

**DePauw University Public Safety Annual Report**

**August 1<sup>st</sup>, 2007**

# DePauw University Public Safety Annual Report Index

<a href="#"><u>About Public Safety</u></a>	Pg. 3
<a href="#"><u>Reporting Crimes and Emergencies</u></a>	Pg. 3
<a href="#"><u>Emergency Procedures</u></a>	Pg. 4
<a href="#"><u>Crime Statistics</u></a>	Pg. 5
<a href="#"><u>Crime Log</u></a>	Pg. 6
<a href="#"><u>Timely Warnings</u></a>	Pg. 6
<a href="#"><u>Crime Prevention</u></a>	Pg. 7
<a href="#"><u>Educational Programming</u></a>	Pg. 9
<a href="#"><u>Safety Escort Program</u></a>	Pg. 9
<a href="#"><u>Building Security and Access Control</u></a>	Pg. 9
<a href="#"><u>Alcohol, Drugs, Firearms/Fireworks Policies</u></a>	Pg. 10
<a href="#"><u>Sexual Misconduct Policy</u></a>	Pg. 10
<a href="#"><u>What to do if a Sex Offense Occurs</u></a>	Pg. 18
<a href="#"><u>On Campus Resources</u></a>	Pg. 20
<a href="#"><u>Off Campus Resources</u></a>	Pg. 21
<a href="#"><u>Access to Indiana Sex Offender Registry</u></a>	Pg. 21
<a href="#"><u>Policy on Harassment</u></a>	Pg. 22
<a href="#"><u>Harassment, Threats and Potential Violence on Campus</u></a>	Pg. 22
<a href="#"><u>Sexual Harassment</u></a>	Pg. 25

# DePauw University Public Safety Annual Report

September 1, 2007

## PUBLIC SAFETY

The mission of the DePauw Public Safety Department is to ensure a safe environment in which all members of the campus community can work, learn and live. While the campus has a relatively low crime rate, we are not immune to many of the same crime problems encountered in today's society. Our primary concerns are your personal safety and the security of your belongings while you are a member of the community. To achieve these goals, we need your assistance. Everyone must share equal responsibility for the safety and security of themselves, their neighbors and their belongings. Part of that responsibility is reporting emergencies and crimes that occur on campus to the Public Safety Office. The DePauw Public Safety Office, working closely with the Greencastle Police Department and other local law enforcement agencies, will promptly investigate all reports.

The Public Safety Office is professionally staffed with eight sworn police officers and several student security assistants. The police officers are graduates of the Indiana Law Enforcement Academy and are empowered with full police authority pursuant to Indiana Code 20-12-3.5-2,3,4. Officers are authorized to make arrests and are charged with enforcing federal and state laws, as well as University rules and regulations.

Public Safety operates 24 hours each day throughout the year. We strongly urge prompt reporting of all criminal and suspicious activity by contacting 658-4261 or by dialing 911. The Public Safety Department is located in room 200 of the Student Union Building. Upon notification, an officer will be sent to your location. All complaints will be investigated and prompt resolution of reported problems will be sought. DePauw Public Safety maintains a collaborative relationship with all local law enforcement agencies ensuring the most effective law enforcement services.

## REPORTING CRIMES AND EMERGENCIES

### Dial 911

- If you are reporting a **FIRE**
- the need for an **AMBULANCE**
- or **EMERGENCY POLICE SERVICES.**
  - Give your name, location and telephone number
  - State the nature of the problem
  - If possible, stay on the line until Officers arrive

All other calls for non-emergency police and security services should be directed to Public Safety, 765-658-4261, or by utilizing one of the 45 campus convenience phones located throughout the University. Greencastle Police and the Putnam County Sheriff's

Department are also resources for reporting criminal activity. They can be reached through Putnam County Central Dispatch at 653-5115.

**Residence Life Situations:**

Contact the Resident Assistant (RA) on your floor or the RA on duty. Public Safety can page the RA on duty for you. **765-658-4500**

[Housing and Resident Life Staff](http://www.depauw.edu/student/housing/Index.asp) <http://www.depauw.edu/student/housing/Index.asp>

**Greek Life Situations:**

Dorian Shager, Dean of Campus Life

**765-658-4270**

**Counseling Situations:**

Denise Hayes, Director of Counseling

**765-658-4268**

A counselor is on call 24 hours a day, please call Public Safety at 765-658-4261 and they will page the counselor on call.

<http://www.depauw.edu/student/counseling/>

All members of the campus community are encourage to report incidents to the above mentioned campus authorities or local law enforcement for the immediate response of these agencies and departments. Reporting criminal activity will also assist the Public Safety Office in providing **timely warnings** to the campus and provides information for inclusion in the University's **statistical information**.

Timely Warnings are issued in the format of Crime Alerts to the campus community on crimes considered to be a significant threat to public safety and reoccurring crime trends. Alerts are posted via a web page at <http://www.depauw.edu/student/safety/crimealert.asp> In some instances alerts may also be issued via WGRE Radio, The DePauw Newspaper, e-mail blasts, network bulletins, telephone trees and portable public address systems as needed.

**Emergency Procedures**

A comprehensive listing of Emergency Procedures in regards to the following topics is available on line at <http://www.depauw.edu/student/safety/emergencyprocedures.asp>

- Harassment, Threats and Violence on campus
- Pandemic Emergencies
- Building Evacuations
- Shelter in Place
- Bomb Threats
- Medical Emergencies
- Tornado
- Fire
- Earthquake
- Explosions
- Hazardous Material Spill/Release
- Utility Failure
- Emergency Planning Guide

