



**DeVry University**

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**Keller** Graduate School  
of Management

## 2020-2021 Annual Disclosure

Student Right-To-Know and Campus Security (Clery Act)

Annual Security Report

Sex and Gender Based Misconduct Response and Prevention Report

Alcohol & Substance Abuse Policy

Student Rights under FERPA

*(The Family Educational Rights and Privacy Act)*

This document includes information for:

**Columbus, Ohio**

September 30<sup>th</sup>, 2020

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## Campus Watch

### **It's your campus – Protect it!**

A truly safe campus can only be achieved through the cooperation of students, faculty, and staff. As a member of the DeVry University community, it is your responsibility to report a crime, suspicious activity, or other emergencies on campus or in virtual university activities to the appropriate school official. Should you become a witness to or victim of a crime, immediately report the incident to local law enforcement officials, the Student Services office, or to the Incident Commander. All crimes will be investigated and when appropriate, brought to the attention of the Student Services office for disciplinary hearing.

### **Purpose of the Annual Disclosure Report**

DeVry University prepares this report to comply with the *Jeanne Clery Disclosure of Campus Security and Crime Statistics Act*. The full text of this document can also be found on the Student Consumer Information page (<https://www.devry.edu/compliance/student-consumer-info.html>) or by visiting your local Student Central office. This report was prepared with the assistance of local law enforcement agencies. Campus crime, arrest, and referral statistics include those that were report to local law enforcement and campus faculty and staff. This data may also include crimes that have occurred in private residences or businesses adjacent to the campus.

### **Reporting Crimes and Emergencies**

When making your report of an incident you will be asked to provide the following information:

1. Description of the incident.
2. Date, Time, and Location of the incident.
3. Description of the persons or vehicles involved in the incident.
4. Detail regarding who was notified about the incident.

Upon receipt of this report DeVry University will determine the appropriate response, which could include disciplinary action against the offender(s), notification to local law enforcement, notification to the campus community, or other public safety alternatives deemed appropriate given the circumstances. Please note that your identity may not be confidential when reporting an incident. DeVry University does not have procedures for voluntary, confidential reporting of crimes.

DeVry University does not have colleagues that serve as pastoral or professional counselors. DeVry University contracts with APSIRE, an organization designed to help students overcome obstacles and achieve success both in and outside the classroom. ASPIRE supplements the University's other student services. ASPIRE includes a wide range of support services such as counseling, legal, and financial consultation, as well as referrals to housing, childcare and other resources for meeting daily life needs. ASPIRE has procedures in place to encourage students to report incidents to local law enforcement; DeVry University has procedures to request crime statistics from local law enforcement offices for inclusion in the annual security report and web-based report to the Department of Education.

DeVry University will contact the Franklin County and Columbus police departments and property management to monitor and record crimes that occur within the designated area surrounding the campus that have been reported to the local police.

### **All Emergencies – Dial 911**

### **Emergency Response Plan (ERP)**

DeVry University will, without delay, and taking into account the safety of the community, determine the content of the notification and initiate the SIREN 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.

The Incident Commander will determine if there is a significant emergency or dangerous situation and what segment of the campus community will need to receive a notification.

DeVry University will:

- Test emergency response and evacuation procedures on an annual basis.
- Document each test, including the date, time, and whether it was announced or unannounced.
- Publicize emergency response and evacuation procedures in conjunction with at least one test per calendar year.

### **SIREN Emergency Alert System**

In the event of an emergency or a potentially dangerous threat to the campus or center arises, students, faculty, and staff will receive timely notification via the SIREN system, on campus flyers, and/or email announcements. This includes any Clery Act crimes that are reported to the campus IC (**Lauren Wittke**) or local police and are considered to represent a serious or continuing threat to students, faculty, and staff. In the event of an emergency, DeVry University's communication team in conjunction with local law enforcement and the DeVry University Security department, will develop communications to distribute digitally to the wider community. Please make sure to keep contact information update in SIREN through the student portal at <https://learn.devry.edu/> for students and the DeVry University Staff Portal at <https://dvu.okta.com/> for faculty and staff.

### **Area Police and Fire Non-Emergency Numbers:**

<u>County/City</u>	<u>Police</u>	<u>Fire and Paramedic</u>
Columbus Campus	614-257-4741	614-257-4741
Columbus Area Police	614-645-4545	614-221-2345

### **Campus Access, Facility Security, and Law Enforcement**

#### **Columbus Campus**

The University Facilities department ensures the building and grounds are maintained with a concern for safety and security. Facilities staff inspect the facility regularly, promptly arrange for repairs affecting safety and security hazards, and respond to reports of potential safety and security hazards such as broken windows, locks, etc. Students, faculty, and staff can assist the Facilities staff by calling building security at 312-914-6412 to report concerns. Additionally, the Facilities team routinely inspects the grounds and building to review lighting and other environmental concerns for safety.

There are fire alarms and pull stations throughout the facility that should be used only in the event of an emergency. If an emergency requires evacuation, there are signs clearly posted throughout the building indicating the best routes for evacuation.

The building is generally open from 7:30 a.m. to 11:00 p.m. Monday through Friday and 7:30 a.m. to 5:00 p.m. on Saturday. When the building is closed, it is locked and monitored by a security company. Access to classrooms and laboratories is limited to those enrolled in the courses meeting there. Access to on- and off-campus activities is limited to actively enrolled students and their guests. Students are responsible for the behavior of their guests at all times at campus-arranged events. DeVry University reserves the right to require that DeVry University identification cards be presented for admittance to certain locations and events. DeVry University may also require students to register their guests with Student Services prior to attendance. Student, faculty, and staff identification cards should be worn at all times.

The on-duty security officer serves as an escort and on-campus security Monday through Friday from 7:30 a.m. to 11:00 p.m. and Saturday from 7:30 a.m. to 5:00 p.m. The security officer must be called to respond to emergencies and can be contacted at (614)257-5008. The security officer has the authority to ask questions and request identification at any time. The security officer does not have the authority to make arrests. Criminal

incidents will be referred to local law enforcement. DeVry University does not currently have a memorandum of understanding with local law enforcement.

All crime victims and witnesses are strongly encouraged to report incidents to both campus security and local police. Prompt reporting will ensure timely warning notices to the campus community and timely disclosure of crime statistics.

DeVry University does not have student housing facilities. Students living off-campus should check with their landlord for any specific safety and security measures available at their facility. Although most facilities provide keys for individuals and restrict access to apartments, the level of additional security varies from complex to complex. Crimes committed off-campus should be immediately reported to the police department with jurisdiction.

The campus security department maintains a policy concerning the monitoring and recording, through local police departments, of criminal activity in which students engaged at off-campus locations of student organizations officially recognized by the institution.

### **Important Emergency Contact Information for Each Location**

<b>Location Address &amp; Phone</b>	<b>Building Phone #</b>	<b>Fire Dept. Phone #</b>	<b>Police Dept. Phone #</b>
Columbus Campus 1350 Alum Creek Drive Columbus, Ohio 43209	614-253-7291	911	911
After hours emergency #		911	911

### **Safety and Security**

#### **CAMPUS CRIME STATISTICS ARE INCLUDED AT THE END OF THIS DOCUMENT**

Campus safety and security is the shared responsibility of students, faculty, and staff. To enhance student, faculty and staff awareness of their responsibility for personal safety, various information and services, including but not limited to, the following may be provided throughout the year:

- Pamphlets on personal safety.
- Emergency safety information.
- Safety/security displays in common areas and/or student central office.
- Use of institution publications as a forum for personal safety topics.
- Institution inspections to consider security precautions.
- Escort services provided by on-duty security officer.

#### **Safety and Security Tips**

##### *Personal*

- Stay alert and tuned in to your surroundings.
- Communicate that you are calm, confident, and know where you going.
- Stay away from isolated areas.
- Stay on the part of sidewalks furthest away from shrubs, dark doorways, and alleys.
- Walk with a companion whenever possible.
- Check the back seat before getting into a car. Keep doors locked while driving.
- Don't overload yourself with packages or wear shoes or clothing that restricts movement.
- Avoid displaying large amounts of cash or jewelry.
- Carry a purse close to your body. Carry a wallet in an inside coat or front trouser pocket.
- If you think someone is following you, abruptly switch directions and walk toward an open store, restaurant or lighted home.

- Don't hitchhike or pick up hitchhikers.
- Park in well-lighted areas.
- Avoid isolated bus stops at times when few other people are around.
- Do not reveal your name, phone number, or address to strangers.
- Never admit that you are alone or that you will be away from home.
- Keep an eye on neighbors' homes or apartments while they are away and have them do the same for you.
- Keep your local police department's phone number next to your phone.

### *Residence*

- Keep doors locked at all times.
- Draw shades and curtains whether or not you are at home.
- Keep money and jewelry locked in a safe place.
- Leave a light on while you are away or use a timer.
- Secure sliding glass doors with commercially available locks or a rigid wooden dowel in the track.
- Don't hide spare keys in mailboxes, planters, or under doormats.
- Make a record of your valuables and keep it in a safe spot.
- Don't leave a note that says you are not in.
- Never prop doors open.
- Keep ladders and tools in a locked area.
- Have someone cut your lawn while you're on vacation.

### *Vehicle*

- Always lock your car and remove the keys. Make sure the windows are closed.
- Lock all valuables in the trunk.
- Never leave an ID tag on your key ring.
- Leave only the ignition key with parking attendants.
- Park in well-lit areas.

### *Office*

- Keep your purse, wallet, and other valuable items with you at all time or locked in a drawer or closet.
- Never keep keys lying out.
- Never leave change or cash on the desk or in a top drawer.
- Notify security personnel of any suspicious persons or vehicles.
- Lock doors when working after normal hours.
- Report any broken or flickering lights, and doors that don't lock properly.

## **Sex and Gender Based Misconduct Response and Prevention Policy**

### **Purpose**

This policy applies to complaints or reports of alleged sex and/or gender-based misconduct. DeVry University (DVU) expressly prohibits sex and/or gender-based misconduct which includes sexual harassment, sexual assault, rape, domestic violence, dating violence, stalking, sexual exploitation, and gender-based harassment. Any acts that meet this policy's definitions of sex and/or gender-based misconduct are a violation of DVU's policy, and potentially applicable state and federal law. DVU is committed to fostering an environment where any alleged violation of this policy is promptly reported and complaints are resolved in a fair and timely manner.

Creating a safe environment is the responsibility of all members of the community. Regardless of the definitions provided below, anyone who believes they are a victim of sex and/or gender-based misconduct

should report the incident as soon as possible to the Title IX Coordinator (see “Coordinator” under “Definitions” below for contact information) or the campus complaint administrator in addition to seeking immediate medical and/or safety assistance.

### **Scope**

This policy applies to all members of the DVU community, and includes, but is not exclusive to faculty, staff, students, DVU visitors, volunteers, vendors, and persons related to, receiving or seeking to receive services, or otherwise pursuing studies with the organization. It also applies, as appropriate, to any alleged act of sex and/or gender-based misconduct that adversely impacts the DVU community, whether those acts occur on or off campus.

### **Definitions**

“Clery Act” refers to the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, 20 U.S.C. Section 1092(f); 34 C.F.R. Part 668.46. The Clery Act requires that institutions annually disclose certain crimes which have occurred within a geography that includes campus buildings and adjacent locations. Annual disclosures are released on or by the 1st day of October each year.

“Code of Conduct applicable to students” refers to the policy titled “Code of Conduct” which is accessible in the student handbook. It outlines students’ rights and responsibilities, as well as the process by which action may be taken against a student for Code violations.

“Colleague Code of Conduct” refers to the “DVU Code of Conduct” (UltiPro Chiclet on the DVU OKTA > Menu > Myself > My Company Info > HR & Ethics Policies) which is applicable to colleagues at all DVU locations and offices and outlines colleagues’ rights and responsibilities.

“Colleague complaint procedure” is the vehicle by which colleagues can bring to the administration’s attention any complaint relating to their experience with DVU or a member of the DVU community. It is the mechanism for investigating and trying to resolve complaints raised by colleagues and can be found in the UltiPro Chiclet on the DVU OKTA > Menu > Myself > My Company Info > HR & Ethics Policies.

“Complaint administrator” is a DVU colleague responsible for conducting an investigation when a complaint of sex and/or gender-based misconduct is raised. To find the complaint administrator at any given location or for a particular complaint, consult the student handbook, Student Services, or Title IX Coordinator.

“Conduct administrator” is an official authorized to administer disciplinary proceedings for respondents who may have violated the Code of Conduct applicable to students. A conduct administrator may serve as the sole member or as a participant in the conduct panel. Nothing shall prevent DVU from authorizing the same conduct administrator to impose sanctions in all cases at a single or multiple locations.

“Conduct panel” means any person or persons authorized by the conduct administrator to determine whether a respondent has violated the Code of Conduct applicable to students and to determine appropriate sanctions.

“Consent” is a voluntary, conscious, affirmative agreement to engage in a specific sexual act. Consent can only exist free from intimidation, force, threat of force or coercion. Under this policy, “No” always means “No,” and “Yes” may not always mean “Yes.” Anything but voluntary, conscious, affirmative consent to any sexual activity is equivalent to “no” for purposes of this policy. While the legal definition of consent varies by jurisdiction (See “Related Information” for link to consent statutes by state), the following general rules apply when assessing whether consent has been/was given.

- Consent can never be assumed.
- Consent cannot be implied from either the lack of explicit consent or the lack of explicit dissent.
- Where there is use of threat, force or restraint by the accused, the lack of verbal or physical resistance or the submission by the victim does not constitute consent.
- The manner of dress of the victim does not constitute consent.
- Past consent to sexual contact and/or a shared sexual history does not imply consent to future sexual contact.

- Consent to sexual activity with one person does not constitute consent to sexual activity with another person.
- A person who initially consents to sexual contact including penetration may withdraw continued consent at any time during the course of that interaction. When consent is withdrawn or can no longer be given, engagement in sexual activity must stop.
- Consent to some form of sexual activity cannot automatically be taken as consent to any other form of sexual activity.
- A person cannot consent to sexual activity if that person is unable to understand the nature of the activity or give knowing consent due to circumstances, including without limitation the following: the person is incapacitated due to use or influence of alcohol or drugs; the person is asleep or unconscious; the person is under age; or the person is incapacitated due to a mental disability.
- Consent is required regardless of whether the person initiating sexual activity is under the influence of drugs and/or alcohol
- A power differential between people engaged in a sexual act presumes the inability to consent for the less powerful person (e.g. the student in a student-colleague interaction; the supervisee in a direct report-supervisor interaction).

“Coordinator” refers to the Title IX Coordinator. Paul Herbst, Title IX Coordinator (TitleIX@devry.edu or 630-960-8019) is responsible for overseeing compliance with all aspects of this policy and designated to receive and monitor resolution for all Title IX reports.

“Dating violence” means sex or gender-based violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. While no form of violence is ultimately desirable, a distinction should be made between violent acts representing an effort to exert power and control within a dating relationship and defensive acts taken in response to ongoing verbal, psychological or physical abuse by a dating partner.

“Domestic violence” refers to sex or gender-based violence committed by either a current or former spouse of the victim; a person with whom the victim shares a child in common; a person who is or has cohabitated with the victim as a spouse; a person similarly situated to a spouse of the victim under the jurisdictional domestic or family violence laws; or any other person against a victim who is protected from that person's acts under the jurisdictional domestic or family violence laws. Based on jurisdictional definitions, domestic violence may constitute a felony or misdemeanor crime. While no form of violence is ultimately desirable, a distinction should be made between violent acts representing an effort to exert power and control within a domestic relationship and defensive acts taken in response to ongoing verbal, psychological or physical abuse by a domestic partner.

“DVU” means DeVry University and its Keller Graduate School of Management.

“FERPA” means the Family Educational Rights and Privacy Act, 20 U.S.C. Section 1232g; 34 C.F.R. Part 99. FERPA sets certain limits on the disclosure of student records. This policy is designed to work in tandem with FERPA, and nothing in this policy is intended to require or encourage non-compliance with FERPA.

“Gender-based misconduct” refers to unwelcome conduct, including harassment, of an unacceptable nature based on actual or perceived biological sex including behaviors based on gender identity, expression and nonconformity with gender stereotypes.

“Member of the DVU community” includes students, faculty members or staff, and any other individuals associated with DVU. The conduct administrator or complaint administrator shall determine a person’s status in a particular situation.

“Notice” refers to any information regardless of whether it is direct, indirect, partial or complete received by a colleague that indicates possible sex or gender-based misconduct. When notice is received, colleagues are



required to inform the Title IX Coordinator or their supervisor who in turn must make a report to the Title IX Coordinator.

“One-up manager” is a colleague’s manager’s manager. It is the person responsible for receiving a colleague’s complaint when his/her direct manager is implicated in that complaint.

“Policy” is defined as a general administrative or operational direction with broad application throughout DVU.

“Rape” is any 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 and/or by force. Rape may involve strangers or people who know one another (e.g. friend, classmate, relative, spouse or co-worker). In these instances, rape is often referred to as “acquaintance rape.” Rape is a crime regardless of a relationship or lack thereof between individuals.

“Sexual assault” is non-consensual sexual contact defined as physical contact of a sexual nature against the victim’s will or without the victim’s consent. It includes any intentional sexual touching, however slight, by direct physical contact or by use of any object, by a person upon another person, without consent and/or by force. Rape is a severe form of sexual assault.

“Sexual contact” means the deliberate touching of a person's intimate body parts (including lips, genitalia, groin, breast or buttocks, or clothing covering any of those areas), or using force to cause self-touching by another person of intimate body parts.

“Sexual exploitation” occurs when a person takes non-consensual or abusive sexual advantage of another for the advantage or benefit of themselves or any other person that is not the person being exploited by the behaviors. Examples include but are not limited to: invasion of sexual privacy; prostitution; non-consensual recording of nudity or sexual activity; voyeurism; knowingly exposing someone to an STI, STD or HIV; intentional exposure of genitals in non-consensual circumstances; and sex- based stalking or bullying.

