



THE UNIVERSITY OF TOLEDO

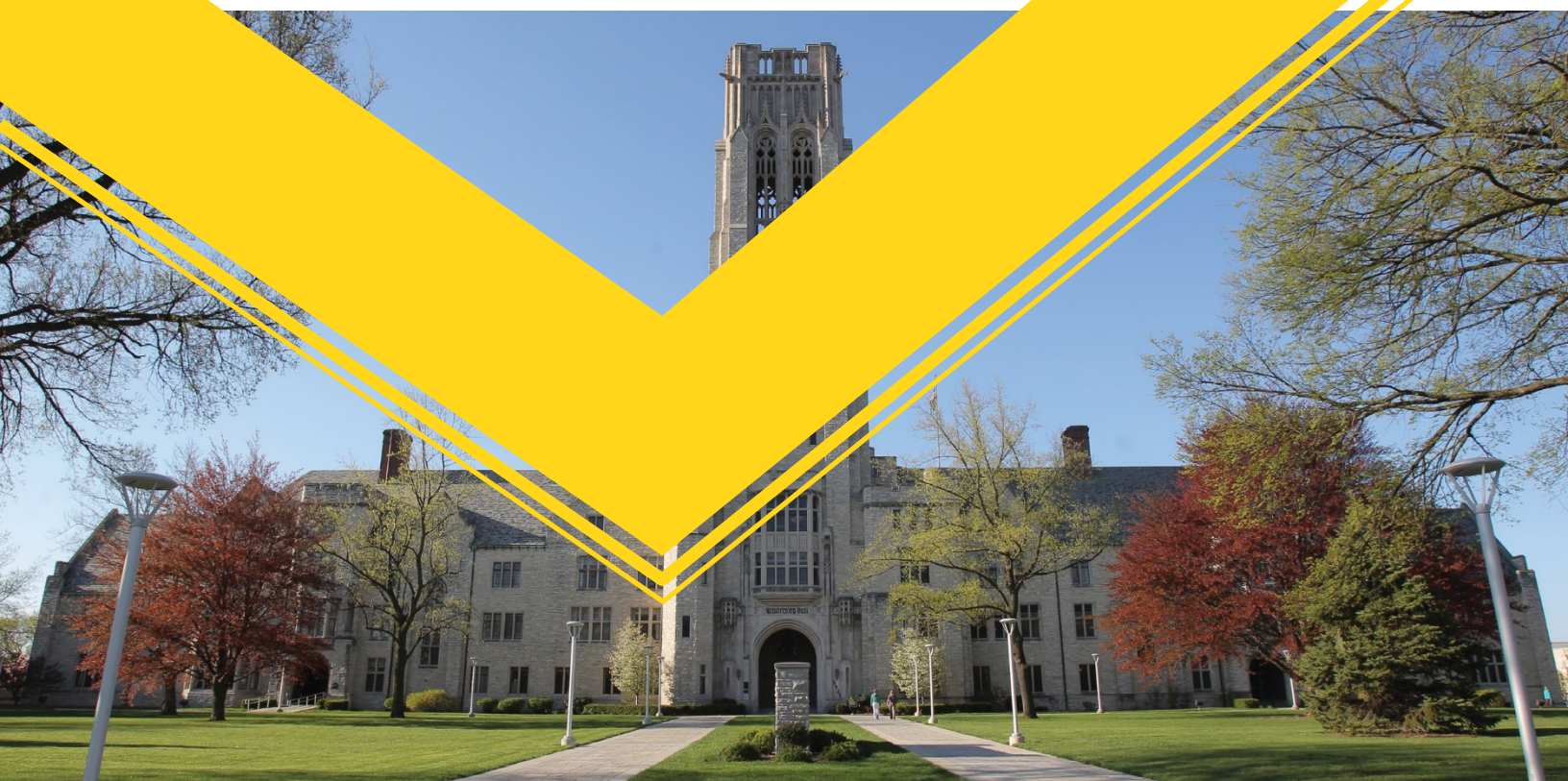
AOD Biennial Review

2016 - 18

Drug-Free Schools and Campuses Regulations [EDGAR Part 86]

July 1, 2016 – June 30, 2018

Academic Years 2016 - 2017 & 2017 - 2018



◀ 2016 - 2018

Primary Author(s):

Vicki Riddick, M.A.
Senior Wellness Officer

Jocelyn Szymanski, MPH
Wellness Administrator

Elliott Nickeson, M.M.
Clery Act Compliance Officer

Ashleigh Wade, M.Ed.
Associate Dean of Students and Director of Student Conduct and Community Standards

Erin Hungerman, M.S.
Coordinator of Student Conduct and Community Standards

Terrie Kovacs, MBA, PHR, SHRM-CP
Director, HR Academic and Talent Development

Primary Office:

Internal Audit and Compliance

Final Publishing Date:

December 13, 2018



The University of Toledo
Drug-Free Schools and Campuses Regulations [EDGAR Part 86]
Alcohol and Other Drug (AOD) Prevention Certification

The undersigned certifies that it has adopted and implemented an alcohol and other drug prevention program for its students and employees that, at a minimum, includes –

1. The annual distribution to each employee, and to each student who is taking one or more classes of any kind of academic credit except for continuing education units, regardless of the length of the student's program of study, of:

- Standards of conduct that clearly prohibit, at a minimum, the unlawful possession, use and distribution of illicit drugs and alcohol by students and employees on its property or as part of any of its activities.
- A description of the applicable legal sanctions under local, state and federal law for the unlawful possession or distribution of illicit drugs and alcohol.
- A description of the health risks associated with the use of illicit drugs and the abuse of alcohol.
- A description of any drug or alcohol counseling, treatment, rehabilitation or re-entry programs that are available to employees or students.
- A clear statement that the institution will impose disciplinary sanctions on students and employees (consistent with state and federal law), and a description of those sanctions, up to and including expulsion or termination of employment and referral for prosecution, for violations of the standards of conduct. A disciplinary sanction may include the completion of an appropriate rehabilitation program.

2. A biennial review by the institution of its alcohol and other drug prevention comprehensive program to:

- Determine its effectiveness and implement changes to its comprehensive alcohol and other drug prevention program and policies, if they are needed.
- Ensure that its disciplinary sanctions are consistently enforced.

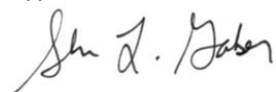
The University of Toledo
2801 W. Bancroft St.
Toledo, OH 43606

Sharon Gaber, Ph.D.

December 20th 2018

Typed Name of Chief Executive Officer

Date



419-530-2211

Signature of the Chief Executive Officer

Telephone Number



Table of Contents

Introduction	6
Biennial Review Process.....	7
Annual Policy Notification Process: Distribution of AOD Policy to Students and Employees	7
Descriptions of the Alcohol and Other Drug Prevention Services.....	8
Alcohol and Other Drug Prevalence Rate, Incidence Rate, Needs Assessment and Trend Data ..	9
Alcohol and Other Drug Policies, Enforcement and Compliance	19
Comprehensive Efforts to Reduce Drug and Alcohol Use, Misuse and Abuse.....	23
Statement of AOD Program Goals and Discussion of Goal Achievement.....	23
ATOD Prevention Program 2016-2018 Accomplishments.....	24
Summary of the 2018 HECAOD Review of the University’s AOD Program.....	25
Appendices	27
Appendix A: Policy Statements.....	27
Appendix A1: Alcohol and Substance Abuse Policy.....	28



Appendix A2: Student Code of Conduct.....	31
Appendix A3: Policy on Alcohol Beverages	52
Appendix A4: Social Events Policy.....	60
Appendix A5: Smoke-Free and Tobacco-Free Policy.....	73
Appendix A6: Pre-Employment Drug Testing Policy.....	77
Appendix A7: Employee Assistance Program Policy.....	80
Appendix A8: Drug-Free Workplace Policy.....	82
Appendix A9: Employee Drug and Alcohol Abuse Policy.....	84
Appendix A10: Procedure for Drug and Alcohol Testing.....	86
Appendix A11: Sexual Misconduct Policy.....	94
Appendix A12: Amnesty Policy.....	124
Appendix B: List of Educational Programs.....	127
Appendix C: Student Code of Conduct Sanction Rubric.....	130
Appendix D: Annual Notification.....	137



Appendix E: Alcohol.Edu Data.....	147
Appendix E1: Academic Year 2016-2017.....	147
Appendix E2: Academic Year 2017-2018.....	160



Introduction

The following report was prepared by the Alcohol, Tobacco and Other Drug (ATOD) Prevention [Program](#). This report is prepared to meet the requirements of the 1989 amendments to the Drug-Free Schools and Campuses Act, as stated in Part 86 of the Drug-Free Schools and Campuses Regulations, and is designed to document the prevention efforts provided at this institution.

In order to certify its compliance with the Part 86 Regulations, an IHE (Institution of Higher Education) must adopt and implement a drug prevention program to “prevent the unlawful possession, use, or distribution of illicit drugs and alcohol by all students and employees” both on school premises and as part of any of its activities (EDGAR Part 86.100, Subpart B). These standards apply to all students, staff and faculty members. Creating a program that complies with the Regulations requires an IHE to do the following:

1. Prepare a written policy on alcohol and other drugs.
2. Notify each employee and staff member of the policy in writing every year, including standards of conduct; a description of sanctions for violations at the federal, state, local and campus levels a description of the health risks associated with Alcohol and Other Drug (AOD) use; and a description of available treatment programs.
3. Develop a sound and consistent method for distribution of the policy to every student and IHE staff member each year.
4. Prepare a biennial report on the effectiveness of its AOD programs and the consistency of policy enforcement.

The Drug-Free Schools and Campuses Regulations require IHEs to review their AOD programs and policies every two years. This review has two objectives: (1) to determine the effectiveness of, and to implement any needed changes to, the AOD program; and (2) to ensure that the disciplinary sanctions for violating standards of conduct are enforced consistently.

The review includes the following: (1) biennial review process; (2) procedures for distributing AOD policy to students and employees; (3) descriptions of alcohol and other drug prevention services; (4) prevalence rate, incidence rate, needs assessment and trend data; (5) policies, enforcement and compliance; (6) comprehensive efforts to reduce drug and alcohol use, misuse and abuse; (7) prevention program accomplishments; (8) summaries of AOD program strength and weaknesses; (9) recommendations for revising AOD prevention efforts; (10) conclusion and (11) appendices.

The University of Toledo has developed a comprehensive written policy on alcohol and other drugs and has successfully disseminated this information to students, staff and faculty. It is in



full compliance with Parts 1 and 2 of Part 86 Regulations. This report represents the Biennial Review of Alcohol and Other Drug Prevention Programs at The University of Toledo as required by the Drug-Free Schools and Campuses Regulations.

This report contains evaluations of alcohol and other drug surveys as suggested by the Department of Education to help measure policy and program effectiveness. In addition, the prevention initiatives the University has implemented to reduce drug and alcohol problems are summarized.

Biennial Review Process

This biennial review covers academic years 2016-2017 and 2017-2018.

The University of Toledo acknowledges its legal obligation to conduct a biennial review of compliance with the Drug-Free Schools and Communities Act and authorized an administrative review to be conducted to determine if the University fulfills the requirements of the previously mentioned federal regulations. The purpose of this report is to comply as best as possible, using data collected over the past two years. The following campus units provided information for biennial reports: Division of Student Affairs, UT Police Department, Human Resources, and Internal Audit and Compliance. The intention of this document is to meet the legal requirements of conducting a biennial review and also summarize the programs and activities related to alcohol and drug prevention on The University of Toledo campuses during the period of 2016-2018.

The process to compile the data began in September 2018 and ended in December 2018. The data was collected and assessed through the collaboration of the above-mentioned departments.

The biennial review document is housed online and can be found on the [ATOD Education and Prevention](#) website, [Human Resources](#) website and the [Institutional Compliance](#) website. The document is available for print via the noted websites. Biennial review documents are required by law to be kept for a minimum of seven years.

Annual Policy Notification Process: Distribution of AOD Policy to Students and Employees

The University of Toledo has a written alcohol and other drug policy that is widely distributed to all students. This policy is distributed through email each semester, and additional ATOD information is distributed and available during Rocket Launch, the new student and transfer student orientation program, First Year Orientation course, policy website, mandatory first-year online course Alcohol.Edu, as well as the ATOD Prevention Education website.



The University of Toledo has a written alcohol and other drug policy that is also distributed to all faculty and staff. This policy is distributed through email each semester, and available on the policy website and the ATOD Prevention Education website. Staff and faculty are made aware of these policies during new hire orientation. Information related to this policy is also on the Human Resources website.

Copies of policies related to alcohol and other drug enforcement and compliance are noted in Appendix A1-A12.

Descriptions of the Alcohol and Other Drug Prevention Services

The University of Toledo provides several places students can go to seek help for alcohol and drug issues including, but not limited to: ATOD Program, University Counseling Center and the Main Campus Medical Center. Students are provided with caring and confidential services which include education, individual counseling, assessment, case management, referral to community services and self-help programs. The University of Toledo also provides off-campus referrals to students related to AOD matters if the student needs additional assistance.

ATOD prevention programming and educational services are provided campus-wide each semester to various student groups including: student-athletes, Greeks, first-year students, students who live in the residence halls, multicultural students, students attending first aid classes and Reserve Officer Training Corps classes. In-person ATOD programming is provided to students, faculty members and staff by various departments on campus, including the ATOD Program, the Office of Student Conduct and Community Standards (OSC&CS), the UT Police Department, The University of Toledo Medical Center, the Office of Greek Life, the Office of New Student Orientation Programs, the Office of Recreational Services and the University Counseling Center. Additionally, Alcohol.Edu is offered online and is mandatory for first-year students.

The OSC&CS has jurisdiction and responsibility for enforcement of the [Student Code of Conduct](#). The OSC&CS outlines behavioral expectations for UT students. The Student Code of Conduct and the OSC&CS website provide additional information related to [sanction enforcement](#) for students and related information [for parents](#) regarding the Code. Students who violate campus AOD policies are initially referred to the OSC&CS. The OSC&CS collaborates with many campus departments and offices on addressing AOD violations. Students found responsible for violation(s) of the Code receive educational sanctions to help them change and reflect on their behavior, and how it impacts themselves and the UT Community.

The [Annual Security Report](#) is released yearly to the following UT Campuses – Main Campus, Health Science Campus, Scott Park Campus, the Center for the Visual Arts, the Stranahan Arboretum, Lake Erie Research Center and Lorain County Community College – University Partnership Ridge.



The University of Toledo adopted the [Amnesty Policy](#) in 2010, and it is reviewed for revisions yearly. The last revision was completed in August 2018. The Amnesty Policy encourages students to make responsible decisions and to seek medical attention in life-threatening situations that results from alcohol and/or other drug abuse.

Additional services for faculty and staff can be found through Human Resources and Talent Development. Services provided to employees can be located in the [Employee Toolkit](#). Employees can utilize the [IMPACT Employee Assistance Program](#). Impact Solutions provides 24/7/365 phone support. It also provides full-services assistance offering web, phone, in-office and on-site solutions for personal, work-related challenges and daily living needs. Should an employee need live, immediate assistance they should call 1.800.227.6007.

Alcohol and Other Drug Prevalence Rate, Incidence Rate, Needs Assessment and Trend Data

UT Health Survey Results Fall 2017

The ATOD office modeled The University of Toledo Alcohol and Drug Survey (UTADS) after the CORE alcohol and drug survey, and the National College Health Assessment. Survey items assessed the prevalence of alcohol, tobacco and drug use. The survey includes items that also assess prevention and counseling efforts concerning substance abuse and mental health. The participants were randomly selected through the Office of the Registrar. Fifty randomly selected courses, equally representative for each college, were contacted to request entry for data collection during fall 2017. The response rate was 56 percent, with 28 classrooms granting the request. The total sample included 1,239 undergraduate students.

Following are summary characteristics of the students who completed the survey:

43.7% 1 st -year students	92.8% were ages of 18-22
14.1% 2 nd -year students	57.7% worked part-time or full-time
15.5% 3 rd -year students	63.7% were female
20.4% 4 th -year students	65.3% lived off-campus
6.3% 5 th - or more-year students	77.2% were white (non-Hispanic)

Following are key findings on:

Alcohol use:

67.3% of students reported alcohol use in the past 30 days.



52.7% of alcohol users reported binge drinking in the past two weeks.

39.5% of all students reported binge drinking in the past two weeks.

Illicit drug use:

18.4% of students reported marijuana use in the past 30 days.

21.6% of students reported any illicit drug use in the past 30 days, including illicit prescription drug use.

Tobacco use:

13.3% of students reported tobacco use in the past 30 days.

13.0% of students reported e-cigarette use in the past 30 days.

The most frequently reported illicit drugs used in the past 30 days:

Marijuana, 18.4%

Stimulants (Ritalin, Adderall), 3.4%

Amphetamines (diet pills, speed), 2.4%

Illicit use of prescription drugs over the past 30 days:

Greatest use was stimulants (Ritalin, Adderall), 3.4%

Total prescription drug use, 6.3%

Students reported consequences from their alcohol and drug use:

72.6% of students who reported alcohol or drug use experienced a consequence due to their alcohol or drug use.

The top five reported consequences were:

Had a hangover..... 56.0%

Spent more money than they intended..... 37.0%

Embarrassed by their behavior..... 27.5%



Forgot where they were or what they did..... 27.3%

Did something they later regretted..... 22.5%

18.2% reported experiencing an academic consequence due to their alcohol or drug use:

This may include one or more of the following: being unable to do homework or study for a test, missing a day of school, receiving a lower grade on an exam or project, receiving a lower grade in one or more classes, receiving an incomplete or dropping one or more classes, being placed on academic probation, missing a semester of school or considering dropping out of school.

Students reported how other students' alcohol and drug use impacts them:

34.7% of students report that other students' alcohol and drug use negatively affects them.

The most commonly reported negative impact was other people's use messed up their physical living space – 15%.

Remaining negative effects included: made them feel unsafe, interrupted their studying, prevented them from enjoying events, and adversely affected involvement on an athletic team or other organized groups.

Knowledge and Perceptions of Narcan

Due to the opiate epidemic in northwest Ohio, students were asked Narcan-related questions:

50.4% of students did not know what Narcan was.

Of those that were aware of Narcan, 45.3% felt the campus pharmacy should provide Narcan.

13.8% of students were "Somewhat" to "Very" confident in their ability to administer Narcan.

0% of students reported overdosing on opioids/heroin.

4.8% of students stated they knew a UT student who had overdosed on opioids/heroin.

Students' Mental Health Status and Perceptions of Mental Health Services at UT

The following data are in regards to questions about students' mental health:

37.4% of all students state they are experiencing a mental health issue.



Anxiety (28.8%) and depression (15.9%) are the highest reported mental health issues reported by students.

62.4% of students feel they have a faculty or staff member they can turn to in confidence (if they need help [non-academic]).

7.5% of students have seriously considered suicide in the past 12 months, and 6.0% have considered, but not in the past 12 months.

1% of students has attempted suicide in the past 12 months, while 1.6% have attempted suicide, but not in the past 12 months.

37.0% of all students state their mental health has affected their academics.

This includes receiving a lower grade on an exam or project, receiving a lower grade in one or more courses, receiving an incomplete or dropping one or more courses, missing a semester of school or considering dropping out of school

On the UTAD Survey, students were also asked questions regarding the current Substance Abuse and Mental Health Services on UT's campus:

Substance Abuse Services

50.9% of the students feel the substance abuse services at UT are sufficient.

34.9% are unsure about the quality of substance abuse services at UT.

14.2% feel the substance abuse services at UT are not sufficient.

28.3% of the students know where to access substance abuse services at UT.

71.8% of the students either do not know (52.3%) or are unsure (19.5%) of where to access substance abuse services at UT.

Mental Health Services

51.1% of the students feel the mental health services at UT are sufficient.

35.0% are unsure about the quality of the mental health services at UT.

13.9% feel the mental health services at UT are not sufficient.

37.0% of the students know where to access mental health services at UT.



63.0% of the students either do not know (44.5%) or are unsure (18.5%) of where to access mental health services at UT.

The Number of Alcohol and Other Drug-Related Incidents, Academic Year 2016 - 2017

Charge	Dismissed	Amnesty	Not Responsible	Responsible	No Finding	Total
Alcohol Possession/Consumption	1	4	65	227	19	316
Marijuana/Drug Possession, Use, Distribution	1	0	40	74	5	120
RL-Substance Free Agreement	0	0	0	1	0	1
RL-Alcohol Presence	0	0	23	1	1	25
RL-Smell of Marijuana	4	0	0	0	1	5

Clery Report	On Campus	On Campus-Res Hall	Non-Campus	Public Property	Unfounded
Disciplinary Action-Drug Law Violation	92	72	8	0	0
Disciplinary Action-Liquor Law Violation	198	190	7	0	0
Arrests-Drug Law Violation	12	3	0	0	0
Arrests-Liquor Law Violation	130	19	0	9	0

The Number of Alcohol and Other Drug-Related Incidents, Academic Year 2017 - 2018

Charge	Dismissed	Amnesty	Not Responsible	Responsible	No Finding	Total
Alcohol Possession/Consumption	3	16	117	167	13	316
Marijuana/Drug Possession, Use, Distribution	0	4	82	75	14	175



Clery Report	On Campus	On Campus-Res Hall	Non-Campus	Public Property	Unfounded
Disciplinary Action-Drug Law Violation	155	152	10	0	0
Disciplinary Action-Liquor Law Violation	315	304	10	0	0
Arrests-Drug Law Violation	37	16	0	13	0
Arrests-Liquor Law Violation	65	17	0	5	0

University of Toledo Alcohol.Edu Report Findings

The University of Toledo mandates that all incoming freshman participate in an online educational module connected to their First-Year Experience course. As noted on their website, [Alcohol.Edu](#) is an interactive online program designed to reduce negative consequences of alcohol among students. Students are sent a [letter](#) via email to their University account requesting their participation and instructions for completion. All data below is specific to first-year students.

Alcohol Edu for College Academic Year 2016-2017

10% of University of Toledo freshman reported drinking in a high-risk way, when measured midway through the fall term (n=1827).

28% of University of Toledo freshman reported not drinking in the past two weeks, with 38% indicating not drinking in the past year (n=1827).

87% of University of Toledo freshman reported after completing Alcohol.Edu For College that the course prepared them to make responsible decisions about drinking (n=1827).

The most common drinking-related risk behaviors that University of Toledo freshman reported are: pre-gaming and doing shots.

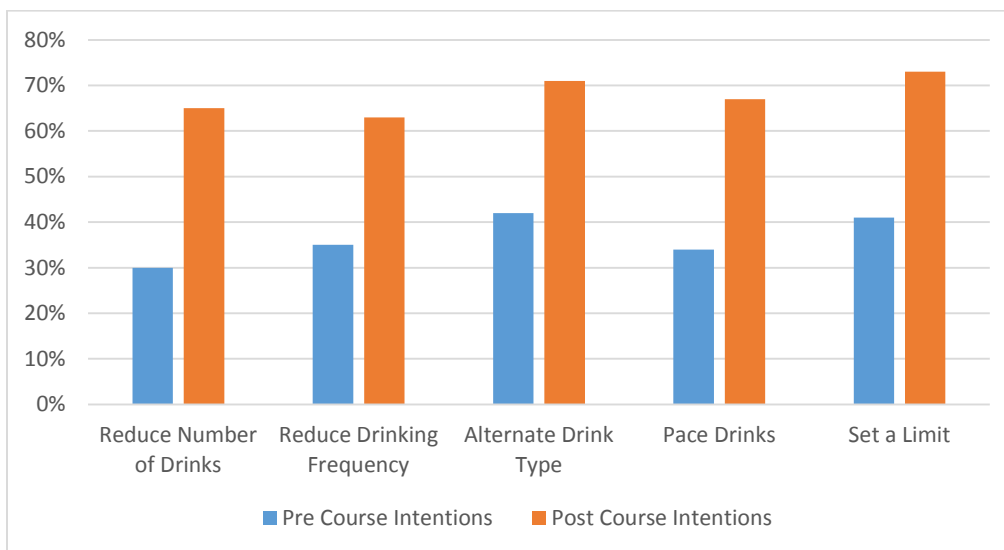
Two of the most frequent negative consequences of drinking University of Toledo freshman reported were: hangovers and blacking out.

University of Toledo freshman reported that some of the most important reasons not to drink are because they “are going to drive” and that they “do not want to spend the money.”

Impact for High-Risk Students: Among the 64% of high-risk drinkers (230 University of Toledo students) who saw “no need to change the way they drink” before taking Alcohol.Edu for College, 66% of those students (152 University of Toledo students) indicated their readiness to change after completing the course.



The Importance of Behavioral Intentions: After completing Alcohol.Edu for College, University of Toledo freshman reported an increase in several positive behavioral intentions:



Alcohol.Edu for College Academic Year 2017-2018

16% of University of Toledo freshman reported drinking in a high-risk way, when measured midway through the fall term (n=2329).

27% of University of Toledo freshman reported not drinking in the past two weeks, with 39% indicating not drinking in the past year (n=2329).

