



2021 COMBINED ANNUAL SECURITY REPORT & FIRE SAFETY REPORT FOR KETTERING COLLEGE

Introduction

This report is provided in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act, as amended. It provides students and employees of Kettering College ("College") with information on: the College's security arrangements, policies and procedures; programs that provide education on such things as drug and alcohol abuse, awareness of various kinds of sex offenses, and the prevention of crime generally; and procedures the College will take to notify the campus community in the event of an emergency. Its purpose is to provide students and employees with information that will help them make informed decisions relating to their own safety and the safety of others.

Policy for Preparing the Annual Report

This report is prepared by the Associate Director of Student Life and Leadership in cooperation with local law enforcement authorities and includes information provided by them as well as by the College's campus security authorities and various other elements of the College. Each year an e-mail notification is made to all enrolled students and employees that provides the website link to access this report. Prospective students and employees are also notified of the report's availability. Hard copies of the report may also be obtained at no cost by contacting Ryan Haas, Associate Director of Student Life and Leadership, Kettering College, 3737 Southern Boulevard, Kettering, OH, 45429, 937-395-8601.

The College is committed to taking the actions necessary to provide a safe and secure working/learning environment for all students and staff. As a member of the campus community, you can feel safe and comfortable knowing that security procedures are in place that represent best practices in the field and are constantly tested and re-evaluated for their effectiveness.

General Safety and Security Policies

Campus Security Personnel & Relationship with Local Law Enforcement

The Kettering Medical Center Security Department is responsible for campus safety at the College. The KMC 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's jurisdiction covers all of the institution's property and the



neighborhoods surrounding the campus. KMC Security officers have the authority to ask persons for identification and to determine whether individuals have lawful business at Kettering College. They also have the authority to issue parking citations, which are billed to the financial accounts of students and employees. Criminal incidents are investigated with cooperation of local law enforcement agencies and Kettering Medical Center Security Department. Criminal arrests made on campus are handled by the Kettering Police Department with assistance from KMC Security. KMS Security does not have the authority to make law enforcement arrests. 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.

While the College does not have any written agreements with local law enforcement agencies, it does maintain a close working relationship with local police.

Campus Security Authorities

The College has designated certain officials to serve as campus security authorities. Reports of criminal activity can be made to these officials. They in turn will ensure that the crimes are reported for collection as part of the College's annual report of crime statistics. The campus security authorities to whom the College would prefer that crimes be reported are listed below.

- Dean of Student Success at 937-395-8601 ext.57653
- Associate Director of Student Life and Leadership at 937-395-8601 ext.57024

Reporting a Crime or Emergency

The College encourages accurate and prompt reporting of all criminal actions, emergencies, or other incidents occurring on campus, on other property owned by the College, or on nearby public property to the appropriate administrator and appropriate police agencies. Such a report is encouraged even when the victim of a crime elects not to make a report or is unable to do so.

- Situations that pose imminent danger or while a crime is in progress should be reported to local law enforcement by calling 911 from any campus phone or cell phone. Keep in mind that the individual making the call from a cell phone will need to provide the address where the emergency has occurred.
- Students, staff, and visitors should also report criminal actions, accidents, injuries, or other emergency incidents to one of the campus security authorities identified above. Once reported, the individual making the report will be encouraged to also report it to appropriate police agencies. If requested, a member of College staff will assist a student in making the report to the police.

Confidential Reporting



The College will protect the confidentiality of victims. Only those with a need to know the identity for purposes of investigating the crime, assisting the victim or disciplining the perpetrator will know the victim's identity.

Pursuant to the College's Sexual Harassment Policy, when an employee who is not a confidential resource becomes aware of alleged misconduct under that policy (including, but not limited to, dating violence, domestic violence, sexual assault, and stalking), the Reporting Official is responsible for reporting that information, including the status of the parties if known, to the Title IX Coordinator.

A victim of other types of crimes (e.g., aggravated assault, burglary, etc.) who does not want to pursue action within the College disciplinary system or the criminal justice system is nevertheless encouraged to make a confidential report to a campus security authority. Upon the victim's request, a report of the details of the incident can be filed with the College without revealing the victim's identity. Such a confidential report complies with the victim's wishes, but still helps the College take appropriate steps to ensure the future safety of the victim and others. With such information, the College can keep an accurate record of the number of incidents involving members of the campus community, determine where a pattern of crime may be developing and alert the community as to any potential danger. These confidential reports are counted and disclosed in the annual crime statistics for the College.

The College encourages its pastoral and professional counselors, if and when they deem it appropriate, to inform the person they are counseling to report crimes on a voluntary, confidential basis for inclusion in the annual report of crime statistics.

Security of and Access to Campus 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 9:00pm. Residents gain access by use of the Kettering College ID badge. Guests are required to check in with the dormitory staff. At 9:00pm, 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 residences on Stroop Road, the Sears Homes, are 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.

Security Considerations in the Maintenance of Facilities

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.

Educational Programs Related to Security Awareness and Prevention of Criminal Activity

The College seeks to enhance the security of its campus and the members of the campus community by periodically presenting educational programs to inform students and employees about campus security procedures and practices, to encourage students and employees to be responsible for their own security and the security of others and to inform them about the prevention of crimes. These programs are discussed below.

- Crime prevention information is given at the beginning of the year to students and employees. Additional information is given to those that reside in the residence hall. In addition, periodical e-mail blasts are sent out to students and employees with crime prevention and other safety tips.

Monitoring Off Campus Locations of Recognized Student Organizations

The College does not have any officially recognized student organizations with off campus locations and therefore does not monitor or record criminal conduct occurring at such locations.

