuse of alcohol by students and employees. The University must certify that it is in compliance with this law in order to receive Federal funds. University Policy #5.06 – Drug Free Campus & Workplace applies to the entire University community of faculty, staff, and students and is distributed in accordance with section 1.2 of the policy. Policy #3.19 Alcohol on Campus applies to student related events and residence. Both University policies are accessible on the SSU web site at: <https://www.shawnee.edu/sites/default/files/2019-01/policy-506r.pdf>.

Shawnee State University is committed to maintaining a workplace and educational environment free of illegal drugs. Recognizing that illegal drug use poses health and safety hazards to employees, students, and to the community at large, the university prohibits the possession or use of illegal drugs on all university property and at other locations where the public, students, or employees of the university are conducting university business or participating in any sponsored activities.

# Legal Sanctions

Applicable legal sanctions under local, state, or federal law for the unlawful possession or distribution of illicit drugs and alcohol are set forth in the referenced laws.

## Local

- Codification Ordinance of Portsmouth
  - Chapter 513 – Drugs
  - Chapter 529 – Alcohol

## State

- Ohio Revised Code Chapters
  - 2925 – Drug Offenses
  - 3719 – Controlled Substances
  - 4301 – Liquor Control Laws

## Federal

- Controlled Substances Act
- Controlled Substances Import and Export Act [Title 21 USC §§ 801 et.seq.]
- Federal Food, Drug and Cosmetic Act
- Federal Alcohol Administration Act

These sanctions can include probation, fines, driver's license suspension, or incarceration. Future revisions, amendments, or additions to these or other applicable codes are incorporated in this policy by this reference.

# Health Risks

The following describes the health risks of some of those substances that may cause physical or psychological damage when abused.

## Alcohol

Alcohol consumption causes a number of marked changes in behavior. Even low doses impair judgment and coordination and increase the incidence of aggressive behavior. Very high doses can cause respiratory depression and death. Alcohol intoxication is equivalent to a drug overdose. If combined with other depressants of the central nervous system, the effects of alcohol are multiplied. Repeated use of alcohol can lead to change in tolerance and dependence. Cessation of alcohol intake can produce withdrawal symptoms including tremors, hallucinations, convulsions, and death. Long-term consumption of large quantities of alcohol can lead to permanent damage to vital organs such as the brain and liver. Women who drink even small amounts of alcohol during pregnancy may give birth to infants with fetal alcohol syndrome. Children of alcoholic parents have a 40% greater risk of developing alcoholism than children of parents who are not alcoholic.

## **Cannabis (Hashish, Marijuana)**

The mood altering effects of marijuana are the result of the chemical delta-9 tetrahydrocannabinol (THC). THC is fat soluble and remains in the body up to three weeks after smoking one marijuana cigarette. Consequently, even the occasional user can be detected through urinalysis. Research indicates that regular use may have long-term effects on the user's brain, heart, and reproductive organs. The numerous carcinogenic chemicals found in marijuana smoke make it particularly harmful to the lungs. Loss of memory, lack of motivation, and diminished attention span are some of the effects of regular marijuana use. Long-term use may result in psychological dependence and change in tolerance.

## **Depressants (Barbiturates (Amytal, Seconal, Phenobarbital) / Benzodiazepines (Ativan, Valium, Xanax) / Sleep Medications (Ambien, Sonata, Lunestra)**

The use of depressants can result in change in tolerance and physical as well as psychological dependency. The use may produce Sedation/drowsiness, reduced anxiety, lowered inhibitions, slurred speech, poor coordination, confusion, dizziness, impaired coordination and memory / Slowed pulse, lowered blood pressure, slowed breathing, tolerance, withdrawal, addiction; increased risk of respiratory distress and death when combined with alcohol. Withdrawal symptoms include anxiety, vomiting, acute psychotic episodes, seizures, and death.

## **Stimulants (Amphetamines (Adderall) Methylphenidate (Concerta, Ritalin)**

High doses of stimulant drugs result in intense personality disturbances including visual and auditory hallucinations, delusions, increased heart rate, blood pressure, nervousness, paranoia, insomnia, seizures, heart attack and stroke. Tolerance develops rapidly. Cross tolerance does develop among stimulant drugs, (e.g. methamphetamine and cocaine). The use of cocaine can cause death by cardiac arrest or respiratory failure. Stimulants are addictive, and while withdrawal from stimulants is less dangerous than depressants, depression can make the person vulnerable to suicide.

## **Narcotics (Cocaine, Codeine, Heroin, Morphine, OxyContin, Percodan, Lortab)**

Tolerance, especially to the euphoric effects of narcotics, and physical dependence develop rapidly. Withdrawal symptoms are extremely uncomfortable; however, they are seldom life threatening.

The use of narcotics can produce drowsiness, sedation, weakness, dizziness, nausea, impaired co- ordination, confusion, dry mouth, itching, sweating, clammy skin, constipation / Slowed or arrested breathing, lowered pulse and blood pressure, tolerance, addiction, unconsciousness, coma, death; risk of death increased when combined with alcohol or other depressants.

## **Hallucinogens (PCP, LSD, Mescaline, Psilocybin)**

Large doses of Phencyclidine (PCP) may result in convulsive seizure, coma, and death. Lower doses produce shallow, rapid breathing, blurred vision, confusion;

loss of coordination, and slurred speech. Mood disorders occur and the user may become violent, irrational, and potentially harmful to self and others. Lysergic acid (LSD), mescaline, and psilocybin cause sensations and feelings to change rapidly. The user may experience panic, confusion, anxiety, paranoia, depersonalization, and loss of control. While relatively rare, frightening flashbacks, the spontaneous reappearance of drug experience after use has ceased, may occur.

## **Bath Salts**

Reports of severe intoxication and dangerous health effects associated with use of bath salts have made these drugs a serious and growing public health and safety issue. The synthetic cathinone in bath salts can produce paranoia, agitation, and hallucinatory delirium; some even display psychotic and violent behavior, and deaths have been reported in several instances.

## **Anabolic-Androgenic Steroids**

Steroid users can experience serious cardiovascular, liver, central nervous system, gastro-intestinal, and reproductive disorders. In males, use can result in testicular atrophy, sterility, impotence, prostate cancer, and arrested growth. Irreversible masculinization and sterility can result when women use steroids. Psychological impairments include mood swings, depression, and very aggressive behavior.

## **GHB and MDMA**

Gamma-Hydroxybutyrate (GHB) and MDMA ('ecstasy') have risen sharply among college students in the past decade. GHB has been abused for its depressant effects, particularly the euphoric, sedative effect. As with Rohypnol ('date rape drug'), GHB has been associated with sexual assaults. Abuse can result in seizures and coma. Combined with other drugs such as alcohol, it can cause nausea and difficulty breathing. Withdrawal effects include insomnia, anxiety, tremors and sweating. MDMA has the same physical effects as stimulants. However, the mental effects vary widely including feeling of emotional closeness to others, feeling that all is right with the world, seeing oneself in a whole new light and experiencing subtle visual distortions and sensory enhancement. Users face the risk of psychological difficulties including confusion, depression, sleep problems, severe anxiety and paranoia. Muscle tension, nausea, blurred vision and sweating are some of the physical symptoms. Increase in heart rate and blood pressure as well as possible liver and brain damage can occur.

# **Substance Abuse Counseling & Education**

Resource information (web-based information, booklets, brochures, etc.) regarding health and safety concerns and information regarding the availability of and/or referral to community-based, approved substance abuse counseling, mental health counseling, and rehabilitation services are available through the Office of Counseling and Health Services of Shawnee State University.