## Crime Statistics

<b>Crime Categories</b>	<b>On Campus (including Residential Facilities)</b> <b>04....05....06</b>	<b>Residential Facility (a subset of On Campus)</b> <b>04....05....06</b>	<b>Non-Campus</b> <b>04....05....06</b>	<b>Public Property</b> <b>04....05....06</b>
Murder	0.....0.....0	0.....0.....0	0.....0.....0	0.....0.....0
Sex Offenses Forcible	2.....1.....2	2.....1.....1	1....4....2	0.....0.....0
Non-Forcible	0.....0.....0	0.....0.....0	0.....0.....0	0.....0.....0
Sexual Harassment	0.....1.....0	0.....0.....0	0.....0.....0	0.....0.....0
Robbery	1....2....0	1.....0.....0	0.....0.....0	0.....0.....0
Aggravated Assault	0.....0.....0	0.....0.....0	0.....0.....0	0.....0.....1
Burglary	12....10....11	3....3....3	4....3....6	0.....0.....0
Motor Vehicle Theft	0.....0.....0	0.....0.....0	0.....0.....0	4....2....0
Arson	0.....0.....0	0.....0.....0	0.....0.....0	0.....0.....0
Negligent Manslaughter	0.....0.....0	0.....0.....0	0.....0.....0	0.....0.....0
<b>Hate Crimes</b>				
Gender	0.....0.....0	0.....0.....0	0.....0.....0	0.....0.....0
Ethnicity/Nationality	0.....0.....0	0.....0.....0	0.....0.....0	0.....0.....0
Religion	0.....0.....0	0.....0.....0	0.....0.....0	0.....0.....0
Race	0.....0.....0	0.....0.....0	0.....0.....0	0.....0.....0
Sexual Orientation	0.....0.....0	0.....0.....0	0.....0.....0	0.....0.....0
<b>Bias Incidents of Harassment</b>				
Gender	0....2....0	0.....0.....0	0.....0.....0	8....2....0
Ethnicity/Nationality	0.....0.....1	0.....0.....0	0.....0.....0	0.....0.....2
Religion	0.....0.....0	0.....0.....0	0.....0.....0	0....1....0
Race	1....1....0	0.....0.....0	0.....0.....0	6....4....2
Sexual Orientation	0.....0.....1	0.....0.....1	0.....0.....0	2....0....0
<b>Violations and Arrests Investigated by Campus Police and Local Law Enforcement Agencies</b>				
Alcohol	59....47....42	52....35....34	16....14....18	33....24....31
Drugs	8....20....9	5.....11....9	1....3....5	12....0....1
Weapons	0.....0.....0	0.....0.....0	0.....0.....0	0.....0.....0
<b>Referrals as reported by Judicial Affairs Office</b>				
Alcohol	152....146...213	140...141...207	20....18...21	20...22...22
Drugs	10....13....8	9....9....8	0....11...5	6....2....4
Weapons	0....2....2	0...2....2	0.....0.....0	0....1....0

Two cases of forcible sex offenses were reported in 2004 to DePauw University Officials that occurred off campus. One occurred outside Putnam County and the other occurred off campus within Putnam County.

Three cases of forcible sex offenses were reported in 2005 to DePauw University Officials that occurred off campus. One occurred out of Indiana, one occurred in Indiana outside of Putnam County, and the other occurred off campus, but within Putnam County.

One case of a forcible sex offense was reported in 2006 to a DePauw University Official that occurred off campus within Indiana outside of Putnam County.

One incident of Sexual Harassment was report in 2005 to DePauw University Officials that occurred off campus within Putnam County.

*Crime statistics are compiled pursuant to the **Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act**, designated by calendar year, January 1st through December 31st.*

*Statistics are gathered from crimes reported to the Public Safety Office, Student Affairs, and other campus officials with significant student advising responsibility, and local law enforcement agencies. DePauw University maintains a collaborative relationship with local law enforcement agencies to monitor and record criminal activity in which students may engage off campus and within the Greencastle community. The University has a voluntary anonymous reporting program to report crimes confidentially and for inclusion in our annual statistical report via the "[Silent Witness](http://www.depauw.edu/student/safety/silentwitness.asp)" <http://www.depauw.edu/student/safety/silentwitness.asp> web page.*

*Pastoral and professional mental health counselors are encouraged to refer persons they are counseling to report crimes on a voluntary confidential basis for inclusion in the annual crime statistics.*

### **Crime Log**

A daily log of all crimes reported to Public Safety is available on line at:  
<http://www.depauw.edu/student/safety/crimestats.asp>

### **Timely Warnings**

Timely Warnings are issued in the format of Crime Alerts to the campus community on incidents or crimes considered to be a significant threat to public safety and/or reoccurring crime trends.

Alerts are posted via this web page at  
<http://www.depauw.edu/student/safety/crimealert.asp> In some instances alerts may also be issued via WGRE Radio, The DePauw Newspaper, e-mail blasts, network bulletins, telephone trees and portable public address systems as needed.

We are in the final stages of implementing a new "Emergency Broadcast" feature in our protocols for issuing campus alerts during emergency situations. This new option allows

all of the campus constituents to subscribe to emergency SMS text and voice messaging on a mobile phone and/or voice announcements to a land line telephone.

The name of the service is "JYNGLE", a service of Brevient Technologies. Please click on the link below to subscribe to the DePauw University Emergency Notification group. The form is very easy to complete and your information will be kept confidential. Telephone numbers will not be shared. Messages from this "notification group" will only occur during an actual emergency.

<http://www.jyngle.com/group/fuJtr6XvIx>

When you visit the page, please note, you do not need a "password" to join the group. Please do not put any spaces or dashes in the phone number when registering.

You can learn more about "jyngle" and their efforts in emergency notification on campuses at the following link. <http://www.jyngle.com/>

This service is optional however we strongly encourage your participation to be fully informed and prepared. We will continue to utilize e-mail blasts, alerts to campus media, network bulletins, telephone trees and portable public address systems as needed.

### **Crime Prevention**

The support, cooperation and involvement of students and staff with public safety efforts are crucial to the success of our overall safety program. Members of the campus community must assume responsibility for their own safety and the security of their personal belongings by taking simple, common sense precautions. The following crime prevention tips and programs are designed to inform students and employees about campus security procedures and practices to encourage responsibility for personal and community safety.

- Suspicious looking individuals and activity should be reported to the police and security department immediately. 658-4261.
- Notify Public Safety of any potentially violent situations or any other incidents in which a member of the University community feels uncomfortable or in fear.
- The Public Safety [escort service](http://www.depauw.edu/student/safety/escort.asp)(<http://www.depauw.edu/student/safety/escort.asp>) should be utilized after dark or ask someone you know to walk with you call X4261 for an escort.
- Vehicles should be parked and secured in well-lighted areas, and valuables should be removed or concealed.
- Exterior doors to the residential facilities should be closed and locked. Room doors should be locked at night and when unoccupied even for a short period
- Remember to not "prop" doors, even during loading and unloading.

- Serial, make and model numbers of equipment are crucial for recovery. You may also choose to engrave or mark equipment with identifying information. The Public Safety Office has an engraving tool that can be used to engrave these types of items. Please contact [police@depauw.edu](mailto:police@depauw.edu) for more information.
- Use a tracking software program to enhance laptop security. [CompuTrace](#) is a software program that students may want to pursue to help track stolen laptop equipment.
- Travel Safety: <http://travel.state.gov/>

### **Work Place Violence Check List**

If you, or a colleague, feel that there is a risk of a person bringing violence to the workplace, you should:

- Obtain a civil order for protection and make sure that it is current and on hand at all times. Include the workplace on the order. A copy should be provided to Public Safety, your supervisor, the reception area (if applicable), and Human Resource Office.
- Public Safety can also issue a formal No Trespass Order for the University Properties.
- Supervisors should give immediate coworkers some knowledge of the potential risk. As the unknown actions of the threatening party may put them at risk as well.
- Supervisors and/or coworkers should call the police immediately if the suspect individual arrives at the work place. If a protection order is in place this will directly violate the civil order for protection.
- Provide a physical description and/or picture of the suspect individual to all immediate staff and to Public Safety.
- Identify an emergency contact person should your employer be unable to contact you.
- Review the safety of your parking arrangements, alter routine habits.
- Request that a Public Safety Officer escort you to and from your car.
- Request a change and/or unpredictable rotations of your work schedule, work site, or work assignment if such a change is possible and would enhance your safety at work.
- Have your telephone calls screened at work.
- Request additional security measures for your work site. It may be possible to install security cameras or silent alarms at your work site, relocate your workstations to a more secure area, or provide you with a cellular phone for emergency use at work.
- Review the safety of your childcare arrangements. If you have a protective order, make sure the provider has a copy.
- Limit information about employees that is disclosed by phone. Information that would help locate possible victims or information which indicate what time he/she will return should not be provided. (You may want to consider this an appropriate policy to have in place at all times for all employees.)