Disclosure of the Outcome of a Crime of Violence or Non-Forcible Sex Offense

Upon written request, the College will disclose to the alleged victim of a crime of violence (as that term is defined in section 16 of title 18, United States Code), or a non-forcible sex offense, the report on the results of any disciplinary proceeding conducted by the College against a student who is the alleged perpetrator of such crime or offense. If the alleged victim is deceased as a result of such crime or offense, the next of kin of such victim shall be treated as the alleged victim for purposes of the paragraph.



The previous 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 accuser in these cases are given the results without the need to make a written request.

Drug and Alcohol Policy

We are committed to creating and maintaining an environment that is free of alcohol abuse. The College enforces the state's underage drinking laws and complies with state law and other applicable regulations governing alcoholic beverages for those on the College's premises or participating in its activities. The College strongly supports education and treatment programs as the most effective means to help prevent and reduce alcohol abuse. In addition, the College is committed to providing an academic and social environment that supports individual freedom while promoting individual responsibility, health and safety, and community welfare.

Manufacturing, distributing, possessing, and using alcohol and are strictly prohibited. Serving alcohol is forbidden at any college function. The Dean for Student Success and Residence Hall directors, or other school administrators or program directors, may require a chemical screening when evidence or a reasonable suspicion of alcohol use exists.

The College enforces federal and state drug laws. The possession, sale, manufacture or distribution of illegal drugs is prohibited under both state and federal laws, and thus is prohibited on campus or as any part of the College's activities. Such laws will be enforced by the College's law enforcement authority on campus. Violators of the College's policies or federal and state laws regarding illegal drugs will be subject to disciplinary action and possibly criminal prosecution.

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.

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.

Federal Drug Laws

Denial of Federal Benefits (21 U.S.C. § 862) A federal drug conviction may result in the loss of federal benefits, including school loans, grants, scholarships, contracts, and licenses. Federal drug trafficking convictions may result in denial of federal benefits for up to five years for a first conviction. Federal drug convictions for possession may result in denial of federal benefits for up to one year for a first conviction and up to five years for subsequent



convictions, successful completion of a drug treatment program, including periodic testing, and appropriate community service, or any combination of the three.

Forfeiture of Personal Property and Real Estate (21 U.S.C. § 853) Any person convicted of a federal drug offense punishable by more than one year in prison shall forfeit to the United States any personal or real property related to the violation. A warrant of seizure may be issued and property seized at the time an individual is arrested on charges that may result in forfeiture.

Federal Drug Trafficking Penalties (21 U.S.C. § 841) Penalties for federal drug trafficking convictions vary according to the type and quantity of the controlled substance involved in the transaction. Penalties for subsequent convictions are more severe.

In the case of a controlled substance in schedule I or schedule II, GHB, or flunitrazepam, a person shall be sentenced to a term of imprisonment of not more than 20 years. If death or serious bodily injury results from the use of a controlled substance which has been illegally distributed, the person convicted on federal charges of distributing the substance faces the possibility of a life sentence and fines ranging up to \$10 million.

In the case of a controlled substance in schedule III, a person shall be sentenced to a term of imprisonment of not more than 10 years, and if death or serious bodily injury results, shall be sentenced to a term of imprisonment of not more than 15 years or a fine not to exceed \$500,000, or both, for a first offense.

For less than 50 kilograms of marijuana, the term of imprisonment shall not be more than five years, and the fine shall not be more than \$250,000, or both, for a first offense.

In the case of a schedule IV substance, the term of imprisonment shall not be more than five years, and the fine shall not be more than \$250,000, or both, for a first offense.

Persons convicted on federal charges of drug trafficking within 1,000 feet of an elementary school, secondary school, college, or university (**21 U.S.C. § 860**) face penalties of prison terms and fines which are twice as high as the regular penalties for the offense, with a mandatory prison sentence of at least one year, unless the offense involves five grams or less of marijuana.

Federal Drug Possession Penalties (21 U.S.C. § 844) Persons convicted on federal charges of possessing any controlled substance face penalties of up to one year in prison, a mandatory fine of no less than \$1,000, or both. Second convictions are punishable by not less than 15 days but not more than two years in prison and a minimum fine of \$2,500. Subsequent convictions are punishable by not less than 90 days but not more than three years in prison and a minimum fine of \$5,000.

Drug and Alcohol State Laws

Category	Summary (Ohio Revised Code)
Possession of Marijuana	The use and possession of recreational marijuana is illegal. OHIO REV. CODE § 2925.11(A). Violators are guilty of a minor misdemeanor if the



Category	Summary (Ohio Revised Code)
	<p>amount is less than 100 grams, resulting in a \$150 fine. OHIO REV. CODE § 2925.11(C)(3). Increased amounts lead to increased penalties. <i>Id.</i> Medical marijuana use is permitted under certain conditions. OHIO REV. CODE §§ 3796.01-3796.30.</p>
Controlled Substances	<p>Ohio has a wide range of laws governing controlled substances and their possession and distribution. OHIO REV. CODE §§ 2925.01-2925.58. Penalties vary widely based on the amount and type of substance used. Under Ohio law, no person shall knowingly obtain, possess, or use a controlled substance. OHIO REV. CODE § 2925.11. Possession of certain drugs, like cocaine, LSD, and heroin, results in a charge of aggravated possession of drugs, a fifth-degree felony. <i>Id.</i> Possession of larger amounts of drugs leads to a presumption of prison time.</p> <p>Selling or offering to sell a controlled substance is illegal. OHIO REV. CODE § 2925.03. Doing so results in an aggravated felony (unless the substance is marijuana), subject to prison time and fines. OHIO REV. CODE §§ 2925.11, 2929.12</p> <p>As an example, if a person is found guilty of possession of 12 grams of opium, he is guilty of a third-degree felony, facing 9–36 months in prison and a possible \$10,000 fine.</p>
Alcohol and Minors	<p>No person under the age of 21 shall purchase beer or intoxicating liquor. OHIO REV. CODE § 4301.63. Doing so can result in a fine between \$25–\$100. OHIO REV. CODE § 4301.99. Use of fake identification is also prohibited. OHIO REV. CODE § 4301.634. Doing so is a misdemeanor of the first degree. OHIO REV. CODE § 4301.99. It is illegal to sell beer or intoxicating liquor to a minor. OHIO REV. CODE § 4301.22. This is also a misdemeanor and can result in a fine between \$500–\$1000 and imprisonment up to 60 days. OHIO REV. CODE § 4301.99.</p>
Driving Under the Influence (DUI)	<p>No person shall operate a vehicle under the influence of alcohol. OHIO REV. CODE § 4511.19. The legal limit is 0.08 percent. Operating under the influence results in a mandatory prison term of 3 days (possibly more) as well as the possibility of an intervention program. OHIO REV. CODE § 4511.19(G)(1)(a)(i).</p>