“Sexual harassment” refers to unwelcomed sex or gender-based advances, requests for favors or other verbal, written, online and/or physical conduct. Sexual harassment occurs when a person is the recipient of conduct of a sexual nature where: (1) Submission to, or toleration of, such conduct is made either explicitly or implicitly a term or condition of the student’s education or colleague’s employment; or (2) Submission to or rejection of such conduct by an individual is used as the basis for academic decisions about the student or professional decisions about the colleague; or (3) Such conduct is sufficiently severe or persistently pervasive and objectively offensive thereby having the purpose or effect of unreasonably interfering with a person’s ability to participate in or benefit from DVU’s educational, employment, social or other related programs.

“Sex and gender-based misconduct” is a broad term used to refer to all conduct prohibited by this policy. This encompasses sexual harassment, gender-based harassment, dating violence, domestic violence, rape, sexual assault, sexual exploitation and stalking. Sex and gender-based misconduct can occur between strangers or acquaintances, including people involved in an intimate or sexual relationship. Sex and gender-based misconduct can be committed by any person regardless of sex, gender or sexual orientation of the victim or perpetrator.

“Stalking” is a course of behavior directed at a specific person that would cause a reasonable person to feel fear for personal safety, or repetitive, menacing pursuit, following, harassing and/or interfering with the peace and/or safety of another.

“Student complaint procedure” is the vehicle by which students can bring to DVU’s attention any complaint relating to their experience with DVU or a member of the DVU community. It is the mechanism for investigating and attempting to resolve complaints raised by students. The student complaint procedure can be found in the student handbook (<http://www.devry.edu/current-students/current-students-student-handbooks.html>).

“Speak Up” refers to the Speak Up! Program, a reporting system managed by a third party vendor (NAVEX), which encourages members of the DVU community to come forward with questions or concerns, including allegations of sex and/or gender-based misconduct. Reports can be made anonymously or reporters can provide their name and contact information. Colleagues are expected to ask legal, compliance and ethics questions and report suspected wrongdoing. Colleagues and students can utilize Speak Up by contacting the third party contractor NAVEX by phone at (844) 703-9374 or online at [www.devry.ethicspoint.com](http://www.devry.ethicspoint.com).

“Title IX” is a federal law which prohibits sex and gender discrimination in U.S. education. Under Title IX, sex and gender-based misconduct are forms of discrimination that require investigation and appropriate remediation when students, colleagues, or other members of the educational institution’s community are impacted. Title IX is enforced by the U.S. Department of Education.

“VAWA” refers to the Violence Against Women Act, 34 CFR Part 668. VAWA supports community resources for victims of rape, sexual assault, stalking, dating violence and domestic violence and articulates expectations regarding the management of related concerns when a report is made to representatives of U.S. colleges and universities.

## **Policy Statement**

### **Prevention and Awareness**

Acts that are deemed to fall within the scope of this policy are violations of the Codes of Conduct, as well as the expectations of members of the DVU community. These acts may also be crimes. In an effort to increase the likelihood of intervention and reduce the risk of sex and/or gender-based misconduct from occurring among its students and colleagues, DVU is committed to providing primary and ongoing awareness and prevention programming.

Primary and ongoing awareness and prevention programs will cover the continuum of issues contemplated by this policy. Themes will include situational awareness and prevention strategies such as bystander intervention and other forms of risk reduction. While *bystander intervention* specifically refers to the safe and effective ways in which third parties can intervene to thwart sex and/or gender-based misconduct, *risk reduction* also encompasses various strategies to eliminate or reduce risk of harm by avoiding or removing oneself from situations that are dangerous or uncomfortable.

*Awareness programs* are events that occur online or in person that request active engagement of community members. It is the expectation and responsibility of each member of the DVU community to participate in programming which will assist with ongoing prevention efforts, as well as effective and efficient identification and response when sex and/or gender-based misconduct does occur.

*Primary prevention and awareness programming* will include a comprehensive online education platform intended for viewing by all colleagues and students, as well as student-facing vendors if necessary and appropriate. The program will be completed by:

- New students and transfer students: within three weeks of formal enrollment.
- Returning and continuing students who did not take the training as a new or transfer student: no later than the first day of classes for the semester when they are scheduled to return or continue.
- Colleagues by the date stated in email notification.
- Specific vendors as identified and by the date stated in email notification.

Access to the primary prevention program and its contents will be ongoing throughout the participant’s relationship with DVU. Members of the DVU community are encouraged to visit this resource regularly for personal, professional and academic purposes.

*Ongoing prevention and awareness campaigns* are public service announcements and campaigns, as well as messages and activities integrated into the day-to-day fabric of the academic community. These initiatives are intended to reinforce increased awareness regarding sex and/or gender-based misconduct and prevention strategies throughout the year. DVU will continually seek formal and informal ways to incorporate additional

awareness and prevention strategies, e.g., active and passive educational campaigns such as social norms poster campaigns, newsletter articles, presentations and volunteerism with local community resource agencies. When additional ongoing education is provided, the organizer will report that event, activity, or effort to the Title IX Coordinator for recordkeeping and quality assurance purposes. Toolkits including ideas and resources that support ongoing efforts and are related to the primary prevention and awareness programming will be made available to any campus upon request.

Additional annual training will be delivered to colleagues responsible for responding to reports of sex and/or gender-based misconduct, including but not limited to complaint administrators, conduct administrators, conduct panelists, and appeal reviewers. These colleagues should complete the primary prevention and awareness programming described above, as well as remote or live training and/or consultation with the Title IX Coordinator before and during management of an allegation within the scope of this policy.

## Reporting

Victims may file a formal complaint with a designated local campus administrator or through the Title IX Coordinator.

Barbara Bickett  
Senior Director, Regulatory Affairs  
DeVry University  
(630) 515-5852  
[Barbara.Bickett@devry.edu](mailto:Barbara.Bickett@devry.edu)

Paul Herbst  
Title IX Coordinator  
ADA/504 Coordinator  
(630) 960-8019  
[TitleIX@devry.edu](mailto:TitleIX@devry.edu)

Reports can also be made by victims, third parties or bystanders with the option to remain anonymous through Speak Up at (844)-703-9374 or online at [www.devry.ethicspoint.com](http://www.devry.ethicspoint.com). Initial response to electronic reports will occur within 12 hours of initial receipt.

If a victim wishes to access local community agencies and/or law enforcement for support or to make a report, DVU will assist the victim in making these contacts. Direct assistance, though limited, remains available when reports are made anonymously through Speak Up. Anyone may make a report regarding any information pertaining to violations of this policy.

All DVU colleagues (faculty, staff, administrators, and student workers) who are not otherwise identified in this policy or through institutional addenda as confidential resources are required to immediately provide any information received about any actual or suspected sex and/or gender-based misconduct impacting the DVU community to appropriate officials with some very narrow exceptions discussed elsewhere in this policy (see "Confidentiality"). Regardless of how notice is received, reports may prompt a need for DVU to investigate.

Any individual wishing to discuss a situation within the scope of this policy without triggering an immediate investigation should seek referral to mental health counseling services. Students may seek support through ASPIRE at (888) 470-1531 or via [info@myASPIREonline.com](mailto:info@myASPIREonline.com) and colleagues may seek support 24 hours a day, seven days a week through United Health Care's Colleague Assistance Program at (866) 248-4096 or [www.liveandworkwell.com](http://www.liveandworkwell.com). General hotline and other resource information can be found at the end of this policy and focused support services can be obtained through consultation with Student Services, Human Resources, or the Title IX Coordinator.

Individuals experiencing misconduct in violation of this policy are also always free to notify the U.S. Department of Education:

Office of Civil Rights (OCR) - Headquarters 400 Maryland Avenue, SW  
Washington DC 20202-1100  
Customer Service Hotline #: (800) 421-3481  
TDD#: (877) 521-2172  
Email: [OCR@ed.gov](mailto:OCR@ed.gov)  
Web: <https://www.ed.gov/ocr>

Regional Offices: <https://www2.ed.gov/about/offices/list/ocr/addresses.html>

## **Support and Resources**

The DVU official who receives notification of alleged sexual and/or gender-based misconduct will offer appropriate support or refer the victim directly to immediate assistance. Assistance may initially require supported access to local medical, mental health, legal or law enforcement resources and could include academic accommodations, visa and immigration services, student financial aid, changes in working situations and other arrangements as may be appropriate and available (such as limiting orders, campus escorts, transportation assistance, or targeted interventions). Students and employees will receive written notification to the availability of supportive measures and community resources, regardless if the incident was reported to campus security or local law enforcement. No victim is required to take advantage of these services and resources, but DVU provides them in the hope of offering help and supporting minimal disruption to access to academic programming or the workplace. If circumstances related to an incident change over time, these and other supportive accommodation options may be revisited. DVU may also provide referrals to counseling services, at the victim's option, including but not limited to the confidential colleague and student support services outlined above (See "Reporting"). Local resource lists can also be found through Student Central and/or Student Services. A brief list of national and international referral sites can be found at the end of this policy.

## **Disciplinary Review and Action**

Acts of sex and/or gender-based misconduct are subject to disciplinary action. Disciplinary action is not intended to determine criminal responsibility. Rather it is intended to identify and respond to violations of DVU policy and community standards. Separate and distinct disciplinary action may also be considered in instances of retaliation against those who, in good faith, report or disclose an alleged violation of the comprehensive policy, file complaint, or otherwise participate in the complaint resolution procedure. Failure by a respondent to adhere to interim protective measures will be considered a form of retaliation or an extension of the initial allegations.

When the victim chooses, or DVU believes it is necessary, a prompt, fair and impartial investigation will be initiated. In the event that a victim requests that an investigation not occur, their request will be honored when possible and unless DVU determines in good faith that failure to investigate creates a potential risk of harm to the reporting individual or other members of the community. Factors used to determine whether to adhere to such a request include, but are not limited to whether: the accused has a history of violent behavior or is a repeat offender; the incident represents escalation in unlawful conduct on behalf of the accused from previously noted behavior; there is an increased risk that the accused will commit additional acts of violence; the accused is alleged to have used a weapon or force; the reporting individual is a minor; DVU possesses other means to obtain evidence; and/or available information reveals a pattern of perpetration by a specific person, at a given location, or by a particular group.

If allegations of colleague misconduct are substantiated to the preponderance of evidence standard through the investigation, colleague discipline may be imposed. The colleague complaint procedure, which details the investigation and resolution processes and prohibited colleague conduct, can be accessed through the UltiPro Chiclet on the DVU OKTA > Menu > Myself > My Company Info > HR & Ethics Policies.

The Title IX Coordinator will monitor the investigation and resolution of reports of sex and/or gender-based misconduct and facilitate compliance with this policy. Furthermore, the Title IX Coordinator will work with campus administration to identify and initiate strategies intended to remedy the effects on the victim and the DVU community to the extent practicable and reasonable to prevent the recurrence of similar misconduct.

Privacy of the records specific to sex and/or gender-based misconduct investigations is maintained in accordance with applicable law, including FERPA. Any public release of information to comply with the timely warning provisions of the Clery Act will not include the names of victims or information that could easily lead to a victim's identification. In appropriate instances, pertinent interim actions and the results of disciplinary hearings regarding the alleged perpetrator of misconduct will be disclosed to the alleged victim and/or complainant. Confidentiality will be maintained whenever possible, however DVU reserves the right to exercise

discretion and disclose details of an incident or allegation to assure community safety or the safety of an individual.

It is DVU's policy to hold perpetrators of sex and/or gender-based misconduct accountable for their actions through appropriate student conduct or personnel procedures, and by working with community agencies and law enforcement as appropriate. DVU's internal review processes shall run concurrently with any criminal justice investigation and proceeding, except for temporary delays as requested by external entities while law enforcement gathers evidence. Temporary delays should not last more than ten days except when law enforcement specifically requests and justifies a longer delay.

Internal mediation between the alleged victim and respondent will not be used to resolve an allegation of sexual misconduct.

Prior sexual history with persons other than the other party in a judicial or conduct process, as well as any mental health diagnosis and/or treatment will be excluded from student conduct hearings at the student's preference. Past findings of domestic violence, dating violence, stalking, or sexual assault may be admissible in the stage of a review process that determines sanction.

Investigation and response to allegations of sex or gender-based misconduct will include the following, without limitation: trauma informed assistance to the victim/survivor as appropriate; an interview with the victim/survivor; identifying and locating witnesses; contacting and interviewing the respondent; cooperating with law enforcement. In any complaint of sex or gender-based misconduct, the person bringing the accusation and the responding party are both entitled to the same opportunities for notice of any meeting they are required to or are eligible to attend, of the specific rule, rules or laws alleged to have been violated and in what manner, and the sanction or sanctions that may be imposed on the respondent based upon the outcome of the judicial or conduct process, as well as a support person or advisor of their choice throughout the process, consistent with any guidelines set forth applicable to students or colleagues. Once complete, the parties will be informed, in writing, of the outcome. Notice to both parties will include a written statement detailing the factual findings supporting the determination and the rationale for the sanction/discipline (if any) to the degree possible and always when the sanction/ discipline is directly relevant to that individual. Delivery of this outcome will not be unduly delayed to either party, and should occur in the same form and format and as near to simultaneously as possible.

### **Sanctions for student misconduct**

Appropriate disciplinary sanctions for substantiated violations of this policy by students, up to and including expulsion, will be imposed in accordance with the Code of Conduct applicable to students found in the Student Handbook (<http://www.devry.edu/current-students/current-students-student-handbooks.html>). The full list of available sanctions is provided in the Code of Conduct applicable to students. This policy statement is not intended to replace or substitute for the Code of Conduct applicable to students. This policy is a supplement to the community standards that the Code of Conduct applicable to students sets forth. Alleged violations of this policy will be referred to the applicable complaint administrator and/or conduct administrator for appropriate review. All parties in a student conduct proceeding will be informed at the same time and in the same manner of any final determinations, as well as DVU's appeal process, and their rights to request an appeal. Should any change in outcome occur prior to finalization (e.g., a re-hearing ordered upon appeal), all parties will be informed at the same time and in the same manner, and will be notified when the results of the conduct process is finalized. In addition, violations of this policy may trigger application of sanctions to a student imposed under local, state, or federal law.

### **Sanctions for colleague misconduct**

Alleged violations of this policy by colleagues will be referred to Human Resources for appropriate review. Disciplinary sanctions for a colleague's violation of this policy may include written reprimand, warning, probation, suspension, change in job assignment, office relocation, reduction of awards under the management incentive plan, or termination of employment or contract, and will be imposed in accordance with applicable DVU policies and procedures. DVU reserves the right to impose further and/or different sanctions

appropriate to an individual situation. In addition, violations of this policy may trigger application of sanctions to a colleague imposed under local, state, or federal law.

### **Reporting by colleagues to external authorities**

Colleagues who are made aware of a possible violation of this policy are required to contact their manager or one-up manager and also the Title IX Coordinator. Colleagues can also submit named or anonymous reports of sexual and/or gender-based misconduct by utilizing the DVU Speak Up hotline at (844) 703-9374 or the website, [www.devry.ethicspoint.com](http://www.devry.ethicspoint.com). Colleagues should contact the Title IX Coordinator with any questions about whether a report to law enforcement is appropriate. Nothing in this policy prohibits a student or colleague from reporting a crime directly to local authorities.

Disciplinary procedures are independent of any and all procedures and proceedings under local, state, or federal criminal or civil law. In all cases, DVU reserves the right to refer cases for parallel criminal prosecution or to pursue sanctions regardless of criminal prosecution. Violations of this policy by a visitor, volunteer, vendor, agents, or other third parties affiliated with DVU may also result in the termination of pre-existing or future relationships.

### **Victim/Survivor's Rights**

DVU will take interim steps to protect victims of sex and gender-based misconduct and maintain a positive learning and working environment by minimizing or eliminating contact between a complainant and a respondent and providing reasonable academic, employment, and administrative accommodations in accordance with the Clery Act and Title IX. Students who are victims of sex and/or gender-based misconduct may request a change in their academic arrangements by contacting student services, the Title IX Coordinator, or local leadership. Colleagues who are victims of sex and/or gender-based misconduct may request a change in their employment arrangements by contacting their one-up manager, Human Resources, the Title IX Coordinator, or local leadership.

Victim/Survivor's rights include:

1. The right to notify or not notify law enforcement, and to request and receive assistance from DVU in making a report if desired.
2. The right to summary information on all available response options, such as complaint resolution procedures, including the necessary steps and potential consequences of each option whether or not a formal report is made to the institution.
3. The right to be free from undue coercion from DVU to pursue or not pursue any course of action.
4. The right to be informed of the institution's role regarding orders of protection, no contact orders, restraining orders, or similar lawful orders issued by a civil, criminal, or tribal court (when applicable).
5. The right to request and receive information on how to make a confidential report for the purposes of tracking campus crime without otherwise divulging details that would require or permit DVU to investigate and respond (when the incident has not yet been reported to a colleague required to notify the Title IX Coordinator).
6. The right to contact information for the Title IX Coordinator, available confidential advisors, community-based resources (sexual assault crisis centers or other appropriate support services), campus security and/or local law enforcement.
7. The right to be fully informed of any applicable disciplinary conduct process and procedures.
8. The same rights as the accused to attend and have a support person of their choice and/or witnesses present at student conduct hearings and any meetings leading up to such a hearing.
9. The right to be informed of the outcome of any student or colleague conduct process involving alleged sex or gender-based misconduct regardless of participation in the process leading to that outcome. In the case of student conduct proceedings, victims have the right to appeal the outcome.
10. The right to request interim protective measures and accommodations including a change in academic, employment, on-campus living, transportation or other arrangements after the

alleged sex or gender-based misconduct and to be informed of the reasonably available options for those changes.