- Assure employees that they can use company assistance and resources without their jobs being in jeopardy and that they can trust their employer.
- Procedures for calling for help: Dial 911 for immediate police services or medical needs; give your exact location, including the city if calling from a cellular phone Public Safety 765-658-4261
- Locate and decide upon an emergency escape route.
- Supervisors should maintain a record for accounting for all employees if a facility is evacuated.

### **Educational Programming**

Public Safety offers several programs to the university community, aimed at the education, awareness and prevention of crime. Programming in the areas of personal safety, sexual assault awareness prevention and response, alcohol abuse, narcotics and dangerous drugs, traffic safety and parking regulations, fire safety and theft prevention are only a few of those available. The escort program, bicycle registration, personal property engraving, security analysis and surveys are also examples of services designed to aid in the prevention of crime. Programs are available upon request and periodically presented to Residence Life, Greek leadership, and the broader University community. A schedule of programs can be found on the Public Safety web site. [Up Coming Programs](http://www.depauw.edu/student/safety/programs.asp)  
<http://www.depauw.edu/student/safety/programs.asp>

For further information about DePauw Public Safety Programs, please call us at 765-658-4261, or visit the office located in the Student Union Building in Room #200, or e-mail us at [police@depauw.edu](mailto:police@depauw.edu)

### **Safety Escort Service**

<http://www.depauw.edu/student/safety/escort.asp>

The DePauw University Department of Public Safety offers an escort service which is available to the campus community. Students may contact the department by utilizing one of the 45 emergency/convenience phones located throughout campus, by dialing 658-4261, or by stopping at the office located in the Student Memorial Union Building (408 S. Locust) Suite #200. An officer or student security officer will meet and escort you from one location on campus to another. The escort may be either on foot or in the police vehicle.

### **Building Security/Access Control**

The University Physical Plant staff maintains University buildings and grounds with a concern for safety and security. Inspection of campus facilities and lighting systems are routinely conducted in an effort to identify and reconcile problems and hazards. Public Safety personnel assist with problem identification while making regular security checks of academic and administrative buildings, including campus residence halls.

Physical Plant personnel are also responsible for locking and unlocking most of the academic and business facilities on campus at designated times. With the exception of

residence halls, most university facilities are open to the public when classes are in session. During the times that the university is officially closed, buildings are locked and only faculty, staff and authorized students with proper identification are admitted. Residence halls are locked 24 hours each day. Public Safety officers patrol the perimeters and common areas with special emphasis during evening and nighttime hours. **Residence Life staff**, the **ID/One Office** and Public Safety maintain electronic access/key control procedures. Access for non-residents is on an as needed basis. Public Safety is committed to working closely with **Residence Life staff** in addressing safety and security issues within the residence halls.

### **Alcohol, Drugs and Firearms/Fireworks Policies**

DePauw University seeks to encourage and sustain an academic environment that both respects individual freedom and promotes the health, safety and welfare of all members of the community. In keeping with these objectives, the University has established policies governing the possession, sale and consumption of alcoholic beverages conforming to the laws of Indiana.

<http://www.depauw.edu/student/safety/alcoholpolicy.asp>

The University prohibits the possession, use or sale of any illegal substance. Drug use is illegal and can be a threat to the welfare of individuals and to the institution. Any individual known to be possessing, using or distributing illegal drugs is subject to disciplinary action and possible arrest.

<http://www.depauw.edu/student/safety/drugpolicy.asp>

DePauw University is committed to Drug and Alcohol education programs and abuse counseling services. A collaborative effort between Student Affairs, Public Safety, Counseling and Health Services, Human Resources and Judicial Affairs provides on-going programs and services to educate, and also assess and refer campus community members that need assistance.

Possession or use of firearms, ammunition, fireworks or explosive materials on University property, fraternity or sorority property or out-in-town housing on the part of students is strictly prohibited. Students who do not comply are subject to disciplinary action and possible arrest. (For further information refer to related policies in the Student Handbook.)

<http://www.depauw.edu/student/safety/firearmspolicy.asp>

### **Sexual Misconduct Policy**

<http://www.depauw.edu/student/safety/policysex.asp>

#### **Preamble**

Sexual misconduct (as defined below) is a violation of University policy and, depending upon the specific conduct involved, may violate state law. Such conduct is subject to the University judicial process and possibly criminal prosecution. The University will not tolerate any form of sexual misconduct, and will treat violations of the law and University policy very seriously. As described in Section II. below, DePauw defines

sexual misconduct to include a broad spectrum of behaviors such as: rape; relationship violence; stalking; voyeurism; sexual battery, or any other nonconsensual sexually-related conduct. For more information regarding sexual harassment please refer to the Harassment Policy. The following guidelines outline University policy and procedure for resolving charges of sexual misconduct. Anyone with knowledge about such an incident should promptly report the situation to the Student Services Office or the DePauw Public Safety Office.

The purposes of this Policy are: 1) To provide a fair, educationally valid process to address alleged sexual misconduct, resulting in prompt decisions that hold students accountable for their actions; 2) To establish and protect the rights of members of the college community; 3) To promote the development of individual and group integrity; and 4) To uphold the non-academic rules and regulations of the University.

To pursue criminal charges, one must proceed via the criminal justice system. Staff members in the DePauw Public Safety Office will assist with pursuit of prosecution and involvement of local police authorities if the student chooses such options. If they prefer, those interested in filing criminal charges may also seek assistance from the Greencastle Police or Putnam County Sheriff, with or without the assistance of DePauw Public Safety staff. The filing of criminal (or civil) charges does not preclude pursuing University judicial charges.

Educational programs are available during new student orientation and throughout the school year to promote awareness of sexual misconduct issues. Programs are conducted by the Sexual Assault Task Force, the Public Safety Office, Counseling staff and Residence Life staff. Please contact the Public Safety Office or the Student Services Office to learn more about awareness and prevention programs.

In response to requests from students and faculty to address sexual misconduct issues in a more confidential manner, the University has established the Sexual Misconduct Hearing Board (the "Board") to resolve allegations of sexual misconduct and to impose sanctions where appropriate. While the complainant and the respondent will have certain procedural rights, the procedure described is not intended to constitute or approximate a legal proceeding. Participants in the process are not entitled to have an attorney present during any phase of the procedure described, but they are entitled to have an advisor present as provided in Section VIII.B.4.