Drug and Alcohol Abuse Prevention Program

In compliance with the Drug Free Schools and Communities Act (DFSCA), the College has a drug and alcohol abuse and prevention program and conducts a biennial review of this program to evaluate its effectiveness. For more information, see below.

- Student alcohol/drug policy: <https://kc.edu/campus-resources/student-handbook/>
- Employee alcohol/drug policy: <https://kc.edu/campus-resources/faculty-staff-policies/>
- Biennial review report: Contact the Office of the Dean of Student Success to get a copy of the Biennial review report.



Policies, Procedures, and Programs Related to Dating Violence, Domestic Violence, Sexual Assault, and Stalking

Consistent with applicable laws, the College prohibits dating violence, domestic violence, sexual assault, and stalking. The College's policy used to address complaints of this nature, as well as the procedures for filing, investigating and resolving complaints, may be found at:

- Sexual Harassment Policy: <http://kc.edu/campus-resources/title-ix/>
- This policy does not apply to Sexual Harassment that occurs off-campus, in a private setting, and outside the scope of the College's Education Programs or Activities; such sexual misconduct may be prohibited by the Policy on Standards of Professional Conduct for Students, committed by a student, the Faculty Handbook if committed by a faculty member, or other College policies and standards if committed by an employee. Consistent with the U.S. Department of Education's implementing regulations for Title IX, this policy does not apply to Sexual Harassment that occurs outside the geographic boundaries of the United States, even if the Sexual Harassment occurs in the College's Education Programs or Activities, such as a study abroad program. Sexual Harassment that occurs outside the geographic boundaries of the United States is governed by the Policy on Standards of Professional Conduct for Students if committed by a student, the Faculty Handbook if committed by a faculty member, or other College policies and standards if committed by an employee.

The following sections of this report discuss the College's educational programs to promote the awareness of dating violence, domestic violence, sexual assault and stalking; provide information concerning procedures students and employees should follow and the services available in the event they do become a victim of one of these offenses, and advise 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:

The College conducts a Primary Prevention and Awareness Program (PPAP) for all incoming students and new employees. The PPAP advises campus community members that the College prohibits the offenses of dating violence, domestic violence, sexual assault and stalking. They are also informed of the topics discussed below, including relevant definitions, risk reduction, and bystander intervention.

Crime Definitions

Crime Type (Ohio Revised Code)	Definitions
Dating Violence	The institution has determined, based on good-faith research, that Ohio law does not define the term dating violence.
Domestic Violence (Ohio	A person is guilty of domestic violence if violating 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

Crime Type (Ohio Revised Code)	Definitions
Rev. Code § 2919.25)	<p>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.</p> <p>"Family or household member" means any of the following: (a) Any of the following who is residing 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, a 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 person, living as a spouse, or former spouse of the offender; (b) The nature parent of any child of whom the offender is the other natural parent or is the putative other natural parent.</p>
Stalking (Ohio Rev. Code § 2903.211(A))	<p>The following constitutes "menacing by stalking" under Ohio law: (1) No person by engaging in a pattern of conduct shall knowingly cause another person to believe that the offender will cause physical harm to the other person or a family or household member of the other person or cause mental distress to the other person or a family or household member of the other person. In addition to any other basis for the other person's belief that the offender will cause physical harm to the other person or the other person's family or household member or mental distress to the other person or the other person's family or household member, the other person's belief or mental distress may be based on words or conduct of the offender that are directed at or identify a corporation, association, or other organization that employs the other person or to which the other person belongs; (2) No person, through the use of any form of written communication or any electronic method of remotely transferring information, including, but not limited to, any computer, computer network, computer program, r-computer system, or telecommunication device shall post a message or use any intentionally written or verbal graphic gesture with purpose to do either of the following: (a) Violate division (A)(1) of this section; (b) Urge or incite another to commit a violation of division (A)(1) of this section; (3) No person, with a sexual motivation, shall violate division (A)(1) or (2) of this section.</p>
Sexual Assault	<p>The institution has determined, based on good-faith research, that Ohio law does not define the term sexual assault.</p>
Rape, Fondling, Incest, Statutory Rape	<p>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:</p> <ul style="list-style-type: none"> • Rape (Ohio Rev. Code §2907.02): <ul style="list-style-type: none"> ○ No person shall engage in sexual conduct with another who is not the spouse of the offender or who is the spouse of the

Crime Type (Ohio Revised Code)	Definitions
	<p>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.</p> <ul style="list-style-type: none"> ○ 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 "sexual assault" crimes	<p>Other crimes under Ohio law that may be classified as a "sexual assault" include the following:</p> <ul style="list-style-type: none"> • Sexual Battery (Ohio Rev. Code § 2907.03): 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) ...; (7) ...; (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