Education concerning substance abuse, especially of alcohol and drugs, will be provided periodically on campus.

## Examples of the types of programs offered throughout the academic year include:

- **Freshman Orientation**  
Freshman are informed of the University's Drug-Free Campus Policy.
- **E-Chug/E-Toke**  
Online programs that assess alcohol and marijuana abuse and compare the student to national norms.
- **Online Mental Health Screening**  
Five web-based screening tools available to the campus community at all times. These are useful for those who think they may be symptoms that necessitate further intervention or have questions in regard to a friend.
- **Drugs/Substance Abuse**  
An academic class offered which addresses the use, dependency and effect of drugs alcohol and tobacco on behavior.
- **Alcohol on Campus**  
A workshop for students on the impact of alcohol use and abuse on academic performance and its relation to crimes on campus.
- **National Alcohol Awareness Screening Day**  
A program to heighten students and employee awareness of the effects of alcohol, how it may be currently affecting an individual's life and to provide information on services available on and off campus.
- **Informational Library**  
Brochures, books and videos available to students and employees, which address issues such as drugs and alcohol, nicotine addiction, alcohol and violence, and alcoholism through the Office of Counseling and Health Services.
- **Choices**  
Face-to-face alcohol education/prevention for "at-risk" populations and those who have violated the student code of conduct related to substance use.
- **BYOBF (Be Your Own Best Friend)**  
Group focused on self-esteem and self-compassion.
- **Living Social**  
Group focused on increasing social confidence and success.
- **Campus Life**  
Group focused on resources both on and off campus.
- **Beating Depression**  
A psychoeducational group focused on symptoms of depression, challenging myths, function of anti-depressants in treatment and how depression affects the neurotransmitters of the brain.
- **Anxiety 101**  
Group focused on symptoms of anxiety, understanding the cause and effects, and learning coping skills to relieve anxiety symptoms.

- **Stress-Less**  
Group focused on stress prevention and taking a proactive approach toward stress management.
- **GRIT**  
Group focused on helping students find their voice and become more assertive to enhance their person and professional lives.
- **Learn URself**  
A group providing a facilitated look inward so that participants can discover their individual paths to happiness.
- **Relaxation Station**  
Group focused on learning and practicing relaxation techniques.
- **Wellness Wednesday**  
Group focused on seven dimensions of wellness including emotional, career, intellectual, spiritual, physical, financial, and environmental wellness.
- **Lifeline**  
Group for women only focused on learning what behaviors are “red flags” for relationships, assertiveness, boundaries and the role values play in choosing a partner.
- **Beating Stress**  
Group which targets stress management by focusing on self-exploration of stress triggers, stress vulnerability, and coping skills.
- **Stinkin’ Thinkin’**  
Group focused on troubleshooting unhelpful thought patterns and opening up new opportunities for success.
- **Success not Excess**  
Support group for students struggling with issues related to alcohol and other drugs. This group follows a 12 step structure.
- **Suicide Prevention Gatekeeper Training**  
Multiple workshops focused on training responsible adults to identify distressed students and connect those students with appropriate resources. Special focus on students who are passively or actively suicidal and effective intervention with those students. This workshop has several individualized for specific groups such as faculty, staff, Resident Advisors, coaches and community members.
- **Kognito**  
Web-based interactive training for intervening with students who have academic, behavioral or emotional issues.
- **Safety Campaign**  
Poster campaign focused on responsible alcohol use and recognition of alcohol poisoning.

# Sanctions For Violation Of Standards Of Conduct

Shawnee State University has used and will continue to use progressive discipline in administering sanctions for violations of this policy; however, the University reserves the right to determine when the serious nature of a violation or arrest without adjudication requires that the University take immediate action up to and including dismissal.

Student Affairs and/or the appropriate law enforcement authorities will be notified if any illegal substances are found on the University campus.

## Possible sanctions for employees

- Written reprimands
- Transfer to other duties
- Suspension
- Demotion
- Termination
- Referral to appropriate authorities for prosecution for violations of the standards of conduct described in this policy.

## Possible sanctions for students

- Fines
- Community service
- E-Chug/E-Toke programs
- Disciplinary probation
- Suspension
- Dismissal
- Write paper
- Parental notification
- Referral to appropriate authorities for prosecution for violations of the standards of conduct described in this policy.

In addition to University sanctions for illegal actions on University premises, students violating Federal, State, and/or local civil or criminal laws may be subject to University discipline procedures for the same conduct, when the conduct occurs off campus and is either a direct and immediate threat to the safety or well-being of persons and/or property in the University community, or when the student's behavior adversely affects the University's pursuit of its educational objectives. University policy #3.17: <https://www.shawnee.edu/sites/default/files/2019-01/policy-317Rev.pdf>.

In an effort to form a partnership with parents in supporting development and responsible behavior and to discourage inappropriate behavior on campus



concerning alcohol and drug abuse problems, Shawnee State University has developed a policy and guidelines which allows the option of informing parents/guardians of alcohol and drug offenses committed by their students who are under the age of 21. Refer to University policy #3.04.

Both students and employees may be referred to appropriate drug or alcohol abuse treatment facilities for treatment as a condition of continued employment and/or student standing.

## Conviction Of Illegal Drug Violations for Employees

It is a condition of employment with Shawnee State University that an employee, who is convicted of a criminal drug statute violation occurring in the workplace, notifies appropriate administrative personnel no later than five days after such conviction.

The University will notify the appropriate federal funding agency within ten days receiving notice of an employee's conviction with respect to a drug-law violation occurring in the workplace.

Within 30 days of such notice, the University will either take appropriate personnel action or require the successful completion of a certified drug abuse assistance or rehabilitation program by the convicted employee.

## VAWA & SaVE Act Crimes

Shawnee State University does not discriminate on the basis of sex in its educational programs and sexual harassment and sexual violence are types of sex discrimination. Other acts can also be forms of sex-based discrimination and are also prohibited whether sexually based or not and include dating violence, domestic violence, and stalking. As a result, Shawnee State University issues this statement of policy to inform the community of our comprehensive plan addressing sexual misconduct, educational programs, and procedures that address sexual assault, domestic violence, dating violence, and stalking, whether the incident occurs on or off campus and when it is reported to a University official.<sup>1</sup> In this context, Shawnee

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<sup>1</sup> A "University official" is defined as either a "Campus Security Authority" under the auspices of the Clery Act or a "Responsible Employee" under Title IX and further identified by your institution's sexual misconduct policy. Because three separate federal laws (Title IX, Title VII, and the Clery Act) as well as numerous states law have different reporting requirements, DSA recommends requiring all employees to report crimes reported to them to campus police or public safety within 24 hours (all can be assessed for Timely Warnings and those that meet the definition of a reportable crime, as defined by the Clery Act, will be included in the crime statistics in the Annual Security Report.) For sexual harassment and sexual violence, "responsible employees" as defined by the UNIVERSITY under the auspices of Title IX will have to disclose identifying information about the victim to the Title IX Coordinator. There are exemptions to reporting for campus professional and pastoral counselors and medical doctors and nurses acting in those capacities from disclosing crime statistics or identifying information about the victim of sexual assault, unless the victim is a minor. Seek guidance from your general counsel about how your institution identifies responsible employees (Title IX) and Campus Security Authorities (Clery Act).

State University prohibits the offenses of domestic violence, dating violence, sexual assault and stalking and reaffirms its commitment to maintain a campus environment emphasizing the dignity and worth of all members of the university community.

