

**KETTERING COLLEGE**  
**ANNUAL SECURITY AND FIRE SAFETY REPORT**  
**2016**



# The Kettering College Security and Fire Safety Report

October 1, 2016

The information contained in this Kettering College Safety, Security, and Fire Safety Report is provided to members of the campus community in compliance with the Jeanne Cleary Disclosure of Campus Security Policy and Crime Statistics Act. The information includes the College's safety and security procedures including how and to whom crimes should be reported, how and when emergency warnings are issued, and training programs related to safety, security and the prevention of various kinds of crimes. The Kettering Medical Center Security Department also gathers statistical crime data from its own records and from the information provided by the Office of the Dean for Enrollment and Student Life, and other designated Campus Security Authorities. Additionally, upon request, the Kettering Police Department, the Montgomery County Sheriff's Department, and other law enforcement agencies provide annual statistics from the required geographical areas to the college. This statistical information is also in the report. The Director of Student Life compiles the statistics and writes the college's report, and as required by law, submits this information on an annual basis to the US Department of Education, Office of Postsecondary Education.

Kettering College  
Director of Student Life  
3737 Southern Blvd.  
Kettering, OH 45429  
937-395-8601

Emergency phone numbers

Emergency (police, fire, ambulance) – 911

KMC Security - 937-298-3399, ext. 55095. On campus, dial 55095.

Kettering Police Department (non-emergency) – 937-296-2555

Kettering Counseling Care Center - 937-384-6920

The National Domestic Violence Hotline - 1-800-799-SAFE (1-800-799-7233)

Kettering College Campus Chaplain – Steve Carlson – 937- 395 – 8601 , ext. 57093

Suicide Prevention Hotline – 1-800-273-TALK (1-800-273-8255)

## **Kettering Medical Center Security Department**

The Kettering Medical Center Security Department provides for the security, safety, crime prevention, fire safety, and premise access on the Kettering College campus 24 hours a day, seven days a week. The Security Department works closely and cooperatively with federal, state, and local law enforcement agencies on problems of mutual concern. Criminal arrests made on campus are handled by the Kettering Police Department with assistance from KMC Security. There is no written memorandum of understanding between KMC Security and the Kettering Police Department. KMC Security also assists the Montgomery County District Attorney's Office, who possesses the legal authority to prosecute. All arrests that occur on campus are reported to the Chief of Security, who will notify other college personnel as needed. KMC Security is located next to the Kettering Medical Center Emergency Department. The phone number is 937-298-3399, extension 55095. On campus, one may dial 55095.

## **Policy Statement Addressing Campus Law Enforcement**

Kettering Medical Center Security officers have the authority to ask persons for identification and to determine whether individuals have lawful business at Kettering College. Security officers do not possess arrest power. Criminal incidents are investigated with the cooperation of local law enforcement agencies. KMC Security maintains a highly professional working relationship with the Kettering Police Department, Montgomery County Sheriff's Department, and all other agencies that have jurisdiction in or around the campus. KMC Security welcomes the presence of any law enforcement agency on campus at any time. All crime victims and witnesses are strongly encouraged to promptly and accurately report the crime to KMC Security, who will report it to appropriate local law enforcement agencies, or to report the crime directly to local law enforcement. Other campus security authorities to whom crimes can be reported are identified in a later section of this report. Prompt reporting will assure timely warning notices on campus and timely disclosure of crime statistics. KMC Security officers have the authority to issue parking citations, which are billed to the financial accounts of students and employees.

The College has no officially recognized student organizations with off-campus locations.

## **Alcohol and Drug Use**

An alcohol- and drug-free lifestyle is fundamental to Kettering College's safe and healthful education environment. Manufacturing, distributing, possessing, and using alcohol and illicit drugs are strictly prohibited. Serving alcohol is forbidden at any college function. The Dean for Enrollment and Student Life and Residence Hall directors, or other school administrators or program directors, may require a chemical screening when evidence or a reasonable suspicion of alcohol or drug use exists. Illicit drugs include substances such as opium derivatives, hallucinogens (e.g., marijuana, mescaline, peyote, LSD, psilocybin), cocaine, amphetamines, codeine, heroin, methamphetamines, morphine, and other drugs prohibited by law. Lawfully prescribed drugs being taken under a physician's directions are permitted.

Abuse of prescribed drugs will be considered the same as abuse of illicit drugs. Violations constitute grounds for disciplinary action, and violators are subject to all federal, state, and local laws related to alcohol and drug use, including underage drinking. It is illegal in the State of Ohio for a person under 21 to purchase, possess, or consume alcohol. The College enforces state underage drinking laws and federal and state drug laws.

According to the Ohio Revised Code (Section 2925.11), any individuals who knowingly make, obtain, possess, use, or sell controlled substances are subject to legal penalties. In addition, as a result of the Anti-Drug Abuse Act of 1988, a court of law may suspend or terminate an individual's eligibility for federal benefits, including student financial assistance, if that individual is convicted of certain drug offenses.

Students suspected of being under the influence of alcohol or drugs during classes, laboratories, clinical rotations, or other educational experiences are subject to substance abuse testing. Further information on Kettering College's drug and alcohol policy is available in the [Student Handbook](#). It contains a full statement of the College's policy on drugs and alcohol, describes the sanctions the College may impose for violations of that policy, describes the sanctions for violating the various local, state and federal drug and alcohol laws, describes the health risks associated with drug and alcohol abuse, and describes the resources for those with a substance abuse problem. It also provides information on the College's biennial review of its alcohol and drug abuse education program.

### **Sex Offender Information**

A current registry of sex offenders in Montgomery County can be found at:

<http://www.icrimewatch.net/index.php?AgencyID=55170&disc>

### **Policy, Procedures and Programs Related to Various Sex-Related Offenses and Dating Violence, Domestic Violence, Sexual Assault and Stalking**

Consistent with the requirements of Title IX of the Education Amendments of 1972, the Clery Act, and the Violence Against Women Act ("VAWA"), the College prohibits discrimination based on sex in its educational programs and activities, including sexual harassment and sexual violence, and acts of domestic violence, dating violence, sexual assault and stalking. The College also prohibits any retaliation, intimidation, threats, coercion or any other discrimination against any individuals exercising their rights or responsibilities under the laws listed above or its policies implementing them. A full statement of the College's policy and the procedures for filing, investigating and resolving complaints of this nature may be found at [this link](#).