## **II. Statement on Reporting, Confidentiality and Resources for Victims**

A report of sexual misconduct involving a current DePauw student can be made at any time by any person (student or non-student), regardless of how long it has been since the incident occurred. Students making a report (whether the victim or a witness) will not be charged under the University's judicial process for a violation of the University's alcohol policy, so this need not be a barrier to reporting. Reports may be made confidentially, and University officials will make every effort to maintain the confidentiality of the information received. In rare cases when it is determined that there is a significant risk to

public or personal safety, university officials may act without permission from a victim, but in all other cases, decisions and progress through the reporting/judicial processes will be at the request of the victim. Initial reports may be made through the Office of Public Safety or the Dean of Students Office. The Sexual Assault Survivors' Advocate, counselors from Counseling Services and other Student Services staff members are available to explain the reporting process and help access appropriate resources. DePauw Public Safety Officers and the Sexual Assault Survivors' Advocate are available to discuss safety plans and security issues with students who are victims of sexual misconduct. Trained Sexual Assault Nurse Examiners are available at all times to conduct sexual assault evidence collection exams; students may access this resource by contacting the DePauw switchboard.

### **III. Statement on the Rights of Victims**

In accordance with the 1992 Campus Sexual Assault Victim's Bill of Rights, and in the interest of providing the best possible services and support for students, DePauw will make every effort to ensure that all victims are afforded the following rights:

- To be treated respectfully by University staff and officials
- To have a support person of one's own choosing present during the hearing (such person may serve in a support or advisory role, and must be a member of the DePauw community)
- To not be discouraged from reporting by University staff or officials
- To be notified of the outcome of any hearing or charges
- To report to campus, local or state police, and to be supported by University officials in so doing
- To be referred to campus and local mental health and counseling services
- To receive assistance from University officials and staff with any necessary adjustments to living and/or academic situations if such changes are reasonable.
- To have irrelevant prior sexual history be made inadmissible at any University hearing
- To not have reports of rape mediated by University officials
- To make a victim impact statement during the course of the hearing, and to have the Board consider that statement when determining a sanction
- To obtain a no-contact order against another student, and to have assistance in obtaining a restraining order from the State if so desired
- To have complaints responded to promptly and sensitively, investigated appropriately and addressed competently

### **IV. Statement on the Rights of Accused Students**

In the interest of providing the best possible services and support for students, and protecting the rights of all DePauw students, DePauw will make every effort to ensure that all students who are accused of sexual misconduct are afforded the following rights:

- To be treated respectfully by University staff and officials

- To be promptly notified of the nature and extent of any charges
- To have a hearing of such charges before the Sexual Misconduct Hearing Board
- To have adequate notice of and time to prepare for said hearing
- To have a support person of one's own choosing present during the hearing (such person may serve in a support or advisory role, and must be a member of the DePauw community)
- To invoke the 5th amendment and refuse to answer some or all questions
- To be promptly notified of the outcome and sanction of the hearing
- To be referred to campus and local mental health and counseling services
- To receive assistance from University officials and staff with any necessary adjustments to living and/or academic situations if such changes are reasonable
- To have irrelevant prior sexual history be made inadmissible at any University hearing
- To not have reports of rape mediated by University officials

## V. Sexual Misconduct Defined

The University defines sexual misconduct broadly, to include the following conduct:

1. **Non-Consensual Sexual Contact:** Physical contact of a sexual nature by one person against the will of or without the consent of another.
2. **Relationship Violence:** One or more than one of the following behaviors directed at a current or former partner: (1) physical behaviors such as slapping, pulling hair, punching; (2) threats of physical abuse and other types of verbal abuse; and (3) emotional abuse.
3. **Sexual Battery:** Intentional touching of another person for the purpose of arousing or satisfying one's own sexual desires or the sexual desires of another person without the consent of or against the will of the person being touched.
4. **Rape:** Knowing or intentional sexual intercourse with another person against the will of or without the consent of that person. Rape may be perpetrated by someone unknown to the victim, or by someone the victim knows. Acquaintance rape, commonly referred to as "date rape," may occur in the context of a single date, a hook-up, an on-going relationship, or any other interaction between two people when one person forces another to have sex, or takes advantage of him/her while she/he is incapacitated.
5. **Deviate Sexual Conduct:** Without effective consent or against someone's will, knowingly or intentionally causing another person to perform an act involving: (a) a sex organ of one person and the mouth or anus of another person; or (b) the penetration of the sex organ or anus of a person by an object.
6. **Sexual Exploitation:** Nonconsensual use of sexual contact by one person with another for his/her own advantage or benefit, or to benefit or advantage anyone other than the person being exploited, and the behavior does not otherwise constitute rape, battery or deviate sexual conduct, or other policy violations. Examples of sexual exploitation include prostituting another student, nonconsensual video or audio taping of sexual activity (such as one person

allowing others to secretly watch consensual sex), engaging in voyeurism and knowingly transmitting an STD or HIV.

7. **Stalking:** Any behaviors or activities occurring on more than one occasion that collectively instill fear in the victim, and/or threaten his or her safety, mental health, or physical health. Such behaviors and activities may include, but are not limited to: non-consensual communication; threatening or obscene gestures or verbal abuse; pursuing, following, surveillance or other types of observation.

Sexual misconduct does not include verbal harassment not involving or connected with physical touching except when such harassment occurs in the context of an on-going relationship and is determined to be abusive, or when such harassment reaches the level of stalking. Cases of alleged verbal harassment not involving or connected with physical touching, and not related to relationship violence or stalking, may also be offenses against University policy, but such cases are addressed separately through the University's Community Standards Program. Please see the Policy on Harassment for more information.

## **VI. Statement on Consent**

Consent is voluntary agreement by a competent person to engage in sexual activity, and is communicated through mutually understandable words or actions that indicate desire to participate in the activity at the same time and in the same manner.

When it is unclear whether someone consents to activity, it is the responsibility of the person who initiates the activity to ensure that his/her partner clearly communicates effective consent. To continue to engage in sexual activity without effective consent from partner is a violation of this policy.

Effective consent must be mutually understandable. That is, a reasonable person would have to consider the words or actions of the parties to indicate that there was an agreement to engage in the given activity with each other at the same time.

Consent can not be obtained through force, fraud, threats, intimidation or coercion. Such consent is not effective, and to engage in sexual activity with someone when consent was gained through these means is a violation of this policy.

Consent can not be given by minors to adults, by mentally disabled persons, or by otherwise physically or mentally incapacitated persons. People who are unconscious, asleep, incapacitated as a result of alcohol or drugs (whether consumed voluntarily or involuntarily) or are otherwise physically or mentally helpless can not give effective consent.

Incapacitation is an important and specific concept. A person who is incapacitated is incapable of recognizing what is going on around him/her. An incapacitated person is not able to fully recognize the sexual nature or extent of the situation she/he is in. To

knowingly and intentionally engage in sexual activity with a person one knows or should know is incapacitated is a violation of this policy.