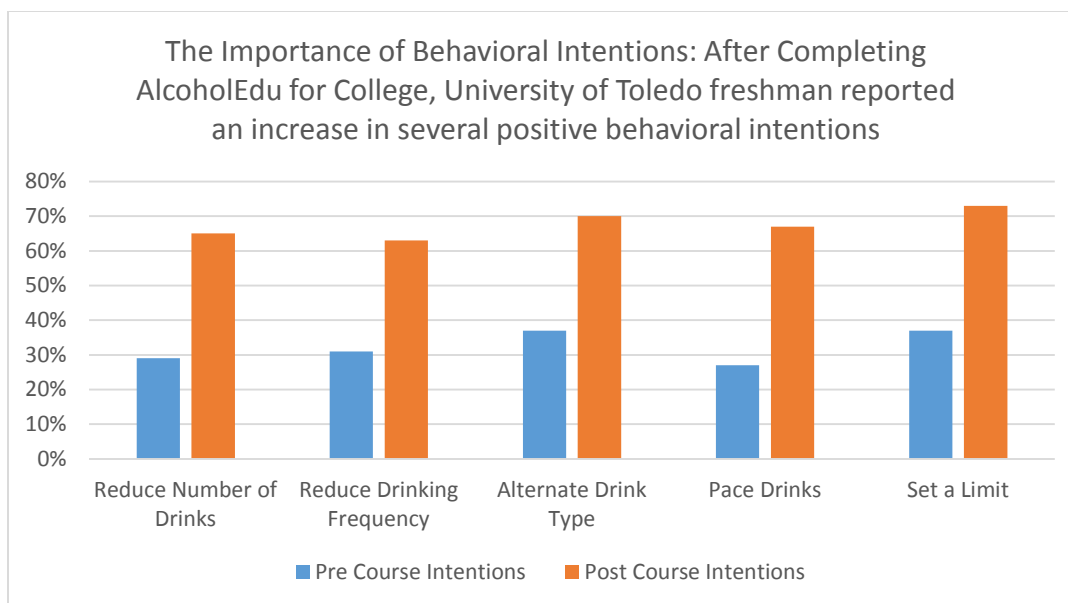
90% of University of Toledo freshman reported after completing Alcohol.Edu For College that the course prepared them to make responsible decisions about drinking (n=2329).

The most common drinking-related risk behaviors that University of Toledo freshman reported were: pre-gaming and doing shots.

Two of the most frequent negative consequences of drinking University of Toledo freshman reported are: hangovers and blacking out.

University of Toledo freshman reported that some of the most important reasons not to drink are because they “are going to drive” and that they “do not want to spend the money.”

Impact for High-Risk Students: Among the 68% of high-risk drinkers (414 University of Toledo students) who saw “no need to change the way they drink” before taking Alcohol.Edu for College, 66% of those students (275 University of Toledo students) indicated their readiness to change after completing the course.



University Counseling Center, Chemical Dependency Counselor Service Summary

The [Counseling Center](#) is the University's primary facility for counseling, group therapy, outreach support and consultation services. The University Counseling Center provides the following:

Screenings, individual, couples and group counseling and psychotherapy; psychoeducational workshop;; consultation with students, faculty, staff and parents; crisis intervention and online screenings.

The Counseling Center's alcohol and other drug-related services to students referred to the center by various referral sources. The Counseling Center has one AOD specifically licensed counselor; one licensed independent chemical dependency counselor to assist with substance abuse and misuse, referrals and supervision of licensed counselors assisting with AOD mandates and referrals.

The AOD counselor summary includes:

Referral Sources, Assessment Tools Used, and AOD Mandates

Referral Sources (Received) 2016-2017	
Name of Department	How Many Received
Office of Student Conduct & Community Standards	50

Referral Sources (Received) 2017-2018	
Name of Department	How Many Received
Office of Student Conduct & Community Standards	52

2016-2017 Counseling Referrals:

- Total: 42
 - Female: 13 (12 completed)
 - Male: 29 (23 completed)
 - Total Referrals Completed: 35
 - 18 y/o: 18 (17 completed)
 - 19 y/o: 16 (13 completed)
 - 20 y/o: 4 (2 completed)
 - 21 y/o: 3 (3 completed)
 - 22 y/o: 1 (0 completed)
 - Average Appointments per Student: 1.4

2017-2018 Counseling Referrals:

- Total: 32
 - Female: 12 (10 completed)
 - Male: 20 (12 completed)
 - Total Referrals Completed: 22
 - 17 y/o: 1 (1 completed)



- 18 y/o: 12 (7 completed)
 - 19 y/o: 12 (9 completed)
 - 20 y/o: 4 (3 completed)
 - 21 y/o: 1 (1 completed)
 - 22 y/o: 2 (1 completed)
- Average Appointments per Student: 1.375

Evidence-Based Tools for Assessment	
Name of Assessment Tool	Summary of Tool
Alcohol and Drug Assessment Form	This form assesses primary and secondary drugs of choice, frequency of use, longest abstinence from use. Identifies symptoms of chemical dependency, if any. Identifies withdrawal symptoms, if any. Identifies medical problems associated with substance use, if any. Identifies consequences associated with use, if any. Identifies substance abuse treatment, if any. Form also measures family response to alcohol/drug use, identifies support network and motivation of the client to seek treatment.
National Alcohol Screening Form	This form is a measurement of numerous items. It identifies the following: (1) how often clients drink alcohol, how many drinks containing alcohol they have on a typical day when drinking; (2) how often females have four or more drinks a day; (3) how often males have five or more drinks a day; (4) how often a person was not able to stop drinking once they have started; (5) how often clients have failed to live up to what was normally expected of them because of drinking; (6) how often in the last year a client had to have a drink in the morning to get themselves going after a heaving drinking session; (7) how often a client has had feelings of guilt or remorse after drinking within the past year; (8) how often clients were not able to remember what happened the night before because they had been drinking; (9) if someone has been injured as a result of drinking; (10) if someone in a client's life has been concerned about the client's drinking and recommended that they cut back or stop; (11) family substance abuse history; (12) identifies client substance abuse history.

AOD Policies, Enforcement, and Compliance

The University of Toledo is committed to a safe environment for all students, faculty and staff. Listed below are policies related to ATOD prevention. All policy documents listed below are documented in their entirety can be found in Appendix A1-A14.

The University of Toledo hereby notifies all employees, both full-time and part-time, that the unlawful manufacture, distribution, dispensing, possession and/or use of a controlled substance is prohibited in the workplace. The workplace encompasses all University facilities.

Violation of such prohibition will result in official University disciplinary action.

On the basis of its established policy and procedures, The University of Toledo will certify to funding agencies that the institution will provide a drug-free workplace.

[Alcohol and Substance Abuse Policy 3364-30-09](#)

The University of Toledo is committed to promoting and maintaining a work and academic environment that is free from illegal use of alcohol and drug use/abuse, in accordance with all federal, state and local laws, as well as the federal drug-free school and campus regulations. The abuse of alcohol and use of illicit drugs also poses a health risk to members of the University community.

[Student Code of Conduct 3364-30-04](#)

It is the responsibility of a university to be concerned with the overall development of its students. The emphasis in the administration of student conduct is placed upon treating behavioral problems in a manner that relates to the educational purposes of a university.

[Policy on Alcohol Beverages 3364-30-02](#)

The University of Toledo prohibits the use of alcohol which is consistent with state, local or University regulations. It is the goal of The University of Toledo to establish and sustain an environment on campus that is conducive to the intellectual, emotional and social growth of all the members of its community. The University is committed to the preservation of individual freedoms and the promotion of the health, safety and welfare of the community, athletic contests played off campus, and conferences attended by students, faculty and staff where the University reimburses travel expenses or registration fees. An official "sponsored university function" means one in which:

- 1) Institutional funds are being used for any part of the event; or
- 2) The University name and/or logo is being associated with the event; or
- 3) It is being advertised on campus by any means.

This policy does not apply to alcohol distribution with alcohol dispensed through the UPMC Pharmacy upon order of a physician. The hospital pharmacy is responsible for the policies and procedures related to physician-prescribed alcohol.

[Social Events Policy 3364-30-06](#)

The University of Toledo (UT) has the responsibility to maintain a safe and secure environment for the campus community in all of its facilities.

[Smoke-Free and Tobacco-Free Policy 3364-60-01](#)

In an effort to promote the highest levels of health and well-being, effective August 1, 2014, The University of Toledo campuses became tobacco-free.

[Human Resources and Talent Development Policies](#)

The Human Resources and Talent Development department is comprised of Human Resources, Total Rewards, Labor Relations, Title IX, and Organization and Workforce Development. The division of Human Resources assists our departments with attracting, developing and retaining talented individuals.

[Pre-Employment Drug Testing Policy 3364-25-17](#)

It is The University of Toledo Health Science Campus' objective to provide the highest quality health education, research and services, with a responsibility to do so in a safe environment. Employees under the influence of drugs and/or alcohol while on the job create serious safety and health risks to themselves, patients, guests, co-workers and the Health Science Campus. UPMC prohibits the unlawful manufacture, distribution, dispensation, possession and/or use of any controlled substances, including the unsanctioned use of alcohol, on UPMC property or as any part of its activities. The term "controlled substance" means a controlled substance in Schedules I through V of Section 202 of the Controlled Substances Act (21 U.S.C. 812). This includes all illegal drugs, as well as legal drugs used without a physician's order. It does not prohibit taking prescribed medications under the direction of a physician.

[Employee Assistance Program Policy 3364-25-20](#)

The University of Toledo's [Employee Assistance Program](#) (EAP) offers confidential and professional care to employees and their families who are affected by a variety of personal problems, such as emotional stress, family problems, marital or financial difficulties, or substance abuse. We believe that with the assistance of an independent contracting organization providing employee assistance services, many problems can be successfully resolved before they begin to have an adverse effect on the individual at the workplace.



[Drug Free Workplace 3364-25-104](#)

The University of Toledo will implement and enforce the laws of the state of Ohio and the Federal Highway Administration - U.S. Department of Transportation, pertinent to the Omnibus Transportation Employee Testing Act of 1991 (see February 15 Federal Register, pg. 7340), and Controlled Substances and Alcohol Use and Testing (49 CFR Part 382). The University will ensure that all alcohol and controlled substances testing complies with the procedures set forth in these titles.

The University will implement and enforce the provisions of the Drug-Free Workplace Act of 1988 and the Drug-Free Schools Act. This policy is applicable to all employees and working environments. Violations of Drug-Free Workplace provisions will subject employees to the University discipline procedures. The University hereby notifies all employees that possession of a controlled substance is prohibited in the workplace. The workplace encompasses all University facilities. Violation of such prohibition will result in official University disciplinary action.

On the basis of its established policies and procedures, a copy of which is found in Appendix A, the University will certify to funding agencies that the University will provide a drug-free workplace.

Programs are designed to prevent accidents and injuries resulting from the misuse of alcohol or use of controlled substances by all University employees, including drivers required to maintain a commercial driver's license. Effective programs will be developed by the Office of Safety & Health, to include comprehensive programs, guidelines and procedures designed to assure compliance with the above-stated laws and any substantially equivalent federal, state and/or local laws enacted subsequent to the adoption of this policy.

The associate vice president for human resources and talent development will be responsible for implementation of this policy and will publish procedures for said implementation.

[Employee Drug and Alcohol Abuse Policy 3364-25-105](#)

It is The University of Toledo's objective to provide the highest quality health education, research and services, with a responsibility to do so in a safe environment. Employees under the influence of drugs and/or alcohol while on the job create serious safety and health risks to themselves, patients, guests, co-workers and the University. The University subscribes to a zero-tolerance stance regarding drug and/or alcohol abuse. The University prohibits the unlawful manufacture, distribution, dispensing, possession and/or use of any controlled substance including the unsanctioned use of alcohol, on University property or as any part of its activities. The term "controlled substance" means a controlled substance in Schedules I through V of Section 202 of the Controlled Substance Act (21 U.S.C. 812). This includes all illegal drugs, as well as legal drugs used without a physician's order. It does not prohibit taking prescribed medication as directed by a physician.



[Procedure for Drug and Alcohol Testing 3364-25-105.1](#)

Use of controlled substances which cause intoxication or impairment on the job poses risks to The University of Toledo, the affected employee and to co-workers. Recognizing that drug and alcohol abuse are treatable illnesses that should be dealt with initially by treatment and education, it is the University's policy to prevent and rehabilitate rather than terminate the employment of workers who are drug- or alcohol-dependent. No employee will be discharged without first having an opportunity to seek treatment, if treatment is needed.

[Financial Aid Drug Convictions Policy per Department of Education Guidelines](#)

The Office of National Drug Control Policy through the United States Department of Education outlines guidelines and restrictions related to drug convictions while receiving federal student aid. For more information, contact the Federal Student Aid Information Center at 1.800.4.FED.AID (1-800-433-3243). For additional information, students can contact The University of Toledo [Financial Aid Office](#).

[Sexual Misconduct Policy 3364-50-01](#)

The University of Toledo (University) is committed to educational and working environments that are free from discrimination on the basis of sex (including sexual harassment and sexual violence) or retaliation. Title IX of the Education Amendments of 1972 (Title IX) is a federal law that prohibits sex discrimination. This policy is consistent with the requirements of Titles IX and VII, as well as relevant state laws.

[Amnesty Policy 3364-30-03](#)

The University of Toledo (UT) encourages a living and learning environment that promotes the health and safety of all members of the UT community. As such, students are encouraged to make responsible decisions and to seek medical attention in life-threatening situations that result from alcohol and/or other drug abuse. If medical attention is required, students should immediately contact professional medical personnel (9-1-1), followed by the UT Police Department (419.530.2600) and University officials. A (1) student who seeks emergency assistance on behalf of themselves, another student or a friend experiencing an alcohol- and/or other drug-related emergency, as well as (2) the individual in distress will not be subject to disciplinary action nor required alcohol and other drug sanctions under the UT Student Codes of Conduct, Residence Life or Greek Life, but may be subject to referral for assessment, counseling and possible treatment.

Comprehensive Efforts to Reduce Drug and Alcohol Use, Misuse and Abuse

The University of Toledo is committed to providing education, programming and social awareness campaigns regarding the negative impact of the consumption of alcohol and other



drugs. Listed below are efforts related to assisting in educating faculty, staff and students regarding alcohol, tobacco and other drug prevention education.

Specific services include:

1. *Programming:* Assisting the campus community in prevention with efforts related to reducing the drug and alcohol use, misuse and abuse on campus.
2. *Data Collection:* Administer Alcohol.Edu through Everfi, a mandatory online course for first-year students. ATOD staff members administer a student health assessment every two years that evaluates student alcohol use, perceptions and related outcomes.
3. *Evaluation:* Analyzing data to recommend evidence-based programming for the University student population.
4. *Media Campaigns:* Provide education, prevention and social awareness campaigns.
5. *Development:* Presented to student groups, faculty and staff, the ATOD program delivers customized training sessions for members of The University of Toledo community.
6. *Collaboration:* Various campus departments and offices provide information and resources related to substance abuse and misuse. All groups work together to provide consistent and accurate messaging to the campus community.
7. *Alternative Social Activities:* The ATOD program partners with various other departments and student organizations to provide students with alcohol-free activities.

Statement of AOD Program Goals and Discussion of Goal Achievement

Vision

To engage The University of Toledo community by providing prevention and risk-reduction information and services that promote healthy lifestyle choices, professional development and personal growth.

Mission

The ATOD Prevention Committee's mission is to work collaboratively to create an environment which fosters campus-wide health promotion, and professional and academic success by coordinating multidisciplinary prevention and treatment efforts around the area of substance abuse.

The University of Toledo Drug Abuse and Alcohol Prevention Program (DAAPP) goals for Academic Years 2019-2020:

1. Monitor number of students in attendance at substance-free events.
2. Monitor the number of students referred to the Counseling Center for AOD-related incidents.



3. Monitor procedures for distributing AOD policy to students and employees.
4. Implement regular collection of student and employee data.
5. Develop seminars for students found responsible for first-time alcohol and drug violations.
6. Develop a comprehensive and sustainable AOD prevention program.
7. Develop, implement and evaluate evidence-based programming with an emphasis on e-cigarettes, marijuana and high-risk drinking.
8. Increase marketing of AOD services provided by the University to employees.
9. Revise New Employee and New Faculty Orientations to include AOD content.
10. Provide additional education to employees regarding current EAP services available.

The above goals were established to help improve student health, and to indirectly increase student retention rates and overall academic performance. Specifically, these goals seek to reduce high-risk drinking, marijuana, tobacco and illicit drug use and their associated consequences. Goal achievement is measured by a variety of surveys and other evaluation tools, as evidenced by this report.

ATOD Prevention Program 2016-2018 Accomplishments

Goals met during the biennial review period are as follows:

1. Secured Higher Education Center for Alcohol and Drug Misuse Prevention and Recovery (HECAOD) consultant visit that took place in April 2018.
2. Required every incoming freshman to complete the online alcohol education program entitled, Alcohol.Edu for College. If a student does not complete Alcohol.Edu for college, they will have a “hold” placed on their account, preventing them from adding/dropping courses and receiving a transcript.
3. Required every incoming freshman to attend a Life@College in-person presentation on high-risk drinking presented by the UT Student Wellness Awareness Team (S.W.A.T.) Peer Educators. This is an orientation course requirement and any student who does not complete this will receive a failing grade for the assignment.
4. All Rocket Launch (freshmen orientation) students and parents received information via a resource fair about services provided to students from the University Counseling Center, including ATOD prevention programming services.
5. Continued updating Amnesty Policy, to be in line with national best practice(s) and what UT’s peer institutions do.
6. Made ATOD presentations during all new faculty and staff orientations.
7. Developed key partnerships with representatives from the Opioid Task Force and the Sexual Assault Awareness, Prevention and Adjudication Ad-Hoc Task Force.



Summary of the 2018 HECAOD Review of the University's AOD Program

In spring of 2018, The University of Toledo engaged HECAOD to assess the effectiveness of the University's AOD processes. The ATOD Prevention Program, and the various departments associated with the program, are in the process of implementing the recommendations defined in their report, which are summarized below.

Overall, University officials should continue to work with campus, state and national coalitions on issues that relate to alcohol and drug use. Special emphasis should be given to high-risk groups, such as Greeks, first-year students, student-athletes and violators of AOD policy. Collaborations among key stakeholders and various campuses is highly recommended to capture accurate data for the report.

Strengths

1. The University worked to expand programming across campuses and utilize the resources, knowledge and expertise of experts on the Health Science Campus, with improved collaboration.
2. The University worked on strengthening and improving its education, prevention and awareness efforts with faculty, staff and administration, with the assistance of Human Resources.
3. The University hired a compliance officer who works to assist with the biennial review to ensure full compliance of the Drug Abuse and Alcohol Prevention Program (DAAPP) and the biennial review. This employee works with Human Resources and various departments in the Division of Students Affairs, as well as all surrounding campuses to ensure proper data collection and develop a timeline for the completion of the report.
4. The University designated both a committee and persons on each campus to assist with data collection related to the biennial review.
5. The University worked to improve a more effective method of distribution of the annual DAAPP notification to all students, faculty and staff to ensure each person receives such statement at a minimum of once per year.
6. The University evaluated and worked on process improvements as related to AOD education, policy and notification.

Opportunities/Action Items Being Pursued by the University

1. Expand the strategy for regular collection of students' AOD use and perception data.
2. Increase usage of national standards and AOD program implementation toward best practices.
3. Adopt a universal screening strategy and brief intervention program.
4. Develop a consistently enforced sanctioning model for alcohol and other drug related student conduct violations.
5. Increase the consistency of AOD policy enforcement within Greek housing.



6. Reallocate professional staff toward AOD prevention and education for students, faculty and staff. At least one current full-time staff member should be trained on facilitating Brief Alcohol Screening and Intervention for College Students.

Appendices: Appendix A

All policies provided in appendix A1-A12 are policies related to ATOD content for The University of Toledo.



Appendix A1: Alcohol and Substance Abuse Policy 3364-30-09

3364-30-09 Alcohol and substance abuse

2

(D) Services for treatment and referral

Students, faculty and staff who violate this policy or encounter difficulties with alcohol and/or drugs shall be informed about and referred to the following university and campus resources for support and assistance.

(1) University Services

Resource information (booklets, brochures, pamphlets, videos, etc.) regarding health and safety concerns from substance use and/or alcohol abuse and information regarding campus and community services are available through a variety of University services, including:

- (a) Main Campus Medical Center 419.530.3451
- (b) The Counseling Center 419.530.2426
- (c) Office of Alcohol, Tobacco and Other Drug Prevention 419.530.8436
- (d) Campus Police 419.530.2600

(2) Community Resources

There are many community resources that also provide support, information, or treatment:

- (a) AL-ANON-ALATEEN
419.537.7500
Self-help group for persons who are close to an alcoholic.
No fee.
- (b) ALCOHOLICS ANONYMOUS
419.380.9862
Self-help group for alcoholics. No fee.
- (c) Fresh Attitudes, Inc.
419.244.4081
Substance abuse assessments, treatment, education, and after-care; adult mentoring. Sliding fee schedule.
- (d) COMPASS, INC.
419.241.8827
Substance abuse treatment, detoxification, and after care. Sliding fee schedule based on ability to pay.
- (e) First Call for Help
800.468.4357
For referral and information about self-help groups.
- (f) FOCUS
419.244.2175
Assessments - no charge. Inpatient detox, hospitalization, partial hospitalization, and medication management.
- (g) HARBOR BEHAVIORAL HEALTHCARE
419.475.4449
Education services. Sliding fee scheduled based on ability to pay.



3364-30-09 Alcohol and substance abuse

3

- (h) RESCUE CRISIS
419.255.9585
24-hour emergency hotline.
- (i) ProMedica Alcohol and Drug Treatment
Bixby Medical Center 517-265-0411
Herrick Medical Center 517-423-3887
Free assessments. Treatment center for substance abusers. After care.
- (j) URBAN MINORITY ALCOHOLISM & DRUG ABUSE OUTREACH PROGRAM
419.255.4444
Prevention, intervention, and relapse prevention. Program targeted for minorities. No fee.

(E) Health Risks

There are many health risks in using alcohol and drugs, they are as follows:

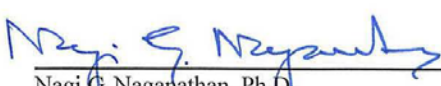
- (1) Alcohol. Alcohol consumption causes a number of marked changes in behavior. Even low doses impair judgment and coordination and increase the incidence of aggressive behavior. Very high doses can cause respiratory depression and death. Alcohol intoxication is equivalent to a drug overdose. Repeated use of alcohol can lead to a change in tolerance and dependence. Cessation of alcohol intake, amount individuals suffering from addiction, can produce withdrawal symptoms, including tremors, hallucinations, convulsions, and death. Long-term consumption of large quantities of alcohol can lead to permanent damage to vital organs such as the brain and the liver. Women who drink even small amounts of alcohol during pregnancy may give birth to infants with fetal alcohol syndrome. Children of alcoholic parents have a 40 percent greater risk of developing alcoholism than those children of non-alcoholic parents.
- (2) Marijuana. The mood-altering effects of marijuana are the result of a chemical delta-9 tetrahydrocannabinol (THC). THC is fat-soluble and remains in the body up to four weeks after smoking one marijuana cigarette. Consequently, even the occasional user can be detected through urinalysis. Research indicates that regular use may have long-term effects on the user's brain, heart, and reproductive organs. The numerous carcinogenic chemicals found in marijuana smoke make it particularly harmful to the lungs.
- (3) Depressants. The use of depressants can result in a change in tolerance and physical as well as psychological dependency. The combining of multiple depressants (e.g. Xanax and alcohol) will intensify the depressant effects, exacerbating the health risk. Withdrawal symptoms include anxiety, vomiting, acute psychotic episodes, seizures, coma and death.
- (4) Stimulants. High doses of stimulant drugs result in intense personality disturbances, including visual and auditory hallucinations, delusions, and paranoia. Tolerance develops rapidly. Cross-tolerance does develop among stimulant drugs (e.g.

3364-30-09 Alcohol and substance abuse


4

methamphetamines and cocaine). The use of cocaine can cause death by cardiac arrest or respiratory failure. Stimulants are addictive and withdrawal from them may cause depression and suicidal ideation with some individuals.

- (5) Narcotics. Tolerance, especially to the euphoric effects of narcotics, and physical dependence develop rapidly. In order to avoid intense drug cravings, the addict becomes preoccupied with acquiring the drug. Withdrawal symptoms are extremely uncomfortable; however, they are seldom life-threatening.
- (6) Hallucinogens. Large doses of Phencyclidine (PCP) may result in convulsive seizure, coma, and death. Mood disorders occur and the user may become violent, irrational, and potentially harmful to self and others. Lysergic acid (LSD), mescaline, and psilocybin cause sensations and feelings to change rapidly. The user may experience panic, confusion, anxiety, and depersonalization; spontaneous reappearance e.g., flashback of the drug experience after use has ceased may occur.
- (7) Anabolic-androgenic steroids. Steroid users can experience serious cardiovascular, liver, central nervous system, gastrointestinal, and reproductive disorders. In males, use can result in testicular atrophy, sterility, impotence, and arrested growth. Irreversible masculinization and sterility can result when women use steroids. Psychological impairments include mood swings, depression, and very aggressive behavior.

<p>Approved by:</p> <p></p> <p>Nagi G. Naganathan, Ph.D. Interim President</p> <p>February 11, 2015</p> <p>Date</p> <p>Review/Revision Completed by:</p> <p>Student Affairs</p>	<p>Policies Superseded by This Policy:</p> <ul style="list-style-type: none"> • 3360-30-12 Alcohol and substance abuse, former Main Campus policy, previous effective date July 12, 2011 <p>Initial effective date: July 12, 2011 Review/Revision Date: February 2, 2015 Next review date: February 2, 2018</p>
--	---

Appendix A2: Student Code of Conduct 3364-30-04

Name of Policy: The Student Code of Conduct Policy Number: 3364-30-04 Approving Officer: President Responsible Agent: Associate Dean of Students & Director of Student Conduct and Community Standards Scope: All Students of the University of Toledo as set forth in this policy			 Revision Date: August 9, 2018 Original Effective Date: August 1, 2011
	New policy proposal	X	Minor/technical revision of existing policy
	Major revision of existing policy		Reaffirmation of existing policy

The University of Toledo Student Code of Conduct

Table of Contents

- A. Policy Statement
- B. Purpose of the Policy
- C. Definitions
- D. Jurisdiction and Scope of the University Student Code of Conduct
- E. Violations of the Code of Student Conduct
- F. Interim Suspension
- G. Procedures
- H. Sanctions
- I. Appeals Grounds for the Student Conduct Process
- J. Student Conduct Records
- K. Holds
- L. Refund Policy
- M. Student Code of Conduct Review
- N. Acknowledgements



(A) Policy Statement

The University of Toledo is focused on the overall growth and development of its students in preparation for them to become global citizens. The Office of Student Conduct and Community Standards aims to educate students on the impact their personal and social choices, and behavior have on the community, and to assist them with making future decisions that lead to their professional success.