The following discusses the College's educational programs to promote the awareness and prevention of dating violence, domestic violence, sexual assault and stalking; provides information concerning procedures students and employees should follow and of services available in the event they do become

a victim, and advises students and employees of the disciplinary procedures that will be followed after an allegation that one of these offenses has occurred.

### Primary Prevention and Awareness Program

Kettering conducts a Primary Prevention and Awareness Program (PPAP) for all incoming and new employees. In it they are specifically advised that the College prohibits the offenses of dating violence, domestic violence, sexual assault and stalking. In that regard, they are informed of the following definitions apply within the state of Ohio:

- **Consent:** “Consent” means words or overt acts indicating a freely given agreement to the sexual conduct at issue by a competent person. Section 5924.120(A)(3) of the Ohio Revised Code.
- **Domestic Violence:** A person is guilty of domestic violence if he or she has violated any of the following provisions:
  - A) No person shall knowingly cause or attempt to cause physical harm to a family or household member.
  - B) No person shall recklessly cause serious physical harm to a family or household member.
  - C) No person, by threat of force, shall knowingly cause a family or household member to believe that the offender will cause imminent physical harm to the family or household member.

“Family or household member” means any of the following:

(a) Any of the following who is residing with or has resided with the offender:

- (i) A spouse, a person living as a spouse, or a former spouse of the offender;
- (ii) A parent, foster parent, or a child of the offender, or another person related by consanguinity or affinity to the offender;
- (iii) 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 occurrence of the act in question.

See Section 2919.25 of the Ohio Revised Code.

- Stalking is referred to in the Ohio Revised Code as “Menacing by Stalking.” It is defined as follows:
  - (A) (1) No person by engaging in a pattern of conduct shall knowingly cause another person to believe that the offender will cause physical harm to the other person or cause mental distress to the other person.
  - (2) No person, 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)(1) of this section.
  - (3) No person, with sexual motivation, shall violate division (A)(1) or (2) of this section
  - (D) As used in this section:
    - (1) “Pattern of conduct” means two or more actions or incidents closely related in time, whether or not there has been a prior conviction based on any of those actions or incidents. Actions or incidents that prevent, obstruct, or delay the performance by a public official, firefighter, rescuer, emergency medical services person, or emergency facility person of any authorized act within the public official's, firefighter's, rescuer's, emergency medical services person's, or emergency facility person's official capacity, or the posting of messages or receipt of information or data through the use of an electronic method of remotely transferring information, including, but not limited to, a computer, computer network, computer program, computer system, or telecommunications device, may constitute a "pattern of conduct."
    - (2) “Mental distress” means any of the following: (a) any mental illness or condition that involves some temporary substantial incapacity; (b) any mental illness or condition that would normally require psychiatric treatment, psychological treatment, or other mental health services, whether or not any person requested or received psychiatric treatment, psychological treatment, or other mental health services...
    - (7) “Post a message” means transferring, sending, posting, publishing, disseminating, or otherwise communicating, or attempting to transfer, send, post, publish, disseminate, or otherwise communicate, any message or information, whether truthful or untruthful, about an individual, and whether done under one's own name, under the name of another, or while impersonating another.

See Section 2903.211 of the Ohio Revised Code.

- Based on good-faith research, “dating violence” is not separately defined in the Ohio Revised Code. But see the definition in the section on reporting crime statistics.
- Based on good-faith research, “sexual assault” is not separately defined in the Ohio Revised Code.

For purposes of the Clery Act, the term “sexual assault” includes the offenses of rape, fondling, incest, and statutory rape. These definitions under Ohio law are as follows:

- Rape (Ohio Revised Code §2907.02 (A)):

- 1) No person shall engage in sexual conduct with another who is not the spouse of the offender or who is the spouse of the offender but is living separate and apart from the offender, when any of the following applies:
  - a) For the purpose of preventing resistance, the offender substantially impairs the other person's judgment or control by administering any drug, intoxicant, or controlled substance to the other person surreptitiously or by force, threat of force, or deception.
  - b) The other person is less than thirteen years of age, whether or not the offender knows the age of the other person.
  - c) The other person's ability to resist or consent is substantially impaired because of a mental or physical condition or because of advanced age, and the offender knows or has reasonable cause to believe that the other person's ability to resist or consent is substantially impaired because of a mental or physical condition or because of advanced age.
- 2) No person shall engage in sexual conduct with another when the offender purposely compels the other person to submit by force or threat of force.

- Fondling: The institution has determined, based on good-faith research, that Ohio law does not define the term fondling.
- Incest: The institution has determined, based on good-faith research, that Ohio law does not define the term incest.
- Statutory Rape: The institution has determined, based on good-faith research, that Ohio law does not define the term statutory rape.

Other crimes under Ohio law that may be classified as a "sexual assault" include the following:

- Sexual Battery (Ohio Revised Code § 2907.03(A)): No person shall engage in sexual conduct with another, not the spouse of the offender, when any of the following apply:
  - 1) The offender knowingly coerces the other person to submit by any means that would prevent resistance by a person of ordinary resolution.
  - 2) 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.
  - 3) The offender knows that the other person submits because the other person is unaware that the act is being committed.
  - 4) The offender knows that the other person submits because the other person mistakenly identifies the offender as the other person's spouse.

- 5) The offender is the other person's natural or adoptive parent, or a stepparent, or guardian, custodian, or person in loco parentis of the other person.
  - 6) 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.
  - 7) The offender is a teacher, administrator, coach, or other person in authority employed by or serving in a school for which the state board of education prescribes minimum standards pursuant to division (D) of section 3301.07 of the Revised Code, the other person is enrolled in or attends that school, and the offender is not enrolled in and does not attend that school.
  - 8) 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.
  - 9) The other person is a minor, and the offender is the other person's athletic or other type of coach, is the other person's instructor, is the leader of a scouting troop of which the other person is a member, or is a person with temporary or occasional disciplinary control over the other person.
  - 10) 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.
  - 11) The other person is confined in a detention facility, and the offender is an employee of that detention facility.
  - 12) 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.
  - 13) 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 Minor (Ohio Revised Code § 29.0704(A)): No person who is eighteen years of age or older shall engage in sexual conduct with another, who is not the spouse of the offender, when the offender knows the other person is thirteen years of age or older but less than sixteen years of age, or the offender is reckless in that regard.
  - Gross Sexual Imposition (Ohio Revised Code § 2907.05):
    - A) No person shall have sexual contact with another, not the spouse of the offender; cause another, not the spouse of the offender, to have sexual contact with the offender; or cause two or more other persons to have sexual contact when any of the following applies:



- 1) The offender purposely compels the other person, or one of the other persons, to submit by force or threat of force.
- 2) 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.
- 3) 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.
- 4) 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.
- 5) The ability of the other person to resist or consent or the ability of one of the other persons to resist or consent is substantially impaired because of a mental or physical condition or because of advanced age, and the offender knows or has reasonable cause to believe that the ability to resist or consent of the other person or of one of the other persons is substantially impaired because of a mental or physical condition or because of advanced age.