## **VII. Powers of the Dean of Students**

The Dean of Students or the Dean's designee (the "Dean") shall determine whether a charge of sexual misconduct will be forwarded to the Board for a hearing. The Dean may take any action necessary to serve the public safety interest of the University community or to further the prompt resolution of any charges of sexual misconduct.

## **VIII. Sexual Misconduct Hearing Board**

The Board shall hold hearings as described below to determine facts (responsible or not responsible) and to impose sanctions if the respondent is found responsible. The Board acts only upon presentation of a written charge of sexual misconduct as described in Section VIII.B below.

### **A. Composition of the Board**

1. The Board shall consist of seven administrative staff members appointed by the Vice President for Student Services to terms of at least two (2) years. The seven-member makeup of the board shall include at least two women and two men at all times. Each of the administrative staff members shall be appointed by the Vice President for Student Services from a list of nominations submitted by the Dean of Campus Life. No member of the Board may consider a case in which the member would have a conflict of interest.
2. The chair of the Board shall be appointed by the Vice President for Student Services and, except for the initial designation, shall be a person who has served on the Board for at least one year.
3. Three members of the Board, including at least one male and at least one female, will be appointed by the chair of the Board to a panel to hear a charge. The chair may appoint himself or herself to the panel. If the chair does not appoint himself or herself to the panel selected to hear the charge, one of the panel members will be appointed by the chair of the Board to be the chair of the panel selected for that hearing. If the chair appoints himself or herself to the panel, the chair shall be the chair of the panel so selected.
4. During the first year of his/her term on the Board, each member shall participate in formal training.

### **B. Procedure**

1. Any student enrolled at DePauw University may file a report of sexual misconduct against another DePauw student with the Dean of Students. Other community members, guests and visitors may also file reports against current students with the Dean of Students. The Dean shall conduct a preliminary review of all information gathered or reported with regard to the alleged misconduct. The

- results of the preliminary review shall be used by the Dean to determine whether the report warrants a charge being heard by the Board, and to explain the procedure to the complainant. If the Dean determines that the report warrants a charge and a hearing by the Board, the complainant will then decide whether to proceed with a hearing. The decision by the Dean as to whether the report should be processed as a charge is final and is not subject to further review.
2. If the complainant elects to go forward, the charge shall be heard by the panel selected by the chair of the Board. In order to begin the hearing process, the complainant shall be required to file a written charge with the chair of the Board. The report filed with the Dean may serve as the charge required to be filed with the chair. Upon receipt of the charge, the chair of the Board shall notify the respondent in writing of the filing of the charge and of the hearing date. The hearing date shall be set not more than 14 days from the date of the notice to the respondent. The Board may prescribe the procedures to be followed at the hearing. Such procedures shall be included with the charge letter to the respondent and made available to the complainant prior to the hearing.
  3. A hearing shall be conducted by the panel selected at the time and place indicated in the notice. The Dean shall designate a Student Services staff member to attend all hearings. The hearing shall be tape-recorded and the tape(s) shall be maintained by the Dean's office. Once the student has exhausted all avenues of appeal the tapes will be destroyed.
  4. The complainant and the respondent shall be entitled to select one member of the DePauw University faculty, staff or student body to act as an advisor during the processing of any charge of sexual misconduct. The advisor may not address the panel, but may consult with the respondent or complainant prior to, during and after all hearings. The advisor may not be a witness or have a substantial interest in the case or in any related case.
  5. Any report of alleged sexual misconduct shall be reported by the Dean to the DePauw Public Safety Office in accordance with the Student Right-to-Know and Campus Security Act of 1990. At the complainant's request, these reports will be made without disclosing the names of either the complainant or the respondent. If the Dean determines that matters of public safety are involved, the Dean may disclose such information as is necessary to address that issue.
  6. The complainant and the respondent shall have the opportunity to attend the hearing and to hear and respond to evidence. In the event the complainant or the respondent is unable or unwilling to attend, the panel may proceed with the hearing if it determines that proceeding with the hearing is in the best interest of the University community; provided, however, any determination of facts (responsible or not responsible) shall be based upon evidence presented at the hearing and not upon the allegations in the charge filed by the complainant.
  7. Hearings shall not be publicized or open to the public. Panel members and all others present during the hearing (respective advisors, complainant, respondent) shall hold matters relating to the hearing in strict confidence. Witnesses are not permitted to attend hearings other than to testify.
  8. Witnesses shall be limited to members of the DePauw faculty, staff or student body, unless the chair of the panel rules that others may appear. The complainant

- and the respondent shall submit the names of witnesses to the chair of the panel in writing at least 48 hours prior to the hearing. The complainant and the respondent shall have access to the names of all witnesses. The panel may call additional witnesses or seek further evidence.
9. The panel selected will usually initiate the hearing within 14 days of the date of the notice to the respondent unless one of the following events occurs:
    - a. either party petitions the chair of the panel in writing for a continuance of the hearing not less than 48 hours prior to the scheduled hearing, and the chair of the panel determines that such petition makes a strong showing of substantial need of such a continuance in order to maintain the fairness and integrity of the process;
    - or
    - the chair of the panel determines that an emergency situation exists that requires a continuance of the scheduled hearing date in order to preserve the integrity and basic fairness of the process. In the event a continuance is granted by the chair of the panel, every effort will be made to hear the matter as expeditiously as possible.
  10. Prior to the Board's deliberation at the conclusion of the hearing, the complainant and respondent are allowed to give impact statements indicating their desired outcome. The Board will take these statements into consideration in its deliberations.
  11. A majority of the panel selected to hear a charge shall determine the facts (responsible or not responsible). Having found the facts, the panel hearing the case shall at the same time also impose the appropriate sanction, if any. The decision of the panel shall be in writing, and the complainant and the respondent shall be given a copy of the decision by the chair of the panel.

## **IX. Sanctions**

If the panel finds the respondent to be responsible for the charged sexual misconduct it shall impose sanctions, which may include expulsion. Sanctions of suspension or expulsion carry with them a forfeiture of tuition, fees and residence hall room and board, which will not be refunded or remitted, in whole or in part. All students receiving financial assistance from the federal government will have their aid prorated and refunded to the federal program involved based upon the federal refund policy.

## **X. Appeals**

### **A. Procedure**

An appeal of a determination of any fact or of a sanction imposed by the panel may be filed with the Dean of Campus Life in writing by the complainant or the respondent with three (3) days of the date of the letter of notification from the chair of the panel, unless that time is extended in writing by the Dean of Campus Life. All materials supporting any appeal should be submitted at the time the appeal is filed. New evidence not reasonably available at the time of the hearing may be submitted in support of an appeal to the Dean of Campus Life. The Dean of Campus Life will advise the non-appealing party in writing

of the filing of an appeal and will provide access to the materials received in connection with the appeal to the non-appealing party. The non-appealing party will have five (5) days from the date of his/her first review to respond in writing to the appeal. Decisions by the Dean of Campus Life are final subject only to the review provisions set forth in Section XI below.