11. The right to obtain and have enforced a campus-issued limiting instruction or no contact order or a court issued order of protection or no contact order.
12. The right to be informed about DVU's ability to provide assistance, upon request, in accessing and navigating campus and/or community resources for health, mental health, advocacy, and/or other services for survivors of sexual assault, relationship violence and other forms of sexual misconduct.
13. The right to be free from any suggestion that they are at fault or should have acted in a different manner to avoid reported sex or gender-based misconduct.
14. The right to not be required to describe the incident to more representatives than absolutely necessary for proper investigation and response and under no circumstances will a victim be required to repeat details of the incident to secure appropriate accommodations.
15. The right to make an impact statement during the point in any conduct review process where the decision maker is prepared to deliberate on appropriate sanctions.

***For all colleagues:*** In the event that a violation of this policy is reported to you, the victim should be provided with the above-listed options and a copy of this policy. For more specific instructions on how to properly comply with this policy, please consult the Title IX Coordinator.

### **Amnesty for Victims and Witnesses**

DVU encourages the reporting of sex and gender-based misconduct by victims and witnesses who are sometimes hesitant to report to DVU officials or participate in the resolution processes because of concern that they may be accused of policy violations, such as underage drinking or drug use at the time of the incident. It is in the best interest of the community that victims and witnesses come forward to share what they know regarding violations of this policy. To encourage reporting, victims and witnesses may be provided with educational options, rather than punitive sanctions, for minor policy violations.

Similarly, DVU encourages direct assistance to those in need as a result of sex or gender-based misconduct. In instances where minor policy violations are revealed as a result of a person providing assistance to a victim, policy violations should not be overlooked, however the DVU may provide educational options, rather than punitive sanctions, to those who offer their assistance.

### **Retaliation**

DVU prohibits retaliation against anyone who reports an incident of sex and gender-based misconduct or any person who assists or participates in a proceeding, investigation or hearing relating to such allegations. Any allegation of retaliation related to the investigation or resolution of a sex or gender-based misconduct allegation will be treated as an independent Title IX complaint requiring consideration of appropriate reparative interim action, as well as investigation and resolution as described in this policy.

Retaliation includes, but is not limited to, any form of intimidation, reprisal, or harassment.

All complaints of retaliation should be reported in accordance with DVU's complaint procedures. If DVU's procedures would result in students or colleagues being required to submit a complaint to the person whom they believe is retaliating, students or colleagues may submit the retaliation complaint directly to the Title IX Coordinator, or to the campus or location leader or one-up manager, who should also inform the Title IX Coordinator.

Submission of a good-faith complaint or report of sexual or gender-based misconduct will not adversely affect the complainant's future academic or work environment. DVU will discipline or take other appropriate action against anyone who retaliates against any person who reports an incident of alleged sexual or gender-based misconduct or who retaliates against any person who assists or participates in a proceeding, investigation or hearing related to such allegations.

## **Confidentiality**

DVU wishes to create an environment in which individuals feel free to discuss concerns and make complaints. DVU understands that complainants, witnesses, and others involved in the investigation process may be concerned about the confidentiality of the information they are sharing. In some cases, however, DVU may be obligated to take action when it becomes aware of information relating to a complaint.

Confidentiality in cases of sex and/or gender-based misconduct will be maintained to the extent permissible by law and consistent with DVU's obligations in investigating complaints. Once an individual discloses identifying information to DVU through the processes described above and in the applicable complaint procedures, that person will be considered to have filed a complaint with DVU. While the confidentiality of information received, the privacy of individuals involved, and compliance with the wishes of the complainant or witnesses cannot be guaranteed, they will be respected to the extent possible and appropriate.

## **Confidential Resources**

The availability of confidential resources permits discussion of an incident without triggering an immediate report to the Title IX Coordinator and institutional or organizational response, both of which may result in or require that the reporter or impacted party being identified. Confidential resources also permit exploration of reporting options and possible consequences before filing a formal report. State or profession specific mandatory reporting laws related to certain types of concerns (i.e. child sexual abuse), may still trigger a requirement for a confidential resource to report an incident to identified enforcement agencies.

If students or colleagues wish to speak with someone who can assure confidentiality, they are encouraged to access counseling services available by referral through DVU's third party provider, ASPIRE, at (888) 470-1531 or [info@myASPIREonline.com](mailto:info@myASPIREonline.com) (for students) or UHC at (866) 248-4096 or [www.liveandworkwell.com](http://www.liveandworkwell.com) (for colleagues). Additional confidential resources may be available on or off campus and vary by location. (See your institution's student handbook or your campus-specific website).

## **Resources & Tools**

### **Risk Reduction Tips**

Responsibility for sexual misconduct rests with those who commit such acts. Risk reduction tips are not intended to blame the victim. There are precautions we all can take which may limit our exposure to situations which may result in non-consensual sexual acts.

- Communicate limits/ boundaries and respect the limits/ boundaries of others.
- Clearly and firmly say "No" to a sexual aggressor.
- If possible, leave the physical presence of a sexual aggressor or otherwise violently aggressive person.
- If someone is nearby, ask for help.
- Take responsibility for your alcohol/ drug use. Acknowledge that alcohol/drugs lower sexual inhibitions and may make you vulnerable to someone who sees an impaired person as a sexual opportunity.
- Do not take advantage of someone's intoxication or altered state even if alcohol or drugs were consumed willingly.
- If you choose to share intimate images, pictures, videos or content with others, even those you trust, be clear about your expectations regarding how the information may be used, shared or disseminated. If such information is shared with you, do not share it with others.
- Take care of friends and ask that they take care of you.
- As a sexual initiator, clearly communicate your intentions and give your sexual partner the opportunity to clearly communicate the same.
- Do not make assumptions about consent, sexual availability, sexual attraction, how far an interaction can go, or about physical and/or mental ability to consent.
- Remember that consent should be affirmative and continuous. If there is any question or ambiguity, you should proceed as if you do not have consent.
- Consider mixed messages from a partner to be an indication that sexual conduct should stop so that better communication can occur.



- Recognize the potential for a sexual partner to feel intimidated or coerced by you as a result of a power advantage, your gender, your demeanor or your physical presence. Do not use or abuse that power.

### **Bystander Intervention Strategies**

Intervention by classmates, colleagues and others within proximity to the precursors or signs of possible sexual assault, sexual exploitation, dating violence, domestic violence or stalking can significantly impact the course of an interaction between a latent perpetrator and victim. Bystanders may also encourage friends, classmates and colleagues who are already experiencing victimization to seek assistance sooner than they may have without encouragement, support, or acknowledgement.

Community members are encouraged to recognize warning signs and to consider possible methods of interference in various scenarios before opportunities to intervene arise. By planning ahead, we all maximize the likelihood of being empowered to take safe actions to either prevent sexual misconduct or offer paths to eliminate ongoing victimization.

When a member of the DVU community observes threatening, coercive, forceful, aggressive or harassing behavior, it is important to assess the situation to determine the best possible course of action for all concerned. Some forms of intervention are direct, while others will be less apparent to the perpetrator or others within range of the interaction. Examples include but are not limited to:

- Making up an excuse to get someone out of a dangerous situation.
- Stepping in to change the course of an interaction.
- Warning potential or perceived perpetrators that their actions may lead to severe consequences.
- Refusing to leave the company of a potential victim despite efforts by an aggressor or pursuer to get the potential victim alone.
- Remaining on the scene of observed misconduct and offering to make a statement or act as a witness subsequent to intervention by security, administration or the police.
- Taking steps to reduce alcohol or drug consumption within a potentially dangerous social situation.
- Calling and cooperating with security, administration, the police or others to assist with intervention and accountability.
- Expressing concern or offering resources when you notice someone with unexplained or frequent injuries.
- Refusing to consider sex and/or gender-based misconduct a personal or private matter between the victim and the perpetrator.

### **Procedures to Follow After a Sexual Misconduct Incident**

Victims of any sexual misconduct that might constitute a crime, including domestic violence, dating violence, sexual assault, stalking, and rape (including acquaintance rape) that impacts the DVU community have the option and are encouraged to contact local law enforcement authorities.

Whenever possible, victims should report a violation of this policy as soon as possible and preserve evidence as may be necessary to prove that domestic violence, dating violence, sexual assault, or stalking occurred, or to obtain a protection order. Victims of sexual assault or rape are strongly encouraged to report the incident as described in this policy to deter future assaults and to ensure that victims receive the services they need. Steps should be taken to help deal with physical and emotional trauma associated with the violation.

Recommended steps include:

1. Go to a safe place; go somewhere to get emotional support.
2. Consider reporting the incident to the police. If requested, DVU will assist with notification.
3. Report the misconduct to the student central leader, conduct administrator, complaint administrator, one-up manager, campus incident commander, local DVU leadership, Title IX Coordinator, or Human Resources.
4. For your safety and well-being, immediate medical attention is encouraged. Being examined as

soon as possible, ideally within 120 hours, is important especially in the case of rape and other forms of sexual assault. The hospital will arrange for a specific medical examination at no charge. To preserve evidence, it is recommended that, if at all possible, you do not bathe, shower, douche, eat, drink, smoke, brush your teeth, urinate, defecate or change clothes before that exam. Even if you have already taken any of these actions, you are still encouraged to have prompt medical care. Additionally, you are encouraged to gather bedding, linens or unlaundered clothing and any other pertinent articles that may be used for evidence. Secure them in a clean paper bag or clean sheet.

5. Even after the immediate crisis has passed, consider seeking professional counseling and the support of local and specialized support agencies such as sexual assault recovery centers and domestic violence safe houses. This can help to recover from psychological effects and provide a safe environment for recovery.
6. Contact the student central leader, academic advising team lead (for online), conduct administrator, complaint administrator, one-up manager, Title IX coordinator, or Human Resources if you need assistance with DVU related concerns, such as implementing no-contact orders or other protective measures. DVU may also liaise with local authorities to assist an individual who wishes to obtain protective or restraining orders.

Victims are not required to report an incident to law enforcement authorities, but campus authorities will assist victims who wish to do so. Anyone with knowledge about a sexual assault or other sex or gender-based misconduct is encouraged to report it immediately to the Title IX Coordinator in order to permit a coordinated report to the applicable law enforcement authorities when appropriate. Nothing in this policy prohibits a student or colleague from reporting a crime directly to local authorities.

Please refer to the “Related Information” section of this document for a link to local resources for advice and assistance to victims.

## **Related Information**

### **Resources for Victims of Sexual Misconduct**

Local Resources can be found in the Annual Disclosure reports distributed to each campus community and posted on the Student Consumer Information page of DVU’s web site. The reports are available by location in a drop-down menu and contain lists of local resources available to victims of sex and gender-based misconduct. The resource lists are updated annually.

To access this information, go to: <http://www.devry.edu/studentconsumerinfo.html#disclose>

Additionally, the following resources exist to provide information and links to local assistance:

### **Resources for Victims of Sexual Misconduct**

#### ***National Sexual Assault Hotline***

1-800-656-HOPE (4673)

<https://rain.org>

#### ***National Suicide prevention Hotline***

1-800-273-TALK (8255)

<https://suicidepreventionlifeline.org>

#### ***National Domestic Violence Hotline***

1-800-799-7233

(TTY) 1-800-787-3224

<http://thehotline.org>

#### ***Americans Overseas Domestic Violence Crisis Center***

1-866-USWOMEN (International Toll Free)

[crisis@866uswomen.org](mailto:crisis@866uswomen.org)

#### ***National Network to End Domestic Violence***

<https://nnedv.org>

<https://womenslaw.org/> [Legal information and resources]

#### ***U.S. Embassy***

<https://USEmbassy.gov>

***National Stalking Resource Center***

***School and College Organization for Prevention Educators***

<https://victimsocrime.org>

Consent Statutes Listed by State:

<https://wearescope.org/reources/consent-statutes/#list>

**National Teen Dating Abuse Helpline**

1-866-331-9474

1-866-331-8453 (TTY)

<https://loveisrespect.org>

**The White House Task Force to Protect Students from Sexual Assault**

<https://NotAlone.Gov>

**State Domestic Violence Coalition Resources**

Ohio Domestic Violence Network

4807 Evanswood Dr., Suite 201

Columbus, OH. 43229

Phone: 614-781-9651

Toll free: 1-800-934-9840

Website: <http://odvn.org/>

**State Sexual Assault Coalition Resources**

Ohio Alliance to End Sexual Violence

526 Superior Ave, Suite 1400

Cleveland, OH 44114

Phone: 216-658-1381

Toll free: 1-888-886-8388

Website: [www.oaesv.org](http://www.oaesv.org)

Columbus Coalition Against Family Violence [http://publicsafety.ohio.gov/links/ocjs\\_DVPocket\\_Franklin.pdf](http://publicsafety.ohio.gov/links/ocjs_DVPocket_Franklin.pdf)

Services for Children & Teens:

Child Help USA.....	800-4-A-CHILD
CHOICES, 24hr crisis/shelter.....	614-224-4663
National Runaway Hotline.....	800-621-4000 (TTY 800-621-0394)
National Teen Dating Abuse Hotline.....	866-331-9474 (TTY 866-331-8453)
Ohio Youth Advocate Program.....	614-487-8758
Public Children Services Assoc. of Ohio.....	614-224-5802

Services for Adult Victims:

Action Ohio Coalition for Battered Women.....	888-622-9315
Beit Ohr (Contact Mike Broidy).....	614-449-4200
BRAVO (LGBT Services).....	866-862-7286
CHOICES, 24hr crisis/shelter.....	614-224-4663
Natl. Domestic Violence Hotline.....	800-799-7233 (TTY 800-787-3224)
Office of Criminal Justice Services, Family Violence Prevention Center.....	888-448-4842
Ohio Domestic Violence Network.....	800-934-9840
Rape, Abuse & Incest National Network (RAINN).....	800-656-HOPE
Sexual Assault Response Network of Central Ohio (SARNCO).....	614-267-7020

Legal Resources:

Capital University Family Advocacy Clinic.....	614-236-6779
City Prosecutor's Office.....	614-645-7483
Franklin Co. Prosecutor's Office.....	614-462-3555
Legal Aid Society of Columbus.....	614-224-8374
Ohio State Legal Services Association.....	866-LAW-OHIO

Other Programs & Services:

ASHA Ray of Hope (South Asian Community).....614-326-2121  
 Crisis Line.....614-565-2918  
 Asian American Community Resources.....614-220-4023  
 Ohio AG Crime Victim Services.....800-582-2877  
 Ohio Hispanic Coalition.....614-840-9934  
 Shalom Task Force.....888-883-2323

ASPIRE.....888-470-1531

Web sites:

Ohio Organizations and Resources:

ASHA Ray of Hope.....www.asharayofhope.org  
 Asian American Community Resources.....www.aacsohio.org

Office of Criminal Justice Services,

Family Violence Prevention Center.....www.fvpc.ohio.gov

Ohio Domestic Violence Network.....www.ODVN.org

Public Children Services Association of Ohio.....www.pcsao.org

**ON-LINE RESOURCES FOR VICTIMS OF SEXUAL ASSAULT**

<http://www.victimsofcrime.org/>

**Campus Sex Crimes Prevention Act**

The Campus Sex Crimes Prevention Act requires sex offenders already required to register in a State to provide notice, as required under State Law, to each institution of higher education in that state at which the person is employed, carries on a vocation, or is a student. The act requires that state procedures ensure this registration information is promptly made available to law enforcement agencies with jurisdiction where the institutions of higher education are located and that it is entered into appropriate state records or data systems. These changes became effective two years after enactment of the law (2002).

This act amends the Higher Education Act of 1965 to require institutions of higher education to issue a statement, in addition to other disclosures required under that Act, advising the campus community where law enforcement agency information provided by a State concerning registered sex offenders may be obtained. This change takes effect two years after enactment (2002).

This act amends the Family Educational Rights and Privacy Act of 1974 to clarify that nothing in that Act may be construed to prohibit an educational institution from disclosing information provided to the institution concerning registered sex offenders requires the Secretary of Education to take appropriate steps to notify educational institutions that disclosure of this information is permitted.

Convicted sex offenders or sexual predators attending or employed at an institution of higher education in Illinois are required to comply with The Illinois Sex Offender Registration Act. The act requires sex offenders/predators to register in person with the public safety or security director of the institution of higher education at which he or she is employed or attends. Please contact the appropriate Illinois Incident Commander to register.

Illinois requires an institution that contracts with a school district to provide educational service to K-12 students to collect fingerprints of any colleagues who will have regular contact with the K-12 students. This process is maintained by Human Resources.

To check registered sex offenders in a state see the State Offender Registry List section.