B) No person shall knowingly touch the genitalia of another, when the touching is not through clothing, the other person is less than twelve years of age, whether or not the offender knows the age of that person, and the touching is done with an intent to abuse, humiliate, harass, degrade, or arouse or gratify the sexual desire of any person.

- Sexual Imposition (Ohio Revised Code § 2907.06(A)): No person shall have sexual contact with another, not the spouse of the offender; cause another, not the spouse of the offender, to have sexual contact with the offender; or cause two or more other persons to have sexual contact when any of the following applies:
  - 1) The offender knows that the sexual contact is offensive to the other person, or one of the other persons, or is reckless in that regard.
  - 2) The offender knows that the other person's, or one of the other person's, ability to appraise the nature of or control the offender's or touching person's conduct is substantially impaired.
  - 3) The offender knows that the other person, or one of the other persons, submits because of being unaware of the sexual contact.
  - 4) The other person, or one of the other persons, is thirteen years of age or older but less than sixteen years of age, whether or not the offender knows the age of such person, and the offender is at least eighteen years of age and four or more years older than such other person.

- 5) The offender is a mental health professional, the other person or one of the other persons is a mental health client or patient of the offender, and the offender induces the other person who is the client or patient to submit by falsely representing to the other person who is the client or patient that the sexual contact is necessary for mental health treatment purposes.

The PPAP includes instruction on how to avoid becoming a victim, the warning signs of abusive behavior, and safe and positive options for bystander intervention. An understanding of this information will help mitigate the likelihood of perpetration, victimization or bystander inaction. Specifically they are advised:

#### **Information on Risk Reduction**

- If you find yourself in an uncomfortable sexual situation, these suggestions may help you reduce your risk:
  - Make your limits known before going too far.
  - You can withdraw consent to sexual activity at any time. Do not be afraid to tell a sexual aggressor “NO” clearly and loudly.
  - Try to remove yourself from the physical presence of a sexual aggressor. Be direct as possible about wanting to leave the environment.
  - Grab someone nearby and ask them for help.
  - Be responsible about your alcohol and/or drug use. Alcohol and drugs can lower your sexual inhibitions and may make you vulnerable to someone who views an intoxicated/high person as a sexual opportunity.
  - Attend large parties with friends you trust. Watch out for your friends and ask that they watch out for you.
  - Be aware of someone trying to slip you an incapacitating “rape drug” like Rohypnol or GHB.
  - It is also important to be aware of the warning signs of an abusive person. Some examples include: past abuse; threats of violence or abuse; breaking objects ; using force during an argument; jealousy; controlling behavior; quick involvement; unrealistic expectations; isolation; blames others for problems; hypersensitive; cruelty to animals or children; “playful” use of force during sex; Jekyll-and-Hyde personality.
- If you find yourself in the position of being the initiator of sexual behavior, these suggestions may help you to reduce your risk of being accused of sexual assault or another sexual crime:
  - Remember that you owe sexual respect to the other person.
  - Don’t make assumptions about the other person’s consent or about how far they are willing to go.
  - Remember that consent to one form of sexual activity does not necessarily imply consent to another form of sexual behavior.
  - If your partner expresses a withdrawal of consent, stop immediately.
  - Clearly communicate your sexual intentions so that the other person has a chance to clearly tell you their intentions.
  - Consider “mixed messages” a clear sign that the other person is uncomfortable with the situation and may not be ready to progress sexually.

- Don't take advantage of someone who is really drunk or on drugs, even if they knowingly and intentionally put themselves in that state. Further, don't be afraid to step in if you see someone else trying to take advantage of a nearly incapacitated person.
- Be aware of the signs of incapacitation, such as slurred speech, bloodshot eyes, vomiting, unusual behavior, passing out, staggering, etc.
- It is also important to be aware of the warning signs of an abusive person. Some examples include: past abuse; threats of violence or abuse; breaking objects; using force during an argument; jealousy; controlling behavior; quick involvement; unrealistic expectations; isolation; blames others for problems; hypersensitivity; cruelty to animals or children; "playful" use of force during sex; Jekyll-and-Hyde personality.

### **Signs of Abusive Behavior**

It is also important to be aware of the warning signs of an abusive person. Some examples include: past abuse; threats of violence or abuse; breaking objects; using force during an argument; jealousy; controlling behavior; quick involvement; unrealistic expectations; isolation; blames others for problems; hypersensitivity; cruelty to animals or children; "playful" use of force during sex; Jekyll-and-Hyde personality

### **Bystander Intervention**

Individuals are encouraged to take safe and positive steps to prevent harm or intervene when there is a risk of sexual misconduct against another person. This includes reporting such incidents to appropriate authorities. Other steps that can be taken include:

- Look out for those around you.
- Realize that it is important to intervene to help others.
- Treat everyone respectfully. Do not be hostile or antagonist.
- Be confident when intervening.
- Recruit help from others if necessary.
- Be honest and direct.
- Keep yourself safe.
- If things get out of hand, don't hesitate to contact the police.

The College's PPAP program also provides information on possible sanctions and protective measures that may be imposed following a determination that an offense of dating violence, domestic violence, sexual assault, or stalking has occurred, an explanation of the disciplinary procedures that will be followed when one of these offenses is alleged, the rights of the parties in that proceeding, available resources, etc. Some of this information is set forth in the forthcoming sections of this report.

### **Ongoing Prevention and Awareness Campaign**

The College also conducts an Ongoing Prevention and Awareness Campaign (OPAC) aimed at all students and employees. This campaign covers the same material as provided in the PPAP, but is aimed

at increasing the understanding of students and employees on these topics and improving their skills for addressing the offenses of dating violence, domestic violence, sexual assault, and stalking.

The OPAC is carried out through essentially the same means as the PPAP, using a range of strategies with a variety of audiences throughout the College.