#### B. Disposition of appeals by the Dean of Campus Life

The Dean of Campus Life may:

1. Affirm the action taken by the panel.
2. Reverse the panel's determination of facts and refer the case back to the Board for another hearing.
3. Reverse the panel's determination of facts and vacate any sanction.
4. Impose different sanctions.

### **XI. Review by the Vice President**

Review by the Vice President for Student Services may be requested by complainant, respondent or the University only on the basis of extreme or unusual circumstances pertaining to the case. Requests for review by the Vice President for Student Services must be made within three (3) days of receipt of the written notification of the decision on appeal from the Dean of Campus Life. The decision of the Vice President for Student Services to grant or deny review shall be final and, if granted, his/her decision on review shall be final. The Vice President for Student Services, in his/her sole discretion, may affirm or reverse any decision made prior to his/her review in order to provide consistency to the process and serve the best interests of the community.

#### **If A SEX OFFENSE OCCURS,**

- **Go to a Safe Place.** You may want to contact someone you know and trust to be with you.
- **Contact a Resource.**

On campus, please call Public Safety, Health Services, Counseling Services, Dean of Students Office, Residence Life Staff or Student Advocate.

#### [On-Campus Resources](http://www.depauw.edu/student/safety/oncampusresources.asp)

<http://www.depauw.edu/student/safety/oncampusresources.asp>

You always have the option to report a sex offense to an off-campus Law Enforcement Agency and/or Counseling Service. Public Safety can assist you in this process.

#### [Off Campus Resources](#)

<http://www.depauw.edu/student/safety/offcampusresources.asp>

A report can be filed with the Public Safety Office or any other law enforcement agency. University personnel will assist a student with reporting to another agency upon request. An incident may also be reported to Student Affairs or any campus official. Reporting the incident is a separate act from deciding whether or not to pursue legal and/or disciplinary action, but enhances efforts to promptly and thoroughly investigate the incident.

- **PRESERVE EVIDENCE.** Please do not shower, change clothes, douche or brush your teeth.
- **SEEK MEDICAL TREATMENT** at Student Health Services or Putnam County Hospital.
- **EVIDENCE COLLECTION.** Student Health Service nurses have received specialized training in the examination and evidence collection for persons who have been involved in a sexual assault. They are available 24 hours a day to provide private and confidential service. It is very important to preserve evidence for proof of a criminal offense.

You should receive treatment for injuries and tests for pregnancy and STDs. Public Safety can contact Health Services after hours or provide transportation to and from the hospital.

- Sexual assault is a violation of Indiana state law and University policy, and therefore subject to criminal prosecution AND the University judicial process.
- The University will not tolerate any form of sexual assault or harassment and will treat violations of the law and University policy very seriously.
- To foster a greater awareness about sexual misconduct issues, the Public Safety Department offers various awareness programs aimed at minimizing all forms of sexual misconduct and domestic violence.

The programs are presented throughout the year and are available to any campus group upon request. To increase this effort, several members of the Public Safety Staff are involved with the DePauw **Sexual Assault Task Force**. The task force is aimed specifically at research and development of educational programs and evaluating the issue of Sexual Assault on campus. [Crime Prevention Page](http://www.depauw.edu/student/safety/crimeprevention.asp) (<http://www.depauw.edu/student/safety/crimeprevention.asp>)

- The University is committed to thoroughly investigating all reports of sexual assault. Prompt reporting is key to both the recovery of the survivor and the judicial process.

Reporting an incident is a separate act from deciding to pursue legal or University disciplinary action. Filing a report may help to keep open your options for filing formal charges at a later date. A report can be filed with the Public Safety Office or any other

law enforcement agency. University personnel will assist a student with reporting to another agency upon request.

- Public Safety can help you consider both the legal and campus judicial process. (Explanation of the University Judicial Process is included in the

[Student Handbook](http://www.depauw.edu/univ/handbooks/dpuhandbooks.asp?ID=625&parentid=450)  
<http://www.depauw.edu/univ/handbooks/dpuhandbooks.asp?ID=625&parentid=450>)

In each case the survivor and the accused have the right:

- to the same opportunities to have others present during disciplinary proceedings
- to be promptly informed of the outcome of any disciplinary hearings related to the incident
- A disciplinary panel who finds a respondent responsible for rape or other forcible or non-forcible sex offense shall impose sanctions which may include expulsion.
- Please also be aware that the University will make changes in a survivor's academic and living situation if cause for modification relates to an incident and is reasonably possible

Any one with knowledge about such an incident should promptly report the situation to the Student Affairs Office or the Public Safety Department.

#### **On Campus Resources for Sexual Assault**

**Public Safety**.....Room 200 Union Building  
Phone.....X4261

**Dean of Students Office**.....Room 210 Union Building  
Phone.....X4270

**Counseling Services**.....Wellness Center, Hogate Hall  
Phone.....X4268

**Health Services**.....Wellness Center, Hogate Hall  
Phone.....X4555

**Multicultural Affairs**.....Room 100 Union Building  
Phone.....X4026

**SASA (Sexual Assault Survivor Advocates)**  
Phone.....X4650

**Off Campus Resources for Sexual Assault**

**Counseling:**

Cummins Mental Health.....	653-2669
Hamilton Center, Inc.....	653-1024
Mental Health Association (Putnam County).....	653-3310

**Police:**

Greencastle Police Department.....	653-2925
Putnam County Sheriff's Department.....	653-3211
Putnamville State Police Post.....	653-4114
Putnam County Central Dispatch.....	653-5115

**Medical Services:**

Putnam County Hospital.....	653-5121
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**Crisis Intervention:**

Putnam County Family Support Services.....	653-4820
<a href="http://www.rainn.org/">Rape, Abuse, Incest, National Network (http://www.rainn.org/)</a> .....	(800) 656-HOPE
<a href="http://www.incasa.org/">Indiana Coalition Against Sexual Assault (http://www.incasa.org/)</a> .....	(800) 332-7385

**Access to the Indiana Sex Offender Registry is available at**

[http://www.state.in.us/serv/cji\\_sor](http://www.state.in.us/serv/cji_sor)

**Policy on Harassment**

Policy Statement and Definition of Harassment

The University is committed to a policy of equal opportunity for all members of the University community, including, but not limited to, members of the faculty and staff, students, guests of the University, and applicants for employment and admission. In this regard, the University reaffirms the right of its students to live and learn, and its employees to teach and work, in an environment free from inappropriate and/or offensive comments or conduct.

The University encourages a workplace and learning environment free of inappropriate treatment of any employee, student or guest because of any person's race, sex, color, creed, religion, age, national origin, sexual orientation, veteran status, gender identity, gender expression, disability, or any category protected under federal, state or local law. To be unlawful, conduct must be so severe and pervasive that it unreasonably interferes with an employee's ability to work or a student's ability to learn. The University does not, however, condone or tolerate any inappropriate conduct, whether by employees or non-employees, based on a person's race, sex, color, creed, religion, age, national origin, sexual orientation, veteran status, gender identity, gender expression, disability, or any category protected under federal, state or local law.