The University of Toledo (“University”) in promulgating the “Student Code of Conduct,” as required by Ohio Revised Code 3345.21, and as set forth below, takes into consideration the rights and responsibilities of the individual student(s), student groups, or student organizations, concurrently with university and community rights and responsibilities.

(B) Purpose of the Policy

The Student Code of Conduct articulates the University’s expectations of behavior for students, student groups, and student organizations and the potential outcomes to be imposed for inappropriate conduct. This policy explains the University’s requirements for notice, and the student, student groups, and student organizations opportunity to be heard with regard to alleged violation(s) of the Student Code of Conduct. The Student Code of Conduct is not intended to be exhaustive in terms of defining all acts of misconduct. The Student Code of Conduct specifies the rights and responsibilities of students, student groups, student organizations, the university, and the rights of other parties going through the Student Conduct Process.

Students, student groups, and student organizations are expected to engage in conduct that represents the mission, vision, and values of the university.

Sanctions implemented through the Student Conduct Process are designed to provide students, student groups, and student organizations with the opportunity to accept responsibility, provide accountability, reflect on their choices, challenge their decision-making processes, and assist them in changing their behavior to better align with the University’s expectations. Being a member of the UT Community is a privilege. Actions by students, student groups, or student organizations that interfere with the welfare and/or safety of the UT Community are not acceptable, and will not be tolerated.

(C) Definitions

- (1) Appellate Officer: University official authorized to review and determine an appeal from the respondent and complainant.
- (2) Associate Dean of Students & Director of Student Conduct and Community Standards: The person designated by the Vice President of Student Affairs for daily operation of the Student Conduct Process.
- (3) Business Days: Monday through Friday, excluding Saturday, Sunday, recognized University holidays, and approved University breaks.
- (4) Complainant: Person, student group, student organization who was subject to alleged misconduct as described in the Student Code of Conduct. There may be more than one



complainant for an incident.

- (5) **Consent:** Requires unambiguous communication and mutual agreement concerning the act in which the participants are engaging. Consent must be informed, freely given, mutual, and can be withdrawn at any time. A person cannot give consent if they are mentally or physically incapacitated or impaired such that the person cannot understand the fact, nature, or extent of the sexual situation; this includes impairment or incapacitation due to age; alcohol or drug consumption; or, being asleep or unconscious. Similarly, a person cannot give consent if force, expressed or implied is used; or if, duress; intimidation; threats; or, deception are used on the complainant. Silence or the absence of resistance does not imply consent. Consent to some sexual acts does not imply consent to other acts, nor does prior consent to sexual activities imply ongoing future consent with that person or consent to that same sexual activity with another person. Whether an individual has taken advantage of a position of influence or authority over the complainant may be a factor in determining consent. Minors under the age of 16 are incapable of giving consent under Ohio law under any circumstances.
- (6) **Disciplinary Hold:** An administrative hold placed on a student's account by a member of the Office of Student Conduct and Community Standards that prevents the student from registering/unregistering from classes, and receiving a transcript.
- (7) **Incapacitation:** Occurs where a person is unable to give consent, such as due to the use of drugs or alcohol or a cognitive impairment. In considering whether a complainant is incapacitated due to the consumption of drugs or alcohol, the University will consider the circumstances, including factors such as whether there is evidence of slurred speech, vomiting, stumbling or the inability to walk, or periods of "blacking out." The presence of one of these factors, standing alone, may not be sufficient to establish incapacitation; the totality of the circumstances must be examined.
- (8) **Investigator:** Any university official gathering information for a hearing authority to determine whether a violation of the Student Code of Conduct has occurred.
- (9) **Policy:** Any written rule or regulation of the University as found in, but not limited to, the Student Code of Conduct, Residence Hall Living Guide, Student Organization Manual, the University Policy Website, and Graduate/Undergraduate Catalogues.
- (10) **Possession:** Includes, but is not limited to, holding, no matter the duration, any prohibited item wherever located.
- (11) **Preponderance of the Evidence:** Standard of review for alleged violation(s) of the Student Code of Conduct. This standard requires that the information utilized shows that it is more likely than not that the alleged violation(s) or behavior(s) occurred.
- (12) **Respondent:** Any student, student group, or student organization alleged to have committed a violation of the Student Code of Conduct. In cases of student groups or student organizations, the president of the group/organization (or a like position) will represent the group/organization in the Student Conduct Process.
- (13) **University Conduct Board/Title IX Board:** Person(s) authorized by the Office of Student Conduct and Community Standards to determine whether a student, student group, or student organization is responsible for violating the Student Code of Conduct, and



recommending appropriate sanction(s) when a violation has occurred. The Associate Dean of Students & Director of Student Conduct and Community Standards (or designee) will select a Board Member to chair the hearing.

- (14) **Student:** All persons who have been notified of their acceptance, expressed intent to, and/or have registered for classes, or otherwise entered into any other contractual relationship with the university to take instruction. This includes, but is not limited to all individuals taking classes in person or through distance learning, pursuing undergraduate or graduate degrees, or who reside in University-owned housing or who live off-campus, who are not enrolled for the current term, but have a continuing relationship with the university. Student status ceases when an individual graduates, is not enrolled for two consecutive semesters, or an individual who is suspended, dismissed, or expelled for any reason.
 - (15) **Student Group:** A number of persons who are associated with the University and each other, but who have not registered, or are not required to register, as a student organization (included, but not limited to athletic teams, clubs not registered as a student organization).
 - (16) **Student Organization:** A number of persons who have registered with the University as a student organization, (including, but not limited to clubs, fraternities, and sororities).
 - (17) **University Community:** Includes the university, any person who is a student, staff member, faculty member, employee, volunteer, patient, guest, invitee, or other person associated with the university.
 - (18) **University Official:** Any person employed by the university, on a full-time, part-time, or temporary basis, performing assigned administrative or professional responsibilities.
 - (19) **University Premise:** Includes all land, buildings, facilities, and other property in the possession of, or owned, leased, used, supervised, or controlled by the university.
 - (20) **Use:** Includes, but is not limited to drinking, ingesting, or introducing any amount of substance into one's body.
 - (21) **Witness:** Any person requested to participate in an investigation or a hearing due to information they may have about an incident of alleged misconduct. The complainant, respondent, and others may provide the University with witness names.
 - (22) **Written Notification:** All correspondence will be sent via e-mail to your UT E-Mail Address. Should an individual not have a UT E-Mail Address, agreement will be made as to the best source of contact (other e-mail address provided in writing).
- (D) **Jurisdiction and Scope of the University Student Code of Conduct**
- (1) The Student Code of Conduct applies to the conduct of all students, student groups, and student organizations on university premises. The code also applies to the off-campus conduct of students, student groups, and student organizations in direct connection with:
 - (a) Academic course requirements or any credit-bearing experiences, such as internships, clerkships, field trips, study abroad, or student teaching;
 - (b) Any activity supporting pursuit of a degree, such as research at another institution, or a professional practice assignment;
 - (c) Any activity sponsored, conducted, or authorized by the university, or by



3364-30-04 The Student Code of Conduct

5

- registered student organizations;
 - (d) Any activity that causes destruction of property belonging to the university, or members of the university community;
 - (e) Any activity that causes harm to the health or safety of members of the university community; or
 - (f) Any activity which a police report has been filed, and a summons or indictment has been issued, or an arrest has occurred for a crime.
- (2) Each student is responsible for their conduct from the time of acceptance to the university through the awarding of a degree, even though conduct may occur before classes begin, or after classes end, as well as during the academic year, and during periods between terms of actual enrollment, and even if the conduct is not discovered until after a degree is awarded. The Student Code of Conduct applies to a student's conduct, even if the student withdraws from school while a conduct matter is pending.
- (3) Student groups/organizations will be held responsible for the behavior of their members and/or guests when one or more of the following exists:
 - (a) Members of the student group/organization are acting together to violate University policy, dependent on the context of the behavior.
 - (b) A violation of University policy arises out of a student group/organization sponsored, financed, or endorsed event.
 - (c) The student group/organization's leadership and/or membership has knowledge of, or should have had knowledge of, the potential for a violation of University policy to occur, and failed to prevent the occurrence.
 - (d) A violation of University policy occurs on land owned, leased, or operated by the student group/organization.
 - (e) A pattern of individual violations of University policy is found to have existed without appropriate control or remedy by the student group/organization.
 - (f) The student group/organization provide the means for a violation of University policy.
- (4) Undergraduate and graduate students who violate the Student Code of Conduct are subject to appropriate conduct sanctions. Law, medical, nursing, and pharmacy students are subject to their College's written professional standards or Honor Codes for conduct covered under those standards or codes. Conduct not covered under those standards or codes is subject to the Student Code of Conduct. All other colleges with licensure or professional codes governing conduct must adhere to the procedural requirements of the Student Code of Conduct.
- (5) The conduct of a student, student group, or student organization that violates the Nondiscrimination Policy or Title IX Policy of the University will be dealt with utilizing the appropriate policies. If the allegation is considered a violation of the Student Code of Conduct, the allegation will be investigated according to the policies mentioned above, and the behavior will be adjudicated using the Student Conduct Process.
- (E) **Violations of the Code of Student Conduct:** Any of the following actions, or attempts at the following actions, constitute conduct for which a student, student group, or a student organization may be subject to conduct action:
 - (1) Physical or Other Harm to a Person
 - (a) Behavior causing physical injury/harm to others.



- (b) Behavior that endangers the physical and/or mental health, or safety of any person.

(2) Sexual Misconduct

- (a) Sexual Misconduct: Includes sexual harassment, sexual violence, sexual assault, conduct that exploits another person in a sexual and non-consensual way (such as voyeurism and non-consensual recording), stalking, interpersonal relationship violence, and indecent exposure. Sexual misconduct may also be discrimination, harassment, or violence based on gender, sexual orientation, gender identity, or gender expression.
- (b) Sexual Assault: Unwelcome physical conduct of a sexual nature, including unwanted kissing, touching, oral, vaginal, or anal sex, which occurs in the absence of consent. This includes penetration, no matter how slight, of the vagina or anus with any body part, or oral penetration by a sex organ of another person or an object used in lieu of a sex organ, without consent; this also includes placement of a sexual organ upon another person without consent, or ejaculating upon another person without consent. Sexual assault includes *fondling*: The touching of the private body parts of another person for the purpose of sexual gratification, forcibly and/or against that person's will; or, not forcibly or against the person's will where the victim is incapable of giving consent because of their youth or because of their temporary or permanent mental incapacity.
- (c) Sexual Harassment: Unwelcome conduct of a sexual nature. It includes unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal, or physical conduct of a sexual nature. Sexual harassment can occur as hostile environment or quid pro quo.
 - (i) Hostile Environment Sexual Harassment: Exists if the conduct is sufficiently serious (severe or pervasive) that it interferes with or limits a student's ability to participate in, or benefit from the University's program or an employee's ability to perform their job. The more severe the conduct, the less need there is to show a repetitive series of incidents to prove a hostile environment, particularly if the harassment is physical.
 - (ii) Quid Pro Quo Sexual Harassment: Occurs when participation in or receipt of a benefit of the University's program is made contingent on the provision of sexual favors for or by a person who has the authority to make decisions about participation or receipt of benefits or when the rejection of a sexual advance or request for sexual favors results in the denial of participation in or receipt of a benefit of the University's program.
- (d) Interpersonal Relationship Violence (Also known as Intimate Partner Violence, Dating Violence, Domestic Violence, Interpersonal Violence, Relationship Violence): Pattern of abusive behavior in any relationship that is used by one partner to gain or maintain power and control over another intimate partner. Interpersonal violence can be physical, sexual, emotional, economic, or psychological actions or threats of actions that influence another person. This includes any behaviors that intimidate, manipulate, humiliate, isolate, frighten, terrorize, coerce, threaten, blame, hurt, injure, or wound someone. Interpersonal violence can occur in a domestic relationship or a dating relationship.
 - (i) Domestic Relationship: Violence by a current spouse or intimate partner of the victim, a person with whom the victim shares a child in common, a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner, a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the incident (crime) of violence was committed, or any other person

- against an adult or youth victim under the domestic or family violence laws of the jurisdiction in which the incident (crime) of violence occurred.
- (ii) Dating Relationship: Violence committed by a person who is, or has been in a social relationship of a romantic or intimate nature with the victim, or 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.
 - (e) Indecent Exposure: Recklessly exposing genitals in front of another person or engaging in masturbation or other sexual conduct in a place likely to be seen by other people.
 - (f) Non-Consensual Recording: Sexual harassment by recording of a person while undressing, naked, or engaged in sexual behavior without their consent. Transmission of non-consensual recording will be considered as a factor of sexual harassment.
 - (g) Sexual Coercion: The act of using pressure, alcohol or drugs, or force, to have sexual contact with someone against a person's will.
 - (h) Sex Discrimination: Negative or adverse treatment based on sex, sexual orientation, gender, or gender identity.
 - (i) Sexual Exploitation: An act or acts committed through non-consensual abuse or exploitation of another person's sexuality for the purpose of sexual gratification, financial gain, personal benefit or advantage, or any other non-legitimate purpose.
 - (j) Sexual Violence: Physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent.
 - (k) Sexual Voyeurism: Spying on people engaged in intimate behaviors, such as undressing, sexual activity, or other actions usually considered to be of a private nature. The person accused of voyeurism does not have to directly interact with the subject of their interest. Voyeurism is frequently done secretly and may involve non-consensual recording or capturing of the intimate behaviors.
 - (l) Stalking: Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for their safety, or the safety of others, or suffer substantial emotional distress.
 - (m) Retaliation: Occurs when an individual has engaged in a protected activity (such as filed a sexual misconduct complaint or participated in an investigation of alleged sexual misconduct) and adverse action is taken against the individual because of involvement in the protected activity related to sexual discrimination or misconduct, including the filing of a complaint. The person accused of committing the retaliation may or may not be the same as the respondent – the person accused of committing the retaliation may be acting on behalf of another with or without that person's consent. The complainant or someone acting on behalf of the complainant may be committing retaliation. Retaliation may be a separate investigation from the sexual misconduct investigation with its own finding.
- (3) Harassment – Unwelcome conduct (verbal, written, or electronic) that is so severe, pervasive, and offensive, it substantially interferes with the ability of a person to work, learn, live, participate in, or benefit from the services, activities, or privileges provided by the University. This violation will not be used to discipline a respondent for speech protected by the First Amendment of the United States Constitution.
 - (4) Discriminatory Harassment – Unwelcome conduct (verbal, written, or electronic) against another individual based upon a protected category (defined in policies 3364-50-01,

3364-50-02, and 3364-50-03) that is so severe, pervasive, and offensive, it substantially interferes with the ability of a person to work, learn, live, participate in, or benefit from the services, activities, or privileges provided by the University. This violation will not be used to discipline a respondent for speech protected by the First Amendment of the United States Constitution.

- (5) Hazing as defined by [University Policy 3364-30-20](#).
- (6) Weapons – Unauthorized use, storage, or possession of firearm(s), explosive device(s) of any kind, ammunition, or anything used to threaten, harm, or disrupt the university community including, but not limited to, dangerous chemicals, switchblade knives, knives with blades three inches or more, or realistic replicas of weapons.
- (7) Fire Safety
 - (a) Failing to evacuate during a fire alarm.
 - (b) Falsely reporting a fire-related emergency.
 - (c) Tampering with, or improperly engaging a fire alarm, smoke detector, or sprinkler system.
 - (d) Improper use or possession of fire safety equipment.
 - (e) Intentionally or recklessly causing a fire, regardless of whether or not it damages property, or causes injury to another.
- (8) Controlled Substances/Drug Violations
 - (a) Possession, use, and/or misuse of any controlled or illegal substance or drug. Marijuana, even if recommended pursuant to state law, remains illegal under federal law, and the University considers it to be an illegal drug for purposes of this policy.
 - (b) Possession or use of a prescription drug if the prescription was not issued to the person.
 - (c) Manufacture, cultivation, distribution, and/or sale of any controlled or illegal substance or drug.
 - (d) Distribution/sale of a prescription drug to a person to whom the prescription was not originally issued.
 - (e) The possession and use of any drug paraphernalia, including, but not limited to bowls, hookah, pipes, bongs, homemade smoking devices, and any other smoking device or smoking paraphernalia.
- (9) Alcohol Violations
 - (a) Underage possession or consumption of alcoholic beverages by a person before their twenty-first birthday.
 - (b) Driving under the influence of alcohol and/or another substance – Operation of a motor vehicle while impaired, or with a blood alcohol or breath alcohol level at or above the legal limit.
 - (c) Distribution/sale of an alcoholic beverage to any person before their twenty-first birthday.
 - (d) Unapproved possession or use of kegs, mini kegs, beer balls, or other common source containers of alcoholic beverages such as trash cans, tubs, or similar containers of alcohol when the activity occurs on-campus, in the housing of any University of Toledo organization or group, or in connection with a University activity.
 - (e) Hosting or participating in any activity that promotes excessive consumption of alcohol.
 - (f) Public intoxication.

- (10) Disruptive Conduct
 - (a) Actions that interfere with the normal operations of the University and/or interfere with the rights of other members of the University community or visitors.
 - (b) Actions that interfere with, or obstruct the orderly conduct, processes, and functions in the classroom, or other instructional setting.
 - (c) Disorderly, lewd, or indecent behavior.
 - (d) Participating in, leading, or inciting others to disrupt scheduled and/or normal campus activities, events, and programs.
 - (e) Obstruction of the free flow of pedestrian or vehicular traffic on university premises, or at a university sponsored or supervised functions.
 - (f) Failure to comply with a directive of a University official or law enforcement officer acting within the scope of their duties.
 - (g) Failure to identify oneself to a University official or law enforcement officer when requested to do so.
- (11) Unauthorized Possession or Use of Property
 - (a) Taking, without permission, the property or services of the University, another person, business, or organization.
 - (b) Possession of property, taken without permission from the University, another person, business, or organization.
 - (c) Conduct that damages, destroys, defaces, or alters the property of the University, or the property of another person or entity.
 - (d) Unauthorized use of university, student group, and/or student organization funds.
- (12) Theft Of/Abuse of Computer Facilities and Resources
 - (a) Unauthorized entry into a file to use, read, or change the contents, or unauthorized transfer of materials.
 - (b) Use of another individual's identification or password.
 - (c) Use of computing facilities and resources to interfere with the work of another student, faculty member or university official, to send obscene or abusive messages, or to interfere with normal operation of the computing system.
 - (d) A violation of copyright law, including, but not limited to unauthorized downloading or facilitating others to download copyrighted music and films without appropriate authorization.
 - (e) Violation of any of the Information Technology Policies.
- (13) Unauthorized Entry to University Facilities
 - (a) Unauthorized access or entry, or attempted access or entry, into any University facility.
 - (b) Misuse or unauthorized use of any University facility.
 - (c) Unauthorized possession, duplication, or use of keys or access cards for any property.
- (14) Acts of Dishonesty
 - (a) Furnishing false information to University officials or law enforcement officers acting within the scope of their duties.
 - (b) Forgery, alteration, or misuse of University documents and/or records.
 - (c) Possession, use and/or attempted use of false identification.
 - (d) Manufacture, distribution, or sale of false identification.
 - (e) Transferring, lending, borrowing, or altering the University identification card.
 - (f) Intentionally or knowingly helping another student violate any act prohibited by this code.



- (15) Unauthorized Electronic or Digital Recording – Making, using, disclosing, or distributing a recording of a person, in a location or situation in which that person has a reasonable expectation of privacy, and is unaware of the recording, or does not consent to it.
 - (16) Abuse of the Student Conduct Process
 - (a) Falsification, distortion, or misrepresentation of information during the Student Conduct Process, including, but not limited to, filing a false complaint against another person.
 - (b) Failing to provide, destroying, or concealing information during an investigation of an alleged policy violation.
 - (c) Attempting to discourage an individual's proper participation in, or use of, the Student Conduct Process.
 - (d) Failing to abide by the notice from a University official to appear for a student conduct meeting or hearing.
 - (e) Intimidation or retaliation in response to an individual's participation in, or use of, the Student Conduct Process.
 - (f) Influencing, or attempting to influence, another person to commit an abuse of the Student Conduct Process.
 - (17) Gambling
 - (a) Illegal gambling or wagering.
 - (b) Participation in games of chance on-campus for money, or other things of value, except as provided by law.
 - (18) Violation of Residence Life Policies and Procedures – Violation of any published residence hall policy, rule, and/or regulation.
 - (19) Violation of University Policy – Violation of any University policy, rule, regulation, requirement, directive or contract, whether published in hard copy or available electronically on the University Policy Website.
 - (20) Violation of Law – Violation of any regulation, act, federal, state, or local law.
- (F) **Interim Suspension**
- (1) Students
 - (a) Interim suspension for students is the immediate removal of the student from all University of Toledo premises.
 - (b) The Vice President for Student Affairs (designee) may impose an interim suspension.
 - (c) A student may be placed on interim suspension to – Ensure the safety and well-being of the university community, ensure the student's own physical or emotional safety and well-being, or to ensure the student does not pose an ongoing threat, disruption, or interference with normal university activity.
 - (d) The interim suspension may be effective immediately without prior notice, and may provide for partial or complete exclusion from UT premises.
 - (e) The student will be notified of the interim suspension in writing, and the reasons for the interim suspension.
 - (f) The student will be given a date and time to meet with the Vice President for Student Affairs (or designee) to show cause why their continued presence on-campus does not constitute a threat.



- (g) After the meeting, the Vice President for Student Affairs (or designee) may retain or lift the interim suspension, and will communicate the decision and rationale in writing to the student. This decision is final, and no further appeal is available.
- (h) The Interim Suspension Process does not replace the regular Student Conduct Process.

(2) Student Groups/Organizations

- (a) Interim Suspension for a student group/organization is the immediate cessation of all activities until further notice. A student group/organization that is placed on interim suspension cannot hold meetings and events on-campus, and cannot function as a student group/organization until further notice.
- (b) The Vice President for Student Affairs (designee) may impose an interim suspension.
- (c) A student group/organization may be placed on interim suspension if the group/organizations continued operation poses a danger to the University or any of its members, or constitutes an ongoing threat, disruption, or interference with normal university activity.
- (d) The interim suspension may be effective immediately without prior notice, and will remain in place until an investigation into the alleged violation(s) is completed, and a decision regarding appropriate next steps is determined.
- (e) The student group/organization will be notified of the interim suspension in writing, and the reasons for the interim suspension.
- (f) The student group/organization president (or like position) will be given a date and time to meet with the Vice President for Student Affairs (or designee) to show cause why their group/organizations behavior did not, and does not continue to constitute a threat.
- (g) After the meeting, the Vice President for Student Affairs (or designee) may retain or lift the interim suspension, and will communicate the decision and rationale in writing to the student group/organization president (or like position). This decision is final, and no further appeal is available.
- (h) The Interim Suspension Process does not replace the regular Student Conduct Process.

(G) **Procedures**

- (1) Violation of Law and the Student Code of Conduct – The Student Conduct Process may be instituted against a respondent charged with conduct that potentially violates the Student Code of Conduct. Proceedings under this policy may be carried out prior to, or simultaneously with, any related criminal or civil matters. Determination of responsibility or sanctions imposed under the Student Code of Conduct will not change because criminal or civil charges arising out of the same facts giving rise to violation of university rules have been dismissed, reduced, or resolved in favor of, or against, a criminal or civil defendant.
- (2) Filing a Complaint
 - (a) Members of the University of Toledo community may file complaint(s) alleging a violation of the Student Code of Conduct against a student, student group, or student organization.
 - (b) The Office of Student Conduct and Community Standards may also receive complaints alleging a violation from external entities, including law enforcement agencies and members of the public.
 - (c) Complaints may be filed online at

https://cm.maxient.com/reportingform.php?UnivofToledo&layout_id=1, via e-mail to the Student Conduct Email Account (StudentConduct@utoledo.edu), via telephone (419-530-1258 during business hours), or in person by coming to the Office of Student Conduct and Community Standards (2514 Lancelot Thompson Student Union during business hours).

- (d) Upon receipt of the information, the Associate Dean of Students & Director of Student Conduct and Community Standards will review all relevant information, and consult with the appropriate parties regarding the alleged violation.
 - (e) It is the responsibility of the Associate Dean of Students & Director of Student Conduct and Community Standards to determine the appropriateness of the allegation, and how the behavior will be addressed.
- (3) Investigation
- (a) There may be times when an investigation is necessary to determine if additional information is needed before addressing the student, student group, student organization's behavior. In these cases, an investigator/team of investigators will interview the complainant, the respondent, and any relevant witnesses.
 - (b) Once the investigation is complete, the investigator/team of investigators will submit a report to the Associate Dean of Students & Director of Student Conduct and Community Standards. The Associate Dean of Students & Director of Student Conduct and Community Standards will review the report, and determine appropriate next steps.
- (4) Student Conduct Hearing Authorities – Hearing authorities are responsible for processing complaints of alleged violations of the Student Code of Conduct. The Associate Dean of Students & Director of Student Conduct and Community Standards is responsible for determining the appropriate hearing officer/body for each conduct matter. The following are considered Hearing Authorities under the Student Code of Conduct:
- (a) Office of Student Conduct and Community Standards (OSC&CS) Staff Members – Appropriate staff members from the OSC&CS are responsible for adjudicating matters involving alleged violations of the Student Code of Conduct. They have authority to hold Information Meetings, serve as Hearing Officers for Administrative Reviews and Hearings, and serve as an Advisor to the University Conduct Board and Title IX Board. They have the authority to impose the full range of sanctions, up to, and including suspension and expulsion (university and residence halls).
 - (b) Office of Residence Life (ORL) and Honors Academic Village (HAV) Staff Members – Appropriate staff members from the Office of Residence Life and Honors Academic Village are responsible for adjudicating matters involving alleged violations of the Student Code of Conduct in the residence halls. They have authority to hold Information Meetings, and serve as Hearing Officers for Administrative Reviews and Hearings. If the behavior of the respondent poses a health or safety risk to self or others, is repeated behavior, or may result in suspension or expulsion from the residence halls or university, the case will automatically be referred to the OSC&CS.
 - (c) The University Conduct Board (UCB) – The UCB is responsible for adjudicating matters involving alleged violations of the Student Code of Conduct (excluding sexual misconduct violations). UCB will be convened when the respondent, complainant (if appropriate), or University selects it as the resolution option. Quorum for UCB is three trained (3) Faculty, Staff, and/or Student members. A board member selected by an OSC&CS Staff Member will chair UCB Hearings. All board members, including the chair, will have voting rights. The UCB is advised by an OSC&CS Staff



Member, and recommends responsibility and sanction(s) to the Associate Dean of Students & Director of Student Conduct and Community Standards (designee). The Associate Dean of Students & Director of Student Conduct and Community Standards (designee) will review the recommendations, and impose responsibility and sanctions within a reasonable amount of time after the date of the hearing.