### **Sexual Misconduct Prevention and Awareness Educational Programming Methods**

Primary prevention and awareness. Faculty and staff participated in live primary prevention and awareness training in August 2015. Kettering College is implementing comprehensive, interactive online primary prevention and awareness training for students. The College's primary prevention and awareness programs cover a range of topics, including discussion of: institutional and criminal prohibitions on sex discrimination, sexual harassment, sexual violence, domestic violence, dating violence, and stalking as well as related retaliation; definitions of terms related to elements of these types of sexual misconduct; risk reduction (bystander intervention and healthy behaviors); procedures for victims; confidentiality and notifications; disciplinary procedures, and ongoing programming.

Ongoing awareness campaign. The College has circulated its revised sexual misconduct policy and procedures. It sponsors events and offers educational information surrounding topics related to issues surrounding sexual misconduct, including those topics addressed in primary prevention and awareness trainings. The College is reaching out to local law enforcement to engage in additional programming. The College continues to create programming to address these issues tailored to the needs of its students, employees, communities and mission.

### **Restraining Orders**

Any student or employee who has a restraining order, order of protection, no contact order or any other such order issued by a civil, criminal or tribal court against another individual (whether or not that individual is also a student or employee of the College) is highly encouraged to notify a campus security authority of the threat and to provide a copy of the restraining order so that it is kept on file with KMC Security and can be enforced, if necessary.

### **Procedures to Follow if You are a Victim of Dating Violence, Domestic Violence, Sexual Assault, or Stalking**

If you are a victim of a sexual assault, dating violence, domestic violence, or stalking, go to a safe place and call 911 or KMC Security. You can also contact the College's Title IX Coordinator, Amy Ortiz-Moretta at (927) 395-8493. Victims will be notified in writing of the procedures to follow, including:

1. To whom and how the alleged offense should be reported. These include the various campus security authorities identified in this report. In addition, others to whom the offense could be reported include Kettering Counseling Care Center at (937) 384-6920.
2. The importance of preserving evidence that may be necessary to prove the offense in a criminal proceeding or disciplinary action or to obtain a protective order. Victims will be provided information on where a forensic examination can be obtained. Such an examination can be obtained at Kettering Medical Center. Completing a forensic examination does not require someone to file a police report but having it will help preserve evidence in case the victim decides at a later date to pursue criminal charges. Therefore, victims should follow these guidelines:
  - Do not destroy or remove clothing items worn during or following such an incident, as they frequently contain valuable fiber, hair, and fluid evidence.
  - Do not bathe, shower, or wash, or otherwise clean the environment where the incident occurred. It is understandable that you may want to clean up but doing so will likely destroy important evidence.
  - Options for pressing charges can be deferred; you can go to the local hospital emergency room and ask for an exam and for evidence of the incident to be collected and sealed

Also, victims of stalking should preserve evidence of the crime to the extent possible. Such evidence is more likely to be in the form of photos, electronic communications, letters, etc.

3. The victim's options regarding notification of law enforcement, which are:
  - The option to notify either on-campus or local police;
  - The option to be assisted by College officials in notifying law enforcement if the victim so chooses; and
  - The option to decline to notify such authorities.
4. Where applicable, the rights of victims and the College's responsibilities regarding orders of protection, no-contact orders, restraining orders, or similar lawful orders issued by a criminal, civil, or tribal court. These lawful orders may be obtain through the Kettering Municipal court. The contact number is (937) 296-2461.

### Available Victim Services

Victims will be provided written notification about existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available to them, both within the College and in the surrounding community. Those services include:

#### **Montgomery County Victim Witness**

Montgomery County Prosecutor's Office

937-225-5623

#### **Kettering Medical Center**

3535 Southern Boulevard,

Kettering, OH

937-298-4331

**Artemis Center**

310 West Monument Avenue

937-461-5091

**Womanline of Dayton**

4617 Presidential Way

Kettering OH 45429

Phone: (937) 223-3446

**Ohio Alliance to End Sexual Violence**

888-886-8388

**National Domestic Violence Hotline**

800-799-7233

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

<http://www.rainn.org> – Rape, Abuse and Incest National Network

<http://www.ovw.usdoj.gov/sexassault.htm> - Department of Justice

<http://www2.ed.gov/about/offices/list/ocr/index.html> Department of Education, Office of Civil Rights

<http://www.NotAlone.gov>

The Montgomery County Prosecutor’s Victim/Witness Division has trained advocates available to assist victims of sexual violence. Many victims are unsure about who to tell and may be struggling with medical and legal decisions. Students may contact the 24-hour sexual assault crisis line (937-225-5623) anonymously to discuss any matters related to sexual violence. Advocates can provide crisis intervention, support during the forensic medical exam, information regarding

the criminal justice system, and other supportive services and referrals.

### Requesting Accommodations and Protective Measures

The College will provide written notification to victims about options for, and available assistance in, changing academic, living, transportation, and working situations, to the extent the College has control over those environments, and how to request protective measures (such as a “no contact” order or a change in classroom or workplace assignments). If victims request these accommodations and they are reasonably available they will be provided, regardless of whether the victim chooses to report the crime to campus security or local law enforcement. Amy Ortiz-Moretta is the official responsible for making decisions regarding accommodations and protective measures. Factors that will be considered include, but are not limited to the following: the specific need expressed by the complainant; the age of the parties involved; the severity or pervasiveness of the allegations; any continuing effects on the complainant; whether the complainant the alleged perpetrator share common College facilities; and whether other judicial measures have been taken to protect the complainant.

The College will maintain as confidential any accommodations or protective measures provided a victim to the extent that maintaining confidentiality would not impair the College’s ability to provide them. If the College believes it is necessary to disclose personal information in order to provide an accommodation, it will attempt to advise the victim before making the disclosure of the information to be disclosed, to whom it will be disclosed and the reason for the disclosure.

To request an accommodation described above or any other protective measure, the victim should contact the Title IX Coordinator, Amy Ortiz-Moretta ex. 58493.

### Procedures for Disciplinary Action Related to Dating Violence, Domestic Violence, Sexual Assault and Stalking

Allegations of dating violence, domestic violence, sexual assault, and stalking will be processed through the College’s Sexual Misconduct Policy and Complaint Resolution Procedures, available at [this link](#).

The College’s Sexual Misconduct Policy and Complaint Resolution Procedures are utilized whenever a complaint of one of the offenses listed above is made, regardless of the status of the complainant and respondent. The complaint resolution procedures are invoked once a complaint is made to the Title IX Coordinator or otherwise brought to the attention of the Title IX Coordinator, and all College employees (except designated confidential resources) have a duty to report such incidents when they become aware of them. Once a complaint is made, the Title IX Coordinator, or other designated investigator(s), will commence an investigation as soon as practicable but not later than seven (7) days after the complaint is made. During the investigation, the complainant and respondent will each have an equal opportunity to describe the situation and present witnesses and other supporting evidence. The investigator(s) may also interview others and collect other relevant evidence. Upon completion of the

investigation, the investigator(s) will make a decision and issue a written report to the complainant and respondent with findings and, if necessary, attach an addendum with sanctions and remedial measures that will be implemented. The College strives to complete investigations of this nature within sixty (60) calendar days.