Crime Type (Ohio Revised Code)	Definitions
	<p>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.</p> <ul style="list-style-type: none"> • Unlawful Sexual Conduct with Minor (Ohio Rev. Code § 2907.04): 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 Rev. Code § 2907.05): <ul style="list-style-type: none"> ○ 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. ○ 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

Crime Type (Ohio Revised Code)	Definitions
	<p>an intent to abuse, humiliate, harass, degrade, or arouse or gratify the sexual desire of any person.</p> <ul style="list-style-type: none"> • Sexual Imposition (Ohio Rev. Code § 2907.06): 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.
Consent (as it relates to sexual activity)	The institution has determined, based on good-faith research, that Ohio law does not define the term consent (as it relates to sexual activity).

College Definition of Consent

The College uses the following definition of consent in its Sexual Harassment Policy for the purpose of determining whether sexual violence (including sexual assault) has occurred:

“Consent” refers to words or actions that a reasonable person in the perspective of the Respondent would understand as agreement to engage in the sexual conduct at issue. A person who is Incapacitated is not capable of giving Consent.

UNDERSTANDING CONSENT AND INCAPACITATION

A. Consent

Lack of consent is a critical factor in determining whether Sexual Harassment has occurred. As defined above, consent is a mutual, voluntary, and informed agreement to participate in specific sexual acts with another person that is not achieved through unreasonable



manipulation or coercion—or any kind of physical force or weapon—and requires having cognitive ability to agree to participate. Consent requires an outward demonstration, through mutually understandable words, conduct or action, indicating that an individual has freely chosen to engage in the specific sexual acts. A verbal “no” constitutes lack of consent, even if it sounds insincere or indecisive.

Impairment or incapacitation due to alcohol and/or drug use, permanent/ temporary psychological or physical disability, and being below the age of consent in the applicable jurisdiction are factors which detract from or make consent impossible. (Note: In Ohio, the minimum age of consent for purposes of Statutory Rape is age 16 and no one under 13 years of age is considered capable of consent.)

Silence or an absence of resistance does not imply consent, and consent to engage in sexual activity with one person does not imply consent to engage in sexual activity with another. Even in the context of an ongoing relationship, consent must be sought and freely given for each specific sexual act. Consent may be withdrawn at any time. When consent is withdrawn, sexual activity must immediately stop.

B. Incapacitation

Incapacitation is a state where an individual cannot make an informed and rational decision to consent to engage in sexual contact because the individual lacks conscious knowledge of the nature of the act (e.g., to understand the “who, what, where, when, why 7 HB: 4851-5325-6647.1 or how” of the sexual interaction) and/or is physically or mentally helpless. An individual is also considered incapacitated, and therefore unable to give consent, when asleep, unconscious, or otherwise unaware that sexual contact is occurring.

Incapacitation can only be found when the Respondent knew or should have known that the Complainant was incapacitated when viewed from the position of a sober, reasonable person. One’s own intoxication is not an excuse for failure to recognize another person’s incapacitation.

Incapacitation may result from the use of alcohol and/or other drugs; however, consumption of alcohol or other drugs, inebriation, or intoxication alone are insufficient to establish incapacitation. Incapacitation is beyond mere drunkenness or intoxication. The impact of alcohol or drugs varies from person to person, and evaluating incapacitation requires an assessment of how consumption of alcohol and/or drugs impacts an individual’s:

- Decision-making ability
- Awareness of consequences
- Ability to make informed judgments
- Capacity to appreciate the nature of circumstances of the act.

No single factor is determinative of incapacitation. Some common signs that someone may be incapacitated include slurred speech, confusion, shaky balance, stumbling or falling down, vomiting, and unconsciousness.

Risk Reduction



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:

- 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.
- 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

Bystander Intervention

PPAP instruction also includes encouraging individuals to take safe and positive steps to prevent harm or intervene when there is a risk of domestic violence, dating violence, sexual assault or stalking 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 an 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.

Other Information Covered by the PPAP

The PPAP 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 such a proceeding, available resources, and other pertinent information. Much of this information is set forth in the upcoming sections of this security 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 intended to increase the understanding of students and employees on these topics and to improve their skills for addressing the offenses of dating violence, domestic violence, sexual assault and stalking.

PPAP and OPAC Programming Methods:

The PPAP and OPAC are carried out in a variety of ways, using a range of strategies, and, as appropriate, targeting specific audiences throughout the College. Methods include, but are not limited to: online presentations, distribution of written materials, periodic email blasts, and guest speakers. Past programming and currently planned programming includes the following:



Primary prevention and awareness. Faculty and staff participate in a required, live primary prevention and awareness training in August of every year. Kettering College has implemented required 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 Harassment Policy. 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.

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, domestic violence, dating violence, or stalking, go to a safe place and call 911. At the earliest opportunity, you should also contact the College's Title IX Coordinator Bev Ervin at Bev.Ervin@kc.edu.

Victims will be notified in writing of the procedures to follow, including:

1. To whom and how the alleged offense should be reported (contact the Title IX Coordinator or refer to the other resources listed in this report).
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.
3. The victim's options regarding notification to law enforcement, which are: (a) the option to notify either on-campus or local police; (b) the option to be assisted by campus security authorities in notifying law enforcement if the victim so chooses (the institution is obligated to comply with such a request if it is made); and (c) the option to decline to notify such authorities.
4. Where applicable, the rights of victims and the institution's responsibilities regarding orders of protection, no-contact orders, restraining orders, or similar lawful orders issued by a criminal, civil, or tribal court.