For a complete copy of Shawnee State University's policy governing sexual misconduct, visit [Procedure: 5.01:2 Reporting & Investigating Sexual Assault, Sexual Misconduct & Other Forms of Discrimination \(PDF\)](#)

The University has established a Behavioral Intervention Team (BIT) and a Clery Review Team. The BIT team consists of the Chair, Dean of Students, Vice President of Student Affairs, Director of Counseling and Health Services, Director of Public Safety, and University Counsel. The Clery Review Team consists of the Director of Public Safety, Dean of Students, Director of Counseling and Health Services, and Director, Risk Management & Safety. The role of BIT is to assess potential risk of harm, consult with others affected by the behavior, develop a strategic and coordinated response as needed, and make recommendations to the person seeking consultation. Issues appropriate for the BIT include, but are not limited to, assessment of potential violence, disruptive behavior with or without evidence of mental illness, and setting appropriate behavioral boundaries. The Clery Review Team meets quarterly and is responsible for developing, reviewing, and revising protocols, policies and procedures to ensure that the university is in compliance with all Clery requirements.

## A. Definitions

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

### **Consent**

Consent must be informed, knowing and voluntary. Consent must be clear and unambiguous for each participant throughout any sexual encounter. Consent to some sexual acts does not imply consent to others, nor does past consent to a given act imply ongoing or future consent. Consent can be revoked at any time. For all of these reasons, sexual partners must evaluate consent in an ongoing fashion and should communicate clearly with each other throughout any sexual encounter.

Consent cannot be obtained from someone who is asleep or otherwise mentally or physically incapacitated, whether due to alcohol, drugs, or some other condition. Consent cannot be obtained by threat, coercion, or force. Agreement given under such conditions does not constitute consent. In order to give effective consent, one must be of legal age.

The Student Code of Conduct outlines circumstances in which consent cannot be given. Consent cannot be given under the following circumstances:

- a. If either participant is unable to provide positive cooperation either due to unconsciousness or incapacitation

- b. If a participant has a mental disability that renders them unable to appreciate the fact, nature, or extent of the sexual situation in which they find themselves, and that is known or reasonably knowable to a non-disabled sexual partner.
- c. If either party used physical force, threats, intimidation, or coercion to gain consent.

Past consent of sexual activities does not imply ongoing future consent. Consent to some form of sexual activity does not necessarily imply consent to other forms of sexual activity.

If at any time during a sexual interaction any confusion or ambiguity should arise on the issue of consent, it is incumbent upon each individual involved in the activity to stop and clarify the other's willingness to continue.

### **Ohio Consent Defined**

Ohio law has defined consent to mean words or overt acts indicating a freely given agreement to the sexual conduct at issue by a competent person. Consent is a defense to a sexual assault charge when lack of consent is an element of the offence. However, consent is not a defense to a charge of statutory rape. Consent must be:

- a. Freely given (without compulsion or duress);
- b. By a person legally capable of consenting; and
- c. Not based on fraud.

### **Sexual Assault**

Under the VAWA sexual assault means an offense that meets the definition of rape, sodomy, sexual assault with an object, fondling, incest, or statutory rape as used under the uniform crime reporting system of the Federal Bureau of Investigation. In Ohio sexual assault is outlined in sections 2907.02 – 2907.06 of the Ohio Revised Code (ORC). They include Rape, Sexual Battery, Unlawful Sexual Conduct with Minor, Gross Sexual Imposition, and Sexual Imposition.

According to Ohio law, a sexual assault occurs when any of the following crimes are committed. Throughout the following listed crimes, use is made of the terms “sexual conduct” and “sexual contact.” Sexual conduct means vaginal intercourse between a male and female; anal intercourse, fellatio and cunnilingus between persons regardless of sex; and, without privilege to do so, the insertion, however slight, of any part of the body or any instrument, apparatus or other object into the vaginal or anal opening of another. Penetration, however slight, is sufficient to complete vaginal or anal intercourse. Sexual contact means any touching of an erogenous zone of another, including without limitation the thigh, genitals, buttock, pubic region, or, if the person is a female, a breast, for the purpose of sexually arousing or gratifying either person.

## Rape

Penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim. This definition includes any gender of victim or perpetrator.

This definition also includes instances in which the victim is incapable of giving consent because of temporary or permanent mental or physical incapacity (including due to the influence of drugs or alcohol). Physical resistance is not required on the part of the victim to demonstrate lack of consent.

Beginning CY2014 the UCR definition of Rape now includes the NIBRS Rape, Sodomy and Sexual Assault with an Object Definitions. The terms "Forcible" and "Non-Forcible" was removed from the definitions. For the sexual assault offenses of Incest, Statutory Rape, and Fondling the National Incident-Based Reporting System Definitions are used.

### a. **Sodomy**

Oral or anal sexual intercourse with another person, forcibly and/or against that person's will; or not forcibly against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.

### b. **Sexual Assault With An Object**

The use of an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.

## Sexual Battery

No person shall engage in sexual conduct with another, not the spouse of the offender, when any of the following apply:

- a. The offender knowingly coerces the other person to submit by any means that would prevent resistance by a person of ordinary resolution.
- b. 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.
- c. The offender knows that the other person submits because the other person is unaware that the act is being committed.
- d. The offender knows that the other person submits because the other person mistakenly identifies the offender as the other person's spouse.
- e. The offender is the other person's natural or adoptive parent, stepparent, guardian, custodian or person in loco parentis of the other person.
- f. 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.

- g. 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, the other person is enrolled in or attends that school, and the offender is not enrolled in and does not attend that school.
- h. 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.
- i. 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, and 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.
- j. 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.
- k. The other person is confined in a detention facility, and the offender is an employee of that detention facility.
- l. 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.
- m. 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.

### **Unlawful Sexual Conduct with a Minor**

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.

### **Gross Sexual Imposition**

No person shall have sexual contact with another (who not the spouse of the offender), cause another (who is 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:

- a. The offender purposely compels the other person, or one of the other persons, to submit by force or threat of force.
- b. 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.
- c. 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.

- d. 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.
- e. 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.

In addition, 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.

## Domestic Violence

Under the VAWA domestic violence means: a) Includes felony or misdemeanor crimes of violence committed by a current or former spouse of the victim, by a person with whom the victim shares a child in common, by a person cohabitating with or has cohabitated with the victim as a spouse, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction.

Under Ohio Revised Code 2919.25 Domestic Violence is defined as 1) Knowingly cause or attempt to cause physical harm to a family or household member; 2) recklessly cause serious physical harm to a family or household member; 3) 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.

**"Family or household member"** means any of the following:

- a. Any of the following who is residing or has resided with the offender:
  - 1. A spouse, a person living as a spouse, or a former spouse of the offender;
  - 2. A parent, a foster parent, or a child of the offender, or another person related by consanguinity or affinity to the offender;
  - 3. A parent or a child of a spouse, person living as a spouse, or former spouse of the offender, or another person related by consanguinity or affinity to a spouse, person living as a spouse, or former spouse of the offender.
- b. The natural parent of any child of whom the offender is the other natural parent or is the putative other natural parent.

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

## Dating Violence

Dating violence means violence committed by a person—

- a. Who is or has been in a social relationship of a romantic or intimate nature with the victim; and
- b. Where the existence of such a relationship shall be determined by the victim with consideration of the following factors:
  1. The length of the relationship.
  2. The type of relationship.
  3. The frequency of interaction between the persons involved in the relationship.
- c. For the purpose of this definition dating violence includes sexual or physical abuse. Dating violence does not include acts covered under the definition of domestic violence.