Both parties have an equal opportunity to appeal decisions of the investigator(s) to an Appellate Officer. For faculty/staff appeals, the Appellate Officer is the President. For student appeals, the Appellate Officer is the Dean for Enrollment Management. Appeals must be filed within ten (10) days of receipt of the written report determining the outcome of the complaint. The non-appealing party will be notified when an appeal is made. The appropriate Appellate Officer will resolve the appeal within fifteen (15) days of receiving it and may take any and all actions that he/she determines to be in the interest of a fair and just decision. Decisions of an Appellate Officer are final.

Under the procedures described above, both the victim and the individual accused of the offense are entitled to:

- A prompt, fair and impartial investigation and resolution.
- Written notice of any extension of timeframes in the proceedings and the reason for it, which will only be for good cause.
- Proceedings conducted by officials who do not have a conflict of interest or bias for or against either the accused or the accuser and who at a minimum receive annual training on the issues related to domestic violence, dating violence, sexual assault and stalking and on how to conduct an investigation and hearing that protects the safety of victims and promotes accountability. Examples of such training include how to question witnesses and weigh evidence, procedures to be followed and how to avoid conflicts and the appearance of conflicts of interest.
- Timely access to information that will be used after the fact-finding investigation but during informal and formal disciplinary meetings and hearings.
- Timely notice of meetings at which one or the other of the parties or both may be present.
- The same opportunities to have others present during any disciplinary hearing, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice. The College may not limit the choice of advisor, but may establish limits regarding the extent to which that advisor may participate in the proceeding, as long as those limits apply equally to both parties.
- Have the outcome determined using a preponderance-of-the-evidence standard based on the totality of the evidence presented.
- Simultaneous, written notification of the results of the proceeding, any procedures for either party to appeal the result, any change to the result and when the result becomes final. For this purpose, "result" means "any initial, interim and final decision by an official or entity authorized to resolve disciplinary matters" and must include the rationale for reaching the result and any sanctions imposed.

Possible Sanctions or Protective Measures that the College May Impose for Domestic Violence, Dating Violence, Sexual Assault or Stalking Offenses



Following a final determination in the College's disciplinary proceeding that dating violence, domestic violence, sexual assault, or stalking has been committed, the College may impose a penalty depending on the mitigating and aggravating circumstances involved. Possible sanctions include: assessment of financial penalties, suspension, probation or termination/expulsion.

In addition, the College can make available to the victim a range of protective orders. They can include such things as forbidding the accused from entering the victim's residence and from communicating with the victim.

### Publicly Available Recordkeeping

The College will complete any publicly available recordkeeping, including Clery Act reporting and disclosures, without the inclusion of personally identifying information about victims of dating violence, domestic violence, sexual assault, and stalking who make reports of such to the College.

### Victims to Receive Written Notification of Rights

When a student or employee reports to the College that he or she has been a victim of dating violence, domestic violence, sexual assault, or stalking, and whether the offense occurred on or off campus, the College will provide the student or employee a written explanation of his or her rights and options as described in the paragraphs above, including available resources, protective measures, and a description of the College's policies and procedures for addressing complaints of this nature.

## **SERVICES**

### **Timely Warnings**

In the event a crime occurs, either on campus or off, that, in the judgment of the Chief of Security, constitutes a serious or continuing threat to the community, a campus-wide "timely warning" will be issued. The warning may be issued through the most appropriate means including WENS (Wireless Electronic Notification System, the campus text alert system), by use of the fire alarm system, notices on the college's website ([www.kc.edu](http://www.kc.edu)), social media, notification to residential living areas, and notification to college departments. Anyone with information that would warrant issuing a timely warning should contact Security. The College has communicated with local law enforcement asking its cooperation in advising the College of any crimes that would warrant issuing a timely warning.

### **Campus Security Authorities**

The federal law known as the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act) mandates "Campus Security Authorities" to report campus statistics.

“Campus Security Authorities,” as defined by the Clery Act, include security officers, deans (or other senior student administrative personnel), coaches; residence hall staff; overseers and advisors to student clubs and organizations; and other campus officials who have “significant responsibility for student and campus activities.” These include student housing, student discipline, and campus appeal personnel. *Professional and pastoral counselors are exempt from the reporting requirements only while working within the scope of a license or certification.* Professional counselors are encouraged, if and when they deem it appropriate, to inform persons being counseled of the procedures to report crimes on a voluntary and confidential basis for inclusion into the annual crime statistics.

The Kettering College Campus Authorities include:

**KMC Security** - 937-298-3399, ext. 55095. On campus, dial 55095.

**Victor Brown** – Dean for Enrollment Management and Student Affairs – 937-395-8601 ext.57653

Cell 937-241-8939

**Amy Ortiz-Moretta** – Assistant Professor/Title IX Coordinator – 937-395-8493

**Sarah Bayer** – Director of Residence Hall – 937-395-8601 ext.55665

**Kris Harter** – Director of Student Life – 937-395-8601 ext.55601

The intent of including non-law enforcement personnel as Campus Security Authorities is to acknowledge that many people, and students in particular, may be hesitant about reporting crime to police, but may be more inclined to report incidents to other campus affiliated individuals.

Kettering College makes a written request for statistical information on an annual basis to all college deans, directors, department heads, and other campus officials who have “significant responsibility for student and campus activities.”

### **Annual Security Report Request**

#### **Crime Statistics**

Crime statistics are available through any of the following:

By Mail:           Kettering College  
                          Public Relations Officer  
                          3737 Southern Blvd.  
                          Kettering, OH 45429

By Internet:      [www.kc.edu/campussecurity](http://www.kc.edu/campussecurity)

#### **Daily Crime Log**

KMC Security maintains a Daily Crime Log that records, by the date the incident was reported, all crimes and other serious incidents that occur on campus, in a noncampus student housing building, on public property, or within the department's patrol jurisdiction. The Daily Crime Log is available for public inspection at the department's office. The Daily Crime Log includes the nature, date, time, and general location of each crime reported to the department, as well as the disposition of the complaint, if this information is known at the time the log is created.