Preservation of Evidence & Forensic Examinations

Victims of physical assault are advised to not remove clothing items worn during or following an assault, as they frequently contain valuable fiber, hair, and fluid evidence. Don't



bathe or wash, or otherwise clean the environment in which the assault occurred. You can obtain a forensic examination at Kettering Medical Center, 3535 Southern Blvd, Kettering, OH 45429 Phone: (937) 298-4331.

Completing a forensic examination does not require you to file a police report, but having a forensic examination will help preserve evidence in case you decide at a later date to file a police report.

Victims are also advised to retain evidence in electronic formats (e.g., text messages, emails, photos, social media posts, screenshots, etc.). Such evidence is valuable in all situations, and it may be the only type of evidence available in instances of stalking.

Security/Law Enforcement & How to Make a Police Report

- KMC Security - 937-298-3399, ext. 55095. On campus, dial 55095.
- Kettering Police Department - 3600 Shroyer Road, Kettering, OH 45429, Phone: (937) 296-2555
- To make a police report, a victim should contact the local police agency listed above either by phone or in-person. The victim should provide as much information as possible, including name, address, and when and what occurred, to the best of the victim's ability.

Information about Legal Protection Orders

Victims have the right to seek to obtain a legal order of protection.

- In Ohio, there are different kinds of protection orders available to victims, including Domestic Violence Civil Protection Orders (DVCPO), Civil Stalking Protection Orders (CSPO), and Sexually Oriented Offense Protection Orders (SOOPO). Courts can issue ex parte (temporary) orders and orders for longer lengths of time. Ex parte orders are typically put in place until a hearing before a judge occurs. A victim should be prepared to present documentation and/or other forms of evidence when filing for an order of protection.
- DVCPOs can be obtained from the Domestic Relations Division of the Montgomery County Court of Common Pleas: 301 West Third Street, Dayton, OH 45422. The phone number is (937) 225-4063. More information is available here: http://www.mcoho.org/government/courts/common_pleas_court_-_domestic_relations_division/forms.php#288
- CSPOs and SOOPOs can be obtained from the General Division of the Montgomery County Court of Common Pleas: 41 N. Perry Street, Dayton, OH 45422. The phone number is (936) 225-6000. More information is available here: http://www.montcourt.oh.gov/protection_orders.php. Victims may contact local



domestic violence and sexual assault advocates for assistance in obtaining a protection order.

- When a protection order is granted, it is enforceable statewide. If you have obtained a protection order and need it to be enforced in your area, you should contact the local police department.
- The institution will also enforce any temporary restraining order or other no contact order against the alleged perpetrator from a criminal, civil, or tribal court. Any student or employee who has a protection order or no contact order should notify the Title IX Coordinator and provide a copy of the restraining order so that it may be kept on file with the institution and can be enforced on campus, if necessary. Upon learning of any orders, the institution will take all reasonable and legal action to implement the order.

The institution does not issue legal orders of protection. However, as a matter of institutional policy, the institution may impose a no-contact order between individuals in appropriate circumstances. The institution may also issue a “no trespass warning” if information available leads to a reasonable conclusion that an individual is likely to cause harm to any member of the campus community. A person found to be in violation of a No Trespass Warning may be arrested and criminally charged.

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:

Kettering Counseling Care Center - 937-384-6920

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

Legal counsel

Ohio Legal Aid (<http://www.ohiolegalaid.org/>)

Visa and Immigration resources

Immigration Advocates Network:

<https://www.immigrationadvocates.org/nonprofit/legaldirectory/search?state=OH>



U.S. Citizenship and Immigrations Services:

https://egov.uscis.gov/crisgwi/go?action=offices.summary&OfficeLocator.office_type=ASC&OfficeLocator.statecode=OH

Student Financial Aid

If a student is considering a leave of absence based on the circumstances of a complaint, he/she should understand there may be financial aid implications in taking such leave. This should be discussed with financial aid personnel, and the Title IX Coordinator can assist in facilitating this conversation if desired. The College's financial aid website can be found at: <http://kc.edu/admissions/financial-aid/>

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.

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 or protective measures. If victims request these accommodations or protective measures and they are reasonably available the College is obligated to provide them, regardless of whether the victim chooses to report the crime to campus security or local law enforcement.

Requests of this nature should be made to the Title IX Coordinator at Bev.Ervin@kc.edu, and the Title IX Coordinator is responsible for deciding what, if any, accommodations or protective measures will be implemented.

When determining the reasonableness of such a request, the College may consider, among other factors, the following:

- The specific need expressed by the complainant.
- The age of the students involved.
- The severity or pervasiveness of the allegations
- Any continuing effects on the complainant
- Whether the complainant and alleged perpetrator share the same class or job location.
- Whether other judicial measures have been taken to protect the complainant (e.g., civil protection orders).

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. However, there may be times when certain information must be disclosed to a third party in order to implement the accommodation or protective measure. Such decisions will be made by the College in light of the surrounding circumstances, and disclosures of this nature will be limited so that only the information



necessary to implement the accommodation or protective measure is provided. In the event it is necessary to disclose information about a victim in order to provide an accommodation or protective order, the College will inform the victim of that necessity prior to the disclosure, including which information will be shared, with whom it will be shared and why.

Procedures for Disciplinary Action:

Allegations of domestic violence, dating violence, sexual assault or stalking will be processed through the institution's Sexual Harassment Policy. The procedures are utilized whenever or wherever a complaint is made, regardless of the status of the complainant and the respondent.