Dating violence is not defined directly under Ohio Law. However, according to the Ohio Office of Criminal Justice Services, dating abuse (or Relationship Abuse) is a pattern of controlling behavior that someone uses against a girlfriend or boyfriend. Abuse can cause injury and even death, but it doesn't have to be physical. It can include verbal and emotional abuse - constant insults, isolation from family and friends, name calling, controlling what someone wears - and it can also include sexual abuse. Additionally, as discussed in more detail above, dating violence can be a form of domestic violence under Ohio law if the persons involved with the relationship are (or have been) cohabiting.

Also, under federal law, dating violence is abuse occurring between persons currently or formerly involved in a dating relationship. A dating relationship is a social relationship of a romantic or intimate nature. The existence of the relationship often depends on an assessment of the following factors:

- a. The length of the relationship.
- b. The type of relationship.
- c. The frequency of interaction between the persons involved in the relationship.

## Stalking

Under the VAWA stalking means engaging in a course of conduct directed at a specific person that would cause a reasonable person to—a) fear for his or her safety or the safety of others; or b) suffer substantial emotional distress.

- a. For the purpose of this definition—
  1. 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.
2. Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.
  3. Reasonable person means a reasonable person in the victim's circumstance

**Under Ohio Revised Code 2903.211 Menacing by Stalking is defined as:**

- a. Knowingly engaging in a pattern of conduct that causes another person to believe that the offender will cause physical harm to the other person or cause mental distress to the other person;
- b. Through the use of any electronic method of remotely transferring information, including, but not limited to, any computer, computer network, computer program, or computer system, shall post a message with purpose to urge or incite another to commit a violation of division (a) of this section;
- c. No person, with a sexual motivation, shall violate division (a) or (b) of this section.

## B. Education and Prevention Programs

The University engages in comprehensive educational programming to prevent domestic violence, dating violence, sexual assault and stalking. Educational programming consists of primary prevention and awareness programs for all incoming students and new employees and ongoing awareness and prevention campaigns for students and faculty that:

- a. Identifies domestic violence, dating violence, sexual assault and stalking as prohibited conduct;
- b. Defines what behavior constitutes domestic violence, dating violence, sexual assault, and stalking;
- c. Defines what behavior and actions constitute consent to sexual activity in the State of Ohio;
- d. Provides safe and positive options for bystander intervention that may be carried out by an individual to prevent harm or intervene when there is a risk of domestic violence, dating violence, sexual assault, or stalking against a person other than the bystander;
- e. Provides information on risk reduction so that students and employees may recognize warning signs of abusive behavior and how to avoid potential attacks;
- f. Provides an overview of information contained in the Annual Security Report in compliance with the Clery Act.



The University has developed an annual educational campaign consisting of presentations that include distribution of educational materials to new students; participating in and presenting information and materials during new employee orientation; participating in the Fall Faculty orientation program; presenting programs throughout the year on at least a quarterly basis, including sessions such as: skits, clothes line projects, a residence hall speaker series, an annual poster series and web-based training programs regarding the Role of Faculty in Assisting Students Who Disclose Abuse or an Assault.

The University conducts a “Safety Week” each year which is a weeklong event sponsored by the Department of Public Safety, the division of Student Affairs, Residence Life, Counseling and Health Services and the Title IX Team. Each day features a different topic including alcohol and sex education, community and campus resources, Active Shooter training, and Public Safety Meet and Greet Day.

The University offered the following **primary prevention and awareness programs for all incoming and current students** in 2017:

- Sex, Drugs and Losing Control
- Healthy Relationships
- Sexual Assault Prevention
- Women’s Self-Defense
- Avoiding Dating Violence
- Campus Safety
- RA Training: Handling the Distraught, Aggressive Student
- What Women and Men Should Know About Date Rape
- Toxic Relationships Group

The University offered the following **primary prevention and awareness programs for all new employees** in 2017:

- Preventing Discrimination and Sexual Violence: Title IX and the SaVE Act for Faculty and Staff; Unlawful Harassment Prevention

The University offered the following **ongoing awareness and prevention programs for students** in 2017:

- Sex, Drugs and Losing Control
- Healthy Relationships
- Sexual Assault Prevention
- Women’s Self-Defense
- Avoiding Dating Violence
- Campus Safety
- RA Training: Handling the Distraught, Aggressive Student
- What Women and Men Should Know About Date Rape
- Toxic Relationships Group

## C. Procedures for Reporting a Complaint

The University has procedures in place that serve to be sensitive to those who report sexual assault, domestic violence, dating violence, and stalking, including informing individuals about their right to file criminal charges as well as the availability of medical, counseling and support services, and additional remedies to prevent contact between a complainant and an accused party, such as housing, academic, transportation and working accommodations, if reasonably available. Students should contact the Title IX coordinator in the Student Business Center at (740) 351-3363, and employees should contact the Deputy Title IX coordinator in the Human Resources Department at (740) 351-3484. A pamphlet containing information on victim's rights can be obtained at the Department of Public Safety; and for a complete copy of Shawnee State University's policy governing sexual misconduct and the procedure for reporting complaints, visit <https://www.shawnee.edu/sites/default/files/2019-01/procedure-501-2.pdf>.

After an incident of sexual assault and domestic violence, the victim should consider seeking medical attention as soon as possible at Southern Ohio Medical Center (SOMC) located at 1805 27th St, Portsmouth, OH 45662, SOMC's operator's number is (740) 356-5000. In Ohio, evidence may be collected even if you chose not to make a report to law enforcement.<sup>2</sup> In Ohio (O.R.C. 2921.22), anyone with knowledge that a felony has been or is being committed has to report the offense to police, sexual assault (rape) is a felony. It is important that a victim of sexual assault not bathe, douche, smoke, change clothing or clean the bed/linen/area where they were assaulted if the offense occurred within the past 96 hours so that evidence as may be necessary to the proof of criminal activity may be preserved. In circumstances of sexual assault, if victims do not opt for forensic evidence collection, health care providers can still treat injuries and take steps to address concerns of pregnancy and/or sexually transmitted disease. Victims of sexual assault, domestic violence, stalking, and dating violence are encouraged to also preserve evidence by saving text messages, instant messages, social networking pages, other communications, and keeping pictures, logs or other copies of documents, if they have any, that would be useful to University hearing boards/investigators or police. Although the university strongly encourages all members of its community to report violations of this policy to law enforcement, it is the victim's choice whether or not to make such a report and victims have the right to decline involvement with the police. The University's Dean of Students or the Office of Counseling and Health Services will assist any victim with notifying the S.S.U. Department of Public Safety or local police if they so desire. The Shawnee State University's Department of Public Safety may be reached directly by calling (740) 351-3232, in person at 940 2nd Street Portsmouth, Ohio (located on the southeast end of campus adjacent to the floodwall). Additional information about the Department of Public Safety may be

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<sup>2</sup> Under the Violence Against Women and Department of Justice Reauthorization Act of 2005, starting in 2009, states must certify that they do not "require a victim of sexual assault to participate in the criminal justice system or cooperate with law enforcement in order to be provided with a forensic medical exam, reimbursement for charges incurred on account of such an exam, or both."

found on line at: <https://www.shawnee.edu/campus-life/safety-campus-police>.  
Reports may also be filed with the Portsmouth Police Department located at 728  
2nd Street, Portsmouth, Ohio, phone # (740) 353-4101 (dispatch).