## **State Sexual Offender Registry List**

### **ALABAMA**

Website: <https://app.alea.gov/Community/wfSexOffenderSearch.aspx>

Phone Number: 334-353-1172

### **ALASKA**

Website: <https://dps.alaska.gov/SORWeb/>

Phone Number: 907-269-0396 or 1 800-658-8892 (outside Anchorage in Alaska)

### **ARIZONA**

Website: <https://www.azdps.gov/services/public/offender>

Phone Number: 602-223-2000

### **ARKANSAS**

Website: <https://www.ark.org/offender-search/index.php>

Phone Number: 501-682-2222

### **CALIFORNIA**

Website: <http://www.meganslaw.ca.gov/>

Phone Number: 916-227-4974

### **COLORADO**

Website: <https://www.colorado.gov/apps/cdps/sor/>

Phone Number: 303-239-4222

### **CONNECTICUT**

Website: [http://sheriffalerts.com/cap\\_main.php?office=54567](http://sheriffalerts.com/cap_main.php?office=54567)

Phone Number: 860-685-8060

### **DELAWARE**

Website: <https://sexoffender.dsp.delaware.gov/>

Phone Number: 302-739-5882

### **DISTRICT OF COLUMBIA**

Website: <http://sexoffender.dc.gov/>

Phone Number: 202-727-4407

### **FLORIDA**

Website: <https://offender.fdle.state.fl.us/offender/sops/offenderSearch.jsf>

Phone Number: 888-357-7332

### **GEORGIA**

Website: [http://state.sor.gbi.ga.gov/sort\\_public/SearchOffender.aspx](http://state.sor.gbi.ga.gov/sort_public/SearchOffender.aspx)

Email Link: [http://state.sor.gbi.ga.gov/sort\\_public/ContactUs.aspx](http://state.sor.gbi.ga.gov/sort_public/ContactUs.aspx)

### **HAWAII**

Website: <http://sexoffenders.ehawaii.gov/sexoffender/welcome.html>

Phone Number: 808-587-3350

### **IDAHO**

Website: [http://www.isp.idaho.gov/sor\\_id/](http://www.isp.idaho.gov/sor_id/)

Phone Number: 208-884-7305

### **ILLINOIS**

Website: <http://www.isp.state.il.us/sor/>

Phone Number: 217-785-0653

### **INDIANA**

Website: <http://www.icrimewatch.net/indiana.php>

Phone Number: 800-622-4779

### **IOWA**

Website: <http://www.iowasexoffender.com/>

Phone Number: 515-725-6050

**KANSAS**

Website: <http://www.accesskansas.org/kbi/ro.shtml>

Phone Number: 785-296-8200

**KENTUCKY**

Website: <http://kspsor.state.ky.us/>

Phone Number: 202-227-8700

**LOUISIANA**

Website: <http://www.lsp.org/socpr/default.html>

Phone Number: 800-858-0551

**MAINE**

Website: <http://sor.informe.org/cgi-bin/sor/index.pl>

Phone Number: 207-624-7270

**MARYLAND**

Website: <http://www.socem.info/>

Phone Number: 410-339-5000

**MASSACHUSETTS**

Website: <http://www.mass.gov/eopss/agencies/sorb/>

Phone Number: 978-740-6400

**MICHIGAN**

Website: [http://www.communitynotification.com/cap\\_main.php?office=55242/](http://www.communitynotification.com/cap_main.php?office=55242/)

Phone Number: 517-241-1806

**MINNESOTA**

Website: <https://coms.doc.state.mn.us/PublicViewer/>

Phone Number: 651-361-7340

**MISSISSIPPI**

Website: <http://state.sor.dps.ms.gov/>

Phone Number: 601-987-1540

**MISSOURI**

Website: <http://www.mshp.dps.mo.gov/CJ38/search.jsp>

Phone Number: 888-767-6747

**MONTANA**

Website: <https://app.doj.mt.gov/apps/svow/>

Phone Number: 406-444-7068

**NEBRASKA**

Website: <https://sor.nebraska.gov/>

Phone Number: 402-471-8647

**NEVADA**

Website: <http://www.nvsexoffenders.gov/>

Phone Number: 775-684-6262

**NEW HAMPSHIRE**

Website: <http://business.nh.gov/NSOR/search.aspx>

Phone Number: 800-735-2964

**NEW JERSEY**

Website: <http://www.njsp.org/sex-offender-registry/index.shtml>

Phone Number: 609-882-2000

**NEW MEXICO**

Website:

[http://sheriffalerts.com/cap\\_office\\_disclaimer.php?office=55290&fwd=aHR0cDovL2NvbW11bml0eW5vdGlmaWNhdGlvbi5jb20vY2FwX21haW4ucGhwP29mZmljZT01NTI5MA=](http://sheriffalerts.com/cap_office_disclaimer.php?office=55290&fwd=aHR0cDovL2NvbW11bml0eW5vdGlmaWNhdGlvbi5jb20vY2FwX21haW4ucGhwP29mZmljZT01NTI5MA=)

Phone Number: 505-827-9297

#### **NEW YORK**

Website: [http://www.criminaljustice.ny.gov/SomsSUBDirectory/search\\_index.jsp](http://www.criminaljustice.ny.gov/SomsSUBDirectory/search_index.jsp)

Phone Number: 800-262-3257

#### **NORTH CAROLINA**

Website: <http://sexoffender.ncsbi.gov/>

Email Link: <http://sexoffender.ncsbi.gov/contact.aspx>

#### **NORTH DAKOTA**

Website: <http://www.sexoffender.nd.gov/>

Phone Number: 701-328-2210

#### **OHIO**

Website: [http://www.communitynotification.com/cap\\_main.php?office=55149](http://www.communitynotification.com/cap_main.php?office=55149)

Phone Number: 866-406-4534

#### **OKLAHOMA**

Website: <https://sors.doc.state.ok.us/svor/f?p=119:5:0::NO>

Email Address: [osor@doc.state.ok.us](mailto:osor@doc.state.ok.us)

#### **OREGON**

Website: <http://sexoffenders.oregon.gov/>

Phone Number: 503-934-1258

#### **PENNSYLVANIA**

Website: <http://www.pameganslaw.state.pa.us/>

Phone Number: 866-771-3170

#### **PUERTO RICO**

Website: <https://www.nsopw.gov/en/>

Phone Number: <https://www.nsopw.gov/en/home/contactus/>

#### **RHODE ISLAND**

Website: <http://www.paroleboard.ri.gov/sexoffender/agree.php>

Phone Number: 401-462-0905

#### **SOUTH CAROLINA**

Website: <http://scor.sled.sc.gov/ConditionsOfUse.aspx>

Phone Number: 803-896-2601

#### **SOUTH DAKOTA**

Website: <http://sor.sd.gov/>

Phone Number: 605-773-3331

#### **TENNESSEE**

Website: <https://www.tn.gov/tbi/general-information/tennessee-sex-offender-registry.html>

Phone Number: 615-744-4000

#### **TEXAS**

Website: <https://records.txdps.state.tx.us/SexOffenderRegistry>

Phone Number: 855-481-7070

#### **UTAH**

Website: [http://sheriffalerts.com/cap\\_main.php?office=54438](http://sheriffalerts.com/cap_main.php?office=54438)

Phone Number: 801-495-7700

#### **VERMONT**

Website: <http://vcic.vermont.gov/sor>

Phone Number: 802-241-5400

## **VIRGINIA**

Website: <http://sex-offender.vsp.virginia.gov/sor/>

Phone Number: 804-674-2825

## **WASHINGTON**

Website: <http://www.icrimewatch.net/washington.php>

Phone Number: 360-486-2386

## **WEST VIRGINIA**

Website: <https://apps.wv.gov/StatePolice/SexOffender/>

Phone Number: 304-746-2133

## **WISCONSIN**

Website: <https://appsdoc.wi.gov/public>

Phone Number: 608-240-5830

## **WYOMING**

Website: [http://www.communitynotification.com/cap\\_main.php?office=55699](http://www.communitynotification.com/cap_main.php?office=55699)

Phone Number: 307-777-7181

### **Alcohol and Substance Abuse Policy**

DeVry University expects all members of its community; students, faculty, and staff, to be familiar with and to abide by applicable state, federal, and local laws regarding alcohol and drugs. DeVry University forbids the use, possession, distribution, or sale of drugs, except permitted substances when taken under a doctor's prescription and consistent with a doctor's instructions. DeVry University specifically prohibits the use, possession, distribution, or sale of medical marijuana on its premises or at any DeVry University sponsored event. The unauthorized possession, distribution, sale, or consumption of alcoholic beverages anywhere on DeVry University property or at DeVry University sponsored events is also forbidden. Violation of state, federal, or other local regulations with respect to illegal drugs or alcohol are subject to both criminal prosecution and campus disciplinary action. Please refer to the following section for additional information: Drug Free Schools and Communities Act, Laws Regarding Alcohol and Drugs, School Sanctions, and Local Treatment Resources, and the Code of Conduct in the Student Handbook ([https://www.devry.edu/content/dam/dvu/www\\_devry\\_edu/d/student-handbook.pdf](https://www.devry.edu/content/dam/dvu/www_devry_edu/d/student-handbook.pdf)).

### **Federal Drug Free Schools & Communities Act**

#### **Educational Guidelines Pertaining to Drug Free Schools & Communities Act**

DeVry University abides by the federal regulations for the Drug Free Workplace Act and the Drug Free Schools and Communities Act, regardless of individual state legalization. DeVry University expects all members of its community including students, faculty and staff, to be familiar with and to abide by applicable state, federal and local laws regarding alcohol and drugs. Students are also responsible for knowing school regulations concerning alcohol use on campus. DeVry University forbids the unauthorized use, possession, distribution, or sale of drugs or alcohol by a student anywhere on DeVry University property. Violation of these laws or regulations may subject a student to both criminal prosecution and campus disciplinary action.

Use of illicit drugs and abuse of prescription drugs pose a serious threat to mental and physical health. Alcohol is a drug. Its use in even the smallest may be harmful to some people, and when used to excess, alcohol is harmful to everyone. For this reason, responsible drinking is essential and is expected of those who choose to drink.

#### **Substance**

##### ***Alcohol (at .08 Blood Alcohol Concentration & Above)***

Impaired motor abilities; reduced judgment; sleepiness; increased sexual desire but reduced ability to perform; nausea, vomiting; liver disorders-alcohol hepatitis, alcoholic cirrhosis; cancer of the-tongue, mouth, throat, esophagus, liver, breast; fetal alcohol syndrome (most common symptom is intellectual disabilities).



### ***Cannabis, Marijuana, Hash/Hash Oil, THC***

Diminished-short term memory, motivation & cognition, coordination & concentration, oral communication, reaction time; anxiety & panic reactions; carcinogenic elements in smoke; damaged lungs & respiratory system.

### ***Cocaine (includes Crack Cocaine)***

Increased likelihood of risk taking; seizures; sleeplessness; paranoid; irregular heartbeat; can cause sudden death by stroke or heart failure, even in young users; cocaine psychosis (paranoia & hallucinations); ulceration of mucous membranes in the nose; sexual dysfunction; during pregnancy can cause severe physical & emotional problems in babies.

### ***Depressants, Tranquilizers, Barbiturates, Methaqualone***

Dangerous effects when mixed with alcohol; calmness & relaxed muscles; slurred speech, staggering gait, loss of motor coordination; altered perceptions; respiratory depression which can result in coma or death; disruption of normal sleep cycle; during pregnancy-birth defects, brain tumors in children; tolerance develops severe withdrawal symptoms; physical & psychological dependence.

### ***Psychedelics, LSD, Mescaline, Psilocybin, Phencyclidine (PCP), MDMA (Ecstasy), MDA***

Distorted sense of distance, space and time; blockage of pain sensations; nausea, vomiting & diarrhea; severe mood disorders, panic, depression, anxiety; greater suggestibility & feelings of invulnerability; unpredictable reactions if drugs are “cut” with impurities; tolerance after (3-4 daily doses—higher doses are required to produce same effects).

### ***Narcotics, Opium, Morphine, Codeine, Thebaine, Heroin, Methadone, Darvon, Demerol***

Feeling of euphoria followed by drowsiness; nausea & vomiting; respiratory depression; central nervous system depression; use of unsterile needles promotes the spread of blood borne pathogens (HIV/AIDS, Hepatitis B, Endocarditis); women dependent on opiates have multiple pregnancy complications-spontaneous abortions, still births, anemia, and diabetes.

## **Laws Regarding Alcohol and Drugs**

### **Federal**

Federal law penalizes the unlawful manufacturing, distribution, use, sale, and possession of controlled substances. The penalties vary based on many factors, including the type and amount of the drug involved, and whether there is intent to distribute. Federal law sets penalties for first offenses ranging from less than one year to life imprisonment and/or fines up to \$10 million. Penalties may include forfeiture of property, including vehicles used to possess, transport, or conceal a controlled substance; the denial of professional licenses or Federal benefits, such as student loans, grants, and contracts; successful completion of a drug treatment program; community service; and ineligibility to receive or purchase a firearm. Federal law holds that any person who distributes, possesses with intent to distribute, or manufactures a controlled substance on or within one thousand feet of an education facility is subject to a doubling of the applicable maximum punishments and fines. See the Federal Controlled Substances Act at 21 USC 800.

### **OHIO**

In addition to the Federal laws, the State of Ohio has its own laws dealing with controlled substances.

Ohio divides CDS into five “Schedules.” Schedule I lists the most dangerous drugs, which have a high probability of abuse and addiction, and no recognized medical value. Schedules II, III, IV, and V decrease in dangerousness and probability of abuse, and increase in recognized medical uses.

Penalties vary according to the type and amount of CDS involved in the violation, and are measured according to a specified “bulk amount” assigned to each CDS. For example, the Schedule III CDS ketamine (or “Special

K”), has a bulk amount of 95 milliliters when its strength is 100 mg/ml. Other Schedule III CDS have different bulk amounts. (Ohio Rev. Code Ann. § 2925.11.)

### **Schedule I and II CDS**

A defendant who possessed Schedule I or II CDS (excluding marijuana, heroin, cocaine, LSD, and other specified CDS) is guilty of aggravated possession of drugs. Penalties vary according to the amount possessed. (Ohio Rev. Code Ann. § 2925.11(C)(1).)

- Less than the bulk amount—felony in the fifth degree (a fine of up to \$2,500, at least six and up to 12 months in jail, or both).
- The bulk amount or more, but less than five times the bulk amount—felony in the third degree (a fine of up to \$10,000, at least nine months in jail and up to 36 months in prison, or both).
- Five times the bulk amount or more, but less than 50 times the bulk amount—felony in the second degree (a fine of up to \$15,000, at least two and up to eight years in prison, or both).
- 50 times the bulk amount or more, but less than 100 times the bulk amount—felony in the first degree (a fine of up to \$20,000, at least three and up to 11 years in prison, or both).
- 100 times the bulk amount or more—felony in the first degree (a fine of up to \$20,000, 11 years in prison, or both).

### **Schedule III, IV, and V CDS**

A defendant who possessed Schedule III, IV, or V CDS is guilty of possession of drugs. Penalties vary according to the amount possessed. (Ohio Rev. Code Ann. § 2925.11(C)(2).)

- Less than the bulk amount—misdemeanor in the first degree (a fine of up to \$1,000, up to 180 days in jail, or both); for second and subsequent offenses, felony in the fifth degree (a fine of up to \$2,500, at least six and up to 12 months in jail, or both).
- The bulk amount or more, but less than five times the bulk amount—felony in the fourth degree (a fine of up to \$5,000, at least six months in jail and up to 18 months in prison, or both).
- Five times the bulk amount or more, but less than 50 times the bulk amount—felony in the third degree (a fine of up to \$10,000, at least nine months in jail and up to 36 months in prison, or both).
- 50 times the bulk amount or more—felony in the second degree (a fine of up to \$15,000, at least two and up to eight years in prison, or both).

### **Cocaine**

Penalties vary according to the amount of cocaine possessed. (Ohio Rev. Code Ann. § 2925.11(C)(4).)

- Less than five grams—felony in the fifth degree (a fine of up to \$2,500, at least six and up to 12 months in jail, or both).
- Five grams or more, but less than ten grams—felony in the fourth degree (a fine of up to \$5,000, at least six months in jail and up to 18 months in prison, or both).
- Ten grams or more, but less than 20 grams—felony in the third degree (a fine of up to \$10,000, at least nine months in jail and up to 36 months in prison, or both).
- 20 grams or more, but less than 27 grams—felony in the second degree (a fine of up to \$15,000, at least two and up to eight years in prison, or both).
- 27 grams or more, but less than 100 grams—felony in the first degree (a fine of up to \$20,000, at least three and up to 11 years in prison, or both).

- 100 grams or more—felony in the first degree (a fine of up to \$20,000, 11 years in prison, or both).

### **Lysergic acid diethylamide (LSD)**

Penalties vary according to the amount of LSD possessed. (Ohio Rev. Code Ann. § 2925.11(C)(5).)

- Fewer than ten unit doses—felony in the fifth degree (a fine of up to \$2,500, at least six and up to 12 months in jail, or both).
- Ten doses or more, but fewer than 50 doses—felony in the fourth degree (a fine of up to \$5,000, at least six months in jail and up to 18 months in prison, or both).
- 50 doses or more, but fewer than 250 doses—felony in the third degree (a fine of up to \$10,000, at least nine months in jail and up to 36 months in prison, or both).
- 250 doses or more, but fewer than 1,000 doses—felony in the second degree (a fine of up to \$15,000, at least two and up to eight years in prison, or both).
- 1,000 doses or more, but fewer than 5,000 doses—felony in the first degree (a fine of up to \$20,000, at least three and up to 11 years in prison, or both).
- 5,000 doses or more—felony in the first degree (a fine of up to \$20,000, 11 years in prison, or both).

### **Heroin**

Penalties vary according to the amount of heroin possessed. (Ohio Rev. Code Ann. § 2925.11(C)(6).)

- Fewer than ten unit doses; or less than one gram—felony in the fifth degree (a fine of up to \$2,500, at least six and up to 12 months in jail, or both).
- Ten doses or more, but fewer than 50 doses; or one gram or more, but not more than five grams—felony in the fourth degree (a fine of up to \$5,000, at least six months in jail and up to 18 months in prison, or both).
- 50 doses or more, but fewer than 100 doses; or five grams or more, but not more than ten grams —felony in the third degree (a fine of up to \$10,000, at least nine months in jail and up to 36 months in prison, or both).
- 100 doses or more, but fewer than 500 doses; or ten or more grams, but less than 50 grams—felony in the second degree (a fine of up to \$15,000, at least two and up to eight years in prison, or both).
- 500 doses or more, but fewer than 2,500 doses; or 50 or more grams, but less than 250 grams—felony in the first degree (a fine of up to \$20,000, at least three and up to 11 years in prison, or both).
- 2,500 doses or more; or 250 grams or more—felony in the first degree (a fine of up to \$20,000, 11 years in prison, or both).

### **Marijuana**

Marijuana possession, sale, and manufacture are regulated by both state and federal law. In Ohio, marijuana is classified as a Schedule I substance, which means that it has a high potential for abuse and no generally recognized medical value. (Ohio Rev. Code Ann. § 3719.41.) Also, while not covered in this article, it is a crime to drive under the influence of marijuana in Ohio.

For information about charges and penalties for driving under the influence of marijuana in Ohio, see [Driving Under the Influence of Marijuana in Ohio](#).