- (d) The Title IX Board (T9B) – The T9B is responsible for adjudicating matters involving sexual misconduct. The T9B will be convened when the respondent, complainant (in instances where the complainant is harmed by the respondent's misconduct), or University selects it as the resolution option. Quorum for the T9B is three (3) Faculty and/or Staff members. A board member selected by an OSC&CS Staff Member will chair the T9B Hearings. All board members, including the chair, will have voting rights. The T9B is advised by an OSC&CS Staff Member, and recommends responsibility and sanction(s) to the Associate Dean of Students & Director of Student Conduct and Community Standards (or designee). The Associate Dean of Students & Director of Student Conduct and Community Standards (designee) will review the recommendations, and impose sanctions within a reasonable amount of time after the date of the hearing.
- (5) Information Meeting
 - (a) Any student, student organization, or student group (referred to as respondent from this point forward) who has been charged with an alleged violation of the Student Code of Conduct will have the opportunity to meet with a hearing authority from the OSC&CS, the ORL, or the HAV.
 - (b) The respondent will receive written notification with the date, time, and location of the Information Meeting. The written notification will provide the respondent with at least three (3) business days' notice.
 - (c) The written notification will also include the alleged violation(s), a brief summary of the incident and/or a copy of the incident report (if applicable), a statement of rights and responsibilities, and if appropriate, a statement notifying the respondent that if found responsible for the alleged violation(s), they may face suspension or expulsion.
 - (d) During this meeting, the hearing authority will review the parties rights and responsibilities, provide them with an opportunity to review the documentation and information received, accept or deny responsibility for the alleged violation(s), and, if appropriate, select a resolution option.
 - (e) In cases involving sexual misconduct or retaliation based on sex discrimination –
 - (i) The complainant will be copied on the written notification to the respondent, and the respondent will be copied on the written notification to the complainant.
 - (ii) The complainant will have their own separate Information Meeting. This meeting will explain the remainder of the process, and prepare the complainant for the hearing.
 - (iii) The respondent and complainant will both be given the opportunity to select their hearing authority. Their option is to have their case adjudicated by a single hearing officer from the OSC&CS or the T9B.
 - (iv) If the respondent and complainant select the same hearing authority, the case will be adjudicated by the hearing authority they selected.
 - (v) If the respondent and complainant select different hearing authorities, the case will automatically be referred to the T9B for adjudication.
 - (f) In cases that the respondent's behavior resulted in a complainant being harmed by the respondent's misconduct –
 - (i) The complainant will be copied on the written notification to the respondent,

and the respondent will be copied on the written notification to the complainant.

- (ii) The complainant will have their own separate Information Meeting. This meeting will explain the remainder of the process, and prepare the complainant for the hearing.
- (iii) The respondent and complainant will both be given the opportunity to select their hearing authority. Their option is to have their case adjudicated by a single hearing officer from the OSC&CS or the UCB.
- (iv) If the respondent and complainant select the same hearing authority, the case will be adjudicated by the hearing authority they selected.
- (v) If the respondent and complainant select different hearing authorities, the case will automatically be referred to the UCB for adjudication.

(6) Types of Hearings

- (a) Administrative Review – This is an informal resolution option utilized for minor violations. An Administrative Review may take place immediately following the Information Meeting, or can be scheduled for a date and time that is convenient for both the hearing authority and the respondent. This meeting is a discussion between the respondent and the hearing authority regarding the respondent's behavior, decision making, and choices. Following this meeting, the hearing authority may contact other parties who may have knowledge of the incident in order to make a decision about whether the respondent is responsible for alleged violation(s), and determine sanction(s) if applicable. During an Administrative Review, the respondent will not be allowed to call witnesses or bring forth additional information. Because of this, this meeting option is not available for respondents who are facing suspension and expulsion (university and residence halls). Administrative Reviews are not recorded. If the respondent does not attend, or attends the hearing and chooses not to participate, the hearing authority will adjudicate the case in absentia.
- (b) Administrative Hearing – A single hearing officer from the OSC&CS, the ORL, or HAV adjudicates this formal resolution option. Scheduled after the Information Meeting, the hearing authority and/or the respondent may involve complainant(s) and/or witnesses. If the respondent does not attend the hearing, or attends the hearing and chooses not to participate, the presiding hearing authority will move forward with adjudicating the case.
- (c) The UCB/T9B – UCB/T9B Hearings are presided over by a member of the board designated as Chair. If the respondent does not attend the hearing, or attends the hearing and chooses not to participate, the board will adjudicate the case in absentia. Each Board Hearing will be assigned an OSC&CS Staff Member to oversee the process, suggest relevant questions, rephrase questions as necessary, explain policy, answer questions about process/procedure, and provide information on precedent. The OSC&CS Staff Member is not a voting board member.
- (d) The hearing notification for an Administrative Hearing, the UCB, or the T9B will be sent no more than thirty (30) business days after the Information Meeting in writing.
- (e) The hearing notification will include the date, time, and location of the hearing, the alleged violation(s), a statement of rights and responsibilities, and the name(s) of the hearing authority.
- (f) The hearing notification will provide the respondent with at least eight (8) business days' notice before the hearing.
- (g) In cases involving sexual misconduct, retaliation based on sex discrimination, or behavior resulting in a complainant being harmed by the respondent's misconduct, both the respondent and complainant will receive written notification to their UT E-



mail accounts.

(7) Hearing Information

- (a) The purpose of a hearing is to provide respondent(s) an opportunity to have their case reviewed and decided upon using the preponderance of evidence standard (is it more likely than not that a violation occurred).
- (b) All hearings are closed to the public, with the exception of Advisors for the respondent and complainant (if appropriate). Parties directly participating in the hearing (respondent, complainant, OSC&CS Staff Member), may remain in the hearing the entire time. Witness(es) will only be present when speaking to the hearing authority.
- (c) Cases involving sexual misconduct, retaliation based on sex discrimination, or behavior resulting in a complainant being harmed by the respondent's misconduct, are also closed to the public, with the exception of Advisors for the complainant and respondent. Parties directly participating in the hearing (respondent, complainant, OSC&CS) may remain in the hearing the entire time. The witness(es) will only be present when speaking to the hearing authority.

(8) Advisors

- (a) Respondents and complainants may elect to have an Advisor throughout the Student Conduct Process. The Advisor can assist the respondent and complainant with hearing preparations, and can accompany them to all Information Meetings/Hearings.
- (b) The Advisor may not speak or participate in Information Meetings or Hearings. Advisors may consult with their respective advisee(s) verbally or in writing in a quiet, non-disruptive manner. If the Advisor(s) becomes disruptive after being warned two times by the Hearing Authority, they will be asked to leave.
- (c) Respondents and complainants whose Advisors are attorneys are required to notify the OSC&CS at least eight (8) business days before the Information Meetings or hearing.

(9) Witnesses, Pertinent Information, and Safety Concerns

- (a) Witnesses – The respondent and complainant are able to request a reasonable number of witnesses to present pertinent information and answer questions. Names, e-mail addresses, mobile phone numbers, and a brief explanation of why they are being requested to serve as a witness must be sent to the hearing authority for review and approval at least eight (8) business days before the hearing. The hearing authority will review the list of witnesses, and inform the parties if the witnesses are allowed to participate, and the rationale for the decision if they are not. Character witnesses are not allowed to present during a hearing, but may submit a written statement on the behalf of the respondent and complainant to be used during sanctioning if found responsible. In cases where the hearing authority is UCB or the T9B, the OSC&CS will review the list and respond on behalf of the board.
- (b) Pertinent Information – The respondent and complainant are able to submit pertinent information to the hearing authority. The information and a brief explanation of why the information is being submitted must be sent to the hearing authority for review and approval at least eight (8) business days before the hearing. The hearing authority will review the information, and inform the respondent and complainant if it is allowed, and the rationale for the decision if it is not allowed. In cases where the hearing authority is UCB or the T9B, the OSC&CS will review the list and respond on behalf of the board.
- (c) The Hearing Authority may accommodate safety concerns during the hearing by



providing appropriate accommodations for the respondent, complainant, or witnesses. Requests for these accommodations must be submitted to the OSC&CS via e-mail (StudentConduct@utoledo.edu) at least eight (8) business days before the hearing. The OSC&CS will work with the hearing authority to address and accommodate the safety concerns.

- (10) **Hearing Authority Bias** – The respondent or complainant may challenge a hearing authority on the grounds of bias. Challenges must be submitted in writing at least eight (8) business days to the OSC&CS (StudentConduct@utoledo.edu), and must specify information to support a bias. The challenge will be reviewed by a professional staff member in the OSC&CS. If the challenge has merit, the reviewer will assign a new hearing authority.
- (11) **Hearing Procedures**
 - (a) The Hearing Authority will record Administrative Hearings, UCB Hearings, and T9B Hearings. The recording will be turned on at the start of the hearing, and turned off before deliberation. This record will be the property of the university.
 - (b) In cases involving sexual misconduct, retaliation based on sex discrimination, or behavior resulting in a complainant being harmed by the respondent's misconduct, the Hearing Authority may have the respondent and complainant submit questions for each other in writing before they are asked. The Hearing Authority (or OSC&CS Staff Member in UCB and T9B Hearings) may rephrase submitted questions, and/or refrain from asking repetitive or irrelevant questions.
 - (c) The Hearing Authority will begin the hearing by reading a procedural statement.
 - (d) Each party in the hearing will introduce themselves, and their role in the hearing.
 - (e) The Hearing Authority will review the alleged violation(s), and the respondent will indicate acceptance or denial of responsibility.
 - (f) The investigator(s) (if applicable) will present a summary of the investigation to the hearing authority. The hearing authority, the complainant, and the respondent will ask questions of the investigator.
 - (g) The complainant (if applicable) will provide the hearing authority with a summary of their role, and a statement of what happened from their perspective. The hearing authority and respondent will ask questions of the complainant.
 - (h) Relevant witnesses from the university, complainant (if applicable), and respondent will each have an opportunity to share information with the hearing authority concerning the alleged violation(s). Each witness will be questioned by the hearing authority, the complainant (if applicable), and the respondent. Witnesses are not allowed to stay for the entire hearing, and will depart after they have shared their information, and answered questions by the parties listed above.
 - (i) The respondent will provide the hearing authority with a summary of what happened from their perspective. The hearing authority and complainant (if applicable) will ask questions of the respondent.
 - (j) The complainant (if applicable) and respondent will each have the opportunity to make closing comments before the hearing authority begins deliberation.
 - (k) Deliberation is closed, and is not recorded. The hearing authority will determine, using the preponderance of evidence standard, if the respondent is responsible for the alleged violation(s). If the hearing authority determines the respondent is responsible for the alleged violation(s), the respondent will receive sanction(s). When the hearing authority is UCB or the T9B, recommendations regarding responsibility and sanction(s) are made by a majority vote.

- (12) Coaching Meetings
 - (a) When a student, student group, or student organization's behavior is not a violation of the Student Code of Conduct, but warrants additional follow-up, the Associate Dean of Students & Director of Student Conduct and Community Standards (or designee) may hold a Coaching Meeting.
 - (b) Coaching Meetings will be held at the discretion of the Associate Dean of Students & Director of Student Conduct and Community Standards, and are not guaranteed to the student, student group, or student organization.
 - (c) Coaching Meetings are individual meetings completed by hearing authorities from the OSC&CS, the ORL, or HAV. A student, student group, or student organization will be notified of the subject of their Coaching Meeting, and the date/time/location of the meeting.
 - (d) During these meetings, the student or student representative (for student groups and organizations) is provided with skills, strategies, and resources to help them reflect on their behavior, and make the appropriate changes to support their growth and development.
 - (e) These meetings will be documented by the hearing authority, and will be considered a part of the student, student group, student organization's conduct history.
- (13) Conflict Resolution Options
 - (a) Based on the nature of the incident, and the willingness of the complainant/harmed party and the respondent, the Associate Dean of Students & Director of Student Conduct and Community Standards may recommend that an incident be handled using a conflict resolution option (mediation, conflict coaching, facilitated dialogue, restorative justice). A person chosen by the OSC&CS who has been trained appropriately will conduct the conflict resolution options.
 - (b) Conflict resolution options will not be utilized unless both the respondent and complainant/harmed party have attended a consultation meeting to discuss the incident, learned about the selected conflict resolution option, and have agreed to participate. A conflict resolution option that is unsuccessful may be forwarded back to the Student Conduct Process for resolution.
 - (c) Conflict Resolution Options will not be utilized when addressing sexual misconduct cases and/or complaints of violence.
 - (d) The Associate Dean of Students & Director of Student Conduct and Community Standards may also suggest that complaints that do not involve a violation of the Student Code of Conduct utilize a Conflict Resolution Option.
- (14) The Amnesty Policy: [The Amnesty Policy \(3364-30-03\)](#) may apply in certain circumstances. Please review the policy for additional information.

(H) **Sanctions**

- (1) Respondents found responsible for violating the Student Code of Conduct will receive sanction(s). Sanctions are designed to educate the respondent on community expectations regarding appropriate behavior, and protect the UT Community and its members. Sanctions also help the respondent repair the harm they caused the community.
- (2) When sanctioning a respondent, the hearing authority should consider the following:
 - (a) Statements and information presented at the review/hearing;
 - (b) Seriousness of the violation;
 - (c) How the behavior impacted the complainant and community;
 - (d) The respondent's prior conduct history;



- (e) The respondent's intent and motivation; and
 - (f) Conduct precedent (how the university has handled same/similar violation(s)).
- (3) Respondents may receive one or more of the following sanctions if found responsible for violating the Student Code of Conduct:
- (a) Written Warning – Written notice to the respondent (student, student group, student organization) that their behavior has violated the Student Code of Conduct, and that further violations may result in more severe sanction(s).
 - (b) Conduct Probation Without Restrictions – The respondent (student, student group, student organization) is not in good standing with the university, and is subject to more severe sanction(s), including suspension or expulsion if there are any further violations.
 - (c) Conduct Probation With Restrictions – The respondent (student) is not in good standing with the university, and is subject to more severe sanction(s), including suspension or expulsion if there are any further violations. The respondent may also receive any of the following restrictions, including, but not limited to: not representing the university on any athletic team other than intermurals, hold an office in any registered student organization, represent the university in any extracurricular activity or official function, or participate in the study abroad program.
 - (d) Conduct Suspension – Separation of the respondent (student) from the university for a definitive period of time, after which the respondent is eligible to return. Conditions for readmission are specified.
 - (e) Conduct Expulsion – Permanent separation of the respondent (student) from the university.
 - (f) Restriction of Privileges – Restrictions placed upon a respondent (student group/organization) which limits University privileges for a specified period of time. These restrictions may include, but are not limited to: Inability to represent the University in any capacity, inability to maintain an office or other assigned space on University property, inability to receive/retain University funds, inability to participate in intramural sports, inability to sponsor, co-sponsor, and/or participate in any social event or other activity, inability to sponsor any speaker or guest on-campus, inability of rush or membership recruitment activities, inability of the use of University facilities, inability of the use of University vehicles, inability of advertising on-campus for organizational activities, and inability of soliciting and/or selling any items on-campus.
 - (g) Suspension of Student Group/Organizational Recognition – The denial of privileges of a student group/organization for a designated period of time.
 - (h) Expulsion of Student Group/Organization Recognition – Permanently excludes the student group/organization from the University without any recourse to reapply for recognition.
 - (i) Residence Hall Transfer – The respondent is required to transfer residence halls.
 - (j) Residence Life Suspension – Separation of the respondent from all residence life facilities for a set period after which the respondent may be eligible to return. Conditions for return may be specified.
 - (k) Residence Life Expulsion – Permanent separation of the respondent from all residence life facilities.
 - (l) Educational Action – Action intended to educate the respondent on their choices and behaviors. Examples of educational actions include reflective essays, research papers, designing and/or attending programs, completion of community service, counseling center screenings, parent/guardian notification, etc.
 - (m) Administrative Fee(s)/Fine(s) – Imposed when a respondent (student, student group,



or student organization) is found responsible for violating the Student Code of Conduct. Fee(s) and Fine(s) assist with costs associated with educational workshops and programs offered by the Office of Student Conduct and Community Standards.

- (n) Restitution – Compensation for the loss, damage, or injury caused by the respondent. Restitution may include one of the following: Monetary or material replacement.
- (o) No Contact Directive – Written directive to refrain from intentional contact, direct or indirect, with one or more person(s), through any means.
- (p) Revocation of Admission or Degree – Admission to, or a degree awarded from the university may be revoked for fraud, misrepresentation, or other violation of university standards in gaining admission or obtaining the degree, or for other serious violations committed by a student prior to graduation.
- (q) Withholding Degree - The University may withhold a respondent's earned degree until the completion of the student conduct process, including the completion of all sanction(s).

(I) **Appeals Process for the Student Conduct Process**

- (1) Grounds for Appeal – The only permissible grounds for appeals are as follows:
 - (a) To consider new evidence, unknown or unavailable during the original hearing or investigation, that could substantially impact the original finding or sanction. A summary of this new evidence and its potential impact must be included.
 - (b) A procedural error or omission occurred that significantly impacted the outcome of the hearing.
 - (c) The sanction(s) imposed are substantially disproportionate to the severity of the violation(s).
- (2) The Appeals Process
 - (a) The respondent may appeal a decision or sanction made by the hearing authority within five (5) business days of the decision. Appeals must be submitted online at https://cm.maxient.com/reportingform.php?UnivofToledo&layout_id=10.
 - (b) Letters of support/disagreement of the hearing outcome will not be accepted, and will not be considered a part of the appeal.
 - (c) In cases involving sexual misconduct or behavior resulting in a complainant being harmed by the respondent's misconduct, the party's appeal will be shared with the opposing party, who will be given five (5) business days from notification of the appeal, to submit a response in writing to the OSC&CS at StudentConduct@utoledo.edu.
- (3) Respondents and complainants who fail to attend their Information Meeting, Administrative Review, and/or Hearing forfeit their right to appeal and/or respond to an opposing parties appeal. In such case, the decision and sanction(s) made by the hearing authority are final.
- (4) The OSC&CS will review all requests for appeal within five (5) business days of receipt to determine if the appeal has been submitted in the appropriate timeframe, the respondent or complainant has clearly outlined one or more acceptable grounds for appeal, and included a statement of facts supporting the ground(s) for appeal.
- (5) Any appeal that is submitted outside of the timeframe outlined above, fails to outline acceptable grounds, or fails to include a statement of facts supporting the ground(s) for appeal will be dismissed.
- (6) Appeals that are submitted within the appropriate time frame, identify acceptable grounds,



and a statement of supporting facts will be forwarded to the Appeals Officer for review:

- (a) Appeals of decisions made by hearing authorities in the ORL or HAV will be directed to the Associate Dean of Students & Director of Student Conduct and Community Standards (designee) for review and decision.
 - (b) Appeals of decisions made by hearing authorities in the OSC&CS will be directed to the Associate Vice President and Dean of Students (designee) for review and decision.
- (7) Conduct sanction(s) will be effective immediately unless otherwise specified. This decision will be made on a case by case basis by the Associate Dean of Students & Director of Student Conduct and Community Standards in consultation with appropriate University officials.
- (8) In considering an appeal, the Appeals Officer will conduct a review of the existing materials, including, but not limited to:
- (a) The hearing file;
 - (b) The hearing recording;
 - (c) The appeals form;
 - (d) Written response from the complainant (if applicable);
 - (e) Written response from the respondent (if applicable).
- (9) The Appeals Officer may uphold the original sanction and/or decision, modify and/or eliminate the sanction(s), or refer the case back to the original hearing authority due to procedural error or information not available at the time of the hearing. The Appeals Officer will state, in writing, the rationale for their decision. This response will be e-mailed to the respondent, complaint, and original hearing officer.
- (10) The respondent and complainant will be notified of the outcome of the appeal within ten (10) business days following receipt of all written materials. The decision of the Appeals Officer is final.

(J) Student Conduct Records

- (1) Student Conduct information will become a part of the respondent's educational record per The Family Education Rights and Privacy Act.
- (2) Conduct Sanctions, with the exception of Expulsion (Conduct and Residence Hall), Suspension (Conduct and Residence Hall), or revocation of admissions/degree will be removed from the respondent's conduct record seven (7) years from the year in which the offense occurred.
- (3) The Office of Student Conduct and Community Standards will maintain the respondent's Student Conduct record.
- (4) Cases involving student groups/organizations are not considered confidential under the Family Educational Rights and Privacy Act (FERPA). As a result, the University does not protect the confidentiality of the student conduct records regarding the conduct of student groups/organizations.

(K) Holds

- (1) The Associate Dean of Students & Director of Student Conduct and Community Standards (designee) may place a Disciplinary Hold on a student's conduct record when a student –
 - (a) Is not presently enrolled at UT, and an Information Meeting, Administrative Review, and/or Hearing is pending;



3364-30-04 The Student Code of Conduct

21

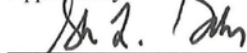
- (b) Has a pending conduct case that must be resolved prior to graduation;
- (c) Has a pending investigation (Title IX or Student Conduct);
- (d) Has failed to attend their Coaching Meeting;
- (e) Has failed to complete sanction(s) by the assigned deadlines;
- (f) Is placed on Interim Suspension from UT;
- (g) Is suspended or expelled from UT; or
- (h) Engages in behavior that puts themselves, or other members of the UT Community at risk.

(L) Refund Policy

- (1) In the event of a conduct suspension or conduct expulsion, the OSC&CS will follow the regular tuition and meal plan refund schedule outlined by the Office of the Treasurer and the Office of Dining and Hospitality.
- (2) In the event of a residence hall suspension or residence hall expulsion, the OSC&CS will follow the terms of the University Housing Contract/HAV Lease by the ORL or HAV.

(M) Student Code of Conduct Review – The Student Code of Conduct will be reviewed annually under the leadership and direction of the Associate Dean of Students & Director of Student Conduct and Community Standards.**(N) Acknowledgements** – Parts of the University of Toledo Student Code of Conduct are adapted from The National Center for Higher Education Risk Management (NCHERM) Group Model Developmental Code of Student Conduct, and are used here with their permission. The Office of Student Conduct and Community Standards wishes to acknowledge the following institutions for their example in crafting this document – Bowling Green State University, Clemson University, Eastern Michigan University, Ohio University, The Ohio State University, The University of Cincinnati, The University of Florida, and The University of Kentucky.

Approved by:

Sharon L. Gaber, Ph.D.
PresidentAugust 9, 2018

Date

*Review/Revision Completed By:*The Office of Student Conduct and
Community Standards; The Office of
Legal Affairs; The Title IX Office**Policies Superseded By This Policy:***Previous 3364-30-04, Effective Date 8/1/11*


Original Effective Date: August 1, 2011

Review/Revision Date: May 2018, August 9,
2018

Next Review Date: August 9, 2021



Appendix A3: Policy on Alcohol Beverages 3364-30-02

Name of Policy: <u>Policy on alcoholic beverages.</u> Policy Number: 3364-30-02 Approving Officer: President Responsible Agent: Vice President for Student Experience Scope: All University of Toledo students, staff and faculty (see section (A))		 Revision date: October 8, 2013 Original effective date: July 12, 2011
<div style="display: flex; justify-content: space-between;"> <div> <input type="checkbox"/> New policy proposal </div> <div> <input type="checkbox"/> Minor/technical revision of existing policy </div> </div> <div style="display: flex; justify-content: space-between;"> <div> <input checked="" type="checkbox"/> Major revision of existing policy </div> <div> <input type="checkbox"/> Reaffirmation of existing policy </div> </div>		

(A) Policy statement

The University of Toledo prohibits the use of alcohol which is inconsistent with state, local or University regulations. It is the goal of The University of Toledo to establish and sustain an environment on campus that is conducive to the intellectual, emotional, and social growth of all the members of its community. The University is committed to the preservation of individual freedoms and the promotion of the health, safety, and welfare of the community. The following policy applies to the entire University of Toledo organization ("University"), including all campuses, student body, and The University of Toledo Medical Center ("UTMC") Hospital. This policy applies to both on campus and to University sponsored activities, including field trips, athletic contests played off campus and conferences attended by students, faculty and staff where the University reimburses travel expenses or registration fees. An official, "Sponsored University Function" means one in which:

- 1) Institutional funds are being used for any part of the event; or
- 2) The University name and/or logo are being associated with the event; or
- 3) It is being advertised on campus by any means.

This policy does not apply to alcohol distribution with alcohol dispensed through the UTMC Hospital Pharmacy upon order of a physician. The Hospital Pharmacy is responsible for the policies and procedures related to physician prescribed alcohol.

(B) Purpose of policy

The University of Toledo has established the following policy governing the possession, sale and consumption of alcoholic beverages on the University's campuses. It is the University's goal through these policies and programs, to encourage members of its community to make responsible decisions and to promote safe, legal, and healthy patterns of social interaction.

3364-30-02

Policy on alcoholic beverages

2

(C) Compliance with state laws

The University policies are consistent with the laws of the state of Ohio as stated in the Ohio Revised Code. It is the responsibility of each student, staff, and faculty member to familiarize himself or herself with the appropriate sections of the Ohio Revised Code and the provisions of this policy and to conduct one's self in a responsible manner.