If you have been the victim of domestic violence, dating violence, sexual assault, or  
stalking, you should report the incident promptly to the:

### **Title IX Coordinator**

#### **Desiree Isaac**

Massie Hall, Room B49  
(740) 351-3877  
disaac@shawnee.edu

### **Deputy Title IX Coordinators**

#### **Virginia Young**

Student Success Center,  
Massie Hall  
(740) 351-3712  
vyoung@shawnee.edu

#### **Aimee Welch**

Director of Institutional  
Budgeting  
(740) 351-3367  
awelch@shawnee.edu

#### **Brian Caudill**

Coordinator of Veteran &  
Military  
Student Services  
(740) 351-4441  
bcaudill@shawnee.edu

#### **Bobbie Madden**

Graduate Center Administrator,  
Office of Provost  
(740) 351-3177  
bmadden@shawnee.edu

You may contact the Department of Public Safety (if the victim so desires.) The University will provide resources to persons who have been victims of sexual assault, domestic violence, dating violence, or stalking, and will apply appropriate disciplinary procedures to those who violate this policy. The procedures set forth below are intended to afford a prompt response to charges of sexual assault, domestic or dating violence, and stalking, to maintain confidentiality and fairness consistent with applicable legal requirements, and to impose appropriate sanctions on violators of this policy.

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

You may contact the Department of Public Safety (if the victim so desires.) The University will provide resources to persons who have been victims of sexual assault, domestic violence, dating violence, or stalking, and will apply appropriate disciplinary procedures to those who violate this policy. The procedures set forth below are intended to afford a prompt response to charges of sexual assault, domestic or dating violence, and stalking, to maintain confidentiality and fairness consistent with applicable legal requirements, and to impose appropriate sanctions on violators of this policy.

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

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

<b>Incident Being Reported:</b>	<b>Procedure Institution Will Follow:</b>	<b>Evidentiary Standard</b>
<b>Sexual Assault</b>	<ol style="list-style-type: none"> <li>1. Depending on when reported (immediate vs delayed report), institution will provide complainant with access to medical care</li> <li>2. Institution will assess immediate safety needs of complainant</li> <li>3. Institution will assist complainant with contacting the Department of Public Safety or local police if complainant requests AND complainant provided with contact information</li> </ol>	Sexual assault cases are referred to the Title IX Coordinator and are adjudicated by the institution’s Conduct Officer, the Chief Conduct Officer using the <i>preponderance of the evidence</i> standard.
	<ol style="list-style-type: none"> <li>4. Institution will provide complainant with referrals to on and off campus mental health providers</li> <li>5. Institution will assess need to implement interim or long-term protective measures, such as housing changes, change in class schedule, “No Contact” directive between both parties</li> <li>6. Institution will provide a “No trespass” directive to accused party if deemed appropriate</li> <li>7. Institution will provide written instructions on how to apply for Protection Order</li> <li>8. Institution will provide a copy of the Sexual Misconduct Policy to complainant and inform the complainant regarding timeframes for inquiry, investigation and resolution</li> </ol>	

	<ol style="list-style-type: none"> <li>9. Institution will inform the complainant of the outcome of the investigation, whether or not the accused will be administratively charged and what the outcome of the hearing is</li> <li>10. Institution will enforce the anti-retaliation policy and take immediate and separate action against parties that retaliate against a person for complaining of sex-based discrimination or for assisting in the investigation</li> </ol>	
<b>Stalking</b>	<ol style="list-style-type: none"> <li>1. Institution will assess immediate safety needs of complainant</li> <li>2. Institution will assist complainant with contacting local police if complainant requests AND complainant provided with contact information for local police department</li> <li>3. Institution will provide written instructions on how to apply for Protection Order</li> <li>4. Institution will provide written information to complainant on how to preserve evidence</li> <li>5. Institution will assess need to implement interim or long-term protective measures to protect the complainant, if appropriate</li> <li>6. Institution will provide a “No trespass” directive to accused party if deemed appropriate</li> </ol>	<p>Stalking cases are referred to the Chief Conduct Officer and adjudicated using the <i>preponderance of the evidence</i> standard. If the stalking is sexually based, it may fall under the institution’s Sexual Misconduct Policy and if so, would be referred to the Title IX Coordinator and adjudicated under the institution’s Dean of Students Office or Title IX using the <i>preponderance of the evidence</i> standard.</p>
<b>Dating Violence</b>	<ol style="list-style-type: none"> <li>1. Institution will assess immediate safety needs of complainant</li> <li>2. Institution will assist complainant with contacting the Department of Public Safety or local police if complainant requests AND complainant provided with contact information</li> <li>3. Institution will provide written instructions on how to apply for Protection Order</li> </ol>	<p>Dating Violence cases are referred to the Chief Conduct Officer and adjudicated using the <i>preponderance of the evidence</i> standard. If the dating violence incident is sexually based, it may fall under the institution’s Sexual Misconduct Policy and if so, would be referred to the Title IX Coordinator and adjudicated under the institution’s Dean of</p>

	<ol style="list-style-type: none"> <li>4. Institution will provide written information to complainant on how to preserve evidence</li> <li>5. Institution will assess need to implement interim or long-term protective measures to protect the complainant, if appropriate</li> <li>6. Institution will provide a “No trespass” directive to accused party if deemed appropriate</li> </ol>	<p>Students Office or Title IX using the <i>preponderance of the evidence</i> standard.</p>
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## D. Assistance for Victims: Rights & Options

Regardless of whether a victim elects to pursue a criminal complaint, the university will assist victims of sexual assault, domestic violence, dating violence, and stalking and will provide each victim with a written explanation of their rights. In Ohio, a victim of domestic violence, dating violence, sexual assault or stalking has the following rights: please visit <http://www.ohioattorneygeneral.gov/Individuals-and-Families/Victims> for a complete list of victims’ rights. Further, Shawnee State University complies with Ohio law in recognizing civil or criminal protection orders by arresting persons suspected of violating protection orders when officers have probable cause to believe an offense has occurred as set forth in ORC 2935.03(B) (3) and 2935.032. Any person who obtains a protection order from Ohio or any reciprocal state (list reciprocal states) should provide a copy to the Shawnee State University Department of Public Safety and the Office of the Title IX Coordinator. A complainant may then meet with Department of Public Safety (Campus Police) to develop a Safety Action Plan, which is a plan for campus police and the victim to reduce risk of harm while on campus or coming and going from campus. This plan may include, but is not limited to: escorts, special parking arrangements, changing classroom location or other accommodations as necessary. Assistance with obtaining protection orders may be available through The Southern Ohio Task Force on Domestic Violence by calling 740-456-8217 (office) or 740-354-1010 (Hotline). A complainant can contact the Dean of Students by calling 740-351-3262 for assistance in obtaining a No Contact Order.

To the extent of the victim’s cooperation and consent, university offices, including Office of Student Affairs, Counseling and Health Services, Dean of Students, Department of Public Safety, and Housing and Residence Life will work cooperatively to ensure that the complainant’s health, physical safety, work and academic status are protected, pending the outcome of a formal university investigation of the complaint. For example, if reasonably available, a complainant may be offered changes to academic, living, or working situations in addition to counseling, health services and assistance in notifying appropriate local law enforcement by contacting the Dean of Students. Additionally, personal identifiable information about the victim will be treated as confidential and only shared with persons with a specific need

to know who are investigating/adjudicating the complaint or delivering resources or support services to the complainant. The University does not publish the name of crime victims nor house identifiable information regarding victims in the campus police departments Daily Crime Log or online. Victims may request that directory information on file be removed from public sources by request, by contacting the Registrar's Office at (740) 351-3471, or stopping by the office located on the second floor of the University Center.