### **Marijuana Possession**

It is a crime to knowingly or intentionally possess marijuana in Ohio. Penalties vary according to the amount possessed, with increased fines and jail time for second and subsequent convictions, and for offenses committed within 1,000 feet of a school. For offenses involving more than 100 grams of marijuana, the judge

will suspend the defendant's driver's license for at least six months (and up to five years). (Ohio Rev. Code Ann. § 2925.11.)

- **Up to 100 grams (or up to five grams hashish).** Ohio has decriminalized possession of small amounts of marijuana. Violations are considered minor misdemeanors, which incur a \$150 fine but no jail time, and do not become part of the defendant's criminal record.
- **Between 100 and 200 grams (or five and ten grams hashish).** Penalties include a fine of up to \$250, up to 30 days in jail, or both.
- **Between 200 and 1,000 grams (or ten and 50 grams hashish).** Penalties include a fine of up to \$2,500, up to one year in jail, or both.
- **Between 1,000 and 20,000 grams (or 50 and 1,000 grams hashish).** Penalties include a fine of between \$5,000 and \$10,000, between one and five years in prison, or both.
- **Between 20,000 and 40,000 grams (or 1,000 and 2,000 grams hashish).** Penalties include a fine of between \$7,500 and \$15,000, between five and eight years in prison, or both.
- **40,000 grams or more (or 2,000 grams hashish).** Penalties include a fine of between \$10,000 and \$20,000, at least eight years in prison, or both.

To learn more about the consequences of a marijuana possession conviction in Ohio, and options to defend it, see [Marijuana Possession Laws in Ohio: Why Fight a Pot Ticket](#).

### **Cultivation and Sale**

It is illegal to cultivate or sell marijuana in Ohio. Penalties vary according to the amount cultivated or sold, with increased penalties for second or subsequent offenses and sales within 1,000 feet of a school. (Ohio Rev. Code Ann. § 2925.04.)

- **Up to 20 grams without payment.** Like possession of small amounts of marijuana, Ohio has decriminalized giving someone up to 20 grams of marijuana. Violations are considered minor misdemeanors, which incur a \$150 fine but no jail time, and do not become part of the defendant's criminal record.
- **Sale of up to 200 grams.** Penalties include a fine of up to \$2,500, up to one year in jail, or both.
- **Between 200 and 1,000 grams.** Penalties include a fine of up to \$2,500, up to 18 months in prison, or both.
- **Between 1,000 and 20,000 grams.** Penalties include a fine of between \$5,000 and \$10,000, between one and five years in prison, or both.
- **Between 20,000 and 40,000 grams.** Penalties include a fine of between \$7,500 and \$15,000, between five and eight years in prison, or both.
- **40,000 grams or more.** Penalties include a fine of between \$10,000 and \$20,000, at least eight years in prison, or both.

### **Trafficking**

Someone who prepares marijuana for shipment, ships, or transports marijuana for distribution, is guilty of trafficking marijuana. Penalties vary according to the amount trafficked, with increased fines and jail time for trafficking with children present, or near a school. (Ohio Rev. Code Ann. § 2925.03.)

- **Up to 200 grams (or up to ten grams hashish).** Penalties include a fine of up to \$2,500, up to one year in jail, or both.
- **Between 200 and 20,000 grams (between 10 and 1,000 grams hashish).** Penalties include a fine of between \$5,000 and \$10,000, between one and five years in prison, or both.

- **Between 20,000 and 40,000 grams (between 1,000 and 2,000 grams hashish).** Penalties include a fine of between \$7,500 and \$15,000, between five and eight years in prison, or both.
- **40,000 grams or more (or 2,000 grams or more of hashish).** Penalties include a fine of between \$10,000 and \$20,000, at least eight years in prison, or both.

### **Corrupting Another with Drugs**

It is illegal in Ohio to force someone to ingest drugs, to furnish drugs to a minor, or to cause a minor to commit a felony drug offense. These crimes are collectively called "corrupting another with drugs" and are punishable with a fine of \$2,500 or more, and between six and 18 months in jail. (Ohio Rev. Code Ann. § 2925.02.)

### **Drug Paraphernalia**

It is illegal in Ohio to manufacture, sell, or use drug paraphernalia (or possess paraphernalia with the intent to do so). Paraphernalia includes items used in growing, harvesting, processing, selling, storing, or using marijuana. Penalties for possession include a fine of up to \$750, up to 30 days in jail, or both. Selling paraphernalia may be punished with a fine of up to \$1,000, up to 90 days in jail, or both. (Ohio Rev. Code Ann. § 2925.04.)

## **Chapter 4301: LIQUOR CONTROL LAW**

### 4301.01 Liquor control definitions.

(A) As used in the Revised Code:

(1) "Intoxicating liquor" and "liquor" include all liquids and compounds, other than beer, containing one-half of one per cent or more of alcohol by volume which are fit to use for beverage purposes, from whatever source and by whatever process produced, by whatever name called, and whether they are medicated, proprietary, or patented. "Intoxicating liquor" and "liquor" include cider and alcohol, and all solids and confections which contain one-half of one per cent or more of alcohol by volume.

(2) Except as used in sections 4301.01 to 4301.20, 4301.22 to 4301.52, 4301.56, 4301.70, 4301.72, and 4303.01 to 4303.36 of the Revised Code, "sale" and "sell" include exchange, barter, gift, offer for sale, sale, distribution and delivery of any kind, and the transfer of title or possession of beer and intoxicating liquor either by constructive or actual delivery by any means or devices whatever, including the sale of beer or intoxicating liquor by means of a controlled access alcohol and beverage cabinet pursuant to section 4301.21 of the Revised Code. "Sale" and "sell" do not include the mere solicitation of orders for beer or intoxicating liquor from the holders of permits issued by the division of liquor control authorizing the sale of the beer or intoxicating liquor, but no solicitor shall solicit any such orders until the solicitor has been registered with the division pursuant to section 4303.25 of the Revised Code.

(3) "Vehicle" includes all means of transportation by land, by water, or by air, and everything made use of in any way for such transportation.

(B) As used in this chapter:

(1) "Alcohol" means ethyl alcohol, whether rectified or diluted with water or not, whatever its origin may be, and includes synthetic ethyl alcohol. "Alcohol" does not include denatured alcohol and wood alcohol.

(2) "Beer" includes all beverages brewed or fermented wholly or in part from malt products and containing one-half of one per cent or more of alcohol by volume.

(3) "Wine" includes all liquids fit to use for beverage purposes containing not less than one-half of one per cent of alcohol by volume and not more than twenty-one per cent of alcohol by volume, which is made from the fermented juices of grapes, fruits, or other agricultural products, except that as used in sections 4301.13, 4301.421, 4301.422, 4301.432, and 4301.44 of the Revised Code, and, for purposes of determining the rate of the tax that applies, division (B) of section 4301.43 of the Revised Code, "wine" does not include cider.

(4) "Mixed beverages" include bottled and prepared cordials, cocktails, highballs, and solids and confections that are obtained by mixing any type of whiskey, neutral spirits, brandy, gin, or other distilled spirits with, or over, carbonated or plain water, pure juices from flowers and plants, and other flavoring materials. The

completed product shall contain not less than one-half of one per cent of alcohol by volume and not more than twenty-one per cent of alcohol by volume.

(5) "Spiritous liquor" includes all intoxicating liquors containing more than twenty-one per cent of alcohol by volume.

(6) "Sealed container" means any container having a capacity of not more than one hundred twenty-eight fluid ounces, the opening of which is closed to prevent the entrance of air.

(7) "Person" includes firms and corporations.

(8) "Manufacture" includes all processes by which beer or intoxicating liquor is produced, whether by distillation, rectifying, fortifying, blending, fermentation, or brewing, or in any other manner.

(9) "Manufacturer" means any person engaged in the business of manufacturing beer or intoxicating liquor.

(10) "Wholesale distributor" and "distributor" means a person engaged in the business of selling to retail dealers for purposes of resale.

(11) "Hotel" has the same meaning as in section 3731.01 of the Revised Code, subject to the exceptions mentioned in section 3731.03 of the Revised Code.

(12) "Restaurant" means a place located in a permanent building provided with space and accommodations wherein, in consideration of the payment of money, hot meals are habitually prepared, sold, and served at noon and evening, as the principal business of the place. "Restaurant" does not include pharmacies, confectionery stores, lunch stands, night clubs, and filling stations.

(13) "Club" means a corporation or association of individuals organized in good faith for social, recreational, benevolent, charitable, fraternal, political, patriotic, or athletic purposes, which is the owner, lessor, or occupant of a permanent building or part of a permanent building operated solely for those purposes, membership in which entails the prepayment of regular dues, and includes the place so operated.

(14) "Night club" means a place operated for profit, where food is served for consumption on the premises and one or more forms of amusement are provided or permitted for a consideration that may be in the form of a cover charge or may be included in the price of the food and beverages, or both, purchased by patrons.

(15) "At retail" means for use or consumption by the purchaser and not for resale.

(16) "Pharmacy" means an establishment, as defined in section 4729.01 of the Revised Code, that is under the management or control of a licensed pharmacist in accordance with section 4729.27 of the Revised Code.

(17) "Enclosed shopping center" means a group of retail sales and service business establishments that face into an enclosed mall, share common ingress, egress, and parking facilities, and are situated on a tract of land that contains an area of not less than five hundred thousand square feet. "Enclosed shopping center" also includes not more than one business establishment that is located within a free-standing building on such a tract of land, so long as the sale of beer and intoxicating liquor on the tract of land was approved in an election held under former section 4301.353 of the Revised Code.

(18) "Controlled access alcohol and beverage cabinet" means a closed container, either refrigerated, in whole or in part, or nonrefrigerated, access to the interior of which is restricted by means of a device that requires the use of a key, magnetic card, or similar device and from which beer, intoxicating liquor, other beverages, or food may be sold.

(19) "Community facility" means either of the following:

(a) Any convention, sports, or entertainment facility or complex, or any combination of these, that is used by or accessible to the general public and that is owned or operated in whole or in part by the state, a state agency, or a political subdivision of the state or that is leased from, or located on property owned by or leased from, the state, a state agency, a political subdivision of the state, or a convention facilities authority created pursuant to section 351.02 of the Revised Code;

(b) An area designated as a community entertainment district pursuant to section 4301.80 of the Revised Code.

(20) "Low-alcohol beverage" means any brewed or fermented malt product, or any product made from the fermented juices of grapes, fruits, or other agricultural products, that contains either no alcohol or less than one-half of one per cent of alcohol by volume. The beverages described in division (B)(20) of this section do not include a soft drink such as root beer, birch beer, or ginger beer.

(21) "Cider" means all liquids fit to use for beverage purposes that contain one-half of one per cent of alcohol

by volume, but not more than six per cent of alcohol by weight, and that are made through the normal alcoholic fermentation of the juice of sound, ripe apples, including, without limitation, flavored, sparkling, or carbonated cider and cider made from pure condensed apple must.

(22) "Sales area or territory" means an exclusive geographic area or territory that is assigned to a particular A or B permit holder and that either has one or more political subdivisions as its boundaries or consists of an area of land with readily identifiable geographic boundaries. "Sales area or territory" does not include, however, any particular retail location in an exclusive geographic area or territory that had been assigned to another A or B permit holder before April 9, 2001.

Amended by 131st General Assembly File No. TBD, HB 37, §1, eff. 8/31/2016.

### **School Sanctions\***

#### **(Applied to All Categories of Substances)**

The following are prohibited under the Code of Conduct applicable to Students:

- Use, possession, or distribution of narcotic or other controlled substances, except as expressly permitted by law, or being under the influence of such substances.
- Use, possession, or distribution of alcoholic beverages, except as expressly permitted by law and DeVry University regulation; or public intoxication.

The sanctions listed below may be imposed upon any covered person found to have violated the Code of Conduct. The listing of the sanctions should not be construed to imply that covered persons are entitled to progressive discipline. The sanctions may be used in any order and/or combination that the University deems appropriate for the conduct in question.

- A. Warning-A verbal or written notice that the respondent has not met the University's conduct expectations.
- B. Probation-A written reprimand with stated conditions in effect for a designated period of time, including the probability of more severe disciplinary sanctions if the respondent does not comply with University policies or otherwise does not meet the University's conduct expectations during the probationary period.
- C. Restitution-Compensation for loss, damage, or injury. This may take the form of appropriate service and/or monetary or material replacement.
- D. DeVry Suspension-Separation of the respondent from the University for a defined period of time, after which the respondent may be eligible to return. Conditions for readmission may be specified.
- E. DeVry Expulsion-Permanent separation of the respondent from all University locations.
- F. Suspension of Services-Ineligibility to receive specific serves or all DeVry services for a specified period of time, after which the respondent may regain eligibility. Conditions to regain access to services may be specified.
- G. Ineligibility for Services-Permanent ineligibility to receive specified or all DeVry University services.
- H. Limiting Order-Restriction on a respondent's permission to be in the same proximity as the complainant and/or others, with the parameters of the restriction to be defined by the University (e.g., for use with allegations of sexual or other misconduct).

#### **Faculty and Staff**

Colleagues of the institution are prohibited from:

- Performing school business while under the influence of a controlled substance.
- Possession, use, and/or sale of a controlled substance.
- Furnishing a controlled substance to a minor.

Sanctions for this violation could lead up to termination of employment.

**\*These sanctions are in addition to any criminal sanctions that may be imposed. Student colleagues are subject to both colleague and student sanctions.**

### **Local Treatment Resources**

The following is a sampling of local area information and treatment resources. A more comprehensive listing of available counseling and treatment programs can be obtained from Student Central.

The following is a sampling of local area information and treatment resources. A more comprehensive listing of available counseling and treatment programs can be obtained in the Student Central.

#### **Alcoholics Anonymous**

651 W. Broad St.  
614-253-8501 or  
1-800-242-1729

#### **Maryhaven**

1791 Alum Creek Dr.  
614-445-8131

#### **Columbus Health Department**

240 Parsons Ave  
614-645-7417

### **Student Rights Under FERPA**

*(The Family Educational Rights and Privacy Act)*

DeVry University respects the rights and privacy of its students and acknowledges the responsibility to maintain confidentiality of personally identifiable information.

FERPA is a federal law that affords students the following rights with respect to their education records. These rights include:

1. **The Right To Inspect And Review The Student's Education Records**

Students have the right to review their education records within 45 days of the day the institution receives their request. Students should submit to the registrar, Dean, or head of the academic department a written request that identifies the record(s) they wish to inspect. The institution official will make arrangements for access and notify the student of the time and place where the records may be inspected. If the official to whom the request is submitted does not maintain the records, that official will advise the student of the correct official to whom the request should be addressed.

2. **The Right To Seek An Amendment Of Inaccurate Or Misleading Information**

Students may ask the institution to amend a record that they believe is inaccurate or misleading. They should write to the official responsible for the record, clearly identify the part of the record they believe should be changed and specify why it is inaccurate or misleading. If the institution decides not to amend the record as requested by the student, the student will be notified of the decision and advise of his or her right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the student when they are notified of the right to a hearing. Following the hearing, if the institution still decides not to amend the record, the student has a right to place a clarifying statement in the record.

3. **The Right To Limit Disclosure Of Personally Identifiable Information**

Students have the right to consent to disclosure of personally identifiable information contained in their educational records, except to the extent that FERPA authorizes disclosure without consent. One exception that permits disclosure without consent is disclosure to a school official who has a legitimate educational interest. A school official is a person employed by the institution in an administrative, supervisory, academic, research, or support staff position (including campus security, incident commanders, and health staff) or a student serving on an official committee, such as a disciplinary or grievance committee. A school official also may include a volunteer, or contractor outside



of the institution who performs an institutional service or function for which the institution would otherwise use its own employees and who is under the direct control of the institution with respect to the use and maintenance of PII form education records, such as an attorney, auditor, intern or collection agent, or a student volunteering to assist another school official in performing their tasks. School officials have a legitimate educational interest if the official needs to review an education record in order to fulfill their professional responsibilities for the institutions.

Another exception that permits disclosure without consent is disclosure of directory information. Directory information is not considered to be harmful or an invasion of privacy if disclosed. See the Directory Information section for additional information.

4. **The Right To File A Complaint With The U.S. Department of Education If The Institution Fails To Comply With FERPA Requirements**

**Complaints Should Be Directed To:**

Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, DC 20202-4605  
Phone: 1-800-USA-LEARN (1-800-872-5327)

**Directory Information**

The Family Educational Rights and Privacy Act (FERPA) designates certain student information as “Directory Information” and gives the institution the right to disclose such information without having to ask students` permission. The items listed below as “Directory Information” may be released for any purpose at the discretion of the institution. Under the provisions of FERPA, students have the right to withhold the disclosure of any or all of the categories of information listed below. **The following information will be released unless students specifically request that their information be withheld:**

- **Directory Information:** Name, address, telephone number, email address, date and place of birth, dates of attendance, previous institution(s) attended, major field of study (program), enrollment status, degrees and awards, past and present participation in officially recognized activities.
- **Hometown program:** Through DeVry’s Hometown program, information regarding students` enrollment, activities, honors, graduation, awards, and employment may be released to newspapers, students` high schools, and various DeVry departments for informational and promotional materials it publishes.
- **Career Services:** Students approaching graduation and working with career services staff on career planning, job interviewing, and resume preparation authorize release of the following records for a period of fifteen months after graduation: the resume, identifying data, academic work completed, immigration status (if applicable), and authorize career services to verify information graduates provide regarding their employment. At no time is compensation information released or published.

**To Withhold Information**

To have directory, hometown program, or career services information withheld, students must submit a written request to the Registrar. Once filed, this request becomes a permanent part of the student’s record and no information may be released until the student instructs the institution otherwise.

**Voter Registration**

As a participant in Title IV Federal Student Financial Aid programs, DeVry University would like to remind students who are U.S. citizens of the importance of registering to vote.