This policy applies to Sexual Harassment that occurs within the College's Education Programs or Activities and that is committed by an administrator, faculty member, staff, student, contractor, guest, or other member of the College community. This policy does not apply to Sexual Harassment that occurs off-campus, in a private setting, and outside the scope of the College's Education Programs or Activities; such sexual misconduct may be prohibited by the Policy on Standards of Professional Conduct for Students, committed by a student, the Faculty Handbook if committed by a faculty member, or other College policies and standards if committed by an employee. Consistent with the U.S. Department of Education's implementing regulations for Title IX, this policy does not apply to Sexual Harassment that occurs outside the geographic boundaries of the United States, even if the Sexual Harassment occurs in the College's Education Programs or Activities, such as a study abroad program. Sexual Harassment that occurs outside the geographic boundaries of the United States is governed by the Policy on Standards of Professional Conduct for Students if committed by a student, the Faculty Handbook if committed by a faculty member, or other College policies and standards if committed by an employee.

The complaint resolution procedures are invoked once a report is made to the following individual:

Dr. Bev Ervin

Title IX Coordinator

Academic Support Center

(937) 395-8601 ext.55646

Bev.Ervin@kc.edu

Once a formal complaint is made, the Title IX Coordinator will provide notice to the parties of the investigation, including a description of the process to be utilized, the identities of the parties, the conduct at issue, and the date and location of the alleged incident.

During the investigation, the complainant and respondent will each have an equal opportunity to describe the situation and present witnesses, including both fact and expert witnesses, and



other supporting evidence. The investigator(s) will review the statements and evidence presented and may, depending on the circumstances, interview others with relevant knowledge, review documentary materials, and take any other appropriate action to gather and consider information relevant to the complaint. Prior to the conclusion of the investigation, both parties will be provided an opportunity to review the evidence gathered during the investigation that is directly related to the allegations raised in the formal complaint.

Upon completion of the investigation, both parties will be given a copy of an investigation report and a live hearing will be conducted to make a determination as to whether any allegations in the complaint were found to be substantiated by a preponderance of the evidence. During the hearing, each party's advisor will be permitted to ask the other party and any witnesses all relevant questions and follow-up questions including those bearing on credibility. The decision maker(s) will issue a written determination of responsibility, a statement of any disciplinary sanctions and whether any remedies will be provided to the complainant, and a description of the procedures and permissible grounds for appeal. The parties will be notified of this determination in writing within three (3) days of it being made. The institution strives to complete investigations of this nature within ninety (90) calendar days.

A party must file an appeal within seven (7) days of the date they receive notice of dismissal or determination appealed from or, if the other party appeals, within three (3) days of the other party appealing, whichever is later. The appeal must be submitted in writing to Adam Brown, Dean of Student Success (for student appeals) or Nate Brandstater, President (for faculty/staff appeals), who serves as the appeal officer. The appeal must specifically identify the determination and/or dismissal appealed from, articulate which one or more of the three grounds for appeal are being asserted, explain in detail why the appealing party believes the appeal should be granted, and articulate what specific relief the appealing party seeks.

Promptly upon receipt of an appeal, the appeal officer will conduct an initial evaluation to confirm that the appeal is timely filed and that it invokes at least one of the permitted grounds for appeal. If the appeal officer determines that the appeal is not timely, or that it fails to invoke a permitted ground for appeal, the appeal officer will dismiss the appeal and provide written notice of the same to the parties.

If the appeal officer confirms that the appeal is timely and invokes at least one permitted ground for appeal, the appeal officer will provide written notice to the other party that an appeal has been filed and that the other party may submit a written opposition to the appeal within seven (7) days. The appeal officer shall also promptly obtain from the Title 24 HB: 4851-5325-6647.1 IX Coordinator any records from the investigation and adjudication necessary to resolve the grounds raised in the appeal.

Upon receipt of any opposition, or after the time period for submission of an opposition has passed without one being filed, the appeal officer will promptly decide the appeal and transmit a written decision to the parties that explains the outcome of the appeal and the rationale.



The determination of a Formal Complaint, including any discipline, becomes final when the time for appeal has passed with no party filing an appeal or, if any appeal is filed, at the point when the appeal officer has resolved all appeals, either by dismissal or by transmittal of a written decision.

No further review beyond the appeal is permitted.

Although the length of each appeal will vary depending on the totality of the circumstances, the College strives to issue the appeal officer's written decision within (21) days of an appeal being filed.

Rights of the Parties in an Institutional Proceeding:

During the course of the process described in the previous section, both the accuser and the individual accused of the offense are entitled to:

1. A prompt, fair and impartial process from the initial investigation to the final result.
 - A prompt, fair and impartial process is one that is:
 - Completed within reasonably prompt timeframes designated by the institution's policy, including a process that allows for the extension of timeframes for good cause, with written notice to the accuser and the accused of the delay and the reason for the delay.
 - Conducted in a manner that:
 - Is consistent with the institution's policies and transparent to the accuser and the accused.
 - Includes timely notice of meetings at which the accuser or accused, or both, may be present; and
 - Provides timely access to the accuser, the accused and appropriate officials to any information that will be used during the informal and formal disciplinary meetings and hearings.
 - Conducted by officials who do not have a conflict of interest or bias for or against the accuser or the accused.

2. Proceedings conducted by officials who, at a minimum, receive annual training on the issues related to dating violence, domestic violence, sexual assault, and stalking and on how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability.

Such training addresses topics such as relevant evidence and how it should be used during a proceeding, proper techniques for questioning witnesses, basic procedural rules for conducting a proceeding, and avoiding actual and perceived conflicts of interest. College officials spent time training in the following areas: University + community training discovering how to support survivors and prevent sexual misconduct, creating and implementing sexual violence and sexual harassment prevention programs with graduate students,



Title IX Coordinator duties and procedures and investigator process and training.