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

### **On-Campus**

#### **Counseling and Health Services**

Hatcher Hall, 1001 4th Street  
(740) 351-3608

#### **Department of Public Safety**

Located in the old Art Annex Building, Smokestack building by soccer field  
(740) 351-3232

#### **Office of Student Affairs**

University Center, 2nd floor, Room 223  
(740) 351-3280

#### **Office of the Title IX Coordinator, Desiree Isaac**

Human Resources, Administrative Building  
(740) 351-3010

#### **Office of Multicultural Student Affairs**

University Center, 2nd floor, Room 222  
(740) 351-4778

#### **Dean of Students**

University Center, 2nd floor, Suite 222  
(740) 351-3616

### **In the Portsmouth Area**

#### **Portsmouth Police Department**

728 2nd Street, Portsmouth, Ohio  
(740) 353-4101

#### **Southern Ohio Medical Center (SOMC)**

1805 27th Street, Portsmouth, Ohio  
(740) 356-5000

#### **Southern Ohio Shelter / Southern Ohio Task Force On Domestic Violence**

2315 Grant Street, Portsmouth, Ohio  
(740) 456-8217



**Southern Ohio Sexual Assault**

2315 Grant St, Portsmouth, Ohio  
(740) 355-3528

**Kings Daughters Medical Center (KDMC)**

2001 Scioto Trail, Portsmouth, Ohio  
(740) 353-1978

**Shawnee Mental Health Center, Inc.**

901 Washington Street, Portsmouth, Ohio 45662  
(740) 354-7702

**City Health Department**

605 Washington Street, Portsmouth, Ohio  
(740) 353-5153

**Scioto County Prosecutor's Office**

602 7th Street, Portsmouth, Ohio  
(740) 355-8215

**Portsmouth Municipal Court**

728 2nd Street, Portsmouth, Ohio  
(740) 354-3283

**Portsmouth Solicitor's Office**

728 2nd Street, Portsmouth, Ohio  
(740) 353-5229

**Online State and National Resources**

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

**Ohio Alliance to End Sexual Violence**

<http://www.oaesv.org>

**Ohio Domestic Violence Network**

<http://www.odvn.org>

**Male Survivor/Overcoming Sexual**

<http://www.malesurvivor.org/partners-in-healing.html>

**Victimization of Boys & Men****Rape, Abuse and Incest National Network**

<http://www.rainn.org>

**Department of Justice**

<http://www.ovw.usdoj.gov/sexassault.html>

**Department of Education, Office of Civil Rights**

<http://www2.ed.gov/about/offices/list/ocr/index.html>



## E. Adjudication of Violations

Whether or not criminal charges are filed, the university<sup>3</sup> or a person may file a complaint under the Student Code of Conduct, policy 3.17, alleging that a student violated the University's policy on Sexual Misconduct or Endangering the Health and Safety of Others and/or Self. The university or a person may file a complaint under Policy 5.01:4 that an employee violated the University's policy on Discrimination and Harassment. Reports of all domestic violence, dating violence, sexual assault and stalking made to the Department of Public Safety will automatically be referred to the Title IX Coordinator for investigation regardless of if the complainant chooses to pursue criminal charges.

The university disciplinary process will include a prompt, fair, and impartial investigation and resolution process. Investigators are trained annually on the issues related to domestic violence, dating violence, sexual assault, and stalking and taught how to conduct an investigation and hearing process that protects the safety of the victim and promotes accountability. The Student Code of Conduct (3.17) and the policy on Discrimination and Harassment (5.01) provides that:

1. The accuser and the accused student each have the opportunity to attend a hearing before a properly trained conduct officer;
2. The accuser and the accused student each have the opportunity to be advised by a personal advisor of their choice, at their expense, at any stage of the process and to be accompanied by that advisor at any meeting or hearing. An advisor may only consult and advise his or her advisee, but not speak for the advisee at any meeting or hearing;
3. A student conduct decision is based on the preponderance of evidence standard, i.e. "more likely than not to have occurred" standard. In other words, the conduct process asks: "is it more likely than not that the accused student violated the university's Student Conduct Code?";
4. The accuser and the accused will be notified simultaneously in writing of the outcome of any disciplinary proceeding, as well as any changes to those result or disciplinary actions prior to the time that such results become final; and
5. The accuser and the accused each have the right to appeal the outcome of the hearing by sending a written appeal to the Conduct Officer stating grounds for the appeal. The appeal must be received within 5 business days from the date when the notice of findings is issued. The accuser and the accused and will be notified simultaneously in writing of the final outcome after the appeal is resolved.

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<sup>3</sup> Title IX states that if an institution knows or reasonably should know of sexual harassment, to include sexual violence, the institution has a duty to investigate. Consequently, whether a complainant chooses to cooperate or not should not be the deciding factor for whether or not disciplinary charges are brought against an accused party. If an investigation determines that it is more likely than not that the institution's sexual misconduct policy was violated, then the "University" may assume the role of the complainant.

A person alleging sexual assault, domestic violence, dating violence, or stalking may also utilize the complaint and investigatory procedures set forth in the university's policy against Discrimination and Harassment (5.01) <https://www.shawnee.edu/sites/default/files/2019-01/procedure-501-2.pdf>. In order to remedy any hostile environment.<sup>4</sup> All conduct proceedings against students, however, will be resolved through the Student Code of Conduct (3.17). The procedure for reporting complaints of sexual harassment / sexual misconduct / and retaliation can be found at <https://www.shawnee.edu/sites/default/files/2019-01/procedure-501-2.pdf>.

When a complainant does not consent to the disclosure of his or her name or other identifiable information to the alleged perpetrator, the university's ability to respond to the complaint may be limited.

## **Confidentiality**

The university will protect the identity of persons who report having been victims of sexual assault, domestic violence, dating violence, or stalking to the fullest extent of the law.

## **Sanctions and Protective Measures**

In all cases, investigations that result in a finding of more likely than not that a violation of the Student Code of Conduct occurred will lead to the initiation of disciplinary procedures against the accused individual. University sanctions including: Official Warning, Restitution, Educational and Remedial Sanctions, Disciplinary Probation, Deferred Suspension, Suspension, and Dismissal may be imposed upon those determined to have violated this policy. Employees who violate this policy will be subject to discipline, up to and including termination of employment.

The University may implement protective measures following the report of domestic violence, dating violence, sexual assault and/or stalking which may include some or all of the following actions: a complainant may be offered changes to academic, living, or working situations in addition to counseling, health services and assistance in notifying appropriate local law enforcement. Sexual assault, domestic violence, dating violence, and stalking are criminal acts which also may subject the perpetrator to criminal and civil penalties under federal and state law.

The Title IX Coordinator and/or Dean of Students will determine whether interim interventions and protective measure should be implemented, and, if so, take steps to implement those protective measures as soon as possible. Examples of interim protective measures include, but are not limited to: an order of no contact, residence hall relocation, adjustment of course schedules, a leave of absence, or reassignment to a different supervisor or position. These remedies may be applied to one, both,

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<sup>4</sup> "Hostile Environment" is the term used by Title VII in employment law as it relates to action taken against a person in retaliation of a complaint of sexual harassment or for cooperating with a sexual harassment investigation. Under Title IX, the term used is "retaliation." Institutions may choose to provide both terms for clarification although it is not required.

or multiple parties involved.<sup>5</sup> Violations of the Title IX Coordinator's directives and/ or protective measures will constitute related violations that may lead to additional disciplinary action. Protective measures imposed may be temporary pending the results of an investigation or may become permanent as determined by Shawnee State University.