If you are interested in participating in local, state, or national elections, please visit the Election Assistance Commission website at [www.eac.gov/voter\\_resources/register\\_to\\_vote.aspx](http://www.eac.gov/voter_resources/register_to_vote.aspx) to learn how you can register to vote.

### **Student Right to Know and Higher Education Opportunity Act Disclosures**

DeVry University is committed to providing transparency for our applicants and students on the key outcomes for our students, including graduation rates. Yearly, prior to July 1<sup>st</sup>, DeVry University and its Keller Graduate School of Management publish these disclosures on the Student Consumer Information page. The Student Right to Know Disclosures can be found at <https://www.devry.edu/compliance/student-consumer-info.html#student-right-to-know-disclosures> and the Higher Education Opportunity Act Disclosures can be found at: <https://www.devry.edu/compliance/student-consumer-info.html#higher-education-opportunity-act> .

### **Unauthorized Distribution of Copyrighted Materials**

DeVry University strives to provide access to varied materials, services, and equipment for students, faculty, and staff and does not knowingly condone policies or practices that constitute an infringement of Federal copyright law. Transmitting or downloading any material that you do not have the rights to make available and that infringes any patent, trademark, trade secret, copyright, or other proprietary rights of any party is prohibited.

Installing or distributing pirated or unlicensed software is also forbidden. Violation of these requirements may subject students, faculty, and staff to civil and criminal liabilities. Students, faculty, or staff who violate federal copyright law do so at their own risk. Copyright status is applied to a work as soon as it is created. Users should assume that all writings and images are copyrighted.

Title 17 of the United States Code (17 USC §501 et seq.) outlines remedies for copyright infringement that may include some or all of the following: obtaining an injunction to stop the infringing activity; impounding and disposing of the infringing articles; an award to the copyright owner of actual damages and the profits of the infringer, or in the alternative, an award of statutory damages which may be increased if the infringement is found to be willful; an award of two times the amount of the license fee a copyright owner could have gotten; an award of the full costs incurred in bringing an infringement action, and the award of attorney's fees; and for criminal copyright infringement, fines, and imprisonment.

DeVry University maintains a campus network to support and enhance the academic and administrative needs of our students, faculty, and staff. DeVry University is required by Federal Law – H.R. 4137 – to make an annual disclosure informing students that illegal distribution of copyrighted materials may lead to civil and/or criminal penalties. DeVry University takes steps to detect and punish users who illegally distribute copyrighted materials.

DeVry University reserves the right to suspend or terminate network access to any campus user that violates this policy and network access may be suspended if any use is impacting the operations of the network. Violations may be reported to appropriate authorities for criminal or civil prosecution. The existence and imposition of sanctions do not protect members of the campus community from any legal action by external entities.

### **Alternative to Illegal Downloading**

Illegal downloads hurt artists and deter the incentive to create. U.S. laws protect the rights of individuals regarding their own works. Below are lists of sites that offer free or inexpensive products that you can use without violating copyright law.

#### **Free and Legal**

##### **Clipart:**

<http://www.coolarchive.com/>

<http://www.clipart.com/>

**Fonts:**

<http://www.blambot.com/>

<http://www.fonts.com/>

**Photos:**

<http://www.freefoto.com/index.jsp>

**Music:**

<https://www.jamendo.com/>

<https://soundcloud.com/>

**DEVRY UNIVERSITY-COLUMBUS ANNUAL CAMPUS CRIME STATISTICS**

Reported in accordance with Uniform Crime Reporting procedures and the

Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act

	On Campus			Public Property		
	2017	2018	2019	2017	2018	2019
Total Crimes Reported for:						
<b><u>Criminal Offenses (includes attempts)</u></b>						
Murder/Non-negligent manslaughter	0	0	0	0	0	0
Negligent manslaughter	0	0	0	0	0	0
Sexual Assault-Rape	0	0	0	0	0	0
Sexual Assault-Fondling	0	0	0	0	0	0
Sexual Assault-Incest	0	0	0	0	0	0
Sexual Assault-Statutory rape	0	0	0	0	0	0
Robbery	0	0	0	0	0	0
Aggravated assault	0	0	0	0	0	0
Burglary	0	0	0	0	0	0
Motor vehicle theft	0	0	0	0	0	0
Arson	0	0	0	0	0	0
<b><u>HATE CRIMES</u></b>	2017	2018	2019	2017	2018	2019
If there are any hate crimes to report, please enter count here and narrative description below.	0	0	0	0	0	0
<b><u>VAWA Offenses</u></b>	2017	2018	2019	2017	2018	2019
Domestic Violence	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0
Stalking	0	0	0	0	0	0
<b><u>Arrests</u></b>	2017	2018	2019	2017	2018	2019
Weapons: carrying, possession, etc.	0	0	0	0	0	0
Drug abuse violations	0	0	0	0	0	0
Liquor law violations	0	0	0	0	0	0
<b><u>Referral for Disciplinary Actions</u></b>	2017	2018	2019	2017	2018	2019
Weapons: carrying, possession, etc.	0	0	0	0	0	0
Drug abuse violations	1	0	0	0	0	0
Liquor law violations	0	0	0	0	0	0
<b><u>Hate Crimes</u></b>						
Prejudice Categories:						
Race, Religion						
Sexual Orientation						
Gender, Gender Identity						
Disability						
Ethnicity						
National Origin						
On campus or public property:	2017	2018	2019			
<b>Total Unfounded Crimes</b>	0	0	0			

## Jurisdictional Definitions

To comply with federal regulations, the following jurisdictional definitions are provided for **Dating Violence**, **Domestic Violence**, **Sexual Assault**, and **Stalking**.

<p><b><u>Online (Federal)</u></b> 34 CFR §668.46</p>	<p><b>Dating Violence</b> is violence committed 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.</p> <p><b>Domestic Violence</b> is 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 (D) 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.</p> <p><b>Sexual Assault</b> is an offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI's UCR program. The FBI's UCR program defines sexual assault as any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent:  <i>Fondling</i>- 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 ore because of his/her temporary or permanent mental incapacity; <i>Incest</i>- Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law; and <i>Statutory Rape</i>- Sexual intercourse with a person who is under the statutory age of consent.</p> <p><b>Stalking</b> is engaging in a course of conduct directed at a specific person that would cause a reasonable person to: fear for the person's safety or the safety of others or suffer substantial emotional distress. For the purposes of this definition- <i>Course of conduct</i> means two or more acts, including, but not limited to, acts in which the talker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property; <i>Reasonable Person</i> means a reasonable person under similar circumstances and with similar identities to the victim; and <i>Substantial Emotional Distress</i> means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.</p>
<p><b><u>Arizona</u></b> Arizona State Legislature: 15-712.01 Arizona State Legislature: 36-3001 Arizona State Legislature: 13-1404 Arizona State Legislature: 13-2923</p>	<p><b>Dating Abuse</b> means a pattern of behavior in which one person uses or threatens to use physical, sexual, verbal, or emotional abuse to control the person's dating partner. A Dating Partner means any person who is involved in an intimate association with another person that is primarily characterized by the expectation of affectionate involvement and that includes casual, serious, and long-term dating partners.</p> <p><b>Domestic Violence</b> means attempting to cause or causing bodily injury to a family or household member or placing a family or household member by threat of force in fear of imminent physical harm.</p> <p><b>Sexual Assault</b> is when a person intentionally or knowingly engages in sexual intercourse or oral sexual contact with any person without consent of such person.</p> <p><b>Stalking:</b> A person commits stalking if the person intentionally or knowingly engages in a course of conduct that is directed toward another person and if that conduct causes the victim to:</p> <ol style="list-style-type: none"> <li>1. Suffer emotional distress or reasonably fear that either:(a) The victim's property will be damaged or destroyed. (b) Any of the following will be physically injured:              <ol style="list-style-type: none"> <li>(i) The victim.</li> <li>(ii) The victim's family member, domestic animal or livestock.</li> </ol> </li> </ol>

	<p>(iii) A person with whom the victim has or has previously had a romantic or sexual relationship.</p> <p>(iv) A person who regularly resides in the victim's household or has resided in the victim's household within the six months before the last conduct occurred.</p> <p>2. Reasonably fear death or the death of any of the following:</p> <p>(a) The victim's family member, domestic animal or livestock.</p> <p>(b) A person with whom the victim has or has previously had a romantic or sexual relationship.</p> <p>(c) A person who regularly resides in the victim's household or has resided in the victim's household within the six months before the last conduct occurred.</p>
<p><b>California</b>          -California Penal Code: 13700          -California Penal Code: 261          -California Penal Code: 646.9</p>	<p>The institution has determined, based on good-faith research that <b>Dating Violence</b> is not defined by California law. However, offenses of this nature are included under the definition of <b>Domestic Violence</b>.</p> <p><b>Domestic Violence</b> means abuse committed against an adult or a minor who is a spouse, former spouse, cohabitant, former cohabitant, or person with whom the suspect has had a child or is having or has had a dating or engagement relationship. For purposes of this subdivision, "cohabitant" means two unrelated adult persons living together for a substantial period of time, resulting in some permanency of relationship. Factors that may determine whether persons are cohabiting include, but are not limited to, (1) sexual relations between the parties while sharing the same living quarters, (2) sharing of income or expenses, (3) joint use or ownership of property, (4) whether the parties hold themselves out as spouses, (5) the continuity of the relationship, and (6) the length of the relationship.</p> <p><b>Sexual Assault:</b> The California Legislature finds and declares that all forms of non-censual sexual assault may be considered rape for purposes of the gravity of the offenses and the support of survivors. Rape is an act of sexual intercourse accomplished with a person not the spouse of the perpetrator, under any of the following circumstances:</p> <p>(1) Where a person is incapable, because of a mental disorder or developmental or physical disability, of giving legal consent, and this is known or reasonably should be known to the person committing the act. Notwithstanding the existence of a conservatorship pursuant to the provisions of the Lanterman-Petris-Short Act, the prosecuting attorney shall prove, as an element of the crime, that a mental disorder or developmental or physical disability rendered the alleged victim incapable of giving consent.</p> <p>(2) Where it is accomplished against a person's will by means of force, violence, duress, menace, or fear of immediate and unlawful bodily injury on the person or another.</p> <p>(3) Where a person is prevented from resisting by any intoxicating or anesthetic substance, or any controlled substance, and this condition was known, or reasonably should have been known by the accused.</p> <p>(4) Where a person is at the time unconscious of the nature of the act, and this is known to the accused. As used in this paragraph, "unconscious of the nature of the act" means incapable of resisting because the victim meets any one of the following conditions:</p> <p>(A) Was unconscious or asleep.</p> <p>(B) Was not aware, knowing, perceiving, or cognizant that the act occurred.</p> <p>(C) Was not aware, knowing, perceiving, or cognizant of the essential characteristics of the act due to the perpetrator's fraud in fact.</p> <p>(D) Was not aware, knowing, perceiving, or cognizant of the essential characteristics of the act due to the perpetrator's fraudulent representation that the sexual penetration served a professional purpose when it served no professional purpose.</p> <p>(5) Where a person submits under the belief that the person committing the act is someone known to the victim other than the accused, and this belief is induced by any</p>

	<p>artifice, pretense, or concealment practiced by the accused, with intent to induce the belief.</p> <p>(6) Where the act is accomplished against the victim’s will by threatening to retaliate in the future against the victim or any other person, and there is a reasonable possibility that the perpetrator will execute the threat. As used in this paragraph, “threatening to retaliate” means a threat to kidnap or falsely imprison, or to inflict extreme pain, serious bodily injury, or death.</p> <p>(7) Where the act is accomplished against the victim’s will by threatening to use the authority of a public official to incarcerate, arrest, or deport the victim or another, and the victim has a reasonable belief that the perpetrator is a public official. As used in this paragraph, “public official” means a person employed by a governmental agency who has the authority, as part of that position, to incarcerate, arrest, or deport another. The perpetrator does not actually have to be a public official.</p> <p>(b) As used in this section, “duress” means a direct or implied threat of force, violence, danger, or retribution sufficient to coerce a reasonable person of ordinary susceptibilities to perform an act which otherwise would not have been performed, or acquiesce in an act to which one otherwise would not have submitted. The total circumstances, including the age of the victim, and his or her relationship to the defendant, are factors to consider in appraising the existence of duress.</p> <p>(c) As used in this section, “menace” means any threat, declaration, or act which shows an intention to inflict an injury upon another.</p> <p><b>Stalking:</b> The state of California defines that any person who willfully, maliciously, and repeatedly follows or willfully and maliciously harasses another person and who makes a credible threat with the intent to place that person in reasonable fear for his or her safety, or the safety of his or her immediate family is guilty of the crime of stalking.</p>
<p><b>Colorado</b>          -Colorado Rev. Stat. §18-6-800.3          -Colorado Rev. Stat. §18-3-402          -Colorado Rev. Stat. §18-3-602</p>	<p>The institution has determined, based on good-faith research, that Colorado law does not define the term <b>Dating Violence</b>. However, offenses of this nature are defined under <b>Domestic Violence</b>.</p> <p><b>Domestic Violence</b> means an act or threatened act of violence upon a person with whom the actor is or has been involved in an intimate relationship. Domestic Violence also includes any other crime against a person or against property or any municipal ordinance violation against a person or against property, when used as a method of coercion, control, punishment, intimidation, or revenge directed against a person with whom the actor is or has been involved in an intimate relationship.</p> <p><b>Sexual Assault:</b> Any actor who knowingly inflicts sexual intrusion or sexual penetration on a victim commits sexual assault if:</p> <ul style="list-style-type: none"> <li>•The actor causes submission of the victim by means of sufficient consequence reasonably calculated to cause submission against the victim’s will;</li> <li>•The actor knows that the victim is incapable of appraising the nature of the conduct;</li> <li>•the actor knows that the victim submits erroneously, believing the actor to be the victim's spouse;</li> <li>•At the time of the commission of the act, the victim is less than fifteen years of age and the actor is at least four years older than the victim and is not the spouse of the victim;</li> <li>•At the time of the commission of the act, the victim is at least fifteen years of age but less than seventeen years of age and the actor is at least ten years older than the victim and is not the spouse of the victim;</li> <li>•The victim is in custody of law or detained in a hospital or other institution and the actor has supervisory or disciplinary authority over the victim and uses this position of authority to coerce the victim to submit, unless the act is incident to a lawful search;</li> <li>•The actor, while purporting to offer a medical service, engages in treatment or examination of a victim for other than a bona fide medical purpose or in a manner substantially inconsistent with reasonable medical practices; or</li> <li>•The victim is physically helpless and the actor knows the victim is physically helpless and the victim has not consented.</li> </ul>

	<p><b>Stalking:</b> A person commits stalking if directly, or indirectly through another person, the person knowingly: (a) Makes a credible threat to another person and, in connection with the threat, repeatedly follows, approaches, contacts, or places under surveillance that person, a member of that person’s immediate family, or someone with whom that person has or has had a continuing relationship; or (b) Makes a credible threat to another person and, in connection with the threat, repeatedly makes any form of communication with that person, a member of that person’s immediate family, or someone with whom that person has or has had a continuing relationship, regardless of whether a conversation ensues; or (c) Repeatedly follows, approaches, contacts, places under surveillance, or makes any form of communication with another person, a member of that person’s immediate family, or someone with whom that person has or has had a continuing relationship in a manner that would cause a reasonable person to suffer serious emotional distress and does cause that person, a member of that person’s immediate family, or someone with whom that person has or has had a continuing relationship to suffer serious emotional distress. For purposes of this paragraph (c), a victim need not show that he or she received professional treatment or counseling to show that he or she suffered serious emotional distress.</p>
<p><b>Florida</b>          -Florida Statutes, 784.046          -Florida Statutes, 741.28          -Florida Statutes, 794.011          -Florida Statutes, 784.048</p>	<p><b>Dating Violence</b> means violence between individuals who have or have had a continuing and significant relationship of a romantic or intimate nature. The existence of such a relationship shall be determined based on the consideration of the following factors: (1) A dating relationship must have existed within the past 6 months; (2) The nature of the relationship must have been characterized by the expectation of affection or sexual involvement between the parties; and (3) The frequency and type of interaction between the persons involved in the relationship must have included that the persons have been involved over time and on a continuous basis during the course of the relationship. The term does not include violence in a casual acquaintance or violence between individuals who only have engaged in ordinary fraternization in a business or social context.</p> <p><b>Domestic Violence</b> means any assault, aggravated assault, battery, aggravated battery, sexual assault, sexual battery, stalking, aggravated stalking, kidnapping, false imprisonment, or any criminal offense resulting in physical injury or death of one family or household member by another family or household member.</p> <p>The State of Florida titles Sexual assault as <b>Sexual Battery</b>. <b>Sexual Battery</b> means oral, anal, or vaginal penetration by, or union with, the sexual organ of another or the anal or vaginal penetration of another by any other object; however, sexual battery does not include an act done for a bona fide medical purpose.</p> <p><b>Stalking:</b> A person who willfully, maliciously, and repeatedly follows, harasses, or cyberstalks another person and makes a credible threat to that person commits the offense of stalking.</p>
<p><b>Georgia</b>          -Official Code of GA: §19-13-1          -Official Code of GA: §19-13-1          -Official Code of GA: §16-6-5.1(b)          -Official Code of GA: §16-5-90</p>	<p>The institution has determined, based on good-faith research, that Georgia law does not define the term “<b>dating violence</b>” but defines <b>Family Violence</b> to include some dating situations, i.e. parents who have a child together, or other persons that live together or that formerly lived together.</p> <p>The institution has determined, based on good-faith research, that Georgia law does not define the term “<b>domestic violence</b>” but defines <b>Family Violence</b>. <b>Family Violence</b> means the occurrence of one or more of the following acts between past or present spouses, persons who are parents of the same child, parents and children, stepparents and stepchildren, foster parents and foster children, or other persons living or formerly living in the same household: (1) Any felony; or (2) Commission of offenses of battery, simple battery, simple assault, assault, stalking, criminal damage to property, unlawful restraint, or criminal trespass.</p> <p>The institution has determined, based on good-faith research, that Georgia law does not define the term “<b>sexual assault</b>”. Instead, definitions are provided for the following crimes: <b>Rape:</b> A person commits the offense of rape when he has carnal knowledge of: (1) A female forcibly and against her will; or (2) A female who is less than ten years of</p>