KMC Security posts specific incidents in the Daily Crime Log within two business days of receiving a report of an incident and reserves the right to exclude reports from the log if the release of this information would jeopardize an ongoing criminal investigation or the safety of an individual, cause the suspect to flee or evade detection, or result in the destruction of evidence.

## **Reporting Crime and Suspicious Activity**

### **Reporting Crime**

All students, employees and visitors at Kettering College are encouraged to report all crimes and public safety related incidents to KMC Security in a timely manner, or to one of the campus security authorities identified above. If **immediate** police, fire, or medical response is needed, dial 911 from any phone. For **non-emergency** incidents on campus, dial Security at 937-298-3399, ext. 55095, or dial 55095 from any campus phone.

If you are the victim of a crime and do not want to pursue action with KMC Security or the criminal justice system, you may still want to consider making a confidential report. With your permission, the Chief or a designee of KMC Security can file a report on the details of the incident without revealing your identity. The purpose of a confidential report is to comply with your wish to keep the matter confidential, while taking steps to ensure the future safety of yourself and others. With such information, the College can keep an accurate record of the number of incidents involving students, determine where there is a pattern of crime with regard to a particular location, method, or assailant, and alert the campus community to potential danger. Reports filed in this manner are counted and disclosed in the annual crimes statistics for the institution.

Kettering College will, upon written request, disclose to the alleged victim of a crime of violence, or a non-forcible sex offense, the results of any disciplinary hearing conducted by the college against the student who is the alleged perpetrator of the crime or offense. If the alleged victim is deceased as a result of the crime or offense, Kettering College will provide the results of the disciplinary hearing to the victim's next of kin, if so requested.

The above paragraph does not apply to victims of dating violence, domestic violence, sexual assault or stalking because under the Violence Against Women Act both the accused and the accuser in these cases are given the results without the need to make a written request.

### **Peeping Toms**

- Contact KMC Security, or Residence Hall Directors, immediately.

- You should not yell at or try to detain the offender. He/she may panic and react in an unpredictable manner.
- If the offender runs away, note their description and direction of travel. If there is a place from which you can observe **safely**, watch to see if the offender gets into a car, goes to another building, etc. Try to get a good description of the person.

## **Security and Access to and Maintenance of Buildings and Facilities**

The front desk, adjacent to Kettering College's front entrance, is staffed during posted hours. During the hours that the front desk is staffed, the receptionist serves as a general resource to students, visitors, faculty, and staff. Audible alarms that can be reset only by KMC Security are activated during certain hours on the security doors that provide access to Kettering College. A security check is performed each evening to assure that ground-level doors and windows are locked. The outside area of the College is patrolled 24 hours a day by KMC security.

Residence Hall students returning after the doors are secured can gain access to the college only through the front entrance or the tunnel entrance. Both entrances are monitored with video cameras by KMC Security. Entrance will only be granted to individuals who can verify that they are Residence Hall students.

Security of all student residents is a responsibility shared by staff and the students who reside in the Residence Hall. Access doors are locked each evening at 9:00. Residents gain access by use of the Kettering College ID badge. Guests are required to check in with the dormitory staff. At 9:00, the front doors of the college are locked, as are the doors in the tunnel from the cafeteria. After this time, doors must not be propped open. Residents should stop and question any stranger in the building (e.g., "Who are you here to see?") and notify Residence Hall staff and KMC Security immediately of any suspicious activity. All security and lock issues should be reported the Residence Hall staff as soon as the issues are discovered. Anyone who loses their ID badge should immediately report it to the front desk attendant, who will replace it at a small charge. Plant Engineering staff may access the Residence Hall in the event of an emergency. All Plant Engineering workers should have ID badges visible.

The off-campus residence on Big Hill Road is secured by locks on all doors. All residents have keys, and are instructed to keep doors locked at all times. KMC Security has keys to these doors as well. Security at this location is enhanced by bright lighting on the exterior of the building.

Kettering College has no student organizations with off-campus housing.

Maintenance issues that have an impact on security are monitored by KMC Security, KMC Plant Engineering, and Kettering College Facilities Management. KMC Security checks locks on all access doors each evening. All three of these entities check exterior lights, stairwell lights, and other security-related areas during regular rounds.

## **Weapons**

On April 7, 2004, Ohio's concealed carry law took effect. The law allows for private businesses to prohibit firearms on their property.

All students, employees, visitors, patients, physicians, volunteers, contract employees, and others should know that firearms and dangerous weapons of any kind are prohibited on Kettering Health Network properties. Any person seen with a firearm, dangerous weapon, or weapon-like item will be asked to leave the premises. Students and employees are subject to discipline if they are found with such items. Only KMC Security officers and on-duty police officers are permitted to carry firearms on the premises. Report any violations of this policy to KMC Security.

## **Personal Safety and Protection**

### **Safety & Security Education**

KMC Security provides safety and security information at college orientation each semester. This may be a presentation by a security officer, or may be done through a video presentation. Additional information is given to Residence Hall residents at Residence Hall orientation. These presentations cover the role of KMC Security, the services the department provides, and how to contact them. They also present information on personal safety for one's self and belongings. In addition, students and employees are advised to watch for one another's security.

In addition to these presentations, Resident Hall monthly newsletters will often have safety/security tips for residents.

Beyond these orientation sessions, the college does not regularly present programs regarding the prevention of crime. KMC Security may schedule such programs if needed.

### **Emergency Notification System**

**What is the Emergency Notification System?** Kettering College has implemented a system to deliver time-sensitive notifications (descriptive information about news or events), via text messaging to the entire Kettering College student and employee populations soon after an emergency affecting the campus.

**How does it work?** In the event of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees Kettering College administrators or the Administrator On-Call, will confirm that the emergency exists. If the report of the emergency does not come from an official source, the lead administrator will consult with KMC Security or other appropriate College and local officials to confirm the existence of the emergency. Examples include, but are not limited to, an approaching tornado, civil unrest or the outbreak of a highly contagious disease. Upon confirmation of the emergency, the administrator will notify KMC Security to alert KC employees and students, and will instruct the officer as to what information should be included in the notification. In some situations involving security, the administrators may work in conjunction with KMC Security to

determine what action is needed. Employees and students will automatically receive an emergency communication on the phone numbers they registered. The message will include instructions on where to go to get further information. The need to activate the mass notification system will be evaluated on a case-by-case basis, and will be used in conjunction with other emergency resources already in place. The college administrators will work with KMC Security to determine the appropriate segment or segments of the campus community to receive notifications, if event is limited in scope and impact.