## Sex Offender Registration

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

In Ohio, convicted sex offenders must register with the county sheriff's office. In Ohio, a state web site provides public access to information concerning convicted sex offenders anywhere in Ohio by entering a name, county, zip code or school district. This database is linked to all 88 Ohio County Sheriff's offices and all 32 correctional facility records Offices of the Ohio Department of Rehabilitation and Corrections. The web site is located on the Ohio Attorney General's web page and it provides one location for all Ohio law enforcement officials to freely share information on registered sex offenders.

The Ohio web site is [http://www.communitynotification.com/cap\\_main.php?office=55149](http://www.communitynotification.com/cap_main.php?office=55149) or it can be accessed through the SSU Department of Public Safety web page at <https://www.shawnee.edu/campus-life/safety-campus-police/sexual-offender-information>. Additional links located on the SSU DPS web page are available for the states of Kentucky and West Virginia.

Information on registered sex offenders can also be obtained by contacting the Scioto County Sheriff's Office at 1025 16th Street Portsmouth, Ohio 45662 or by calling (740) 355-8261, or by visiting their website at <https://www.sciotocountysheriff.org/sex-offenders>.

## Personal Responsibility

The cooperation and involvement of students and employees is absolutely necessary to ensure the safety and security of the campus. Therefore, it is

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<sup>5</sup> Applicable law requires that, when taking such steps to separate the complainant and the accused, the University must minimize the burden on the complainant and thus should not, as a matter of course, remove the complainant from his or her job, classes or housing while allowing the accused to remain.

incumbent on all members of the Shawnee State University community to contribute to its well-being and help with crime prevention.

Students and employees must assume responsibility for their own safety and security by taking simple, common sense precautions, such as staying in well-lighted areas and walking with companions at night. Valuables should never be left unattended and should be marked with a personal identification number in case of theft. It is a good idea to make a list of your valuables and document that by taking pictures of them along with the serial number. Automobiles should be locked at all times. Vigilance of our surroundings and awareness of events in our environment are critical in avoiding or stopping potential criminal activities. Persons who don't belong in a particular area or who are engaged in suspicious activity should be reported immediately.

To be fully effective, crime prevention requires the active, cooperative efforts of the entire University community. By working together, a safer and secure environment in which to live and learn can be achieved at Shawnee State University.

## Missing Student Notification

In the event that a student living on campus is reported missing, the Shawnee State University Department of Public Safety follows specific steps described below to investigate that person's location. The Missing Student Notification Procedure is in accordance with federal law, 34 CFR 668.46 (b). Shawnee State University strongly recommends all campus resident students to register confidential contact information in the event that a student is determined missing.

### Contact Person Registration

Students who are campus residents should register a contact person at the Housing Office located in Room 222 in the University Center. Housing will be responsible for providing copies of contact person registration forms to the Department of Public Safety and will be kept in a confidential student file. This information will be accessible only to authorized campus and law enforcement officials.

### Missing Student Notification Procedure

1. If anyone from the University Community (student, employee or other individual) has reason to believe that a student has been missing for at least 24 hours, that person should immediately notify the SSU Department of Public Safety at 351-3232 or 351-3243 or in person at the Department of Public Safety located at southeast end of campus adjacent to the floodwall or contact 911. SSU Department of Public Safety will immediately contact the Residence Life On-Call Administrator.
2. Upon receiving notice that a campus resident student has been missing for at least 24 hours, the Office of Residence Life will immediately notify the

missing student's contact person(s), and, if the student is not emancipated and under 18 years of age, the missing student's custodial parent or guardian. For International students, the Office of Residence Life will also contact the Director of the Center for International Programs and Activities for their assistance in the investigation.

3. The SSU Department of Public Safety will be the lead agency in the investigation.
4. All possible efforts will be made to locate the student to determine his or her state of health and wellbeing through the collaboration of Department of Public Safety, Office of Residence Life, Housing, Student Affairs, Registrar's Office and local law enforcement. Concurrently, University officials will endeavor to determine the student's whereabouts through contact with friends, associates, and/or employer of the student. Whether or not the student has been attending classes, labs, and scheduled organizational or academic meetings, or appearing for scheduled work shifts, will be established. If the missing student is located, verification of the student's state of health and intention of returning to campus shall be made to the Office of Residence Life. When and where appropriate, a referral will be made to the University Health Clinic or Counseling and Health Services.

## Emergency Response & Evacuation Procedures

Shawnee State University (SSU) recognizes the need to prepare itself for numerous emergencies that may happen at any time. SSU has created an Emergency Response Plan (ERP), which is a guide to provide the faculty, staff and students with an emergency and crisis management system when responding to major disasters or disturbances to the campus. All personnel designated to carry out specific responsibilities are trained to know and understand the SSU policies and procedures. The University will operate an Incident Command System (ICS) in the event of an emergency.

The Emergency Response Plan is designed to effectively coordinate the use of University and community resources to protect life and property both during and immediately following a major crisis or disturbance on or near the campus. It shall be placed into operation whenever an emergency affecting the University cannot be controlled using daily operating procedures.

SSU has prepared a Campus Emergency Procedure flip chart guide for all faculty and staff. The resource guide is posted in all classrooms and offices and provides response steps for each emergency situation. Information on critical incidents and how to respond to these different events, can be found at <https://www.shawnee.edu/campus-life/safety-campus-police/case-emergency-ice-program>.

SSU participates in emergency tests or evacuation drills at least once a year to assess and evaluate emergency procedures and capabilities. The evacuation drills, table top exercises, and emergency preparedness training are done in partnership with the Scioto County Office of Emergency Management, Portsmouth Police Department, Ohio State Highway Patrol, Scioto County Sheriff's Department, Portsmouth Fire Department and local health agencies. The SSU Emergency Response Team will document the test, including the date, time, and whether it was announced or unannounced. The documentation of the annual testing is located in the office of the Emergency Response Coordinator.

## Emergency Notifications & Alerts

The SSU Emergency Alert System Procedure outlines the proper steps to be taken when an emergency situation warrants the activation of one or more SSU alert and notification systems. SSU will, without delay and taking into account the safety of the community, determine the content of the notification and initiate the notification system, unless issuing the notification will compromise efforts to assist a victim or contain, respond to, or otherwise mitigate the emergency.

Upon notification of an incident, on-duty DPS personnel will respond and confirm if an emergency situation exists. SSU Department of Public Safety will initiate the appropriate emergency contacts and notify his/her immediate supervisor. The criteria to be considered if activation of the SSU notification system is warranted and which systems to be utilized, will include hazard type, life safety & property protection, urgency of notification, audience and capabilities & limitations.

Typically, the Emergency Response Coordinator (ERC), in conjunction with the Director of Communications will initiate the SSU Alert message to activate the Emergency Response Team (ERT). The SSU Alert System will then be used to communicate to the President, the cabinet, and other crucial groups on campus.

The Director of Communications, Director of Public Safety, Director of Risk Management, and Department of Public Safety are authorized to activate the SSU Alert (Emergency Notification). The process of issuing an emergency notification begins by confirming there is a significant emergency or dangerous situation. Public Safety personnel verify information about a potential significant emergency or dangerous situation. This occurs by collecting and assimilating information from a variety of possible sources, including but not limited to firsthand accounts from the public or uniformed officers in the field, and through the use of surveillance technologies such as alarm systems and cameras. Upon determination of the notification's content, systems utilized to transmit emergency notifications are selected and activated to deliver the desired content relating to the emergency to the university community. These systems are described below.