The Ohio Revised Code includes the following statements:

- (1) It is unlawful for a person under 21 years of age to purchase, consume, possess or transport any intoxicating liquor.
- (2) It is unlawful to knowingly and falsely misrepresent one's age to obtain alcoholic beverages or to represent that another is of legal age for such purpose.
- (3) It is unlawful to have in one's possession in a public place an open container of beer or intoxicating liquor.
- (4) It is unlawful to consume any beer or intoxicating liquor in a motor vehicle.
- (5) No person shall furnish or buy or contribute money to the purchase of alcohol for an underage drinker; and it is illegal to use false identification or provide false identification in the purchase of alcoholic beverages.

(D) Regulations governing alcoholic beverages

The University permits alcoholic beverages on campus as part of the operation of licensed university facilities and for some social events.

(1) Facilities

Policies and procedures for specific University facilities may be in place. Such facilities include but are not limited to residence halls, the McComas Village, Student Union, Driscoll Alumni Center, Savage Arena, SeaGate Centre, the Glass Bowl, Fetterman Training Center, Libbey Hall, Dana Conference Center, Academic Commons, The Hotel at UTM, Garden Café, Bryan Student Lounge, Mulford Library and Collier Building. Such policies must be consistent with the University policy.

(2) Delivery

Delivery of any alcoholic beverages to any University property or facility, other than associated with the University's liquor license and catering operations, is strictly prohibited.

(3) Independent Contractors/University Guests

Where the University is paying for or reimbursing expenses for consultants, contractors, or others doing business for the University, University shall not pay for or reimburse any alcoholic beverage purchases.



3364-30-02

Policy on alcoholic beverages

3

(4) Sponsored University Functions

The use of alcohol at events held on The University of Toledo campuses is governed by the following rules:

- (a) University funds may not be used to purchase alcoholic beverages.
- (b) Alcoholic beverages will not be served free of charge at a campus event unless the event is approved in advance in writing by the vice president or a designee and the event is otherwise permitted by University policy and by applicable laws.
- (c) Unless otherwise approved in writing in advance by the vice president or a designee, alcoholic beverages must be sold by University dining services which are a licensed, insured vendor.
- (d) The sponsoring organization, department, or approved user of facilities will oversee adherence to the alcohol policy, assume responsibility for the event and control and supervise the distribution of alcoholic beverages in accordance with all applicable laws, rules, and policies.
- (e) Institutionally approved security must be present at all times during an event unless determined by the chief of University police to be unnecessary. All security costs will be the responsibility of the sponsoring organization.
- (f) No one under the age of 21 is permitted to possess, serve, or consume any alcoholic beverage. At any event where alcoholic beverages are served and/or sold, approval for the event will be based upon the age of the event participants as well as the nature of the event. For example, an event at which the majority of participants are under the age of 21 will not have alcoholic beverages available for consumption. However, a designated, physically defined, monitored area may be utilized for those of age if approved in advance.
- (g) All sale/use of alcoholic beverages on University property will be monitored by and subject to inspection by University officials.
- (h) Although no person will possess or be served alcoholic beverages without proof of legal age, state law permits any individual 18 years or over to sell alcohol in a closed container, 19 years or older to serve an open container of alcohol and anyone over 21 to tend bar.
- (i) No servers of alcohol may be permitted to consume alcoholic beverages while serving nor shall they be permitted to serve while intoxicated.
- (j) Intoxicated people will not be served nor permitted to possess alcoholic beverages. The liquor-license holder — i.e., the vendor — has the sole right to make this determination.
- (k) At all events where alcohol is used, served, and/or sold, non-alcoholic beverages and unsalted foods must be made available in quantity sufficient for the number of guests. All food should be visible and available.
- (l) Alcoholic beverages are not permitted to be sold or used prior to noon. For an event lasting three hours or more, sale or service must stop forty-five

3364-30-02

Policy on alcoholic beverages

4

minutes prior to the end of the event. At no time may the sale/service of alcohol last more than three consecutive hours. Exceptions may be given to Alumni or Athletic Department events that begin at or prior to noon. Exceptions may be given to Athletic Department events as follows: Alumni or Athletic events that begin prior to Noon: Alcoholic beverages would be permitted to be sold 90 minutes prior to the start time of the event.

Events lasting longer than three hours: Sales would be permitted 90 minutes prior to the start time of the event, with an ending time of 3/4th of the way through the event. (e.g.: Football game, end of third quarter, basketball game, at the ten-minute mark in the second half).

- (m) The minimum charge for twelve ounces of beer will be sold at the University's cost. A lower price will be charged for the same amount of non-alcoholic beverage. Other alcoholic beverages should be priced so as not to promote excessive consumption.
- (n) In accordance with the liquor license, under no circumstances may any alcoholic beverage be permitted to leave the approved area of the event. No alcoholic beverages may be brought into the event by an individual when alcoholic beverages are being served, and/or sold by event organizers.

(E) Process to obtain permission for University events where alcohol will be served

At events at which alcohol is served and in university facilities in which it is served, operators and event sponsors are responsible for complying with the laws of the state of Ohio, ordinances of the city of Toledo, and all policies of The University of Toledo.

An "F" permit is required for any events that serve alcoholic beverages on University property that are not covered by the University's dining services liquor license. The administration for the Health Science Campus of the University does not review or approve "F" permits under any circumstance. All events must be conducted through the dining services liquor license. The University administration reserves the right in its sole discretion to refuse to sign any "F" permit for any reason whatsoever.

Depending on the associated division of the University, the following is the procedure for seeking approval of an "F" permit:

- (1) Athletics. If an outside person or business would like to hold an athletics related event on University property, an "F" permit needs to be completed and given to the Senior Associate Athletic Director for External Affairs. The Senior Associate Athletic Director for External Affairs with the University's Administrator for Risk Management will determine if the University's insurance will cover such event or the requesting party needs to obtain insurance and provide proof thereof before the "F" permit will be processed any further. Upon verification of insurance

3364-30-02

Policy on alcoholic beverages

5

coverage for the event, the Vice President/Director of Athletics will sign the “F” permit. It will then be forwarded to the Chief of Police who will sign that he has seen the “F” permit. The fully signed “F” permit will then be returned to the Senior Associate Athletic Director for External Affairs.

- (2) **Alumni.** If an outside person or business would like to hold an alumni event on University property, an “F” permit needs to be completed. Alumni, outside persons or businesses are subject to all of the applicable policies, rules, and regulations of the University of Toledo. The completed “F” permit should be given to the Associate Vice President of Alumni Relations. The Associate Vice President of Alumni Relations with the University’s Administrator for Risk Management will determine if the University’s insurance will cover such event or the requesting party needs to obtain insurance and provide proof thereof before the “F” permit will be processed any further. Upon verification of insurance coverage for the event, the Vice President of Institutional Advancement will sign the “F” permit. It will then be forwarded to the Chief of Police who will sign that he has seen the “F” permit. The fully signed “F” permit will then be returned to the Associate Vice President of Alumni Relations.
- (3) **Student Event.** If an outside person or business (or student organization, when applicable) would like to hold an event for students on University property, an “F” permit needs to be completed. Student organizations, outside persons, or businesses are subject to all of the applicable policies, rules, and regulations of the University of Toledo. The completed “F” permit should be given to the Dean for the Student Experience. The Dean for the Student Experience with the University’s Administrator for Risk Management will determine if the University’s insurance will cover such event or the requesting party needs to obtain insurance and provide proof thereof before the “F” permit will be processed any further. Upon verification of insurance coverage for the event, the Senior Vice President for the Student Experience will sign the “F” permit. It will then be forwarded to the Chief of Police who will sign that he has seen the “F” permit. The fully signed “F” permit will then be returned to the Dean for the Student Experience.
 - (a) Students and student organization are also required to complete the necessary paperwork to host a social event. This information can be found through the Office of Student Involvement, located in 3504 Student Union.
 - (b) The sponsoring organization will be prepared to provide, in writing, information pertaining to the purpose of the activity, number of participants, location, and whether the activity is public or private.

- (F) **Promotion of University events where alcohol will be served**

It is the position of the University that alcohol use will not be promoted. Consistent with this position, the University will neither solicit nor accept any form of alcoholic beverage advertising



3364-30-02

Policy on alcoholic beverages

6

or sponsorship for any University publication or in/on any University operated facility or property. Exceptions will be limited to: 1. public education messages, i.e., advertising that promotes responsible use of alcohol, using designated drivers, etc.; 2. point-of-sale ice baths that carry the name of the alcoholic beverage/distributor. Authorization for all exceptions must be approved by the appropriate vice-president. In addition, the following guidelines shall be adhered to:

- (1) Events where alcoholic beverages are used, served and/or sold shall not have alcohol or the consumption of alcohol as a theme. No element of an event where alcohol will be used, served, and/or sold shall encourage, in any manner, the consumption of alcohol. No event where alcohol is used, served, and/or sold shall be sponsored, in any manner, by an alcohol manufacturer, distributor, or retailer.
- (2) No advertising for events where alcohol is used, served, and/or sold shall refer to alcohol in any manner other than "Legal Beverages Available" or "Beer Available." Advertising for "F" permit events cannot include the sale price of alcoholic beverages nor can it refer to the price advantage or amount available.

(G) Violations/Sanctions

Violation of University policies may result in disciplinary action. In addition, such matters may be reported by the University to appropriate law enforcement authorities. Violators will be subject to penalties which may include separation from the University or mandatory referral for treatment. The University shall implement and enforce the laws of the State of Ohio as stated in the Ohio Revised Code. It is the responsibility of each student, staff, and faculty member to familiarize him or herself with the appropriate sections of the Ohio Revised Code and the provisions of the policy and to conduct one's self in a responsible and prudent manner.

- (1) Violation of University policies by students will be addressed by the Student Code of Conduct.

(H) Services for treatment and referral

Students, faculty and staff who violate this policy or encounter difficulties with alcohol and/or drugs shall be informed about and referred to the following university and campus resources for support and assistance.

- (1) University services
Resource information (booklets, brochures, pamphlets, videos, etc.) regarding health and safety concerns from substance use and/or alcohol abuse and information regarding campus and community services are available through a variety of University services, including:
 - (a) Main Campus Medical Center 419.530.3451
 - (b) The Counseling Center 419.530.2426
 - (c) Office of Alcohol, Tobacco and Other Drug Prevention 419.530.8436
 - (d) Campus Police 419.530.2600



3364-30-02

Policy on alcoholic beverages

7

(2) Community Resources

There are many community resources that also provide support, information, or treatment:

- (a) AL-ANON-ALATEEN
419.537.7500
Self-help group for persons who are close to an alcoholic.
No fee.
- (b) ALCOHOLICS ANONYMOUS
419.380.9862
Self-help group for alcoholics. No fee.
- (c) COMPASS, INC.
419.241.8827
Substance abuse treatment, detoxification, and after care. Sliding fee schedule based on ability to pay.
- (d) First Call for Help
800.468.4357
For referral and information about self-help groups.
- (e) FOCUS
419.244.2175
Assessments - no charge. Inpatient detox, hospitalization, partial hospitalization, and medication management.
- (f) HARBOR BEHAVIORAL HEALTHCARE
419.475.4449
Education services. Sliding fee scheduled based on ability to pay.
- (h) RESCUE CRISIS
419.255.9585
24-hour emergency hotline.
- (i) ProMedica Alcohol and Drug Treatment
Bixby Medical Center 517-265-0411
Herrick Medical Center 517-423-3887
Free assessments. Treatment center for substance abusers. After care.
- (j) URBAN MINORITY ALCOHOLISM & DRUG ABUSE OUTREACH PROGRAM
419.255.4444
Prevention, intervention, and relapse prevention. Program targeted for minorities. No fee.

(E) Health Risks

There are many health risks from abusing alcohol; they are as follows:

- (1) *ALCOHOL*. Alcohol consumption causes a number of marked changes in behavior. Even low doses impair judgment and coordination and increase the incidence of aggressive behavior. Very high doses can cause respiratory

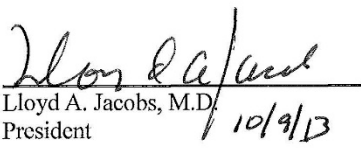


3364-30-02

Policy on alcoholic beverages


8

depression and death. Alcohol intoxication is equivalent to a drug overdose. Repeated use of alcohol can lead to a change in tolerance and dependence. Cessation of alcohol intake by individuals suffering from addiction, can produce withdrawal symptoms, including tremors, hallucinations, convulsions, and death. Long-term consumption of large quantities of alcohol can lead to permanent damage to vital organs such as the brain and the liver. Women who drink even small amounts of alcohol during pregnancy may give birth to infants with fetal alcohol syndrome. Children of alcohol-dependent parents have a 40 percent greater risk of developing alcoholism than those children of non-alcohol-dependent parents.

<p>Approved by:</p> <p> Lloyd A. Jacobs, M.D. President</p> <p><u>October 8, 2013</u> Date</p> <p>Review/Revision Completed by: Vice President for Student Experience Auxiliary Services Athletics UT Police Department</p>	<p>Policies Superseded by This Policy:</p> <ul style="list-style-type: none"> • Previous 3364-30-02, effective date July 12, 2011 <p>Initial effective date: July 12, 2011 Review/Revision Date: October 8, 2013 Next review date: October 8, 2016</p>
---	--



Appendix A4: Social Events Policy 3364-30-06

Name of Policy: <u>Social events, major events, and non-social events</u>		 Revision date: March 17, 2017 Original effective date: December 7, 2011	
Policy Number: 3364-30-06			
Approving Officer: President			
Responsible Agent: Senior Vice President for Student Affairs			
Scope: All Campuses Registered Student Organizations			
<input type="checkbox"/>	New policy proposal	<input type="checkbox"/>	Minor/technical revision of existing policy
<input checked="" type="checkbox"/>	Major revision of existing policy	<input type="checkbox"/>	Reaffirmation of existing policy

(A) Policy statement

The University of Toledo (UT) has the responsibility to maintain a safe and secure environment for the campus community in all of its facilities.

(B) Purpose of policy

This policy has been adopted to insure equitable treatment and a safe, secure environment among registered student organizations that wish to host an event on campus.

(C) Scope

The University of Toledo registered student organizations as defined by the Office of Student Involvement and Leadership are eligible to host an event. See policy 3364-30-12 Student organizations for the appropriate process to follow for becoming a registered student organization.

(D) Social, major, and non-social events

Events hosted by registered student organizations may fall into three categories at the University of Toledo: Social events, major events, and non-social events.

3364-30-06

2

(E) Social events

- (1) Social events are defined as large crowd/high impact, interactive activities that include a combination of two or more of the criteria below, and based on an assessment by the Office of Student Involvement and Leadership:

- (a) Alcohol is served
- (b) More than 100 attendees
- (c) Music/dancing focus
- (d) Non-UT students in attendance
- (e) Outdoor event
- (f) Event goes past midnight
- (g) Thursday, Friday, or Saturday night event
- (h) Cash is collected at event

- (2) Reservation process

All registered student organization sponsored social events at the University of Toledo must have a student organization event registration form completed no later than twenty-eight business days prior to the event. Event registration forms may be obtained online from the Office of Student Involvement and Leadership, and the student union office. Exemption to the twenty-eight business day deadline may be granted under extenuating circumstances by the Office of Student Involvement and Leadership.

- (3) Social event procedures

Advertising

All advertisements for on campus purposes must be approved by the Office of Student Involvement and Leadership.

- (4) Participants

- (a) All university students attending a UT social event must follow all university policies, including federal, state, and local laws. Attendees who are university students must show valid university identification.



3364-30-06

3

- (b) University students are permitted to bring one guest to events. The guest must sign in on the guest list, and must show a valid picture identification (driver's license or state identification). The student must accompany the guest at sign in. The guest list will include the guest's name and the university student accompanying them. All guests who are non-UT students must also comply with all university policies, including federal, state, and local laws. All guests (non-UT students) must be eighteen years or older, or accompanied by an adult twenty-one years or older, and their names must be identified on a guest list. Staff will determine if an event is required to be eighteen years or older (unless a current UT student with a waiver on file) based on the risk assessment.
- (c) University students are responsible for their guest's behavior.
- (d) Per the assessment of the event by the Office of Student Involvement & Leadership, guest parameters will be established. Such factors may include guests presenting an identification and signing a guest list before attending an event.

For all events open to the public, all guests must have a valid identification.

(5) Procedural information

All registered student organizations will be required to hold an event planning meeting approximately two weeks before the event to discuss event logistics with the Office of Student Involvement and Leadership, University of Toledo Police and/or Security Department (UTPD), grounds, and others depending on the assessment of the event.

- (a) All major event rules will be posted on the doors to the event location and at the check-in table by staff members of the Division of Student Affairs. The signs will state the following as applicable:



3364-30-06

4

- (i) UT Students permitted with valid UT identification.
 - (ii) Disruptive behavior is not tolerated.
 - (iii) Alcohol, controlled substances, weapons, etc. are not allowed.
 - (iv) Metal detectors in use.
 - (v) Once you have entered the event, you will not be allowed to re-enter the event once you leave unless you have purchased a second ticket (pending space is still available).
- (b) Every event attendee must have a wristband on at all times. Wristbands are issued to attendees upon admission to the event and are provided by the Office of Student Involvement and Leadership. These numbers are for the total attendance at the event.
- The total number of wristbands issued to an event will be based on the number of projected attendance and the number of officers assigned to the event. If the projected attendance estimate is lower than the allowed maximum stated above, the estimate will be utilized as the official projected attendance when officers are assigned and wristbands allocated. Students organizing the event will be counted in the number of wristbands allowed and must have a wristband on at all times. The total number of wristbands allowed will be determined based upon the allowed occupancy at that location. Only one wristband will be issued per person.
- (c) Entrance into event location may have roped off lines for entry.
 - (d) Every registered student organization sponsoring a social event must identify a primary point person and three event assistants. These individuals must be members of the organization and currently enrolled UT students. The primary point person and three event assistants will wear



3364-30-06

5

name tags and a lanyard identifying them. The Division of Student Affairs will have staff members present and working every social event, based on the Impact Assessment by the Office of Student Involvement and Leadership. In addition, the registered student organization advisors must be present for the duration of the event. The primary point person, advisor, and three event assistants will support and assist the staff present in regard to all matters pertaining to the event.

- (e) A pre-event meeting will be held thirty minutes prior to the starting time of the event. For events in the student union, attendees will include the student union building manager, the Division of Student Affairs lead staff working the event, the point person for the registered student organization hosting the event, along with three event assistants from that registered student organization, the registered student organization advisor, and the UTPD Police and/or security officers assigned to the event. For events held outside of the student union, building/facility staff where the event is being held may attend the pre-event meeting in lieu of the student union building manager. The purpose of this meeting is to review policies, procedures and expectations for the event. Necessary contact information, such as names and roles of event point persons, will also be shared at this meeting.

(6) Safety measures

- (a) The following criteria are utilized to assist in determining the type of security needed:
 - (i) Purpose and location of the event
 - (ii) Activities occurring during the event (dancing, music, etc.)
 - (iii) Type of event (performer or entertainment)
 - (iv) Admission fee is collected (prior to event or at the door)
 - (v) Whether alcohol is served
 - (vi) Past history of violation of the student code of conduct or police and/or security involvement



3364-30-06

6

- (vii) An internal or external critical incident or event that may adversely impact the safety and security of the event participants, patrons or venue
 - (viii) Estimated attendance at the event
 - (ix) Seated, unseated or combined seated and unseated event
 - (xii) Start time
 - (xiii) Advertisement of the event – on campus, off campus or combination of on and off campus
- (b) Police and/or security will be determined by the Office of Student Involvement and Leadership, in consultation with UTPD. The officers will be paid an hourly rate by the university for which the registered student organization must reimburse the university. The estimated total number of police and/or security officers required for each event is determined by the impact level of the program and the following additional criteria: one officer and/or security staff per two hundred fifty attendees, not to exceed six, unless the event is deemed as high risk, in which more officer may be assigned regardless of the projected attendance. The number of attendees estimated for the event must be as accurate as possible. Attendees admitted will be based on number of officers working the event. Registered student organizations will be informed of the approximate cost for the police and/or security at the event planning meeting. Student organizations are responsible for the payment of police and/or security officers assigned to work the event. The police and/or security officer's specific responsibilities will be defined and detailed at the pre-event meeting held thirty minutes prior to the start of the event.
- (c) In the event that a problem/issue/action occurs at the event that may result in a question of safety, the police and/or security officer in charge will make the determination of whether or not to end the event. The police and/or security may consult the Division of Student Affairs lead staff on duty regarding the decision to end an event. This decision will be the final decision and event organizers must take the appropriate actions to terminate the event.



3364-30-06

7

- (d) The registered student organization hosting the event will be charged for security beginning one-half hour prior to the opening of doors. Police and/or security and staff will remain on site until all attendees have left the event area.
 - (e) If the event is cancelled five working days or more before the scheduled time, no security expenses will be incurred. Events cancelled with fewer than five working days' notice will require the payment of one hour of pay to each officer assigned. Events cancelled on the day of the event will require payment of two hours of pay to each officer assigned. If it is determined at event time that the officers are not needed, they will be paid a minimum of three hours pay.
 - (f) The use of metal detectors/detection devices may be required at events to ensure the safety of event attendees. The Office of Student Involvement and Leadership, in consultation with UTPD will determine the usage of metal detectors/detection devices at events based on the criteria listed in section (4) (a). This determination will be made at the event planning meeting. The police and/or security officers or Division of Student Affairs staff working the event will coordinate the use of metal detectors/detection devices. There will be no costs associated with the use of metal detectors/detection devices.
- (7) Event costs/money handling
- (a) Registered student organizations sponsoring events on the University of Toledo campus will be required to cover all costs incurred with their events. These costs will vary by event and will be determined upon approval of the event.
 - (b) A registered student organization must deposit all money collected at a social event via the student union office procedures if any of the following applies:
 - (i) The registered student organization is majorly funded, meaning that it is fully funded through the student activities committee, has its own index (account



3364-30-06

8

number), and is not permitted to have an outside bank account

- (ii) It is a traditional university sanctioned event (e.g., Homecoming, Songfest, RockeTHON)
- (iii) Security is assigned to the event by the University of Toledo Police and/or Security Department, unless all estimated costs (e.g., security, tech/building support, equipment rental) are paid in advance or arrangements have been made to deposit the amount of the estimated costs with money collected at the event (if additional costs are incurred beyond the estimated costs, the organization will be billed after the event and held responsible for payment)
 - If security is not assigned to the event by the University of Toledo Police and/or Security Department, to ensure students safety, your registered student organization must have an UTPD escort to your point person's (money holder) vehicle. The Office of Student Involvement and Leadership will provide the necessary information to make these arrangements through the assessment process, as determined at the pre-event meeting.
- (iv) Exceptions to any of the above must be approved in advance by the dean of students
- (c) Even if a registered student organization does not meet the requirements to mandate a deposit, the organization can (and is encouraged to) request a deposit during the pre-event meeting.
- (d) The registered student organization point person, the Division of Student Affairs staff on hand and the UTPD police and/or security officer working the event are responsible for completing the deposit as determined at the pre-event meeting. For events that are held outside of the student union, the registered student organization point person and the Division of Student Affairs staff working



3364-30-06

9

the event should contact the University Police and/or security department for assistance in entering and making a deposit within the student union building as determined at the pre-event meeting. Any deposited money will remain with the university until all event expenses are paid. Then, a university issued check will be given to the organization for the remaining funds.

- (e) Up-front funds used in the cash box must be determined prior to the event at the pre-event meeting. If a registered student organization provides the up-front funds, that amount will not be deposited with other funds collected at the event.

(8) Reimbursement of security costs

- (a) Registered student organizations may be able to request up to thirty-three per cent return of the cost of security by completing the social event security reimbursement form and turning it in to the Office of Student Involvement and Leadership. The completed reimbursement form must be submitted to the Office of Student Involvement no later than seven days after the event is completed. Upon verification of an incident free event by the Office of Student Involvement and Leadership, the social event security reimbursement form will be forwarded to the dean of students or designee.
- (b) Reimbursement will be processed only when an event has occurred and only if the event is incident free. Meaning that there were no incidents that required security intervention, and that all processes were followed by the registered student organization. Exemption will be made in extenuating circumstances.
- (c) The reimbursement decision made by the dean of students or designee is final.



3364-30-06

10

(9) Compliance

- (a) All activities associated with the event must follow all university policies and procedures as stated in the student handbook, the student organization manual, and/or any other University of Toledo policy.
- (b) Failure to comply with any of the procedures listed above may result in
 - (i) the event being cancelled, stopped, or shortened.
 - (ii) violation of the student code of conduct.

(F) Major events

- (1) Major events are concerts and other programs large enough and of sufficient importance to require the use of a facility with a capacity of five hundred people or more are termed major events in the context of this policy.
 - (a) Reservations will be made in accordance to the policies of that specific facility.
 - (b) Any concert or similar event that is organized by students must be sponsored by a registered student organization. The registered student organization must be able to provide proof that they are financially able to sponsor the event to the Office of the Dean of Students or designee.
 - (c) The use of the name of The University of Toledo must be in conjunction with the name of the registered student organization; e.g., the Campus Activities and Programming at The University of Toledo, according to the Student Organizations Policy 3364-30-12.
 - (d) A registered student organization may co-sponsor a major event with a promoter provided that the above regulations and all university policies are followed.
 - (e) The contract process must begin in the student union office, ten weeks prior to the event date. Exceptions may be made for



3364-30-06

11

certain conditions at the discretion of the dean of students or designee.

- (f) The registered student organization shall use a university-approved contract template. The senior vice president for student affairs must approve and sign all contracts. The contracts must reach the office two weeks prior to the event. Features of a contract may be reviewed with the university legal counsel.
- (g) The appropriate university office shall review any contract for substantive reasons and the protection of the sponsoring group, if it is deemed necessary.
- (h) Any sponsoring group is entitled to any profit that is realized from a major event, after expenses, and is also responsible for any loss.
- (i) Student tickets shall be purchased only upon presentation of a validated student identification card and these tickets are not transferable.
- (j) Security for major events held on campus will be determined by the University of Toledo Police Department (UTPD) and the appropriate facility management office, in consultation with the Office of the Dean of Students or designee. UTPD will have the responsibility of assuring the health and safety of those patrons attending an event.