	<p>age. Carnal knowledge in rape occurs when there is any penetration of the female sex organ by the male sex organ. The fact that the person allegedly raped is the wife of the defendant shall not be a defense to a charge of rape; <b>Statutory Rape:</b> A person commits the offense of statutory rape when he or she engages in sexual intercourse with any person under the age of 16 years and not his or her spouse, provided that no conviction shall be had for this offense on the unsupported testimony of the victim; <b>Sodomy:</b> A person commits the offense of sodomy when he or she performs or submits to any sexual act involving the sex organs of one person and the mouth or anus of another; <b>Aggravated Sodomy:</b> A person commits the offense of aggravated sodomy when he or she commits sodomy with force and against the will of the other person or when he or she commits sodomy with a person who is less than ten years of age. The fact that the person allegedly sodomized is the spouse of a defendant shall not be a defense to a charge of aggravated sodomy; and <b>Sexual Assault by persons with supervisory or disciplinary authority:</b> An employee or agent commits the offense of improper sexual contact by employee or agent in the first degree when such employee or agent knowingly engages in sexually explicit conduct with another person whom such employee or agent knows or reasonably should have known is contemporaneously.</p> <p><b>Stalking:</b> A person commits the offense of stalking when he or she follows, places under surveillance, or contacts another person at or about a place or places without the consent of the other person for the purpose of harassing and intimidating the other person.</p>
<p><b>Illinois</b>  -750 ILCS 60/103  -750 ILCS 60/103  -720 ILCS 5/11-1.20  -720 ILCS 21/10</p>	<p>The institution has determined, based on good-faith research, that <b>Dating Violence</b> is not defined by Illinois law. The Illinois Domestic Violence Act of 1986 provides protection to any person abused by a family or household member which is defined as including persons who have or have had a dating or engagement relationship. In the State of Illinois, <b>Domestic Violence</b> is defined as <b>Abuse</b> which is defined as physical abuse, harassment, intimidation of a dependent, interference with personal liberty or willful deprivation but does not include reasonable direction of a minor child by a parent or person in loco parentis.</p> <p>The institution has determined, based on good-faith research, that Sexual Assault is not defined by Illinois law. However, the state provides a definition of <b>Criminal Sexual Assault:</b> A person commits criminal sexual assault if that person commits an act of sexual penetration and: (1) uses force or threat of force; (2) knows that the victim is unable to understand the nature of the act or is unable to give knowing consent; (3) is a family member of the victim, and the victim is under 18 years of age; or (4) is 17 years of age or over and holds a position of trust, authority, or supervision in relation to the victim, and the victim is at least 13 years of age but under 18 years of age.</p> <p><b>Stalking</b> means engaging in a course of conduct directed at a specific person, and he or she knows or should know that this course of conduct would cause a reasonable person to fear for his or her safety, the safety of a workplace, school, or place of worship, or the safety of a third person or suffer emotional distress. Stalking does not include an exercise of the right to free speech or assembly that is otherwise lawful or picketing out of a bona fide labor dispute, including any controversy concerning wages, salaries, hours, working conditions or benefits, including health and welfare, sick leave, insurance and pension or retirement provisions, the making or maintaining of collective bargaining agreements, and the terms to be included in those agreements.</p>
<p><b>Indiana</b>  -IC 34-6-2-44.8  -IC 35-42-2-1.3  - IC 35-42-4-8 and  IC 35-42-4-1  -IC 35-45-10-1</p>	<p>The institution has determined, based on good-faith research, that Indiana law does not define the term <b>Dating Violence</b>. However, offenses of <b>Dating Violence</b> are included in the definition of <b>Family or Household member:</b> An individual is a “family or household member” of another person if the individual: (1) is a current or former spouse of the other person; (2) is dating or has dated the other person; (3) is engaged or was engaged in a sexual relationship with the other person; (4) is related by blood or adoption to the other person; (5) is or was related by marriage to the other person; (6) has or previously had an established legal relationship: (a) as a guardian of the other</p>

	<p>person; (b) as a ward of the other person; (c) as a custodian of the other person; (d) as a foster parent of the other person; or (e) in a capacity with respect to the other person similar to those listed; (7) has a child in common with the other person; or (8) has adopted a child of the other person. (b) An individual is a “family or household member” of both persons if the individual is a minor child of one of the persons.</p> <p>The State of Indiana includes Domestic Violence in their definition of <b>Domestic Battery</b>: A person who knowingly or intentionally: (1) touches a family or household member in a rude, insolent, or angry manner; or (2) in a rude, insolent, or angry manner places any bodily fluid or waste on a family or household member; commits domestic battery.</p> <p>The institution has determined, based on good-faith research, that Indiana law does not define the term <b>Sexual Assault</b>. However, it provides definitions for Sexual Battery and for Rape.</p> <p><b>Sexual Battery</b>: When a person who, with intent to arouse or satisfy the person’s own sexual desires or the sexual desires of another person: (1) touches another person when that person is: (A) compelled to submit to the touching by force or the imminent threat of force; or (B) so mentally disabled or deficient that consent to the touching cannot be given; or (2) touches another person’s genitals, pubic area, buttocks, or female breast when that person is unaware that the touching is occurring; commits sexual battery.</p> <p><b>Rape</b>: A person who knowingly or intentionally has sexual intercourse with another person or knowingly or intentionally causes another person to perform or submit to other sexual conduct when: (1) the other person is compelled by force or imminent threat of force; (2) the other person is unaware that the sexual intercourse or other sexual conduct is occurring; or (3) the other person is so mentally disabled or deficient that consent to sexual intercourse or other sexual conduct cannot be given; commits rape.</p> <p><b>Stalk</b> means a knowing or an intentional course of conduct involving repeated or continuing harassment of another person that would cause a reasonable person to feel terrorized, frightened, intimidated, or threatened and that actually causes the victim to feel terrorized, frightened, intimidated, or threatened. The term does not include statutorily or constitutionally protected activity. {A person who stalks another person commits stalking}</p>
<p><b>Missouri</b>  -MRS 565.072,  MRS 565.073,  MRS 565.074, and  MRS 565.076  -MRS 566.030,  MRS 566.031,  MRS 566.100,  MRS 566.103,  MRS 566.093, and  MRS 566.095  -MRS 565.225 and  MRS 565.227</p>	<p>The institution has determined, based on good-faith research, that Missouri law does not define the term <b>Dating Violence</b>. However, the definition of “Family or Household Member” includes relationships of a dating nature within the definition.</p> <p>The institution has determined, based on good-faith research, that Missouri law does not define the term <b>Domestic violence</b>, however they do provide definition for <b>Domestic Assault</b> in varying degrees. For the purposes of these definitions, <b>Family or Household Member</b> is defined as: spouses, former spouses, any person related by blood or marriage, persons who are presently residing together or have resided together in the past, any person who is or has been in a continuing social relationship of a romantic or intimate nature with the victim, and anyone who has a child in common regardless of whether they have been married or have resided together at any time. The title “Domestic Victim” is included in the definition of Family or Household member.</p> <p><b>Domestic Assault</b>, in the first degree: A person commits the offense of domestic assault in the first degree if he or she attempts to kill or knowingly causes or attempts to cause serious physical injury to a domestic victim.</p> <p><b>Domestic Assault</b>, in the second degree: A person commits the offense of domestic assault in the second degree if the act involves a domestic victim and he or she: (1) knowingly causes physical injury to such domestic victim by any means, including but not limited to, use of a deadly weapon or dangerous instrument, or by choking or strangulation; or (2) recklessly causes serious physical injury to such domestic victim; or (3) recklessly causes physical injury to such domestic victim by means of any deadly weapon.</p>

**Domestic assault**, in the third degree: A person commits the offense of domestic assault in the third degree if he or she attempts to cause physical injury or knowingly causes physical pain or illness to a domestic victim.

**Domestic assault**, in the fourth degree: A person commits the offense of domestic assault in the fourth degree if the act involves a domestic victim and: (1) the person attempts to cause or recklessly causes physical injury, physical pain, or illness to such domestic victim; (2) with criminal negligence the person causes physical injury to such domestic victim by means of a deadly weapon or dangerous instrument; (3) the person purposely places such domestic victim in apprehension of immediate physical injury by any means; (4) the person recklessly engages in conduct which creates a substantial risk of death or serious physical injury to such domestic victim; (5) the person knowingly causes physical contact with such domestic victim knowing he or she will regard the contact as offensive; or (6) the person knowingly attempts to cause or causes the isolation of such domestic victim by unreasonably and substantially restricting or limiting his or her access to other persons, telecommunication devices or transportation for the purpose of isolation.

The institution has determined, based on good-faith research, that Missouri law does not define the term **sexual assault**. However, the State defines **Rape**, **Sexual Misconduct**, and **Sexual Abuse** in varying degrees of severity.

**Rape**, in the first degree: A person commits the offense of rape in the first degree if he or she has sexual intercourse with another person who is incapacitated, incapable of consent, or lacks the capacity to consent, or by the use of forcible compulsion. Forcible compulsion includes the use of a substance administered without a victim's knowledge or consent which renders the victim physically or mentally impaired so as to be incapable of making a informed consent to sexual intercourse.

**Rape**, in the 2<sup>nd</sup> degree: A person commits the offense of rape in the second degree if he or she has sexual intercourse with another person knowing that he or she does so without that person's consent.

**Sexual Abuse**, in the first degree: A person commits the offense of sexual abuse in the first degree if he or she subjects another person to sexual contact when that person is incapacitated, incapable of consent, or lacks the capacity to consent, or by the use of forcible compulsion.

**Sexual abuse**, in the second degree: A person commits the offense of sexual abuse in the second degree if he or she purposely subjects another person to sexual contact without that person's consent.

**Sexual Misconduct**, in the first degree: A person commits the offense of sexual misconduct in the first degree if such person: (1) Exposes his or her genitals under circumstances in which he or she knows that his or her conduct is likely to cause affront or alarm; (2) Has sexual contact in the presence of a third person or persons under circumstances in which he or she knows that such conduct is likely to cause affront or alarm; or (3) Has sexual intercourse or deviate sexual intercourse in a public place in the presence of a third person.

**Sexual misconduct**, in the second degree: A person commits the offense of sexual misconduct in the second degree if he or she solicits or requests another person to engage in sexual conduct under circumstances in which he or she knows that such request or solicitation is likely to cause affront or alarm.

**Stalking**, in the first degree: A person commits the offense of stalking in the first degree if he or she purposely, through his or her course of conduct, disturbs or follows with the intent of disturbing another person and: (1) Makes a threat communicated with the intent to cause the person who is the target of the threat to reasonably fear for his or her safety, the safety of his or her family or household member, or the safety of domestic animals or livestock kept at such person's resident or on such person's property. The threat shall be against the life of, or a threat to cause physical injury to, or the kidnapping of the person, the person's family or household members, or the person's domestic animals or livestock kept at such person's residence or on such

	<p>person's property; or (2) At least one of the acts constitution the course of conduct is in violation of an order of protection and the person has received actual notice of such order; or (3) at least one of the actions constitution the course of conduct is in violation of a condition of probation, parole, pretrial release, or release on bond pending appeal; or (4) at any time during the course of conduct, the other person is seventeen years of age or younger and the person disturbing the other person is twenty-one years of age or older; or (5) he or she has previously been found guilty of domestic assault, violation of an order of protection, or any other crime where the other person was the victim; or (6) at any time during the course of conduct, the other person is a participant of the address confidentiality program and the person disturbing the other person knowingly accesses or attempts to access the address of the other person.</p> <p>Stalking, in the second degree: A person commits the offense of stalking in the second degree if he or she purposely, through his or her course of conduct, disturbs, or follows with the intent to disturb another person.</p>
<p><b><u>Nevada</u></b>          -Nevada Attorney General          -NRS 33.018          -NRS 200.366          -NRS 200.575</p>	<p>In the State of Nevada, offenses of <b>Dating Violence</b> are considered under the definition of Domestic Violence.</p> <p><b>Domestic Violence</b> occurs when a person commits one of the following acts against or upon the person's spouse or former spouse, any other person to whom the person is related by blood or marriage, any other person with whom the person has had or is having a dating relationship, any other person with whom the person has a child in common, the minor child of any of those persons, the person's minor child or any other person who has been appointed the custodian or legal guardian for the person's minor child: a battery, an assault, coercion, sexual assault, a knowing, purposeful, or reckless course of conduct intended to harass the other person, a false imprisonment, and pandering.</p> <p>In the State of Nevada, a person is guilty of <b>Sexual Assault</b> if he or she: subjects another person to sexual penetration, or forces another person to make a sexual penetration on himself or herself or another, or on a beast, against the will of the victim or under conditions in which the perpetrator knows or should know that the victim is mentally or physically incapable of resisting or understanding the nature of his or her conduct; or commits a sexual penetration upon a child under the age of 14 years or causes a child under the age of 14 years to make a sexual penetration on himself or herself or another, or on a beast.</p> <p><b>Stalking:</b> A person who, without lawful authority, willfully or maliciously engages in a course of conduct directed towards a victim that would cause a reasonable person under similar circumstances to feel terrorized, frightened, intimidated, harassed or fearful for his or her immediate safety or the immediate safety of a family or household member, and that actually causes the victim to feel terrorized, frightened, intimidated, harassed or fearful for his or her immediate safety or the immediate safety of a family or household member, commits the crime of stalking.</p>
<p><b><u>New Jersey</u></b>          - NJ Rev. Stat §2C:25-19(2013)          -NJ Rev. Stat §2C:25-19(2013)          -NJ Rev. Stat §2C:14-2(2013)          -NJ Rev. Stat §2C:12-10(2013)</p>	<p>The institution has determined, based on good-faith research, that Dating Violence is not defined by New Jersey law. However, offenses of this nature are included in the definition of <b>Domestic Violence</b>. "Victim of domestic violence" also includes any person who has been subjected to domestic violence by a person with whom the victim has had a dating relationship.</p> <p><b>Domestic Violence</b> means the occurrence of one or more of the following acts inflicted upon a person protected by this act by an adult or an emancipated minor: Homicide, assault, terroristic threats, kidnapping, criminal restraint, false imprisonment, sexual assault, criminal sexual contact, lewdness, criminal mischief, burglary, criminal trespass, harassment, or stalking.</p> <p>In the State of New Jersey, an actor is guilty of <b>Aggravated Sexual Assault</b> if he commits an act of sexual penetration with another person under any one of the following circumstances: the victim is less than 13 years old, the victim is at least 13 but less than 16 years old; and the actor is related to the victim by blood or affinity to the third degree, or the actor has supervisory or disciplinary power over the victim by virtue</p>

	<p>of the actor's legal, professional, or occupational status, or the actor is a resource family parents, a guardian, or stands in loco parentis within the household; the act is committed during the commission, or attempted commission, whether alone or with one or more other persons, of robbery, kidnapping, homicide, aggravated assault on another, burglary, arson or criminal escape; the actor is armed with a weapon or any object fashioned in such a manner as to lead the victim to reasonably believe it to be a weapon and threatens by word or gesture to use the weapon or object the actor is aided or abetted by one or more other persons and the actor uses physical force or coercion; the actor uses physical force or coercion and severe personal injury is sustained by the victim; the victim is one whom the actor knew or should have known was physically helpless, mentally incapacitated, or had a mental disease or defect which rendered the victim temporarily or permanently incapable of understanding the nature of his conduct, including, but not limited to, being incapable of providing consent.</p> <p>In the State of New Jersey, a person is guilty of <b>Stalking</b>, a crime of the fourth degree, if he purposefully or knowingly engages in a course of conduct directed at a specific person that would cause a reasonable person to fear for his safety or the safety of a third person or suffer other emotional distress.</p>
<p><b>New York</b>  -Definition from the <a href="#">New York State Office for the Prevention of Domestic Violence</a>  -NY Penal Law 130.20  -NY Penal Law 120.45</p>	<p>The institution has determined, based on good-faith research, that New York law does not define the term <b>Dating Violence</b>. However, offenses of this nature are defined under <b>Domestic Violence</b>. <b>Domestic Violence</b> is a pattern of coercive tactics that can include physical, psychological, sexual, economic, and emotional abuse, perpetrated by one person against an adult intimate partner, with the goal of establishing and maintaining power and control. Domestic violence occurs in all kinds of intimate relationships, including married couples, people who are dating, couples who live together, people with children in common, same-sex partners, people who were formerly in a relationship with the person abusing them, and teen dating relationships.</p> <p>The institution has determined, based on good-faith research, that New York law does not define the term <b>Sexual Assault</b> but categorizes a broad range of crimes under the title <b>Sexual Misconduct</b>. A person is guilty of <b>Sexual Misconduct</b> when: 1. He or She engages in sexual intercourse with another person without such person's consent; or 2. He or She engages in oral sexual conduct or anal sexual conduct with another person without such person's consent; or 3. He or she engages in sexual conduct with an animal or a dead human body.</p> <p>The State of New York categorizes a broad range of degrees to stalking related crimes. A person is guilty of <b>Stalking</b> when he or she intentionally, and for no legitimate purposes, engages in a course of conduct directed at a specific person, and knows or reasonably should know that such conduct: 1. Is likely to cause reasonable fear of material harm to the physical health, safety or property of such person, a member of such person's immediate family or a third party with whom such person is acquainted; or 2. Causes material harm to the mental or emotional health of such person, where such conduct consists of following, telephoning or initiating communication or contact with such person, a member of such person's immediate family or a third party with whom such person is acquainted, and the actor was previously clearly informed to cease that conduct; or 3. Is likely to cause such person to reasonably fear that his or her employment, business or career is threatened, where such conduct consists of appearing, telephoning, or initiating communication or contact at such person's place of employment or business and the actor was previously clearly informed to cease that conduct.</p>
<p><b>North Carolina</b>  -North Carolina GS 50B-1  -North Carolina GS 14-27.21, 14-</p>	<p>The institution has determined, based on good-faith research, that the term <b>Dating Violence</b> is not defined by North Carolina law. However, offenses of this nature are defined under the Domestic Violence definition's clarification. <b>Domestic Violence</b> means the commission of one or more of the following acts upon an aggrieved party or upon a minor child residing with or in the custody of the</p>

27.22, 14-27.26,  
14-27.27 and 14-  
27.33  
-North Carolina  
GS 14-277.3A

aggrieved party by a person with whom the aggrieved party has or has had a personal relationship, but does not include acts of self-defense: (1) attempting to cause bodily injury, or intentionally causing bodily injury; or placing the aggrieved party or a member of the aggrieved party's family or household in fear of imminent serious bodily injury or continued harassment that rises to such a level as to inflict substantial emotional distress or (3) committing any act defined under "rape," "sexual battery," and/or "sexual offense." For the purposes of this section, the term "personal relationship" means a relationship wherein the parties involved: (1) are current or former spouses; (2) are person of opposite sex who live together or have lived together; (3) are related as parents and children, including others acting in loco parentis to a minor child, or as grandparents and grandchildren, (4) have a child in common; (5) are current or former household members; (6) are persons of the opposite sex who are in a dating relationship or have been in a dating relationship. For purposes of this subdivision, a **dating relationship** is one wherein the parties are romantically involved over time and on a continuous basis during the course of the relationship. A casual acquaintance or ordinary fraternization between persons in a business or social context is not a dating relationship.