Kettering College administration 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 a notification will, in the professional judgment of the administrator, compromise efforts to assist a victim or to contain, respond to or otherwise mitigate the emergency.

Administrators who will make the decisions to begin the notification process can include the College President, the Dean for Academic Affairs, the Dean for Assessment and Learning Support, the Dean for Enrollment and Student Life, and the Chief Business Officer. Others who may serve as Administrators On-Call include the Director of Alumni Relations and Career Services and the Director of Residence Hall and Director of Student Life.

If the administrator determines that communication needs to be sent to the general community, instruction will be given to the Public Relations Officer, who will put notifications on the college's website, on social media, and to local television and radio stations.

The College tests its emergency response and evacuation procedures at least once a year. Also, at various times personnel with emergency management responsibilities will meet to train and test and evaluate the College's emergency response plan. Kettering Medical Center Security maintains a record of these tests and training exercises, including a description of them, the dates and times they were held and an indication of whether they were announced or unannounced. In connection with at least one such test, the College will distribute to its students and employees information to remind them of the College's emergency response and evacuation procedures.

### **Am I automatically signed up?**

**Yes.** All Kettering College students, as well as faculty and staff, are automatically entered into the system, using the contact information the college has for you. It is your responsibility to make sure such contact information is current. Students can update their information through student services. Faculty and staff can do so through the faculty portal. *Please note: your phone must be set up to receive text messages in order for the WENS system to contact you.* Normal text messaging rates apply.

### **Test of Emergency Notification System**

WENS will be tested within the first two weeks of the school year. This test may be announced or unannounced. New students will receive instruction at orientation on how to respond to emergency

notifications. The college's Emergency Plan Coordinator will document each test, including a description of the exercise, the date, time, and whether it was announced or unannounced.

### **Missing Person**

Any report of a missing student, from whatever source, should be immediately reported to KMC Security, or to the Director or Associate Director of Residence Hall, who will then report to KMC Security.

- When a student is reported missing, KMC Security officers will:
  - ❖ Initiate an investigation to determine the validity of the missing person report.
  - ❖ Contact the Dean for Enrollment and Student Life.
  - ❖ Make a determination as to the status of the missing student.
  - ❖ Notify the individual identified by the missing student as the Missing Student Contact, if one has been given, within 24 hours of making the determination that the student is missing. The Missing Student Contact can be in addition to any general emergency contact the student may list. The option of listing a Missing Student Contact will be given to residents at move-in. This contact information will be confidential, and will be accessible only to the Dean for Enrollment and Student Life, the Director and Associate Directors of Residence Hall, and KMC Security. The information may not be disclosed, except to law enforcement personnel in furtherance of a missing person investigation.
  - ❖ If the missing student is under the age of 18 and not emancipated, notify the student's custodial parent or guardian as contained in the records of the college, as well as to any other Missing Student Contact given, within 24 hours of the determination that the student is missing.
  - ❖ Notify the Kettering Police Department within 24 hours after determining that the student is missing, unless it was the Kettering Police Department that made the determination that the resident is missing.
- The Dean for Enrollment and Student Life notifies the Residence Hall directors and college administrators.
- The KMC Chief of Security shall initiate whatever action he deems appropriate under the circumstances in the best interest of the missing student.

### **Crime Statistics**

In compliance with the Federal Jeanne Clery Disclosure of Campus Security and Campus Crime Statistics Act of 1998 (formerly the Crime Awareness and Campus Security Act of 1990), the following pages contain reported crime statistics for the Kettering College campus over the last three calendar years. This report is prepared by the college's Public Relations Officer, from information obtained from KMC Security, other campus security authorities and local law enforcement. KMC Security also maintains a Daily Crime Log. Crime Statistics and the Daily Crime Log are available to the public for viewing during business hours at KMC Security.

The chart shown here is a summary of criminal activity on the Kettering College campus for the years of 2013 - 2015. Individuals desiring further information regarding campus crime statistics may make a request to the KMC Security.

	On – Campus						Non-Campus Building or Property			Public Property		
	13		14		15		13	14	15	13	14	15
REPORTED OFFENSE*	RH	Other	RH	Other	RH	Other						
Murder/Non-negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0
Manslaughter by Negligence	0	0	0	0	0	0	0	0	0	0	0	0
Forcible Sex Offense	0	0	-	-	-	-	0	-	-	0	-	-
Rape	-	-	0	0	0	0	-	0	0	-	0	0
Fondling	-	-	0	0	0	0	-	0	0	-	0	0
Non-Forcible Offense	0	0	-	-	-	-	0	-	-	0	-	-
Statutory Rape	-	-	0	0	0	0	-	0	0	-	0	0
Incest	-	-	0	0	0	0	-	0	0	-	0	0
Dating Violence**	-	-	0	0	0	0	-	0	0	-	0	0
Domestic Violence**	-	-	0	0	0	0	-	0	0	-	0	0
Stalking**	-	-	0	0	0	0	-	0	0	-	0	0
Robbery	0	0	0	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0	0	0	0
Liquor Law Violations: Arrests	0	0	0	0	0	0	0	0	0	0	0	0
Liquor Law Violations: Disciplinary Referrals	0	0	0	0	0	0	0	0	0	0	0	0
Drug Abuse Violations: Arrests	0	0	0	0	0	0	0	0	0	0	0	0
Drug Abuse Violations: Disciplinary Referrals	0	0	0	0	0	0	0	0	0	0	0	0
Weapons Law Violations: Arrests	0	0	0	0	0	0	0	0	0	0	0	0
Weapons Law Violations:	0	0	0	1	0	0	0	0	0	0	0	0



Disciplinary Referrals													
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*\* Some modifications of prior years' statistics are reflected in light of category definition refinement and reinterpretation as reporting instructions have evolved.*

*\*\*New VAWA Crime Categories for 2014 and later.*

The categorization for reporting sex offenses changed in 2014. The chart used the categories applicable for the year in which they were reported.

There were no crime reports determined to be unfounded and subsequently withheld from the crime statistics chart noted above.

Hate Crimes: For the reporting years of 2013 – 2015 there were no Hate Crimes.