(G)Non-Social events are events are:

- (a) No alcohol is served
- (b) No more than one hundred attendees
- (c) No music/dancing focus
- (d) Only UT students in attendance
- (e) Indoor/outdoor
- (f) Does not go past 12:00 am (midnight)
- (g) Not hosted on a Thursday, Friday, or Saturday night event
- (h) Where no cash is collected at event.



3364-30-06

12

(1) Reservation process

The reservation process for social and non-social events are the same as outlined in this policy.

(2) Non-social event procedures

(1) Advertising

- (a) All advertisements for on campus purposes must be approved by the Office of Student Involvement and Leadership.

(2) Participants

- (a) All UT students attending a UT non-social event must follow all University policies, including federal, state, and local laws.

(3) Compliance

- (a) All activities associated with the event must follow all university policies and procedures as stated in the student handbook, the student organization manual, and/or any other University of Toledo policy.
- (b) Failure to comply with any of the procedures listed above may result in
 - (i) the event being cancelled, stopped, or shortened.
 - (ii) violation of the student code of conduct.

(H) Outside Speakers and Performers

The University of Toledo encourages a spirit of free inquiry and timely discussion of a wide variety of issues, provided that the views expressed are stated openly and therefore are subject to critical evaluation. Restraints on free inquiry should be held to that minimum which is consistent with preserving an organized society in which peaceful, democratic means for change are available.



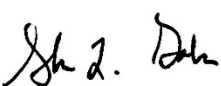
3364-30-06

13

Therefore, registered student organizations are encouraged to invite speakers and performers to the campus to address meetings subject only to the following provisions:


- (a) The speaker or performer must not urge the audience to take action which is prohibited by the rules of the university or which is illegal under federal, state or local law. Advocating or urging the modification of the government of the United States or of the state of Ohio by violence or sabotage is specifically prohibited. It is the responsibility of the officers and advisers of the sponsoring student organization to inform speakers and performers of these prohibitions.

Sponsorship must be by a registered student organization which has been registered under the general regulations administered by the Office for Student Involvement and leadership of the university. Any registered student organization violating the provisions of this regulation is subject to the procedures and sanctions applicable to students and registered student organizations that violate other university policies.

<p>Approved by:</p>  <p>Sharon L. Gaber, Ph.D. President</p> <p>March 17, 2017 Date</p> <p><i>Review/Revision Completed by:</i> Senior Leadership Team Senior Vice President for Student Affairs Dean of Students, Chief of Police</p>	<p>Policies Superseded by This Policy:</p> <ul style="list-style-type: none"> • <i>Previous 3364-30-06, effective date December 7, 2011</i> • <i>Previous 3364-30-13, Student Sponsored Major Events, effective date December 20, 2011</i> • <i>Previous 3364-30-14, Policy on Outside Speakers and Performers sponsored by students, previous effective date December 20, 2011</i> <p>Initial effective date: December 7, 2011 Review/Revision Date: March 17, 2017 Next review date: March 17, 2020</p>
---	--



Appendix A5: Smoke-Free and Tobacco-Free Policy 3364-60-01

Name of Policy: <u>University of Toledo Smoke-Free and Tobacco-Free policy</u>		 Revision Date: July 26, 2017 Initial Effective Date: August 15, 2014	
Policy Number: 3364-60-01			
Approving Officer: President			
Issuing Office: President's Office			
Responsible Agents: Vice President, Student Experience; Senior Wellness Officer; Director, Office of Public Safety			
Scope: University of Toledo faculty, staff, students, visitors, contractors/vendors, and patients			
	New policy proposal	X	Minor/technical revision of existing policy
	Major revision of existing policy		Reaffirmation of existing policy

(A) Policy statement

In an effort to promote the highest levels of health and well-being, The University of Toledo campuses are tobacco-free.

(B) Purpose of policy

Tobacco-free policies benefit our campuses, including smokers and nonsmokers, by protecting all persons from unhealthy exposure to secondhand smoke and providing a supportive environment that helps tobacco users reduce or cease use of tobacco products.

(C) Scope

Except for expressly noted exceptions, this policy applies consistently to all faculty, staff, students, visitors, patients and contractors and applies to any buildings, arenas, venues, grounds or parking areas of The University of Toledo:

(1) Main Campus

3364-60-01 Smoke free and tobacco free policy

2

- (2) Health Science Campus
- (3) Scott Park Campus
- (4) UTMC clinical satellite locations
- (5) Center for the Visual Arts
- (6) Lake Erie Center
- (7) Stranahan Arboretum

(D) Practices

(1) Tobacco- cessation programs

Tobacco cessation resources are available to all UT students and employees. Students can access the University of Toledo Tobacco Free program through the UT Counseling Center at no cost (University Counseling Center: 419-530-2426, www.utoledo.edu/studentaffairs/counseling).

Employees can access tobacco cessation services at Rocket Wellness (419-383-2348) <http://www.utoledo.edu/offices/rocketwellness/programs-services/tobacco-cessation.html>).

Individuals should see their personal physician for a prescription for cessation aids. Prescription products may be covered by your health insurance plan, please see your plan formulary for more information.

Other programs offered free of charge in Ohio include:

- (a) www.smokefree.gov - Different people need different resources to combat nicotine addiction. The information and professional assistance available on this Web site can help to support both immediate and long-term needs to become and remain a smoke-free.
- (b) 1.800.QUIT.NOW (1.800.784.8669) or visit Ohio Tobacco Program online at <https://ohio.quitlogix.org/en-US/> - The Ohio Tobacco Quit Line is a tobacco cessation resource available to all Ohioans free of charge. The Quit Line is designed for people who are ready to quit using tobacco, and people who want to make sure they have the support and motivation to stay tobacco-free. When

you call and enroll, you're paired with an experienced quit specialist who will work with you to set a quit date and design a quit plan customized to your pattern of tobacco use.

(2) Signage and Sales

- (a) "Tobacco Free" signs are posted in all appropriate locations, including but not limited to buildings, bus shelters, etc.
- (b) The university will not advertise tobacco products at university sponsored functions or on university owned, controlled or leased property.
- (c) The sale of tobacco products at university sponsored functions or on university owned, controlled or leased property is prohibited.

(3) Responsibilities and Violation Procedure

The success of this policy depends upon the thoughtfulness, considerations and cooperation of tobacco users and non-users. Leaders and those to whom this policy applies share the responsibility for adhering to and enforcing this policy.

- (a) When observing anyone violating the university tobacco free policy, individuals may approach the person and remind the violator the campus is a tobacco-free environment.
- (b) Concerns about tobacco use should be respectfully addressed in the moment whenever feasible.
- (c) Continued concerns should be referred to the appropriate unit for review and action. For faculty, staff and student employees, issues should be referred to the employing unit head. For students in the non-employment setting, issues should be referred to Student Conduct. For volunteers and visitors, issues should be referred to the hosting unit head.
- (d) Habitual violators may be subject to progressive discipline.

Anyone with a concern regarding violations of this policy is encouraged to call the university hotline 419.530.SMOK (7665) or email atodprevention@utoledo.edu.

Tobacco-free policy exceptions



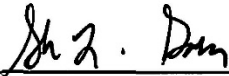
3364-60-01 Smoke free and tobacco free policy

4


This policy does not constrain approved academic research on tobacco conducted for an academic purpose in a controlled laboratory environment.

(E) Definitions

- (1) Tobacco Products: All tobacco-derived obtaining products, including but not limited to cigarettes (clove, bidis, kreteks), electronic cigarettes or nicotine vaporizers, cigars, cigarillos, hookah smoked products, pipes, oral tobacco (e.g., spit and spitless, smokeless, chew, snuff) and nasal tobacco. It also includes any product intended to mimic tobacco products, contain tobacco flavoring or deliver nicotine other than for the purpose of cessation.

<p>Approved by:</p>  <p>Sharon L. Gaber, Ph.D. President</p> <p><u>July 26, 2017</u> Date</p> <p><i>Review/Revision Completed by: Senior VP, Student Affairs; Director, Community Wellness and Health Promotion; Director, Office of Public Safety</i></p>	<p>Policies Superseded by This Policy:</p> <ul style="list-style-type: none"> • <i>Previous 3364-60-01, effective date August 1, 2011</i> • <i>Previous 3364-60-01, effective date May 28, 2014</i> <p>Initial effective date: January 1, 2008 Review/Revision Date: August 1, 2008; December 15, 2010; August 1, 2011, April 3, 2014; July 26, 2017 Next Review Date: July 26, 2020</p>
---	---

Appendix A6: Pre-Employment Drug Testing Policy 3364-25-17

<p>Name of Policy: <u>Pre-employment drug testing.</u></p> <p>Policy Number: 3364-25-17</p> <p>Approving Officer: President</p> <p>Responsible Agent: Associate Vice President and Chief HR Officer</p> <p>Scope: Final candidates hired or rehired for faculty, staff, contingent, temporary, resident, and select graduate and undergraduate student positions as part of the hiring process on the Health Science Campus.</p>	 <p>Review date: May 8, 2018</p> <p>Original Effective date: July 1, 2003</p>
<p><input type="checkbox"/> New policy proposal</p> <p><input type="checkbox"/> Major revision of existing policy</p>	<p><input checked="" type="checkbox"/> Minor/technical revision of existing policy</p> <p><input type="checkbox"/> Reaffirmation of existing policy</p>

(A) Policy statement

It is the University of Toledo Health Science Campus objective to provide the highest quality health education, research, and services, with a responsibility to do so in a safe environment. Employees under the influence of drugs and/or alcohol while on the job create serious safety and health risks to themselves, patients, guests, co-workers, and the health science campus. UTMC prohibits the unlawful manufacture, distribution, dispensation, possession, or use of any controlled substances including the unsanctioned use of alcohol, on UTMC property, or as any part of its activities. The term “controlled substance” means a controlled substance in schedules I through V of Section 202 of the Controlled Substances Act (21 U.S.C. 812). This includes all illegal drugs and legal drugs used without a physician’s order. It does not prohibit taking prescribed medications under the direction of a physician. Marijuana prescribed or recommended by a physician pursuant to state law remains an illegal drug listed on Schedule I of the Controlled Substances Act (CSA), and the use, possession, or distribution of medical marijuana is prohibited.

(B) Purpose of policy

UTMC is committed to maintaining a workplace that is free from the detrimental effects of drug and/or alcohol abuse. To prevent hiring or otherwise placing individuals whose use of controlled substances indicates a potential for impaired

3364-25-17 Pre-employment drug testing.

2

or unsafe job performance, the health science campus conducts pre-employment drug testing. All individuals, including rehires, seeking any faculty, staff, contingent, temporary, resident, and select graduate* and undergraduate student* positions, upon an offer of employment, will be required to submit to a drug screen. All applicants will be informed, either by completing an application in human resources or through oral communication, that any employment offer is conditional upon successful completion of a drug test.

*Graduate assistant and student worker positions that will be working in any patient care areas or enter patient care areas in the course of performing the duties of their job.

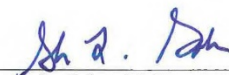
(C) Procedures

- (1) Prior to or concurrently with conditionally offering an individual employment, human resource representatives will provide the applicant the telephone information to occupational health for purposes of scheduling an appointment for medical screening which will include a drug test. Occupational health will ask each individual to sign the donor consent form. Any applicant who chooses not to allow the drug screen will be informed he/she is no longer a candidate for employment.
- (2) The medical review officer (MRO) will review the results of all positive drug tests. Occupational health will notify human resources of all drug test results. Individuals with negative results will continue the normal hiring procedures. The MRO will review individuals testing positive to ensure the positive result is not due to a medical condition or physician prescribed medication. If no legitimate medical explanation can be provided, the medical review officer will inform the applicant that human resources will be advised of the positive test results. A human resource representative will subsequently contact applicants who test positive to withdraw the offer of employment. Human resources will also notify hiring department managers of applicants who test positive and are not eligible for employment. A separate notification process will be followed for faculty and resident hires.
- (3) No applicants will be permitted to actually begin work until the results of the drug test are determined and proper notification is provided. Applicants who are moving to the area may have a drug

3364-25-17 Pre-employment drug testing.


3

test in advance of their move. In these situations, occupational health will schedule an appointment for drug testing in that area and all results will be reviewed through occupational health.

<p>Approved by:</p>  <p>Sharon L. Gaber, Ph.D. President</p> <p><u>May 8, 2018</u> Date</p> <p><i>Review/Revision Completed by:</i> <i>Senior Leadership Team</i> <i>Associate Vice President and Chief HR Officer</i></p>	<p>Policies Superseded by This Policy:</p> <ul style="list-style-type: none"> • <i>Previous 3364-25-17, effective date April 19, 2017</i> <p>Original effective date: July 28, 2008</p> <p>Review/Revision Date: September 13, 2013; May 28, 2014, February 21, 2017, April 19, 2017, May 8, 2018</p> <p>Next review date: May 10, 2020</p>
---	---



Appendix A7: Employee Assistance Program Policy 3364-25-20

Name of Policy: <u>Employee assistance program</u> Policy Number: 3364-25-20 Approving Officer: President Responsible Agent: Vice President and Chief HR Officer Scope: The University of Toledo –All Campuses		 Review date: October 13, 2016 Original effective date: December 15, 2010
<input type="checkbox"/> New policy proposal <input type="checkbox"/> Major revision of existing policy	<input type="checkbox"/> Minor/technical revision of existing policy <input checked="" type="checkbox"/> Reaffirmation of existing policy	

(A) Policy statement

The University of Toledo's employee assistance program ("EAP") offers confidential and professional care to employees and their families who are affected by a variety of personal problems, such as emotional stress, family problems, marital or financial difficulties, and substance abuse. We believe that with the assistance of an independent contracting organization providing employee assistance services, many problems can be successfully resolved before they begin to have an adverse effect on the individual at the workplace.

(B) Purpose of policy

The purpose of the policy is to advise and educate employees about EAP and how to seek and utilize the services of the EAP.

(C) Procedure

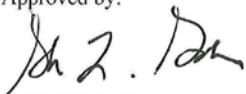
- (1) Employees and/or dependents (spouse, children or a member of the employee's household) are encouraged to voluntarily seek assistance and utilize EAP when they believe a personal problem has become unmanageable.
- (2) An employee may be referred to EAP by oneself, family member, co-worker, supervisor, or the department of human resources. However, participation in EAP is voluntary and will remain the responsibility of the employee. The decision to accept or reject

3364-25-20

2


assistance will not, of itself, jeopardize his/her employment or advancement opportunities. A referral does not mandate that the employee use the service.

- (3) EAP discussions and records of discussions or participation in EAP are considered privileged communication protected by and only released under federal and state confidentiality laws. Records of employee participation in EAP will not be made part of the personnel records without written consent of the individual receiving services.
- (4) EAP is available to all employees and their family members. It is recognized that problems with dependents and other family members can adversely affect an employee's ability to function on the job.
- (5) Employees who are participating in EAP are expected to meet existing job performance standards. Participation in EAP does not exempt an employee from appropriate corrective action. However, it is intended that this program will assist employees in resolving personal problems before such problems can lead to work-related difficulties.
- (6) The employee should contact department of human resources for information on accessing providers.

<p>Approved by:</p>  <p>Sharon L. Gaber, Ph.D. President</p> <p>October 13, 2016 Date</p> <p>Review/Revision Completed by: Senior Leadership Team Vice President and Chief HR Officer</p>	<p>Policies Superseded by This Policy:</p> <ul style="list-style-type: none"> • Previous 3364-25-20, effective date September 13, 2013 <p>Initial effective date: December 15, 2010 Review/Revision Date: September 13, 2013; October 13, 2016 Next review date: October 13, 2019</p>
--	---



Appendix A8: Drug Free Workplace 3364-25-104

Name of Policy: <u>Drug-Free Workplace</u> Policy Number: 3364- 25-104 Approving Officer: President Responsible Agent: Associate Vice President and Chief Human Resources Officer Scope: The University of Toledo – All Campuses	 Review date: September 25, 2017 Original effective date: February 9, 1999						
<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; border-bottom: 1px solid black;">New policy proposal</td> <td style="width: 10%; border-bottom: 1px solid black; text-align: center;"><u> X </u></td> <td style="width: 40%; border-bottom: 1px solid black;">Minor/technical revision of existing policy</td> </tr> <tr> <td style="border-bottom: 1px solid black;">Major revision of existing policy</td> <td style="border-bottom: 1px solid black; text-align: center;">_____</td> <td style="border-bottom: 1px solid black;">Reaffirmation of existing policy</td> </tr> </table>		New policy proposal	<u> X </u>	Minor/technical revision of existing policy	Major revision of existing policy	_____	Reaffirmation of existing policy
New policy proposal	<u> X </u>	Minor/technical revision of existing policy					
Major revision of existing policy	_____	Reaffirmation of existing policy					

(A) Policy statement

The University of Toledo will implement and enforce the laws of the state of Ohio, and the federal highway administration - U.S. Department of Transportation, pertinent to the Omnibus Transportation Employee Testing Act of 1991 (see February 15 Federal Register, page 7340), and Controlled Substances and Alcohol Use and Testing (49 CFR Part 382). The university will ensure that all alcohol or controlled substances testing complies with the procedures set forth in these titles.

The university will implement and enforce the provisions of the Drug-Free Workplace Act of 1988 and the Drug Free Schools Act. This policy is applicable to all employees and working environments. Violations of Drug-Free Workplace provisions will subject employees to the university discipline procedures. The university hereby notifies all employees that illegal possession of a controlled substance is prohibited in the workplace. "Controlled substances" may include prescription medication. The workplace encompasses all university facilities. Violation of such prohibition will result in official university disciplinary action.

On the basis of its established policies and procedures, the university will certify to funding agencies that the institution will provide a drug-free workplace.

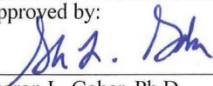
Programs are designed to prevent accidents and injuries resulting from the misuse of alcohol or use of controlled substances by all university employees, including drivers required to maintain a commercial driver's license. Effective programs will be facilitated by the office of Human Resources to include comprehensive programs, guidelines, and procedures designed to

3364-25-104 Drug-free workplace


2

assure compliance with the above stated laws and any substantially equivalent federal, state, and/or local laws enacted subsequent to the adoption of this policy.

The Chief HR officer shall be responsible for implementation of this policy and shall publish procedures for said implementation.

<p>Approved by:</p>  <p>Sharon L. Gaber, Ph.D. President</p> <p>September 25, 2017 Date</p> <p>Review/Revision Completed by: Senior Leadership Team</p>	<p>Policies Superseded by This Policy:</p> <ul style="list-style-type: none"> • Previous 3364-25-104, effective date April 10, 2015 <p>Initial effective date: Policy originally published on February 10, 1999 Review/Revision Date: September 13, 2013 ; April 10, 2015; October 13, 2016, September 25, 2017 Next review date: September 25, 2020</p>
--	--

Appendix A9: Employee Drug and Alcohol Abuse Policy 3364-25-105

Name of Policy: <u>Employee drug and alcohol abuse</u> Policy Number: 3364- 25-105 Approving Officer: President Responsible Agent: Associate Vice President and Chief Human Resources Officer Scope: The University of Toledo – All campuses			 Review date: August 1, 2018 Original effective date: August 1, 1993
	New policy proposal	X	Minor/technical revision of existing policy
	Major revision of existing policy		Reaffirmation of existing policy

(A) Policy statement

It is The University of Toledo's objective to provide the highest quality health education, research, and services, with a responsibility to do so in a safe environment. Employees under the influence of drugs and/or alcohol while on the job create serious safety and health risks to themselves, patients, guests, co-workers, and the University. The University subscribes to a zero tolerance stance regarding drug and/or alcohol abuse. The University prohibits the unlawful manufacture, distribution, dispensing, possession, or use of any controlled substance including the unsanctioned use of alcohol, on University property, or as any part of its activities. The term "controlled substance" means a controlled substance in schedules I through V of Section 202 of the Controlled Substance Act (21 U.S.C. 812). This includes all illegal drugs and legal drugs used without a physician's order. It does not prohibit taking prescribed medication as directed by a physician. Marijuana prescribed or recommended by a physician pursuant to state law remains an illegal drug listed on Schedule I of the Controlled Substances Act (CSA), and the use, possession, or distribution of medical marijuana is prohibited.

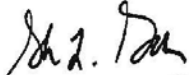
Prohibited Activities Under the Policy:

Alcohol: The use, possession, or being under the influence of alcohol while performing job responsibilities is prohibited and is subject to corrective action up to and including termination of employment. Employees suspected of being under the influence may be tested following the procedure 3364-25-105.1 Drug and alcohol testing.

3364-25-105 Employee drug and alcohol abuse

Illegal Drugs: The use, sale, purchase, transfer, possession, or being under the influence of an illegal drug (and/or the use, sale, purchase, transfer, possession, or being under the influence of a legal drug for illegal purposes) is prohibited. Employees engaging in the use, sale, purchase, transfer, possession, or being under the influence of an illegal drug will be subject to corrective action up to and including termination and possible criminal prosecution. Marijuana, even if prescribed or recommended pursuant to state law, remains illegal under federal law and the University considers it to be an illegal drug for purposes of this policy. Employees suspected of being under the influence may be tested following the procedure 3364-25-105.1, Drug and alcohol testing.

Legal Drugs: The use, or being under the influence of any legally obtained drug while performing job responsibilities is prohibited to the extent such use or influence may affect the safety of patients, guests, or co-workers. Employees are responsible for advising their supervisor whenever they are taking prescribed medication under the direction of a physician which may adversely affect their job performance or the safety of themselves or others. When the use of a prescribed medication may adversely affect job performance, it is in the best general interest of the employee, co-workers, and the University that sick leave or personal leave be used. Employees misusing or illegally using legal drugs will be subject to corrective action up to and including termination of employment.

<p>Approved by:</p>  <p>Sharon L. Gaber, Ph.D. President</p> <p>August 1, 2018 Date</p> <p>Review/Revision Completed by: Senior Leadership Team</p>	<p>Policies Superseded by This Policy:</p> <ul style="list-style-type: none"> • Previous 3364-25-105, effective date July 1, 2014 <p>Original effective date: August 1, 1993 Review/Revision Date: July 1, 2003; September 13, 2013; July 1, 2014, September 25, 2017, August 1, 2018 Next review date: August 2, 2021</p>
--	--

Appendix A10: Procedure for Drug and Alcohol Testing 3364-25-105.1

Procedure: Drug and alcohol testing

Procedure Number: 3364-25-105.1

Responsible Department: Human Resources

Scope: All Campuses



Effective date: 03/05/1995

This procedure is authorized by the university's policy on drug and alcohol abuse, 3364-25-105.

(A) Basis for ordering an employee to be tested

- (1) Employees may be test under the following conditions:
 - (a) Where there is reasonable suspicion that the employee to be tested engaged in illegal drug usage as defined herein or is intoxicated.
 - (b) The reasonable suspicion must be based upon specific personal observation.
 - (c) Observation must be by a supervisor and management level employee.
 - (d) Reports of illegal drug usage or intoxication (alcohol abuse) must be documented, in writing, at the time of observation or as soon as possible thereafter. Reports of illegal drug usage, intoxication or alcohol abuse, which are not confirmed in writing, as provided herein, shall not constitute reasonable suspicion.

(B) Procedure

- (1) Ordering tests, restriction on orders, and refusal to submit to tests
 - (a) No testing may be conducted without authorization of the House Supervisor, Department Head or higher ranking University representative. The authorized University representative must document, in writing, who is to be tested and why the test was



ordered, including the specific objective facts constituting reasonable suspicion and the names of any informants or sources of the information. One copy of this documentation shall be given to the employee before testing. The employee must be given the opportunity to read the documentation and told the reasons the test is to be given.

(b) Failure to follow any of the above steps shall result in elimination of test results as if no tests were administered. The test results will be voided, no documentation will be maintained in the employee's personnel file and no discipline administered to the affected employee.

(c) Employee may be given an opportunity to give an explanation of their condition to the University representative ordering the test.

(i) AFSCME- if available within a reasonable amount of time, a union steward or representative may be present during such an explanation, if the employee so requests.

(d) If the University representative, after observing the employee, has a reasonable suspicion that the employee may be intoxicated or impaired, then by written order, signed by the University representative, the employee may be ordered to submit to a toxicology test designed to detect the presence of alcohol, chemical adulteration, marijuana metabolites, cocaine metabolites, opiates, amphetamines and phencyclidine in accordance with the procedure set forth below.

(e) Refusal to submit to urine or breath testing after being properly ordered to do so may result in disciplinary action. The employee tested will be deemed to be on leave with pay for the balance of the work day.

(f) Random or mass testing may not be ordered by the employer except as provided under section (B)(8) of this procedure.

(g) The University may order urine samples and breath analyzer methodology, as is available at the test facility. Blood test may not be ordered and if ordered may not be utilized.

(2) Testing procedures

(a) Urine specimens may only be tested for covered drugs. Covered drugs are: marijuana, cocaine, opiates, amphetamines, phencyclidine. Specimens may not be used to conduct any analysis or test not specifically provided herein.



- (b) A University representative who is involved in the discipline process shall not serve as the collection site person.
- (c) Collection of urine specimens must allow individual privacy unless there is clear and convincing reason to believe that a particular person may alter or substitute the specimen. If specimen collection is directly observed by a non-medical person, the person must be of the same gender as the employee. The following circumstances are the only grounds to believe a person may alter, or may have altered or substituted a specimen:
 - (i) The urine specimen is outside the normal temperature range (32.5°C, 90.5°-99.8°F) and the employee will not allow an oral body temperature to be taken, or the oral body temperature is 1°C/1.8°F different from the temperature of the specimen;
 - (ii) The collection site person observes behavior that clearly indicates an attempt to alter or substitute a specimen; or
 - (iii) The employee has previously been determined to have used a controlled substance and the test is a follow-up test after return to service.
- (d) A split sample of urine must be collected. The employee shall be allowed an opportunity, at the employee's expense, to have the specimen retested at a different certified laboratory. The employee shall have seventy-two (72) hours, after a positive test result is received, to request a test by a different laboratory.
- (e) An employee must provide at least forty-five (45) milliliters of urine or a refusal to submit may be found unless there is a medical reason. An employee unable to provide the minimum urine specimen shall be allowed to drink sufficient water to provide a specimen.
- (f) Each step in the collecting process of the urine specimens shall be documented to establish procedural integrity and the chain of evidence. A standard drug testing custody and control form must be used. All specimen containers, bottles, vials and bags used to store and/or transport specimens shall be sealed with evidence tape and labeled in the presence of the employee. The testing shall be done by a laboratory certified by the State of Ohio as a medical and forensic urine drug testing laboratory and/or a laboratory which has a forensic urine drug testing certification by the College of American Pathology which complies with the scientific and technical guidelines for federal drug testing programs and Standards for Urine Drug Testing for Federal Agencies issued by

the Alcohol, Drug Abuse and Mental Health Administration of the U.S. Department of Health and Human Services in effect at the time of the test, or comparable scientific and technical guidelines.