The institution has determined, based on good-faith research, that North Carolina law does not define the term "**Sexual Assault**" but define the concepts of Forcible Rape, Sexual Battery, and of Sexual Offense.

**Rape:** A person is guilty of first-degree forcible rape if the person engages in vaginal intercourse with another person by force and against the will of the other person, and does any of the following: (1) Uses, threatens to use, or displays a dangerous or deadly weapon or an article which the other person reasonably believes to be a dangerous or deadly weapon. (2) Inflicts serious personal injury upon the victim or another person, (3) the person commits the offense aided and abetted by one or more other persons. A person is guilty of second-degree forcible rape if the person engages in vaginal intercourse with another person: (1) by force and against the will of the other person; or (2) who has a mental disability or who is mentally incapacitated or physically helpless, and the person performing the act knows or should reasonably know the other person has a mental disability or is mentally incapacitated or physically helpless.

**Sexual Offense:** A person is guilty of first degree forcible sexual offense if the person engages in a sexual act with another person by force and against the will of the other person, and does any of the following: (1) Uses, threatens to use, or display a dangerous or deadly weapon or an article which the other person reasonably believes to be a dangerous or deadly weapon, (2) inflicts serious personal injury upon the victim or another person, (3) the person commits the offense aided and abetted by one or more other persons. A person is guilty of second degree forcible sexual offense if the person engages in a sexual act with another person: (1) by force and against the will of the other person; or (2) who has a mental disability or who is mentally incapacitated or physically helpless, and the person performing the act knows or should reasonably know that the other person has a mental disability or is mentally incapacitated or physically helpless.

**Sexual Battery:** A person is guilty of sexual battery if the person, for the purpose of sexual arousal, sexual gratification, or sexual abuse, engages in sexual contact with another person: (1) by force and against the will of the other person; or (2) who has a mental disability or who is mentally incapacitated or physically helpless, and the person performing the act knows or should reasonably know that the other person has a mental disability or is mentally incapacitated or physically helpless.

In the State of North Carolina, a defendant is guilty of stalking if the defendant willfully on more than one occasion harasses another person without legal purposes or willfully engages in a course of conduct directed at a specific person without legal purpose and the defendant knows or should know that the harassment or the course of conduct would cause a reasonable person to do any of the following: (1) Fear for the person's safety or the safety of the person's immediate family or close personal associates, (2)

	suffer substantial emotional distress by placing that person in fear of death, bodily injury, or continued harassment.
<p><b>Ohio</b>  -Ohio Revised Code, Title 41, 3113.31  -Ohio Revised Code, Title 29, 2907.02 and 2907.03  -Ohio Revised Code, Title 29, 2903.211</p>	<p>The institution has determined, based on good-faith research, that Ohio law does not define the term <b>Dating Violence</b>. However, offenses of this nature are defined within the definition of <b>Domestic Violence</b>.</p> <p><b>Domestic Violence</b> means any of the following: (a) the occurrence of one or more of the following acts against a family or household member: (1) attempting to cause or recklessly causing bodily injury; (2) placing another person by the threat of force in fear of imminent serious physical harm or committing a violation of 2903.211 or 2911.211 of the revised code; (3) committing any act with respect to a child that would result in the child being an abused child; (4) committing a sexually oriented offense. The occurrence of one or more of the acts identified here against a person with whom the respondent is or was in a dating relationship.</p> <p>In the State of Ohio, <b>Sexual Assault</b> is defined under several related types of offenses including <b>Rape</b>, and <b>Sexual Battery</b>.</p> <p><b>Rape:</b> 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 all any of the following applies: for the purpose of preventing resistance, the offender substantially impairs the other person’s judgment or control by administering any drug, intoxicant, or controlled substance to the other person surreptitiously or by force, threat of force, or deception; the other person is less than thirteen years of age, whether or not the offender knows the age of the other person; the other person’s ability to resist or consent is substantially impaired because of a mental or physical condition or because of advanced age, and the offender knows or has reasonable cause to believe that the other person’s ability to resist or consent is substantially impaired because of a mental or physical condition or because of advanced age.</p> <p><b>Sexual Battery:</b> No person shall engage in sexual conduct with another, not the spouse of the offender, when any of the following apply: the offender knowingly coerces the other person to submit by any means that would prevent resistance by a person of ordinary resolution; the offender knows that the other person’s ability to appraise the nature of or control the other person’s own conduct is substantially impaired; the offender knows that the other person submits because the other person is unaware that the act is being committed; the offender knows that the other person submits because the other person mistakenly identifies the offender as the other person’s spouse; the offender is the other person’s natural or adoptive parent, or stepparent, or guardian, custodian, or person in loco parentis of the other person; the offender is a teacher, administrator, coach, or other person in authority employed by or serving in a school for which the state board of education prescribed minimum standard, the other person is enrolled in or attends that school and the offender is not enrolled in and does not attend that school; the other person is a minor, the offender is a teacher, administrator, coach or other person in authority employed by or serving in an institution of higher education, and the other person is enrolled in or attends that institution; the other person is a minor, and the offender is the other person’s athletic or other type of coach, is the other person’s instructor, is the leader of a scouting troop of which the other person is a member, or is a person with temporary or occasional disciplinary control over the other person; the offender is a mental health professional, the other person is a mental health client or patient of the offender, and the offender induces the other person to submit by falsely representing to the other person that the sexual conduct is necessary for mental health treatment purposes; the other person is confined in a detention facility, and the offender is an employee of that detention facility; the other person is a minor, the offender is a cleric, and the other person is a member of, or attends, the church or congregation served by the cleric, and/or the other person is a minor, the offender is a peace officer, and the offer is more than two years older than the other person.</p>

	<p>In the State of Ohio, Stalking is defined as “<b>Menacing by Stalking</b>”: 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. 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 as defined above or to urge or incite another to commit the same violation.</p>
<p><b>Pennsylvania</b>  <a href="#">-House Bill No. 2026, session of 2009</a>  -PA Consolidated Statutes, Title 23, Chapter 61, §6102  -PA Consolidated Statutes, Title 18, Chapter 31, §3124.1  -PA Consolidated Statutes, Title 18, Chapter 31, §2709.1</p>	<p><b>Dating Violence</b> shall mean behavior where one person uses threats of, or actually uses, physical, sexual, verbal or emotional abuse to control the person’s dating partner. In the State of Pennsylvania, Domestic Violence is not defined. However, the word <b>Abuse</b> is defined to include offenses of that nature.</p> <p><b>Abuse:</b> The occurrence of one or more of the following acts between family or household member, sexual or intimate partners or person who share biological parenthood: (1) attempting to cause or intentionally, knowingly or recklessly causing bodily injury, serious bodily injury, rape, involuntary deviate sexual intercourse, sexual assault, statutory sexual assault, aggravated indecent assault, indecent assault or incest with or without a deadly weapon; (2) placing another in reasonable fear of imminent serious bodily injury ; (3) the infliction of false imprisonment; and/or (3) physically or sexually abusing minor children.</p> <p><b>Sexual Assault</b> occurs when a person engages in sexual intercourse or deviate sexual intercourse with a complainant without the complainant’s consent.</p> <p>In the State of Pennsylvania, a person commits the crime of <b>stalking</b> when the person either: (1) engages in a course of conduct or repeatedly commits acts toward another person, including following the person without proper authority, under circumstances which demonstrate either an intent to place such other person in reasonable fear of bodily injury or to cause substantial emotional distress to such other person; or (2) engages in a course of conduct or repeatedly communicates to another person under circumstances which demonstrate or communicate either an intent to place such other person in reasonable fear of bodily injury or to cause substantial emotional distress to such other person.</p>
<p><b>Tennessee</b>  -TN Code, 39-13-111  -TN Code, 39-13-505  -TN Code, 39-17-315</p>	<p>The institution has determined, based on good-faith research, that Tennessee law does not define the term “<b>dating violence</b>.” However, offenses of this nature are defined under “Domestic Assault.”</p> <p>The institution has determined, based on good-faith research, that Tennessee law does not define the term “<b>domestic violence</b>.” However, a definition for <b>Domestic Assault</b> is provided combining the definition for Assault and the definition of Domestic Abuse Victim.</p> <p><b>Assault:</b> A person commits assault who: (1) intentionally, knowingly or recklessly causes bodily injury to another; (2) intentionally or knowingly causes another to reasonably fear imminent bodily injury; or (3) intentionally or knowingly causes physical contact with another and a reasonable person would regard that contact as extremely offensive or provocative.</p> <p><b>Domestic Abuse Victim:</b> A person commits domestic assault who commits assault against a domestic abuse victim. A domestic abuse victim means any person who falls within the following categories: (1) adults or minor who are current or former spouses; (2) adults or minor who live together or who have lived together; (3) adults or minors</p>



	<p>who are dating or who have dated or who have or had a sexual relationship, but does not include fraternization between two individuals in a business or social context; (4) adults or minor related by blood or adoption; (5) adults or minors who are related or were formerly related by marriage; or (6) adult or minor children of a person in a relationship of any of the previous listed types.</p> <p>The institution has determined, based on good-faith research, that Tennessee law does not define the term “<b>sexual assault.</b>” However, a definition for <b>Sexual Battery</b> is provided.</p> <p><b>Sexual Battery</b> is unlawful sexual contact with a victim by the defendant or the defendant by a victim accompanied by any of the following circumstances: (1) force or coercion is used to accomplish the act; (2) the sexual contact is accomplished without the consent of the victim and the defendant knows or has reason to know at the time of the contact that the victim did not consent; (3) the defendant knows or has reason to know that the victim is mentally defective, mentally incapacitated or physically helpless; or (4) the sexual contact is accomplished by fraud.</p> <p><b>Stalking</b> means a willful course of conduct involving repeated or continuing harassment of another individual that would cause a reasonable person to feel terrorized, frightened, intimidated, threatened, harassed, or molested, and that actually causes the victim to feel terrorized, frightened, intimidated, threatened, harassed, or molested.</p>
<p><b>Texas</b>  -Texas Family Code, §71.0021  -Texas Family Code, §71.004  -Texas Penal Code, §21.011  -Texas Penal Code, §42.072</p>	<p>In the State of Texas, <b>Dating Violence</b> is defined as an act, other than a defensive measure to protect oneself, by an actor: (1) is committed against a victim or applicant for a protective order: (a) with whom the actor has or has had a dating relationship; or (b) because of the victim’s or applicant’s marriage to or dating relationship with an individual with whom the actor is or has been in a dating relationship or marriage; and (2) is intended to result in physical harm, bodily injury, assault, or sexual assault or that is a threat that reasonably places the victim or applicant in fear of imminent physical harm, bodily injury, assault, or sexual assault.</p> <p>The institution has determined, based on good-faith research, that “Domestic Violence” is not defined by Texas law. However, <b>Family Violence</b> is defined as an act by a member of a family or household against another member of the family or household that is intended to result in physical harm, bodily injury, assault, or sexual assault or that is a threat that reasonably places the member in fear of imminent physical harm, bodily injury, assault, or sexual assault, but does not include defensive measure to protect oneself; (2) abuse by a member of a family or household toward a child of the family or household; or (3) Dating Violence.</p> <p>In the state of Texas, a person commits <b>Sexual Assault</b> if: the person intentionally or knowingly: (1) causes the penetration of the anus or sexual organ of another person by any means, without that person’s consent; (2) causes the penetration of the mouth of another person by the sexual organ of the actor, without that person’s consent; or (3) causes the sexual organ of another person, without that person’s consent, to contact or penetrate the mouth, anus, or sexual organ of another person, including the actor; regardless of whether the person knows the age of the child at the time of the offense, the person intentionally or knowingly: (1) causes the penetration of the anus or sexual organ of a child by any means; (2) causes the penetration of the mouth of a child by the sexual organ of the actor; (3) causes the sexual organ of a child to contact or penetrate the mouth, anus, or sexual organ of another person, including the actor; (4) causes the anus of a child to contact the mouth, anus, or sexual organ of another person, including the actor; or (5) causes the mouth of a child to contact the anus or sexual organ of another person, including the actor.</p> <p>In the State of Texas, a person commits an offense of <b>Stalking</b> if the person, on more than one occasion and pursuant to the same scheme or course of conduct that is directed specifically at another person, knowingly engages in conduct that: (1) constitutes an offense of harassment or that the actor knows or reasonably should know the other person will regard as threatening: (a) bodily injury or death for the other</p>

	<p>person; (b) bodily injury or death for a member of the other person’s family or household or for an individual with whom the other person has a dating relationship; or (c) that an offense will be committed against the other person’s property; (2) causes the other person, a member of the other person’s family or household, or an individual with whom the other person has a dating relationship to be placed in fear of bodily injury or death or in fear that an offense will be committed against the other person’s property, or to feel harassed, annoyed, alarmed, abused, tormented, embarrassed, or offended; and (3) would cause a reasonable person to: (a) fear bodily injury or death for himself or herself; (b) fear bodily injury or death for a member of the person’s family or household or for an individual with whom the person has a dating relationship; (c) fear that an offense will be committed against the person’s property; or (d) feel harassed, annoyed, alarmed, abused, tormented, embarrassed, or offended.</p>
<p><b>Virginia</b>  <a href="#">-Office of the Attorney General of Virginia Domestic and Sexual Violence Initiatives</a>          -Virginia Code, §16.1-228          -Virginia Code, §18.2-67.10          -Virginia Code, §18.2-60.3</p>	<p>In the State of Virginia, the Office of the Attorney General describes <b>Dating Violence</b> as a kind of intimate partner violence that occurs between two people in a close relationship. It is a pattern of abusive behaviors by one partner against the other within the context of either casual dating or long-term relationship. It can also take many forms, including psychological and emotional abuse, physical abuse, and sexual abuse. In the State of Virginia, “Domestic Violence” is not defined. However, <b>Family Abuse</b> means any act involving violence, force, or threat that results in bodily injury or places one in reasonable apprehension of death, sexual assault, or bodily injury and that is committed by a person against such person’s family or household member. Such act includes, but is not limited to, any forceful detention, stalking, criminal sexual assault, or any criminal offense that results in bodily injury or places one in reasonable apprehension of death, sexual assault, or bodily injury.</p> <p>For the purposes of this definition, a <b>Family or Household member</b> means (i) the person’s spouse, whether or not he or she resides in the same home with the person, (ii) the person’s former spouse, whether or not he or she resides in the same home with the person, (iii) the person’s parents, stepparents, children, stepchildren, brothers, sisters, half-brothers, half-sisters, grandparents and grandchildren, regardless of whether such persons reside in the same home with the person, (iv) the person’s mother-in-law, father-in-law, sons-in-law, daughters-in-law, brothers-in-law and sisters-in-law who reside in the same home with the person, (v) any individual who has a child in common with the person, whether or not the person and that individual have been married or have resided together at any time, or (vi) any individual who cohabits or who, within the previous 12 months, cohabited with the person, and any children of either of them then residing in the same home with the person.</p> <p>The institution has determined, based on good-faith research, that “Sexual Assault” is not defined by Virginia law. However, <b>Sexual Abuse</b> means an act committed with the intent to sexually molest, arouse, or gratify any person, where: (a) the accused intentionally touches the complaining witness’s intimate parts or material directly covering such intimate parts; (b) the accused forces the complaining witness to touch the accused’s, the witness’s own, or another person’s intimate parts or material directly covering such intimate parts; (c) if the complaining witness is under the age of 13, the accused causes or assists the complaining witness to touch the accused’s, the witness’s own, or another person’s intimate parts or material directly covering such intimate parts; or (d) the accused forces another person to touch the complaining witness’s intimate parts or material directly covering such intimate parts.</p> <p>In the State of Virginia, <b>Stalking</b> is defined as: Any person, except a law-enforcement officer, and acting in performance of his official duties, and a registered private investigator, who is regulated and acting in the course of his legitimate business, who on more than one occasion engages in conduct directed at another person with the intent to place, or when he knows or reasonably should know that the conduct places that other person in reasonable fear of death, criminal sexual assault, or bodily injury to that other person or to that other person’s family or household member is guilty of a Class 1 misdemeanor. If the person contacts or follows or attempts to contact or follow</p>

	<p>the person at whom the conduct is directed after being given actual notice that the person does not want to be contacted or followed, such actions shall be prima facie evidence that the person intended to place that other person, or reasonably should have known that the other person was placed, in reasonable fear of death, criminal sexual assault, or bodily injury to himself or a family or household member.</p>
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