Inappropriate conduct may include, but is not limited to:

- Ethnic, racial, religious, age, disability or sex-related jokes, epithets, stereotypes or slurs.
- Foul or abusive language.
- Offensive graffiti, cartoons or posters.
- Insulting or derogatory nicknames.
- Mimicking another.
- Starting or spreading rumors.
- Teasing about religious or cultural observances, retirement, age, ability to learn, or absenteeism.
- Threatening or offensive mail, e-mail, voicemail or messages.

The University also recognizes the fundamental importance of the open and free exchange of ideas and opinion. It recognizes that conflicts may arise between individuals' desire to express their opinions and the right of individuals to be free from harassment. The University also recognizes that every act that might be offensive to an individual or a group is not necessarily a violation of the law or of this policy.

### **Harassment, Threats & Potential Violence on Campus**

Harassment, threats and violent behavior are unacceptable and will not be tolerated. All reports of harassment, intimidation, threats and physical violence will be investigated and responsible individuals will be referred to the community standards committee and/or prosecution.

Understanding how to respond to all Emergency Procedures will assist the DePauw community in making clear and well informed decisions in the event of an emergency. Proactively planning for emergencies may include steps such as:

- Considering that although unlikely potential emergencies including violence can occur at DePauw
- Plan possible responses
- Learn about ways in which warning signs are expressed by potential aggressors
- Know that early reporting is a valuable tool in prevention and intervention

Every potentially violent situation is different! Each person on campus must rely on his/her best judgment and evaluate the situation to the best of their ability based on the information available at the time and respond accordingly. Utilize the following information to be prepared. Safety on campus is everyone's responsibility.

**Harassment**-Situations in which a person is receiving harassing communications and/or unwanted attention, such as personal visits, stalking or other forms of physical harassment may be a scenario for potential violence on campus. In the event that you are being harassed or know of a harassing situation:

- Do not tolerate verbal or physical harassment from anyone.
- Do not ignore the behavior in hopes that it will stop. Students, Faculty and staff should report concerns to Public Safety by calling 765-658-4261.
- Do not give out personal information via personal websites.
- Do not give out other's information when requested by unfamiliar subjects

- If you have a civil order of protection ("No Contact Order" or "Restraining Order") issued by a court, notify Public Safety and provide a copy of the order
- Learn more about DePauw University's [Harassment Policy](http://www.depauw.edu/univ/handbooks/dpuhandbooks.asp?ID=311&parentid=310) at <http://www.depauw.edu/univ/handbooks/dpuhandbooks.asp?ID=311&parentid=310>

Public Safety can assist anyone in the DePauw community with developing a safety plan and accessing the need to alert the campus of potential violence.

Suspicious Persons-Suspicious persons on campus may also be scenario in which violence on campus may occur. In the event that you encounter an individual on campus that just doesn't fit, seems out of place or exhibits suspicious behavior (walking aimlessly, starrng, etc.) notify Public Safety immediately by dialing either 911 or 765-658-4261.

If non-threatening, you may also:

- Establish eye contact and ask if you can help him/her. They may be a visitor or be in need of assistance.
- Do not give access to a building or office that is locked or restricted.
- Keep a safe distance and do not physically confront anyone
- Make a mental note of the description of the person, for example:
  - gender
  - age
  - race
  - weight
  - height
  - clothing
  - noticeable skin markings, tattoos or scars
  - direction of travel

**Threats-** Treat all threats or rumor of violence as serious. Call 911 in instances where you are in immediate danger or if you observe a weapon, are informed of someone that has a weapon on campus, or if you are told of someone's intent to bring a weapon to campus.

Again, every potentially violent situation is different! Each person on campus must rely on his/her best judgment and evaluate the situation to the best of their ability based on the information available at the time and respond accordingly. Safety on campus is everyone's responsibility.

**Hostile Confrontation-**You may be confronted by a hostile or disgruntled individual that may or may not be armed. Individuals that are not allowing others to leave an area and/or threatening violence are certainly scenarios in which violence may occur. In these types of situations:

- Remain as calm as possible
- Be cooperative and patient, time is on your side
- Offer to listen, but don't judge or argue with their perceptions

- Treat each concern as important and valid. A person in crisis will only respond to someone who is willing to listen in an understanding, respectful, and non-judgmental way
- Maintain polite eye contact
- Keep gestures and body language open and non-threatening Use a low soft, slow voice when you speak. Ask or tell the person before you make any moves.
- Be truthful-to lose credibility can be catastrophic. Assure the person you will do everything you can to resolve his/her grievances in a fair manner.
- Ask the aggrieved party to suggest a solution. A person in crisis will be more accepting of a solution that he/she has helped formulate.
- Always look for a way to give the aggrieved party to retain their dignity
- Be observant. Note as much as possible about the aggressor, including type and number of weapons, state of mind and specifics about what they've said. In the event that you are released or escape this information will be helpful for the emergency personnel responding.

If you hear gunshots or witness an armed person:

- Isolate yourself and others from the suspect. Close, lock and barricade doors if possible and lie on the ground. If you are in an open space, hide to the maximum extent possible-get behind something solid (a wall, planter, etc)
- If it is safe to do so, call 911 and provide as much detail as you can.
- Follow instructions of emergency personnel that will be responding to the area, but do not expose yourself or others until you are notified by police that the danger has passed. Do not assume that the danger is over.

In response to the Virginia Tech tragedy, DePauw Public Safety will continue to review our emergency response policies and procedures to collaboratively work with other campuses to implement the best practices to protect and inform our community. Public Safety Response-Our Critical Incident Command structure is modeled on the National Incident Management System (NIMS). This protocol is designed to ensure that agencies and jurisdictions work together to address emergency situations. Staff members in public safety, facilities services and physical plant have been trained under NIMS response procedures. This enables a unified and efficient response with local emergency services. We are fortunate that we have never faced a situation such as Virginia Tech; however our process has been effective in the past when responding to situations such as the rare bomb threat, fire or weather emergency. When there has been a concern on campus we have used a variety of resources to communicate alerts, including e-mail blasts, network messages, public address and our campus media resources. We are also pursuing a text messaging alert system to assist us with sending out alert information. We proactively train our public safety officers in up-to-date in emergency response techniques. In June we will co-host a two-day training program for all Putnam County enforcement agencies to practice their skills in a unified command setting. We will continue to assess the incident at Virginia Tech and utilize lessons learned to evaluate and update our training, response protocols and emergency procedures. Please help us by taking time to use this website as a resource to stay updated and prepared with the crime alert, prevention and emergency procedure information.