(g) The employee designated to give a sample must be positively identified prior to any sample being taken. Specimen samples shall be sealed, labeled and checked against the identity of the employee to ensure the drug and alcohol testing results match the testee. At all times practicable, samples shall be stored in a secured and refrigerated atmosphere until tested or delivered to the testing lab representative.

(h) The laboratory selected by the Employer to conduct the analysis must be experienced and capable of quality control, documentation, chain of custody, technical expertise, and demonstrated proficiency in urinalysis testing.

(i) The employee shall be provided a copy of the laboratory report of both specimens.

(j) No discipline shall be imposed until the employee has had seventy-two (72) hours from notification of a positive test to seek test of the same specimen by another certified laboratory as specified above. Seeking another test shall not be cause for discipline nor used against an employee in an arbitration proceeding.

(3) Laboratory analysis procedures

(a) The testing or processing phase shall consist of a two-step procedure. A specimen initially testing positive will undergo an additional confirmatory test. An initial positive report will not be considered positive, rather it will be classified as confirmation pending or presumptive positive.

(b) The initial test will be performed by an immunoassay test. The cutoff levels (positive detection) for screening tests will be in accordance with the U.S. Department of Transportation, pertinent to the Omnibus Transportation Employee Testing Act of 1991, and Controlled Substances and Alcohol Use and Testing (49 CFR Part 382).

(c) A confirmation test will be performed on all initial positive tests. The cutoff levels for screening tests will be in accordance with the U.S. Department of Transportation, pertinent to the Omnibus Transportation Employee Testing Act of 1991, and Controlled Substances and Alcohol Use and Testing (49 CFR Part 382).

- (d) All test results are to be reviewed by a Certifying Scientist. Test results must be completed as soon as possible.
- (e) Tests which are below the levels set forth above shall be determined as negative. If test results are negative, all Human Resources documentation regarding supervisory observations and testing will be destroyed.
- (f) A MRO shall examine all positive confirmed test results to determine if there is an alternative medical explanation for the positive test result. Before making a final decision as to whether a positive test is valid, the MRO must provide the employee with an opportunity to discuss the test result. If the MRO determines there is a legitimate medical explanation for the positive test result, the MRO shall report to the Employer that the test is negative.

(4) Alcohol tests

- (a) All alcohol tests will be conducted in accordance with the Breath Analyzer Methodology in effect.
- (b) A positive test for alcohol shall be 0.05 grams/210 liters.

(5) Employee Rights

- (a) The University shall pay the costs of all tests, except the drug test secured by an employee.
- (b) An employee ordered to take a test shall be paid for all lost work time due to the University's order the day of the order. The University may, at its option, place an employee on unpaid leave until the employee is returned to work or disciplined. An employee whose test is negative shall be made whole for all lost wages and other benefits. Employees who test positive where proper procedures are followed shall not be made whole for any period of time on administrative leave.
- (c) Employees shall have the right to appeal any discipline imposed by the University.
- (d) Voluntary submission to a chemical dependence program shall not be grounds for discipline.
- (e) Any discipline imposed as a result of a positive test for a first offense and any grievance filed in response thereto shall be held in abeyance pending completion by the employee of a mutually agreed upon substance abuse program.



(6) Chemical dependency programs

(a) An employee testing positive for drugs or alcohol under the provision of the policy shall have the option of entering into a chemical dependency program in lieu of discipline. If the employee successfully completes such a program and is not disciplined for substance abuse for eighteen (18) months following the initial charge, the discipline shall be revoked and the employee's record cleared of the offense, and it shall not be used as a basis for any other disciplinary action in the future.

(b) After evaluation, the program utilized by the employee must be sufficient to meet the rehabilitation needs of the employee.

(c) Employees temporarily unfit to perform the duties of their position because of drug or alcohol abuse may use sick leave, vacation leave, compensatory time, and light duty assignment, if available, and leave without pay during absences required as part of the rehabilitation process.

(7) Voluntary participation in a dependency program

An employee may, at any time, voluntarily enter a chemical dependency program. This may be done through an employee assistance program or by direct contact with the providers of such services. Employer knowledge gained by the employee's voluntary admission or participation in a chemical dependency treatment program shall not be used as the basis for discipline. Information regarding treatment of employees in chemical dependency programs shall remain confidential and shall not be released to the public. Although an employee will not be subject to disciplinary action where the employee voluntarily submits to a treatment program prior to being tested as provided in this policy, the Employer has the right to insure that the employee is fit for duty when a request for reinstatement is made.

(8) Duty assignment after treatment

Once an employee who tests positive successfully completes rehabilitation and is fit for duty, the employee shall be returned to the regular duty assignment. Duty reassignment during treatment shall be at the discretion of the Employer based on each individual's circumstances. If follow-up care is prescribed after treatment, this care may be imposed as a condition of continued employment. The employee may be tested on a random basis

for eighteen (18) months no more than three (3) times the first six (6) months, two (2) times the second six (6) months and one (1) time the third six (6) months. Once treatment and any follow-up care is completed, at the end of eighteen (18) months, the records of treatment and positive drug test results shall be retired to a closed medical record. The employee shall be given a fresh start with a clean administrative record, except that other than discipline records shall be retained.

(C) Definitions

- (1) Drug: includes cannabis as well as other controlled substances as defined in the Ohio Revised Code (ORC).
- (2) Illegal drug usage: includes the use of cannabis or any controlled substance which has not been legally prescribed and/or dispensed, or the abusive use of a legally prescribed drug.
- (3) Alcohol misuse: is defined as actual impairment of the employee with regard to his or her ability to perform job duties.
- (4) Reasonable suspicion: is defined as follows: aberrant or unusual on-duty behavior of an individual employee which:
 - (a) is observed on duty by the employee's immediate supervisor or higher ranking employee and confirmed by the observation of another supervisory employee. Observation may also be confirmed by a Union steward where possible.
 - (b) is the type of behavior which is recognized and accepted as symptoms of intoxication or impairment cause by controlled substances or alcohol.
 - (c) is not reasonably explained and accepted as a result of some other cause such as, but in no way limited to, fatigue, lack of sleep or side effect of a prescription medication, or over the counter medication, reaction to non-toxic fumes or smoke, or other job related cause or factor.
- (5) Chain of custody: these are the procedures beginning at the time of collection to account for all handling and storage of each specimen.
- (6) Confirmatory Test: a second laboratory procedure used to analyze a positive test result from a screening test. Gas chromatography/mass spectrometry (GC/MS) is the only authorized confirmation test.
- (7) Cutoff Level: the concentration of a drug or drug metabolite in the urine at which a specimen is considered positive.
- (8) Medical Review Officer (MRO): the licensed individual who is qualified to interpret and evaluate test results and other relevant medical information.

Procedure for Drug and alcohol testing

3364-25-105.1

8

Reviewed by:



Wendy Davis, SPHR, SHRM-SCP
Associate Vice President and Chief
Human Resources Officer

9/25/2017

Date

Initial effective date:

2/9/1999

Review/Revision

Date: 9/25/2017

Next review date:

9/25/2020

Review/Revision Completed by:

HR Policy Committee



Appendix A11: Sexual Misconduct Policy 3364-50-01

3364-50-01 The University of Toledo Sexual Misconduct Policy

1

The University of Toledo Sexual Misconduct Policy

Table of Contents

I. Policy

- A. Policy Statement
- B. Purpose
- C. Scope
- D. Immediate Assistance and Reporting Options
- E. Definitions and Examples
- F. Making a Report
- G. Interim Measures
- H. Complaint Investigation and Resolution Procedures
- I. Sanctions and Remedies
- J. Appeal Process
- K. Resources
- L. Prevention and Awareness Programs
- M. Policy Review

II. Appendices

Appendix A: Resources


Appendix B: Additional Definitions for Clery Act Compliance

Appendix C: State Law Definitions for Clery Act Compliance



3364-50-01 The University of Toledo Sexual Misconduct Policy

2

Name of Policy: Sexual Misconduct Policy Policy Number: 3364-50-01 Approving Officer: President Responsible Agent: Director, Title IX and Compliance Scope: All University of Toledo Campuses; see section (C)		 Revision date: August 9, 2018 Original effective date: December 1, 2007	
<input type="checkbox"/>	New policy proposal	<input checked="" type="checkbox"/>	Minor/technical revision of existing policy
<input type="checkbox"/>	Major revision of existing policy	<input type="checkbox"/>	Reaffirmation of existing policy

(A) Policy Statement**Title IX Notice of Non-Discrimination**

The University of Toledo ("University") is committed to educational and working environments that are free from sex discrimination (including sexual harassment, sexual assault), and retaliation due to sex discrimination. Title IX of the Education Amendments of 1972 ("Title IX") is a federal law that prohibits sex discrimination. This policy is consistent with the requirements of Title IX, Title VII, as well as relevant state laws.

The University encourages the reporting of sexual misconduct, sex discrimination, or retaliation related to a report of sexual misconduct or sex discrimination that may occur in its programs or activities. This is to ensure that the University has an opportunity to address prohibited conduct. Reports may be made online on the [University's reporting website](#) or by contacting any of the resources identified in this policy.

Sexual misconduct includes sex discrimination, sexual harassment, sexual violence, sexual assault, conduct that exploits another person in a sexual and non-consensual way (such as voyeurism and non-consensual recording), stalking, interpersonal relationship violence, and indecent exposure.

The following individual has been designated to handle inquiries and reports concerning sexual misconduct (Title IX):

Donald Kamm
 Director, Title IX and Compliance
 Title IX Coordinator
 Snyder Memorial Suite 1120
 2801 W. Bancroft St. MS 137
 Toledo, OH 43606
 Phone: (419) 530-4191
 Email: titleix@utoledo.edu



The Title IX Coordinator is assisted by investigators and other designees.

The Title IX Coordinator, investigators, and designees investigate allegations of sexual misconduct and sex discrimination, assist individuals who may require interim measures following a report of sexual misconduct, and provide information and resources to the campus community.

Inquiries regarding sex discrimination also may be directed to:

Office for Civil Rights
U.S. Department of Education
1350 Euclid Avenue, Suite 325
Cleveland, OH 44115-1812
Telephone: (216) 522-4970
TDD: (800) 877-8339
Email: OCR.Cleveland@ed.gov

The University is strongly committed to maintaining a safe campus and preventing unlawful discrimination and harassment in its programs and activities. Upon notice of possible sexual misconduct or sex discrimination, the University takes prompt and appropriate steps to determine what occurred through a fair and impartial process, end a hostile environment if one exists, and prevent recurrence.

The University utilizes fair and impartial processes that are mindful of the rights of individuals accused of sexual misconduct and sex discrimination, while taking steps to ensure equal treatment of complainants and provide necessary interim or protective measures for the parties involved. If the University finds that sexual misconduct occurred, it imposes appropriate sanctions, and provides remedies to complainants and the campus community, as appropriate. The University does not tolerate retaliation based on sexual misconduct, including retaliatory harassment, in its programs and activities.

(B) Purpose of the Policy

The University seeks, through this policy, to acknowledge and comply with its duties under federal and state laws and set forth a comprehensive framework for receiving, processing, investigating, and resolving complaints of sexual misconduct. This policy also provides the University community with necessary information regarding how to make complaints, receive assistance and support, and what to expect from the investigation process.

(C) Scope

This policy applies to all faculty, staff, students, student groups, student organizations, and third parties (i.e., individuals such as vendors and visitors), regardless of sexual orientation, gender identity, or gender expression. The policy covers sexual misconduct and retaliation for participating in an investigation based on sexual misconduct that occurs in University programs and activities, that is, on University property, or at University sponsored events, this includes instances where sexual misconduct or retaliation based on sexual misconduct occurs off-campus, but has an effect on-campus, on University property, or at a University-sponsored event.

All reports of alleged sexual misconduct in a University program, activity, department, or college will be investigated in the manner set forth in this Policy.



3364-50-01 The University of Toledo Sexual Misconduct Policy

4

Claims that allege both “sexual misconduct” as defined by this policy and other unlawful discrimination or harassment covered by the [Nondiscrimination Policy](#) (Policy 3364-50-02), or by the [Nondiscrimination on the Basis of Disability Policy](#) (Policy 3364-50-03), will be addressed jointly by the Title IX investigation and the designated investigator(s) under the applicable policy with the investigator authorized for the respective policies.

The University upholds the requirements of the Constitution of the United States of America. This policy will not be interpreted to impinge upon any constitutionally protected rights or privileges, including those under the First or Fifth Amendments.

(D) Immediate Assistance and Reporting Options

The University is committed to educational and working environments that are free from sex discrimination, which includes sexual harassment, sexual assault, interpersonal relationship violence, stalking, or retaliation based on sex discrimination. Individuals who experience sexual misconduct in a University program or activity are encouraged to utilize one or more of the following options:

On-Campus:

- (1) **Medical Assistance (Confidential)** (Available to students, faculty, staff, visitors, third parties)

The University of Toledo Medical Center (Enter through the Emergency Room entrance),
3000 Arlington Avenue, Toledo, Ohio 43614, 419.383.4000
[Sexual Assault Nurse Examiner (SANE) available – please ask for SANE nurse]

- (2) **Assistance from Law Enforcement (Non-Confidential)** (Available to students, faculty, staff, visitors, third parties)

University of Toledo Police Department (UTPD) at 419.530.2600

Reports may be made to law enforcement and the university concurrently.

- (3) **Center for Student Advocacy and Wellness (CSAW) (Confidential)** (Available to students, faculty, staff, visitors, third parties)

CSAW provides free and confidential counseling and advocacy services for students, staff, and faculty. Victim advocates are available to provide support services for victims of sexual assault, domestic violence, dating violence, stalking, education/training programs and wellness events related to sexual assault, sexual misconduct, interpersonal violence, /stalking, bystander intervention, and outreach and engagement regarding victim risk awareness programs. A full-time counselor is also available for any faculty, staff or student who wishes to schedule an appointment. CSAW is located in the College of Health and Human Services Room 3017. It can be reached by calling the sexual assault hotline at 419.530.3431 (Answered 24 hours a day / 7 days a week). This number may be forwarded to the YWCA HOPE Center for 24hour/7 day answering when CSAW staff is not available.

YWCA HOPE Rape Crisis Center Campus Outreach is located in CSAW. Monday – Thursday 8:30 a.m. to 5:00 p.m. and offer confidential individualized support services for survivors and co-survivors and medical, legal and Title IX assistance. Available to students, staff,



and faculty. College of Health and Human Services Room 3017. 24/7 Hotline 419.530.3431 or 1.866.557.7273. Instagram & Twitter: HOPEonCampus.

(4) UT Counseling Center (Confidential) (Available to students only)

The University Counseling Center (UCC) provides free and confidential counseling services to enrolled students. Counselors are available Monday through Friday during 8:15 am – 5:00 pm. Counselors are available for emergencies after hours by contacting the University of Toledo Police Department. Counselors are available to assist complainants who have an ongoing relationship with the UCC and respondents involved in sexual misconduct and interpersonal violence matters. To schedule an appointment during regular office hours, call 419.530.2426. To learn more about the programs and services available at the UT Counseling Center, visit http://www.utoledo.edu/studentaffairs/counseling/about_us.html. UCC is located in the Main Campus Medical Center, Room 1030.

(5) Report to the University Title IX Office (Non-Confidential) (Available to students, faculty, staff, visitors, third parties) (Anonymous reporting is available through website)

Donald Kamm
Director, Title IX and Compliance
Title IX Coordinator
2801 W. Bancroft Street
Snyder Memorial Suite 1120
Toledo, OH 43606
Phone: (419) 530-4191
Email: titleix@utoledo.edu
Mail Stop: 137

You may also report online through the Title IX website at <http://www.utoledo.edu/title-ix/>. *This report may be made anonymously or with identifying information.* To report anonymously, do not fill in your name, position, phone number, or email under “Reporters Information.”

(6) Employee Assistance Program (EAP) (Confidential) (Available to Faculty and Staff Only)

IMPACT Employee Assistance & Work/Life Program (24/7 Support)
1-800-227-6007
www.MyImpactSolution.com
Member Login: UT

Off-Campus:

(1) Medical Assistance (Confidential) (Available to students, faculty, staff, visitors, third parties)

The Toledo Hospital (Enter through the Emergency Room entrance),
2142 N Cove Boulevard, Toledo, Ohio 43606, 419.291.4600
[Sexual Assault Nurse Examiner (SANE) available – please ask for a SANEnurse]



(2) Assistance from Law Enforcement (Non-Confidential) (Available to students, faculty, staff, visitors, third parties)

Dial 911 to reach local law enforcement.

Reports may be made to law enforcement and the university concurrently.

(3) Report to the University (Non-Confidential) (Available to students, faculty, staff, visitors, third parties) (Anonymous reporting available)

Donald Kamm
Director, Title IX and Compliance
Title IX Coordinator
2801 W. Bancroft Street
Snyder Memorial Suite 1120
Toledo, OH 43606
Phone: (419) 530-4191
Email: titleix@utoledo.edu
Mail Stop: 137

You may also report online through our website at <http://www.utoledo.edu/title-ix/>. This report may be made anonymously or with identifying information. To report anonymously, do not fill in your name, position, phone number, or email under "Reporters Information."

(4) Off-campus Resources (Confidential) (Available to students, faculty, and staff)

YWCA H.O.P.E. Center 24-hour Rape Crisis Hotline 419.241.7273

Y.W.C.A. Battered Women's Shelter 419.241.7386

(5) Employee Assistance Program (EAP) (Confidential) (Available to Faculty and Staff Only)

IMPACT Employee Assistance & Work/Life Program (24/7 Support)
1-800-227-6007
www.MvImpactSolution.com

Member Login: UT

(E) Definitions and Examples

(Additional relevant definitions and examples, including state law definitions, are set forth in Appendices B and C to this policy. All definitions utilized in any section are valid for the purpose of a sexual misconduct investigation.)

Complainant: The individual alleged to have experienced sexual misconduct or retaliation in relation to this policy. There may be more than one complainant for an incident.



Consent: Consent requires unambiguous communication and mutual agreement concerning the act in which the participants are engaging. Consent must be informed, freely given, mutual, and can be withdrawn at any time. A person cannot give consent if they are mentally or physically incapacitated such that the person cannot understand the fact, nature, or extent of the sexual situation; this includes incapacitation due to age; alcohol or drug consumption; or, being asleep or unconscious. Similarly, a person cannot give consent if force, expressed or implied, is used; or if, duress; intimidation; threats; or deception are used on the complainant. Silence or the absence of resistance does not imply consent. Consent to some sexual acts does not imply consent to other acts, nor does prior consent to sexual activities imply ongoing future consent with that person or consent to that same sexual activity with another person. Whether an individual has taken advantage of a position of influence or authority over the complainant may be a factor in determining consent. Minors under the age of 16 are incapable of giving consent under Ohio law under any circumstances.

Days: Days are “Business Days” - Monday through Friday, excluding Saturday, Sunday, recognized University holidays, and approved University breaks.

Incapacitation: Incapacitation occurs when a person is unable to give consent, due to the use of drugs or alcohol, or a cognitive impairment. In considering whether a complainant is incapacitated due to the consumption of drugs or alcohol, the University will consider the circumstances, including factors such as whether there is evidence of slurred speech, vomiting, stumbling or the inability to walk, or periods of “blacking out.” The presence of only one of these factors may not be sufficient to establish incapacitation; the totality of the circumstances must be examined.

Indecent exposure: Recklessly exposing genitals in front of another person or engaging in masturbation or other sexual conduct in a place likely to be seen by other people.

Interpersonal Relationship Violence (also known as Intimate Partner Violence, Dating Violence, Domestic Violence, Interpersonal Violence, or Relationship Violence): Pattern of abusive behavior in any relationship that is used by one partner to gain or maintain power and control over another intimate partner. Interpersonal violence can be physical, sexual, emotional, economic, or psychological actions or threats of actions that influence another person. This includes any behaviors that intimidate, manipulate, humiliate, isolate, frighten, terrorize, coerce, threaten, blame, hurt, injure, or wound someone. Interpersonal violence can occur in a domestic relationship (domestic violence) or a dating relationship (dating violence).¹

¹ Other forms of interpersonal relationship violence:

Physical Abuse: Hitting, slapping, shoving, grabbing, pinching, biting, hair pulling, etc. are types of physical abuse. This type of abuse also includes denying a partner medical care or forcing alcohol and/or drug use upon him or her.

Sexual Abuse: Coercing or attempting to coerce any sexual contact or behavior without consent. Sexual abuse includes, but is certainly not limited to, marital rape, attacks on sexual parts of the body, forcing sex after physical violence has occurred, or treating one in a sexually demeaning manner.

Emotional Abuse: Undermining an individual's sense of self-worth and/or self-esteem is abusive. This may include, but is not limited to constant criticism, diminishing one's abilities, name-calling, or damaging one's relationship with his or her children.

Economic Abuse: Is defined as making or attempting to make an individual financially dependent by maintaining total control over financial resources, withholding one's access to money, or forbidding one's attendance at school or employment.

Psychological Abuse: Elements of psychological abuse include - but are not limited to - causing fear by intimidation; threatening physical harm to self, partner, children, or partner's family or friends; destruction of pets and property; and forcing isolation from family, friends, or school and/or work.

(1) A domestic relationship would be:

- (a) By a current or former spouse or intimate partner of the victim;
- (b) By a person with whom the victim shares a child in common;
- (c) By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;
- (d) By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred; or
- (e) By any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

(2) A dating relationship would be:

- (a) Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim; or
- (b) 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.

Non-consensual recording: Sexual harassment by recording of a person while undressing, naked, or engaged in sexual behavior without their consent. Transmission of non-consensual recording(s) will be considered as a factor of sexual harassment.

Respondent: The individual alleged to have engaged in sexual discrimination, sexual misconduct or retaliation.

Retaliation: Retaliation occurs when an individual has engaged in a protected activity (such as filed a sexual misconduct complaint or participated in an investigation of alleged sexual misconduct), and adverse action is taken against the individual because of involvement in the protected activity related to sexual discrimination or misconduct. Retaliation can be committed by the complainant, respondent, or any other third party. The person accused of committing the retaliation may or may not be the same as the respondent. Retaliation may be a separate investigation from the sexual misconduct investigation with its own finding.

Example: A student files a sexual misconduct complaint against a professor. The professor gives the student a poor grade because the professor is upset that the student filed a complaint.

Example: A staff member files a complaint alleging sexual misconduct. The respondent's friends follow the staff member around campus every day and make verbal threats because the staff member filed a complaint.

Example: A student complainant files a complaint about another student respondent concerning gender-based comments that are inappropriate. The complainant or friends then send out posts on social media attacking the respondent and the respondent's friends and family.

Sexual Assault: Unwelcome physical conduct of a sexual nature, including unwanted kissing, touching, oral, vaginal, or anal sex, which occurs in the absence of consent. This includes non-consensual penetration, no matter how slight, of the vagina, anus, or of or by an oral cavity with any body part or an object used in lieu of a sex organ, this also includes placement of a sexual organ upon another person without consent, or ejaculating upon another person without consent. Sexual assault includes fondling:

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

Sexual coercion: The act of using pressure, alcohol or drugs, or force to have sexual contact with someone against a person's will.

Sex discrimination: Negative or adverse treatment based on sex, sexual orientation, gender, gender expression, or gender identity.

Sexual Exploitation: An act or acts committed through non-consensual abuse or exploitation of another person's sexuality for the purpose of sexual gratification, financial gain, personal benefit or advantage, or any other non-legitimate purpose. The act or acts of sexual exploitation are prohibited even though the behavior does not constitute one of the other sexual misconduct offenses.²

Examples of sexual exploitation include:

- (1) Observing another individual's nudity or sexual activity or allowing another to observe consensual sexual activity without the knowledge and consent of all parties involved;
- (2) Non-consensual streaming of images, photography, video, or audio recording of sexual activity or nudity, or distribution of such without the knowledge and consent of all parties involved;
- (3) Prostituting another individual;
- (4) Exposing another's genitals in non-consensual circumstances;
- (5) Knowingly exposing another individual to a sexually transmitted disease or virus without that individual's knowledge;
- (6) Inducing incapacitation for the purpose of making another person vulnerable to non-consensual sexual activity.

Sexual harassment: Sexual harassment is unwelcome conduct of a sexual nature. It includes unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal, or physical conduct of a sexual nature. A single instance of rape is sufficiently severe to create a hostile environment. Sexual harassment can occur in one of two forms:

Hostile environment: Exists if the conduct is sufficiently serious (severe or pervasive) that it interferes with or limits a student's ability to participate in or benefit from the University's program or an employee's ability to perform their job. The more severe the conduct, the less

² *Sexual exploitation occurs when a person abuses or exploits another person's sexuality without that person's consent. Sexual exploitation can look like:*

- **Recording images or audio** (without that person's consent) of sexual activity, intimate body parts, or nakedness.
- **Distributing images or audio** with the content above if the person distributing them does not have that person's explicit consent.
- **"Revenge pornography"** in which a person threatens to post, or actually does post, images, audio, or video of their partner participating in sexual activity.
- **Viewing another person's sexual activity, intimate body parts, or nakedness without their consent** in a place where that person would have a reasonable expectation of privacy
- **Exposing someone's genitals** without their consent

need there is to show a repetitive series of incidents to prove a hostile environment, particularly if the harassment is physical.