3. The same opportunities to have others present during any institutional disciplinary proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice. The institution 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.
4. Have the outcome determined using the preponderance of the evidence standard.
5. 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 Dating Violence, Domestic Violence, Sexual Assault or Stalking Offenses:

Following a final determination in the institution's disciplinary proceeding that domestic violence, dating violence, sexual assault, or stalking has been committed, the institution may impose a sanction depending on the mitigating and aggravating circumstances involved. The possible sanctions include: warning; reprimand; probation; restitution; fine; loss of privileges; housing probation; suspension or expulsion/termination; restriction on eligibility to represent the College at any official function or in any intercollegiate competition. If a suspension is imposed on a student, it may be for part of a semester, a full semester, or an entire academic year. An employee may be suspended for any length of time determined appropriate by the Director of Human Resources. Following a suspension, the individual will be required to meet with the Dean of Students (student) or Director of Human Resources (employee) to discuss re-entry and expectations going forward.

In addition, the College can make available to the victim a range of protective measures. They include: forbidding the accused from entering the victim's residence hall and from communicating with the victim, other institutional no-contact orders, security escorts, modifications to academic requirements or class schedules, changes in working situations, etc.

Publicly Available Recordkeeping:

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



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, 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.

Sex Offender Registration Program:

The Campus Sex Crimes Prevention Act of 2000 requires institutions of higher education to advise members of the campus community where they can obtain information provided by the state concerning registered sex offenders. It also requires sex offenders to notify the state of each institution of higher education in the state at which they are employed or enrolled or carrying on a vocation. The state is then required to notify the College of any such information it receives. Anyone interested in determining whether such persons are on this campus may do so by contacting the Title IX Coordinator at Bev.Ervin@kc.edu. State registry of sex offender information may be accessed at the following link:

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

Timely Warnings and Emergency Response

Timely Warnings

In the event of criminal activity occurring either on campus or off campus that in the judgment of the Director of Communications constitutes a serious or continuing threat to members of the campus community, a campus-wide "timely warning" will be issued. Examples of such situations may include a sexual assault or a series of motor vehicle thefts in the area that merit a warning because they present a continuing threat to the campus community. Warnings will be communicated to students and employees via one or more of the methods discussed later in this section. Updates to the warnings will be provided as appropriate.

Anyone with information warranting a timely warning should immediately report the circumstances to:

- KMC Security, 937-298-3399, Ext.55095

The College has communicated with local law enforcement asking them to notify the College if it receives reports or information warranting a timely warning.

Emergency Response

The College has an emergency management plan designed to ensure there is a timely and effective response in the event of a significant emergency or dangerous situation occurring on campus involving an immediate threat to the health or safety of members of the campus community. Such situations include, but are not limited to: tornadoes, bomb threats, chemical spills, disease outbreaks, fires, active shooters, etc. The College has communicated



with local police requesting their cooperation in informing the College about situations reported to them that may warrant an emergency response.

Students, staff and visitors are encouraged to notify the KMC Security at 937-298-3399, Ext.55095, of any emergency or potentially dangerous situation.

KMC Security will access available sources of information from campus administrative staff and local authorities to confirm the existence of the danger and will be responsible for initiating the institution's response and for marshaling the appropriate local emergency response authorities for assistance. Depending on the nature of the emergency, other College departments may be involved in the confirmation process.

Once the emergency is confirmed and based on its nature, the KMC Security Chief will consult with other appropriate College officials to determine the appropriate segment or segments of the College community to be notified.

The KMC Security Chief in collaboration with other appropriate personnel, will determine who should be notified, and 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 responsible authorities, compromise efforts to assist a victim or to contain, respond to or otherwise mitigate the emergency.

Depending on the segments of the campus the notification will target, the content of the notification may differ. When appropriate, the content of the notification will be determined in consultation with local authorities. Also as appropriate, the notification will give guidance as to whether its recipients should shelter in place or evacuate their location.

The KMC Security Department will direct the issuance of emergency notifications, which will be accomplished using one or more of methods discussed later in this section, depending on the nature of the threat and the segment of the campus community being threatened.

At the direction of KMC Security the College's Director of Communication will contact local law enforcement of the emergency if they are not already aware of it and local media outlets in order that the larger community outside the campus will be aware of the emergency.

Methods for Issuing Timely Warnings and Emergency Notifications

The method(s) listed below may be utilized when the College issues a timely warning or emergency notification to the campus community.

Method	Sign-Up Instructions
Residence Hall broadcast system	N/A
Email instructions	Each student and employee is issued a college email
College Website	http://kc.edu



Method	Sign-Up Instructions
Residence Hall broadcast system	N/A
Alertus Emergency System	Download Alertus app onto smart phone to receive alerts

Testing & Documentation

The College tests its emergency response and evacuation procedures at least once a year. The tests may be announced or unannounced. Also, at various times the Emergency Management Team will meet to train and test and evaluate the College’s emergency response plan.

The KMC Security Department 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.

Missing Student Policy

If a member of the College community has reason to believe that a student who resides in on-campus housing is missing, that information should be reported immediately to the KMC Security at 937-298-3399, ext. 55095. Anyone receiving a missing student report will immediately notify campus security (or local law enforcement, if necessary) so that an investigation can be initiated.

In addition to registering a general emergency contact, students residing in on-campus housing have the option to identify confidentially an individual to be contacted by the College only in the event the student is determined to be missing for more than 24 hours. If a student has identified such an individual, the College will notify that individual no later than 24 hours after the student is determined to be missing. The option to identify a contact person in the event the person is determined missing is in addition to identifying a general emergency contact person, but they can be the same individual for both purposes. A student’s confidential contact information will be accessible only by authorized campus officials and law enforcement in the course of the investigation.