## **Sexual Harassment**

Specifically included in this policy is a commitment to providing students, employees and University guests an environment and workplace free of inappropriate comments or conduct of a sexual nature. Such behavior may include, but is not limited to:

- Unsolicited and unwelcome comments or conduct of a sexual nature or that are demeaning to women or men as a group (for example, offensive or vulgar jokes, name-calling, comments about one's body or sex life, or stereotyping based on a person's sex);
- Unwelcome and unwanted sexual jokes, language, gestures, epithets, innuendoes, advances or propositions; sexually oriented "kidding," "teasing" or "practical jokes;"
- Unsolicited and unwelcome demands or requests, implicit or explicit, for sexual favors or sexual encounters;
- Sexually oriented propositions, slurs, suggestions or questions;
- Stalking;
- Persistent, unsolicited and unwelcome demands or requests, implicit or explicit, for social encounters;
- Written or verbal abuse of a sexual nature, including, for example, using sexually degrading or vulgar words to describe an individual;
- The display of sexually suggestive or revealing objects, other material or offensive pictures, electronic communications or photographs (this prohibition does not apply to University approved art exhibitions or other University approved displays or communications);
- Unwelcome and unsolicited information about another's sexual prowess, activities, deficiencies or sexual orientation;
- Asking questions or commenting about another's sexual activity or making unwelcome sexual advances or expressed or implied requests for sexual activity;
- Offensive or inappropriate behavior targeted at only one sex, even if the content of the conduct or comments is not sexual;
- Unwelcome physical contact, such as patting, pinching, touching, leering, ogling, whistling, indecent exposure, brushing against the body, or suggestive, insulting or obscene comments or physical gestures.
- Any instance in which a supervisor, faculty member or another in a position of authority uses his/her authority to require or to urge an employee or student to submit to sexual activity. Such behavior can be explicit or implicit - for example, a supervisor or another person in a position of authority states to an employee or student: "Things could be a lot better for you here if you would be a little nicer to me."

## **Reporting Procedure**

Any employee, student or guest who believes that he/she either has witnessed or been subjected to behavior that violates this policy is encouraged to and has a responsibility to immediately report the suspected policy violation. The University cannot investigate and

take appropriate action if the behavior is not reported. The method of reporting suspected policy violations is as follows:

Staff members and guests should immediately report suspected policy violations to the Office of Human Resources. The phone number for the Director of Human Resources is (765) 658-4181. If the Director of Human Resources is unavailable or the staff member or guest is uncomfortable reporting the suspected policy violation to the Director of Human Resources, he or she may report the suspected violation directly to the Vice President for Finance and Administration at (765) 658-4161.

Faculty members should immediately report suspected policy violations to Academic Affairs. The phone number for the Vice President for Academic Affairs and Dean of the Faculty is (765) 658-4359. If the Vice President for Academic Affairs and Dean of the Faculty is unavailable or the faculty member is uncomfortable reporting the suspected policy violation to the Vice President for Academic Affairs and Dean of the Faculty, he or she may report the suspected violation directly to the Director of Human Resources at (765) 658-4181.

Students should immediately report suspected policy violations to Student Affairs. The phone number for the Dean of Students is (765) 658-4270. If the Dean of Students is unavailable or the student is uncomfortable reporting the suspected policy violation to the Dean of Students, he or she may report the suspected violation directly to the Director of Human Resources at (765) 658-4181.

Complaints of inappropriate behavior by a Vice President of the University should be directed to the President of the University and/or the Director of Human Resources.

Supervisors and department chairs who receive complaints or who observe inappropriate behavior must immediately inform the appropriate office listed above. Failure to report potential violations may result in appropriate discipline, up to and including termination.

### **Investigation and Resolution of Complaint**

Given the nature of the type of conduct prohibited by this policy and the serious effects such conduct can have on the target of the conduct and the one accused of the conduct, the University takes every complaint of inappropriate behavior seriously and each report shall be investigated. The investigation will be conducted in as confidential a manner as circumstances permit to protect all parties involved, including witnesses. The University will not tolerate any retaliation against anyone who makes a report of inappropriate behavior or cooperates in an investigation of any complaint under this policy. If the investigation reveals a policy violation, disciplinary action, up to and including discharge or dismissal, will be taken to remedy the situation.

The responsibility for investigating complaints and determining if and what degree of administrative action is necessary can vary. The Office of Human Resources is responsible for conducting and/or assisting in all investigations except when the complainant and the accused are both DePauw University students; in this situation, it is

the responsibility of Student Affairs to conduct the investigation. If, during the investigation stage, criminal action is suspected or determined, it is the responsibility of the investigating authority to notify the Office of Public Safety at (765) 658-4261.

At the conclusion of an investigation, the responsibility for determining the need for and degree of administrative action, up to and including discharge or dismissal, is based upon the group to which the accused belongs. These groups include: faculty, staff, students and guests.

The chart below indicates investigation and disciplinary authority as it relates to policy violations at DePauw University:

Complainant	Accused	Investigating Responsibility	Disciplinary Responsibility	Procedural Guidance
Student	Student	Student Affairs	Student Affairs	Student Handbook
	Staff or Guest	Student Affairs Human Resources	Human Resources	Employee Guide
	Faculty member	Student Affairs Academic Affairs Human Resources	Vice President for Academic Affairs and Dean of the Faculty	Academic Handbook
Staff or Guest	Student	Human Resources Student Affairs	Student Affairs	Student Handbook
	Staff or Guest	Human Resources	Human Resources	Employee Guide
	Faculty member	Human Resources Academic Affairs	Vice President for Academic Affairs and Dean of the Faculty	Academic Handbook
Faculty	Student	Academic Affairs Student Affairs Human Resources	Student Affairs	Student Handbook
	Staff or Guest	Academic Affairs Human Resources	Human Resources	Employee Guide
	Faculty member	Academic Affairs Human Resources	Vice President for Academic Affairs and Dean of the Faculty	Academic Handbook

The President and Director of Human Resources will be responsible for investigating complaints and determining the need and degree of administrative action for complaints against a Vice President of the University.

Violations of this policy will not be tolerated and will result in appropriate disciplinary action, up to and including discharge or dismissal. Please help us maintain a comfortable learning and work environment free from inappropriate and offensive conduct.

(endorsed in principle by the faculty in March 1999; established as University policy April 1999; revised August 2003)

### **Emergency Procedures**

A comprehensive listing of Emergency Procedures in regards to the following topics is available on line at <http://www.depauw.edu/student/safety/emergencyprocedures.asp>

- Harassment, Threats and Violence on campus
- Pandemic Emergencies
- Building Evacuations
- Shelter in Place
- Bomb Threats
- Medical Emergencies
- Tornado
- Fire
- Earthquake
- Explosions
- Hazardous Material Spill/Release
- Utility Failure
- Emergency Planning Guide

*Contact the University Public Safety Office at (765)658-4261 or by e-mail [police@depauw.edu](mailto:police@depauw.edu) to obtain a printed copy of this report.*

*The university publishes and distributes this report or the notice of the existence of this report on a yearly basis to faculty, staff, students, and prospective students and employees in compliance with the Jeanne Clery Act, as a part of the Higher Education Act of 1965.*