### **Definition of Locations and Crime Categories**

#### **Locations**

**Campus:** any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and is used by the institution in direct support of, or in a manner related to, its educational purposes, incl. Residence halls

or any building or property that is within or reasonably contiguous to the area identified above that is owned by the institution but is controlled by another person, is frequently used by students, and supports institutional purposes (such as food or other retail vendor)

**Residence Hall:** Statistics are a subset of the campus statistics and consist of all on-campus Residence Hall areas.

**Non-Campus:** (1) Any building or property owned or controlled by a student organization that is officially recognized by the institution; or (2) any building or property (other than a separate campus) 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

**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

### **Crime Statistics**

The Clery Act requires institutions of higher education to disclose crime statistics covering the previous three years on various crimes and offenses. The definitions of these offenses, consistent with FBI guidelines and VAWA regulations, are as follows:

## Primary Crimes

- *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.
- *Sex offenses*
  1. *Rape*: The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.
  2. *Fondling*: The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.
  3. *Incest*: Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
  4. *Statutory Rape*: Sexual intercourse with a person who is under the statutory age of consent.
- *Robbery*: The taking or attempting to take anything of value from the care, custody or control of a person 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 weapons 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. (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.)
- *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.

## Hate Crimes

Hate crimes involve those crimes motivated by the following biases: race, gender, religion, sexual orientation, ethnicity, disability, national origin, and gender identity. Hate crimes include those defined above that were motivated by one or more of these biases. They also include the following crimes and offenses:

- *Larceny-theft (except Motor Vehicle Theft)*: The unlawful taking, carrying, leading or riding away of property from the possession or constructive possession of another. Attempted larcenies are included. Embezzlement, confidence games, forgery, worthless checks, etc., are excluded.
- *Simple assault*: An unlawful physical attack by one person upon another where the offender neither displays a weapon nor the victim suffers obvious severe or aggravated bodily injury,

such as apparent broken bones, loss of teeth, possible internal injury, severe laceration or loss of consciousness.

- *Intimidation*: Unlawfully placing 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.
- *Destruction/damage/vandalism of property*: Willfully or maliciously destroying, damaging, defacing, or otherwise injuring real or personal property without the consent of the owner or the person having custody or control of it.

#### Arrests and Disciplinary Referrals for Violations of Laws Related to Weapons, Liquor, and Drugs

Statistics must also be disclosed related to arrests and referrals for disciplinary action for violations of law relating to weapons, drugs or liquor. For this purpose, the following definitions apply:

- *Arrest*: A person processed by arrest, citation or summons.
- *Referral for disciplinary action*: The referral of any person to any official who initiates a disciplinary action of which a record is kept and which may result in the imposition of a sanction.
- *Weapons (Carrying, Possessing, Etc.) Violations*: The violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices, or other deadly weapons.
- 
- *Drug Abuse Violations*: The violation of laws prohibiting the production, distribution, and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use. The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation, or importation of any controlled drug or narcotic substance. Arrests for violations of State and local laws, specifically those relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs.
- *Liquor Law Violations*: The violation of State or local laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, or use of alcoholic beverages, not including driving under the influence and drunkenness.

#### VAWA Crimes

VAWA also requires the disclosure of statistics for the following crimes:

- *Domestic violence*: A felony or misdemeanor crime of violence committed (A) by a current or former spouse or intimate partner of the victim; (B) by a person with whom the victim shares a child in common; (C) by a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner; (D) by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred; or (E) by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.
- *Dating violence*: Violence by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the

type of relationship, and the frequency of interaction between the persons involved in the relationship.

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

## **Annual Fire Safety Report 2016**

Any fire that threatens the life, safety, or property of any person on campus **must** be reported to the local fire department. In the event of a fire, exit the building immediately. All fires occurring on campus **must** be reported KMC Security. This includes even those that posed no threat because they were immediately extinguished without the need for the fire department to respond. This is so the fire

statistics that are reported will be complete and accurate. Security can be contacted at 937-298-3399, x55095. On campus phones, dial 55095. The Emergency Plan Committee, in conjunction with KMC Security, KMC Plant Engineering, and Kettering College Facilities Management, evaluate needs for future improvements each year. At the current time there are no immediate plans for a change.

### **Fire Log**

The KMC Security Department maintains a log of all fire and fire alarms that occur on campus. This log includes the nature of the fire or alarm, the date and time, the day it occurred, and the general location of the alarm. The log is open for public inspection at KMC Security during normal business hours.

### **Policy on portable electrical appliances, smoking, and open flames in Residence Hall**

- Electrical appliances are only to be plugged into a wall outlet or a circuit-breaker-protected and grounded power strip plugged directly into an outlet. Microwaves, crock pots, hot plates, or Space heaters are not permitted in the Residence hall.
- Smoking is not allowed anywhere on campus.
- No open flames allowed in Residence Hall.

### **Procedures for Residence Hall evacuation**

When the fire alarm sounds, or you detect fire, or a college official directs you to exit the building, exit the building via the nearest available exit. All persons are required to leave the building any time the fire alarm sounds.

### **Policies for fire safety education & training**

KMC Security provides training and information for RAs, residents, and other students at each semester's orientation. This training includes what to do in the event of a fire, evacuation procedures, steps to avoid a fire, importance of keeping fire sprinkler system clear (not hanging decorations, clothing, or towels from the pipes.)

### **Residence Hall Fire Safety Systems**

Building purpose: Residence hall spaces are located on the second and third floor of the college building.

Constructed: 1966

Renovated: Fire suppression system (sprinklers) added in 2003

Occupancy: Residence hall for men and women

Capacity: 112

Type of construction: Brick exterior with interior concrete block walls.

Fire Alarm System Description: 2003 Simplex Fire Monitoring System –M2-41

General description: Fire alarm system consists of manual pull stations, visual/audible alarm devices and integrated automatic detection devices. Individual sprinkler heads are located in all spaces of the college.

Fire suppression equipment: Automatic sprinkler system, manufacturer A-1 Sprinkler Systems.

Coverage: Full fire sprinkler system in accordance with NFPA 13A

Portable fire extinguishers: Portable units are located throughout the college spaces and the residence hall and are monitored on a monthly basis, according to NFPA 10.

**Fire and Evacuation Drills**

Residences are required to have at least one scheduled fire drill per semester. Drills are supervised by KMC Security.

**Fire Drills**

	Fire Drills	code red events
2013 –	0	3
2014-	1	4
2015-	2	1

A Code Red event refers to an instance where the fire alarm was activated.

**Fire Statistics 2013-2015**

For the purposes of fire safety reporting, a **fire** is, “Any instance of open flame or other burning in a place not intended to contain the burning or in an uncontrolled manner.”

Unintentional Fires	0
Intentional Fires	0
Undetermined Fires	0
Deaths Related to Fires	0
Injuries Related to Fires	0
Value or Property Damaged	0