A student who wishes to designate a confidential contact may do so by contacting KMC Security and filling out the appropriate paperwork.

After investigating a missing person report, if it is determined that the student has been missing for 24 hours, the College will notify local police authorities unless it was local law enforcement that made the determination that the student is missing. If the missing student is under the age of 18 and is not emancipated, the College will also notify that student’s custodial parent or legal guardian within 24 hours of the determination that the student is missing, in addition to notifying any additional contact person designated by the student.

Crime Statistics



The statistical summary of crimes for this College over the past three calendar years follows:

Crime	On Campus			On Campus Housing			Non Campus			Public Property		
	2020	2019	2018	2020	2019	2018	2020	2019	2018	2020	2019	2018
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
Rape	0	0	0	0	0	0	1	0	0	0	1	0
Fondling	0	2	0	0	0	0	2	1	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	6	0	0	0	0	10	5	0	0	0	0
Burglary	0	0	0	0	0	0	2	0	0	0	0	0
Robbery	0	0	0	0	0	0	4	0	0	0	1	0
Motor Vehicle Theft	0	1	0	0	0	0	5	0	0	0	0	0
Arson	0	0	0	0	0	0	1	0	0	0	0	0
Arrest - Liquor Law Violation	0	1	0	0	0	0	0	1	0	0	8	0
Arrest - Drug Abuse Violation	0	14	0	0	0	0	9	40	0	0	19	0
Arrest - Weapon Violation	0	0	0	0	0	0	0	0	0	0	0	0
Disciplinary Referral - Liquor Law Violation	0	0	0	0	0	0	0	0	0	0	0	0
Disciplinary Referral - Drug Abuse Violation	0	0	0	0	0	0	0	0	0	0	0	0
Disciplinary Referral - Weapon Violation	0	0	0	0	0	0	0	0	0	0	0	0
Domestic Violence	0	0	0	0	0	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0	0	0	0
Stalking	0	0	0	0	0	0	0	1	0	0	0	0

Hate crimes:

2020: No hate crimes reported.

2019: No hate crimes reported.

2018: No hate crimes reported.

Crimes unfounded by the College:

2020: 0 unfounded crimes.

2019: 0 unfounded crimes.

2018: 0 unfounded crimes.



Statistics for unfounded crimes provided by law enforcement agencies:

2020: 0 unfounded crimes.
 2019: 0 unfounded crimes.
 2018: 0 unfounded crimes.

Data from law enforcement agencies:

- The University was provided with some crime data from law enforcement agencies for which it cannot be determined whether any of the statistics apply to or include the College’s Clery Geography.
- Certain law enforcement agencies did not comply with the College’s request for crime statistics.

Annual Fire Safety Report

Housing Facilities and Fire Safety Systems

The College maintains on-campus housing for its students. Below is a description of fire safety systems and the number of fire drills conducted during the previous calendar year.

Campus: Kettering College, 3737 Southern Blvd, Kettering, OH 45429-1299

Facility	Fire Alarm Monitoring Done on Site	Partial Sprinkler System	Full Sprinkler System	Smoke Detection	Fire Extinguisher Devices	Evacuation Plans & Placards	Number of evacuation (fire) drills in previous calendar year
Residence Hall, 3737 Southern Boulevard, Kettering OH, 45429	X		X	X	X	X	3

Policies on Portable Appliances, Smoking and Open Flames



The use of open flames, such as candles, and the burning of such things as incense, and smoking are prohibited in campus housing. Only surge-protected extension cords are permitted. Toasters and microwaves are provided in the kitchen areas for residence use. All other cooking devices are prohibited in the Residence Hall rooms. Also, tampering with fire safety systems is prohibited and any such tampering may lead to appropriate disciplinary action.

The College reserves the right to make periodic inspections of campus housing to ensure fire safety systems are operational and that the policy on prohibited items is being complied with. Prohibited items, if found, will be confiscated and donated or discarded without reimbursement.

Fire Evacuation Procedures

In the event of a fire, the College expects that all campus community members will evacuate by the nearest exit, closing doors and activating the fire alarm system (if one is nearby) as they leave. If circumstances permit at the time of the alarm, additional instructions will be given regarding where students and/or staff are to relocate.

Fire Education and Training Programs

Fire safety education programs for all residents of on-campus student housing and all employees with responsibilities related to that housing are held at the beginning of each semester. Their purpose is to: familiarize everyone with the fire safety system in each facility, train them on procedures to follow if there is a fire and inform them of the College's fire safety policies. Information distributed includes maps of each facility's evacuation route and any fire alarms and fire suppression equipment available in the facility. Attendees are advised that participation in fire drills is mandatory and any student with a disability is given the option of having a "buddy" assigned to assist him or her.

Reporting Fires

The College is required to disclose each year statistical data on all fires that occurred in on-campus student housing. When a fire alarm is pulled and/or the fire department responds to a fire, these incidents are captured. If you encounter a fire that presents an emergency situation, ensure your own safety and then please call 911.

There may also be instances when a fire is extinguished quickly and an alarm is not pulled or a response by the fire department was not necessary. It is important that these incidents be recorded as well. Therefore, if you are aware of such a fire, see evidence of one or hear about one, you should contact the KMC Security Department at 937-298-3399, Ext.55095. When providing notification of a fire, give as much information as possible about the location, date, time and cause of the fire.

Plans for Future Improvements

The College periodically reviews its fire safety protections and procedures. At this time, it has no plans for future improvements.



Fire Statistics

Kettering College

2020

No fires were reported in 2020.

2019

No fires were reported in 2019.

2018

No fires were reported in 2018.