The University's Emergency Alert Systems include an Outdoor Mass Warning System utilizing sirens and voice messaging; Building Public Address System for voice communications and strobes; the SSU Alert System for broadcasting via e-mail, text and cell phone messages; and SSU website posted message alerts. Decision criteria has been established in determining if activation of the SSU notification system is warranted, which alert system will be utilized, the timing of an alert message and the segment of the community to receive the alert message(s). The persons and/or organizations responsible for carrying out this process are: Department of Public Safety Personnel, the Emergency Response Coordinator (ERC), Director of Communications, The Director of Risk Management, and the University President.

The ERC or designee will serve as the Incident Commander for all emergency response. As necessary, the ERC will serve as liaison to local, county, state and/or federal emergency response entities. All communications beyond the campus community will be coordinated through the Office of Communications and the University President.

Upon determination by the Incident Commander in coordination with the ERT, the follow-up communications will occur utilizing the same medium(s) as the initial alert message.

## Glossary

Appendix A to Subpart D of Part 668-Crime Definitions in Accordance with the Federal Bureau of Investigation's Uniform Crime Reporting Program.

The following definitions are to be used for reporting the crimes listed in Sec. 668.47, in accordance with the Federal Bureau of Investigation's Uniform Crime Reporting Program. The definitions for murder, robbery, aggravated assault, burglary, motor vehicle theft, weapon law violations, drug abuse violations and liquor law violations are excerpted from the Uniform Crime Reporting Handbook. The definitions of forcible and non-forcible sex offenses are excerpted from the National Incident-Based Reporting System Edition of the Uniform Crime Reporting Handbook.

### Crime Definitions from the Uniform Crime Reporting Handbook:

#### **Murder and Non-Negligent Manslaughter**

The willful (non-negligent) killing of one human being by another.

#### **Manslaughter by Negligence**

The killing of another person through gross negligence.

#### **Robbery**

The taking or attempting to take anything of value from the care, custody, or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear.

### **Aggravated Assault**

An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm. (It is not necessary that injury result from an aggravated assault when a gun, knife, or other weapon is used which could and probably would result in serious personal injury if the crime were successfully completed.)

### **Burglary**

The unlawful entry of a structure to commit a felony or a theft. For reporting purposes this definition includes: unlawful entry with intent to commit a larceny or felony; breaking and entering with intent to commit a larceny; housebreaking; safecracking; and all attempts to commit any of the aforementioned.

### **Motor Vehicle Theft**

The theft or attempted theft of a motor vehicle. A self-propelled vehicle that runs on land surface and not on rails; for example, sport utility vehicles, automobiles, trucks, buses, motorcycles, motor scooters, all-terrain vehicles, and snowmobiles are classified as motor vehicles. (Classify as motor vehicle theft all cases where automobiles are taken by persons not having lawful access even though the vehicles are later abandoned, including joyriding.)

### **Larceny**

The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another.

### **Simple Assault**

Includes all assaults which do not involve the use of a firearm, knife, cutting instrument, or other dangerous weapon and in which the victim did not sustain serious or aggravated injuries.

### **Arson**

Any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, personal property of another, etc.

### **Intimidation**

To unlawfully place another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct, but without displaying a weapon or subjecting the victim to actual physical attack.

### **Vandalism**

To willfully or maliciously destroy, injure, disfigure, or deface any public or private property, real or personal, without the consent of the owner or person having custody or control by cutting, tearing, breaking, marking, painting, drawing, covering with filth, or any other such means as may be specified by local law.

### **Liquor Law Violations**

The violations of laws or ordinances prohibiting: the manufacture, sale, transporting, furnishing, possessing of intoxicating liquor; maintaining unlawful drinking places;



bootlegging; operating a still; furnishing liquor to a minor or intemperate person; using a vehicle for illegal transportation of liquor; drinking on a train or public conveyance; and all attempts to commit any of the aforementioned. (Drunkenness and driving under the influence are not included in this definition.)

### **Drug Abuse Violations**

Violations of State and local laws relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs. The relevant substances include: opium or cocaine and their derivatives (morphine, heroin, codeine); marijuana; synthetic narcotics (Demerol, methadone); and dangerous non-narcotic drugs (barbiturates, Benzedrine.)

### **Weapon Law Violations**

The violations of laws or ordinances dealing with weapon offenses, regulatory in nature, such as: manufacture, sale, or possession of deadly weapons; carrying deadly weapons, concealed or openly; furnishing deadly weapons to minors; aliens possessing deadly weapons; and all attempts to commit any of the aforementioned.

## **Sex Offenses Definitions from the F.B.I. Uniform Crime Reporting (UCR) Program**

### **A. Rape**

Penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim. This definition includes any gender of victim or perpetrator.

This definition also includes instances in which the victim is incapable of giving consent because of temporary or permanent mental or physical incapacity (including due to the influence of drugs or alcohol). Physical resistance is not required on the part of the victim to demonstrate lack of consent.

Beginning CY2014 the UCR definition of Rape now includes the NIBRS Rape, Sodomy and Sexual Assault with an Object Definitions. The terms "Forcible" and "Non-Forcible" was removed from the definitions. For the sexual assault offenses of Incest, Statutory Rape, and Fondling the National Incident-Based Reporting System Definitions are used.

#### **a. Sodomy**

Oral or anal sexual intercourse with another person, forcibly and/or against that person's will; or not forcibly against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.

#### **b. Sexual Assault With An Object**

The use of an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the

victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.

## **Sex Offenses Definitions from the National Incident-Based Reporting System Edition of the Uniform Crime Reporting (UCR) Program**

a. **Incest**

Non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

b. **Statutory Rape**

Non-forcible sexual intercourse with a person who is under the statutory age of consent.

c. **Fondling**

The touching of the private body parts of another person for the purpose of sexual gratification, forcibly and/or against that person's will; or, not forcibly or against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental incapacity.

## **Hate Crimes**

Includes any of the offenses noted on the previous page, plus the crimes of larceny-theft, simple assault, intimidation, vandalism and any other crime involving bodily injury to any person in which the victim was intentionally selected because of the victim's actual or perceived race, gender, religion, ethnicity or disability. The categories of bias are:

a. **Race**

A preformed negative attitude toward a group of persons who possess common physical characteristics (e.g., color of skin, eyes, and/or hair; facial features, etc.) genetically transmitted by descent and heredity which distinguish them as a distinct division of humankind (e.g., Asians, blacks, whites).

b. **Gender**

A preformed negative opinion or attitude toward a group of persons because those persons are male or female. Gender bias is also a Clery Act-specific term, not found in the FBI's Hate Crime Data Collection Guidelines.

c. **Gender Identity**

A preformed negative opinion or attitude toward a person or group of persons based on their actual or perceived gender identity, e.g., bias against transgender or gender non-conforming individuals.

d. **Religion**

A preformed negative opinion or attitude toward a group of persons who share the same religious beliefs regarding the origin and purpose of the universe and the existence or nonexistence of a supreme being (e.g., Catholics, Jews, Protestants, atheists).

e. **Sexual orientation**

A preformed negative opinion or attitude toward a group of persons based on their sexual attraction toward, and responsiveness to, members of their own sex or members of the opposite sex (e.g., gays, lesbians, heterosexuals).

f. **Ethnicity/national origin**

A preformed negative opinion or attitude toward a group of people whose members identify with each other, through a common heritage, often consisting of a common language, common culture (often including a shared religion) and/or ideology that stresses common ancestry. (e.g., Arabs, Hispanics).

g. **Disability**

A preformed negative opinion or attitude toward a group of persons based on their physical or mental impairments/challenges, whether such disability is temporary or permanent, congenital or acquired by heredity, accident, injury, advanced age or illness.

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