Quid pro quo: Occurs when participation in or receipt of a benefit of the University's program is made contingent on the provision of sexual favors for or by a person who has the authority to make decisions about participation or receipt of benefits or when the rejection of a sexual advance or request for sexual favors results in the denial of participation in or receipt of a benefit of the University's program.

Examples of sexual harassment: (1) A student is sexually assaulted by another student; (2) A professor asks a student to have sex with in order to get a better grade; (3) students in a residence hall target another student by writing unwelcome sex-based comments on the student's door; making negative, sex-based comments to the student in class, and threatening physical harm to the student.

When the facts establish that an institutional power differential existed within the relationship and an allegation of sexual harassment results, the University will closely scrutinize a defense that the relationship was consensual.

Example: A person who asks another on a date is not responsible for sexual harassment if it occurs once or twice. If the conduct is repeated, unwelcome, severe, or pervasive, then it could become sexual harassment.

Example: An accidental touch of a body part or brushing against another person is not sexual harassment if the conduct was not of a sexual nature.

Sexual misconduct: Sexual misconduct includes sexual harassment, sexual violence, sexual assault, conduct that exploits another person in a sexual and non-consensual way (such as voyeurism and non-consensual recording), stalking, interpersonal relationship violence, and indecent exposure. Sexual misconduct may also be discrimination, harassment, or violence based on sexual orientation, gender identity, or gender expression.

Sexual violence: Sexual violence is physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent (for example, due to the person's age or use of drugs or alcohol, or because an intellectual or other disability prevents the person from having the capacity to give consent). A number of different acts fall into the category of sexual violence, including sexual assault, sexual battery, sexual abuse, and sexual coercion.

Sexual Voyeurism: Spying on people engaged in intimate behaviors, such as undressing, sexual activity, or other actions usually considered to be of a private nature. The person accused of voyeurism does not have to directly interact with the subject of interest. Voyeurism is frequently done secretly and may involve non-consensual recording or capturing of the intimate behaviors.

Stalking: Engaging in a course of conduct directed at a specific person that would: (1) cause a reasonable person to fear for their safety or the safety of others; or (2) suffer substantial emotional distress.

Written Notification: All correspondence will be sent via e-mail to your UT E-Mail Address. Should an individual not have a UT E-Mail Address, agreement will be made as to the best source of contact (other e-mail address provided in writing).

(F) Making a Report**(1) Where and how to file a complaint.**

Timeframe for filing: Complaints of sexual misconduct should be filed within 300 days of the last act of alleged discrimination or harassment. Individuals who file complaints after this timeframe may request a waiver, in writing, to the Title IX Coordinator University email for the right to file a claim. The request for a waiver should set forth the reason that the complaint was not filed within 300 days. The Title IX Coordinator will consider the request and issue a decision as to whether or not the claim may be filed within 10 days after approval. The University encourages timely reporting of complaints, as delays in filing may impair the University's ability to fully and adequately respond in a manner that is fair, impartial, and equitable to all parties. For example, memories fade over time and evidence may be lost, which may hamper an investigation.

Where to file: A complaint can be made by completing a Title IX Reporting/Complaint Form available on the University's website at <http://www.utoledo.edu/title-ix/>. The completed form also may be hand-delivered, emailed, or mailed to the Title IX Office. The complaint can be filed by any member of the University community or third party. Parties may also call the Title IX Office at 419.530.4191; the resulting information will be entered into the above referenced Title IX Reporting/Complaint Form.

Anonymous complaints: Persons may also make anonymous complaints by completing the above referenced Title IX Reporting/Complaint Form available on the University's website at <http://www.utoledo.edu/title-ix/>. To report anonymously, do not fill in your name, position, phone number, or email under "Reporters Information." Anonymous complaints can also be made by calling the toll-free Anonymous Reporting Line at 1-888-416-1308.

(2) Confidentiality

The University takes seriously the need to respect the privacy of the parties in responding to reports and complaints of sexual misconduct. The University shares information on a limited, "need to know" basis, in accordance with federal and state law and the Ohio Public Records Act. Information may be shared on a need to know basis when the safety of others or the campus is at issue.

The University is required to share with the University of Toledo Police Department and the Clery Act Compliance Officer information regarding certain conduct (e.g., reports of sexual assault, dating violence, domestic violence, and stalking), unless the reports are made exclusively to confidential sources. To maintain the confidentiality of a report of sexual misconduct, complainants should utilize the resources identified in Section D (above) and in Appendix A as confidential. Contact information for confidential reporting resources is provided in Section D (above) and in Appendix A.

(3) Minors

Any information concerning a minor as a complainant or respondent will be provided to the parent/guardian of the minor by the Title IX Office as soon as practicable upon knowledge of a complaint concerning a minor. The University of Toledo has a [Minors on Campus Policy \(Policy 3364-10-17\)](#). Please review the policy for additional information.



(4) Amnesty

The [Amnesty Policy \(Policy 3364-30-03\)](#) may apply in certain circumstances. Please review the policy for additional information.

(5) Mandatory reporting

Who must report: Responsible Employees are required to immediately report to the Title IX Coordinator incidents of sexual misconduct in University programs and activities of which they are aware. Reports can be filed online at <http://www.utoledo.edu/title-ix/>

A Responsible Employee includes any employee: who has the authority to take action to redress sexual misconduct; who has been given the duty of reporting incidents of sexual misconduct or any other misconduct by students or employees to the Title IX coordinator or other appropriate school designee; or whom a student or employee could reasonably believe has this authority or duty.

Employees exempt from mandatory reporting: At the University of Toledo, all employees are responsible employees for Title IX purposes, with limited exceptions. These exceptions include the employees of the University Counseling Center, The Center for Student Advocacy and Wellness, and The University of Toledo Psychology Clinic, and Counselor Education. All employees working under their licensure as a counselor, psychologist, psychiatrist, or social worker, and those working for them under their licensure in a clinical or professional setting are exempt from reporting under Title IX. These employees may still be required to report aggregate data for the Clery Act, required information for timely warning notifications, and under the Ohio Revised Code.

This designation is consistent with certain state law requirements, including Ohio Revised Code § 2921.22, which, with certain exceptions, provides that “no person, knowing that a felony has been or is being committed, shall knowingly fail to report such information to law enforcement authorities”.

What must be reported: When making a report of sexual misconduct, responsible employees must report to the Title IX Coordinator the details of the incident of which they are aware. This may include information such as the names of the complainant and respondent; the date, time, and location of the incident; and the nature of the incident, including available facts about what occurred. Responsible employees should not independently investigate, or conduct an inquiry into incidents of sexual misconduct.

(6) The University’s Police Department and Local Law Enforcement

Making reports to law enforcement: The University is committed to working cooperatively with UTPD as well as local law enforcement agencies. Individuals who experience sexual misconduct on University property may choose to make a report to UTPD by calling 419.530.2600. Individuals who experience sexual misconduct off University property may choose to make a report to local law enforcement by calling 911.

The University notes that reports of sexual misconduct made to the University of Toledo Police Department will be shared with the Title IX Coordinator. In turn, the Title IX Coordinator will share with the University of Toledo Police Department information regarding sexual misconduct cases to ensure compliance with the Clery Act, state law, and to maintain a safe campus community.



Coordination with law enforcement: In cases where a complainant makes a simultaneous report to law enforcement, the University will coordinate with law enforcement, as needed, to ensure that law enforcement has a reasonable time to complete its evidence-gathering. The University will promptly resume its investigation after a reasonable time.

Considerations in medical care: Individuals who experience sexual assault are encouraged to seek immediate medical attention. A complainant may wish to request a forensic examination from a Sexual Assault Nurse Examiner (SANE) at the University of Toledo Medical Center or other area hospitals. Complainants who choose to obtain a forensic examination should take a change of clothing, and try not to shower, drink, eat, douche, brush teeth or hair, or change clothes prior to the exam as this may help preserve evidence in the event of a criminal complaint. Free, emergency contraception is available through SANE nurses.

Obtaining protective measures from courts: In addition to the interim measures/accommodations specified below, a complainant may be able to obtain protective measures, such as civil protection orders through the local court. The University is not involved in such proceedings; however, information about interim remedies available through the University are provided below.

- (G) **Interim Measures/Accommodations.** Interim measures/accommodations are available to parties who are involved in reported sexual misconduct cases. Interim measures/accommodations will be coordinated by the Title IX Coordinator or designee, who may consult with other departments. Interim measures may include, but are not limited to, no contact directives, changes to academic, and/or living situations, disciplinary holds, interim sanctions, and other services. For employees, interim measures may include no contact directives, reassignment, leave, modification to the place or manner of performing one's position, or other actions. The University administers interim measures in a manner that minimizes the burden on the complainant, while taking into account due process considerations with regard to the respondent, and the potential impacts on the University community. For employees working under a collective bargaining agreement, the interim measures and accommodations are done in a manner consistent with the labor agreement.

Participants in an investigation of a complaint under this policy may contact the Title IX Coordinator or designee if they need interim measures or accommodations.

(H) **Complaint Investigation and Resolution Procedures**

- (1) **Standard of Review:** The University uses the preponderance of the evidence or "more likely than not" standard in the investigation and resolution of complaints of sexual misconduct.
- (2) **Title IX Coordinator's evaluation of the report:** Within 7 days of receiving a report of alleged sexual misconduct, the Title IX Coordinator will determine if the case falls under the scope of Title IX, and/or if an investigation will take place or if other actions will be taken. If the complainant wishes to proceed with an investigation, and it falls within the scope of this policy, or an investigation is otherwise necessary, the Title IX Coordinator or designee will assign the case to an investigator no later than 7 days after receiving the report of alleged sexual misconduct. In certain circumstances, the Title IX Coordinator may request an external investigator be appointed by the Office of Legal Affairs. This may require an extension of the 7 day assignment of the case. The Title IX Coordinator will document this step of the process in writing. The Title IX Office has the right to determine if a complaint



falls under the scope of sexual misconduct. If it is determined that an allegation does not fall under this policy, the Title IX Office shall reassign it to the appropriate office.

- (3) **Title IX Office's response:** Within 7 days of the assignment of an investigator, the Title IX Coordinator or designee will contact the complainant to schedule an interview. Within this timeframe, the Title IX Coordinator or designee will provide the complainant with written information about the investigatory process, available resources, accommodations, interim measures, and how to raise and resolve concerns about interim measures or conflicts of interest. After the interview with the complainant, the Title IX Coordinator or designee will contact the respondent and witness(es) as appropriate.

The Title IX Coordinator or designee will provide the respondent and witnesses with written information about the investigatory process, available resources, accommodations, interim measures, and how to raise and resolve concerns about interim measures or conflicts of interest.

- (a) University-provided email will be the primary means of communication used. complainants, respondents, and witnesses are advised to regularly check their University-provided email. The University will take appropriate action to address alleged sexual misconduct, including instances where a party does not respond to communication from the University. This may include moving forward with the disciplinary process if it does not receive a response from a party within a reasonable timeframe. Should a party not have university-assigned email, agreement will be made as to the best source of contact for an individual. Preferred contact methods for sharing of documents or information other than in-person interviews are (1) University-assigned email; (2) Other email provided by party in writing; (3) telephonic to best available number provided; and, (4) United States Postal Service mail.
- (b) As part of the investigation, the Title IX Coordinator or designee will interview witnesses, and review available evidence, as appropriate.
- (c) The Title IX Coordinator's or designee's investigation generally will be concluded by 60 days after the complaint was received. This timeframe may be extended if necessary.
- (d) At the conclusion of the investigation, the Title IX Coordinator or designee will prepare a written investigatory report that summarizes the facts presented during investigation. Based on the facts presented and after review by the Title IX Coordinator, a letter and the investigatory report will be sent concurrently to the appropriate parties in the investigation.
 - (i) For student respondent cases, which will be forwarded to the Office of Student Conduct and Community Standards, the finding will read as follows:
 - (a) There appears to be sufficient evidence based on this investigation to refer this matter to the Office of Student Conduct and Community Standards for handling under the [Student Code of Conduct \(Policy 3364-30-04\)](#).



- (b) There does not appear to be sufficient evidence based on this investigation for this to be considered a violation of the Sexual Misconduct Policy. This matter is being referred to the Office of Student Conduct and Community Standards for handling under the [Student Code of Conduct \(Policy 3364-30-04\)](#).
 - (ii) In cases involving a faculty or staff respondent, a determination of whether or not a violation of the policy occurred will be included. The decision may include recommendations regarding appropriate next steps. No appeal of this decision is allowed, except through processes in the individual's collective bargaining agreement. The complainant and respondent will have simultaneous, timely notice of the investigation report. The report will be shared with the relevant University administrators. If there is insufficient evidence to support a conclusion that the behavior at issue was based on sex or of a sexual nature, the letter will include that conclusion, and no appeal is permitted on the determination.
- (4) **Adjudication/Resolution:** The University generally will conclude the investigation within 60 days of receiving a complaint of sexual misconduct, but reserves the right to extend based on complexity of case and relevant factors to each individual case.
 - (a) **Cases where the respondent is a student:** The process set forth in the [Student Code of Conduct \(Policy 3364-30-04\)](#) applies. However, any change in sanction must be provided to complainant and respondent simultaneously.
 - (b) **Cases where the respondent is an employee:** The disciplinary process outlined in the applicable collective bargaining agreement or applicable policy will be followed, subject to (e) below.
 - (i) Regular employee disciplinary policies or procedures provide the procedures that will be followed for disciplinary matters; however, all applicable Title IX requirements outlined in this policy will be followed during any disciplinary process relating to a finding of sexual misconduct. Employee discipline will be pursued, if the administrator with authority over the responsible party(ies) concludes that disciplinary action is necessary. Should a decision not to move forward with disciplinary action be reached, the complainant and respondent will be notified of that decision in writing by the appropriate administrator with a copy provided to the Title IX Coordinator.
 - (c) **Cases where the respondent is a third party:** Within 14 days of the conclusion of the investigation, the Title IX Coordinator or designee will review the investigatory report and determine the appropriate outcome. Where the respondent is not a University student or employee, the range of sanctions available to the University may be limited. However, the University may impose sanctions such as restrictions on contact with the complainant on University property and may provide remedies to the complainant (e.g., academic accommodations), as appropriate.
 - (d) **Written notice of the outcome of resolution process:** The complainant and respondent will receive written notice of the outcome concurrently after the sanction or discipline is determined by the responsible party.

- (e) In the event of an appeal of the sanction, notice of the appeal decision shall be sent concurrently to the complainant, respondent and Title IX Coordinator.
- (5) **Witnesses and evidence.** The parties have an equal opportunity to present relevant witnesses and evidence during the investigation of sexual misconduct complaints.
- (6) **Participation of advisors.**
 - (a) Respondents and complainants may elect to have an Advisor throughout the investigation process. The Advisor can assist the complainant and respondent with interview preparations, and can accompany them to all interviews and meetings.
 - (b) The Advisor may not speak or participate in the interviews or meetings, but may consult with their respective advisee(s) verbally or in writing in a quiet non-disruptive manner. If the Advisor becomes disruptive after being warned two times by the Title IX investigator, they will be asked to leave.
 - (c) Respondents and complainants whose Advisors are attorneys are required to notify the Title IX Investigator at least three business days before the interview or meeting.
- (7) **Advisors within the University community.** The University has advisors who are available to assist complainants and respondents during sexual misconduct investigations. To utilize an advisor, parties may contact the Title IX Coordinator. This information will be provided at the beginning of the investigation and upon request.
- (8) **Timeframes.** The investigation of the complaint generally will be completed within 60 days, absent extenuating circumstances. The Title IX Coordinator, or designee, may provide the parties with updates regarding the status of the case at regular intervals. Updates are available by contacting the appropriate party.
- (9) **Conflicts of interest and fairness of process.** This procedure provides for the prompt, reliable, impartial investigation and adjudication of complaints of sexual misconduct. The parties will receive similar, timely access to information throughout the process. Any concerns regarding real or perceived conflicts of interest regarding the participation of anyone in the process should immediately be brought to the attention of the Title IX Coordinator or designee. If the conflict of interest involves the Title IX Coordinator, the conflict should be brought to the attention of the Vice-President of Student Affairs.
- (10) **Mediation.** Mediation will not be used in cases where sexual violence has been alleged, or in cases where the accused is in a position of authority over the accuser. In these cases, a complainant will not be required to work out an issue directly with a respondent, even on a voluntary basis.
- (11) **Recordkeeping.** The University maintains records related to sexual misconduct proceedings in accordance with federal and state law requirements.
- (12) **Training.** The Title IX Coordinator, Investigator(s) Designee(s), Office of Student Conduct and Community Standards Professional Staff, Adjudicator(s), and any administrators with responsibilities under this policy will receive training, on at least an annual basis.
- (I) **Sanctions and Remedies.** The sanctions and remedies that may be imposed or available depend on the nature of the party's relationship to the University.



- (1) Students found responsible for sexual misconduct may be subject to discipline as explained in the [Student Code of Conduct \(Policy 3364-30-04\)](#).
- (2) Employees found responsible for sexual misconduct may be subject to discipline as explained in the applicable collective bargaining agreement, University policy, or state law.

The University provides remedies to individuals who experience sexual misconduct and the campus community, as appropriate. Remedies may include educational programming, changes to policies and procedures, counseling, and opportunities to change educational, work, or living situations.

- (J) **Appeal Process.** Both the complainant and respondent will be provided equitable appeal rights, consistent with applicable policy or collective bargaining agreements. Appeals are not available to any party until such time as a decision is reached on responsibility and sanction or discipline is determined, or if the respondent is found not responsible.

For students, the appeal process is set forth in the [Student Code of Conduct \(Policy 3364-30-04\)](#).

For employees, the bases for appeal are set forth in the applicable collective bargaining agreement or policy.

(K) **Resources**

A list of University and local resources for those who have experienced sexual misconduct is available on the Title IX website and in Appendix A to this policy.

(L) **Prevention and Awareness Programs**

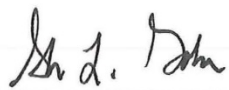
All members of the University community play a role in preventing sexual misconduct. The University is committed to delivering annual sexual misconduct prevention and awareness training to all new students and employees. These programs specifically address sexual assault, dating violence, domestic violence, and stalking, among other topics. Information about the University's Sexual Misconduct Prevention Education may be found at <http://www.utoledo.edu/title-ix/>.

Online training for faculty and staff can be found at MyUT under the "Training and Career Development" tab.

Additionally, sexual misconduct, prevention, and awareness programming is available at <http://www.utoledo.edu/title-ix/>.

- (M) **This policy will be reviewed annually.**



<p>Approved by:</p>  <p>Sharon L. Gaber, Ph.D. President</p> <p><u>August 9, 2018</u> Date</p> <p><i>Review/Revision Completed by:</i> <i>Senior Leadership Team; Office of Legal Affairs; Office of Student Conduct and Community Standards; Internal Audit and Compliance</i></p>	<p>Policies Superseded by This Policy:</p> <ul style="list-style-type: none"> • <i>Previous 3364-50-01 Sexual harassment and other forms of harassment, effective February 6, 2014</i> • <i>Policy 3364-61-02, Sexual assault response/prevention, effective date July 25, 2012</i> <p>Initial effective date: December 1, 2007</p> <p>Review/Revision Date: April 29, 2011; October 22, 2012; April 2, 2013; February 6, 2014; August 31, 2015; September 25, 2017, August 9, 2018</p> <p>Next review date: August 9, 2021</p>
--	--

Appendix A

Resources – The following is a list of some of the resources available following an incident of sexual misconduct. A more comprehensive list is available at: <http://www.utoledo.edu/title-ix/>

On-Campus

1. **Medical Assistance (Confidential)** (Available to students, faculty, staff, visitors, third parties)

The University of Toledo Medical Center (Enter through the Emergency Room entrance),
3000 Arlington Avenue, Toledo, Ohio 43614, 419.383.4000
[Sexual Assault Nurse Examiner (SANE) available – please ask for SANE nurse]

2. **Assistance from Law Enforcement (Non-Confidential)** (Available to students, faculty, staff, visitors, third parties)

University of Toledo Police Department (UTPD) at 419.530.2600

Reports may be made to law enforcement and the university concurrently.

3. **Center for Student Advocacy and Wellness (CSAW) (Confidential)** (Available to students, faculty, staff, visitors, third parties)

CSAW provides free and confidential counseling and advocacy services for students, staff, and faculty. Victim advocates are available to provide support services for victims of sexual assault / domestic violence / dating violence / stalking, education/training programs and wellness events related to sexual assault / sexual misconduct / interpersonal violence / stalking / bystander intervention, and outreach and engagement regarding victim risk awareness programs. A full time counselor is also available for any faculty, staff or student who wishes to schedule an appointment. CSAW is located in the College of Health and Human Services Room 3017 or can be reached by calling the sexual assault hotline at 419.530.3431 (Answered 24 hours a day / 7 days a week). This number may be forwarded to the YWCA HOPE Center for 24hour/7 day answering when CSAW staff is not available.

YWCA HOPE Rape Crisis Center Campus Outreach is located in CSAW. Monday – Thursday 8:30 a.m. to 5:00 p.m. and offer confidential 1:1 supportive services for survivors and co-survivors and medical, legal and Title IX assistance. Available to students, staff, and faculty. College of Health and Human Services Room 3017. 24/7 Hotline 419.530.3431 or 1.866.557.7273. Instagram & Twitter: HOPEonCampus.

4. **UT Counseling Center (Confidential)** (Available to students only)

The University Counseling Center (UCC) provides free and confidential counseling services to enrolled students. Counselors are available Monday through Friday during 8:15 am – 5:00 pm. Counselors are available for emergencies after hours by contacting the University of Toledo Police Department. Counselors are available to assist complainants with an ongoing



relationship with the UCC and respondents involved in sexual misconduct and interpersonal violence matters. To schedule an appointment during regular office hours, call 419.530.2426. To learn more about the programs and services available at the UT Counseling Center, visit http://www.utoledo.edu/studentaffairs/counseling/about_us.html. UCC is located in the Main Campus Medical Center, Room 1030.

5. Report to the University Title IX Office (Non-Confidential) (Available to students, faculty, staff, visitors, third parties) (Anonymous reporting is available through website)

Donald Kamm
 Director, Title IX and Compliance
 Title IX Coordinator
 2801 W. Bancroft Street
 Snyder Memorial Suite 1120
 Toledo, OH 43606
 Phone: (419) 530-4191
 Email: titleix@utoledo.edu
 Mail Stop: 137

You may also report online through our website at <http://www.utoledo.edu/title-ix/>. This report may be made anonymously or with identifying information. To report anonymously, do not fill in your name, position, phone number, or email under "Reporters Information."

6. Employee Assistance Program (EAP) (Confidential) (Available to Faculty and Staff Only)

IMPACT Employee Assistance & Work/Life Program (24/7 Support)
 1-800-227-6007
www.MyImpactSolution.com Member Login: UT

Off-Campus:

1. Medical Assistance (Confidential) (Available to students, faculty, staff, visitors, third parties)

The Toledo Hospital (Enter through the Emergency Room entrance),
 2142 N Cove Boulevard, Toledo, Ohio 43606, 419.291.4600
 [Sexual Assault Nurse Examiner (SANE) available – please ask for SANE nurse]

2. Assistance from Law Enforcement (Non-Confidential) (Available to students, faculty, staff, visitors, third parties)

Dial 9-1-1 to reach local law enforcement.

Reports may be made to law enforcement and the university concurrently.

3. Report to the University (Non-Confidential) (Available to students, faculty, staff, visitors, third parties) (Anonymous reporting available)



Donald Kamm
 Director, Title IX and Compliance
 Title IX Coordinator
 2801 W. Bancroft Street
 Snyder Memorial Suite 1120
 Toledo, OH 43606
 Phone: (419) 530-4191
 Email: titleix@utoledo.edu
 Mail Stop: 137

You may also report online through our website at <http://www.utoledo.edu/title-ix/>. This report may be made anonymously or with identifying information. To report anonymously, do not fill in your name, position, phone number, or email under “Reporters Information.”

4. Off-campus Resources (Confidential) (Available to students, faculty, and staff)

YWCA H.O.P.E. Center 24-hour Rape Crisis Hotline 419.241.7273

Y.W.C.A. Battered Women’s Shelter 419.241.7386

5. Employee Assistance Program (EAP) (Confidential) (Available to Faculty and Staff Only)

IMPACT Employee Assistance & Work/Life Program (24/7 Support)
 1-800-227-6007
www.MyImpactSolution.com Member Login: UT



Appendix B**The University is making these definitions and terms available pursuant to the Violence Against Women Act Amendments to the Clery Act**

1. Sexual Assault: An offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI's Uniform Crime Reporting program.

2. Sex Offenses: Any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.

- Rape- The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.
- Fondling – The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.
- Incest – Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- Statutory Rape – Sexual intercourse with a person who is under the statutory age of consent.

3. Domestic Violence: A felony or misdemeanor crime of violence committed:

- (a) By a current or former spouse or intimate partner of the victim;
- (b) By a person with whom the victim shares a child in common;
- (c) By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;
- (d) By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred;
- (e) By any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

4. Dating Violence: 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.
- For the purposes of this definition, dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
- Dating violence does not include acts covered under the definition of domestic violence.
- Any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

5. Stalking: Engaging in a course of conduct directed at a specific person that would cause a reasonable person to

- Fear for the person's safety or the safety of others; or
- Suffer substantial emotional distress.



For the purposes of this definition:

- Course of conduct means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property.
- Reasonable person means a reasonable person under similar circumstances and with similar identities to the victim.
- Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.
- Any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

6. Programs to prevent dating violence, domestic violence, sexual assault, and stalking: Comprehensive, intentional, and integrated programming, initiatives, strategies, and campaigns intended to end dating violence, domestic violence, sexual assault, and stalking that:

- Are culturally relevant, inclusive of diverse communities and identities, sustainable, responsive to community needs, and informed by research or assessed for value, effectiveness, or outcome; and
- Consider environmental risk and protective factors as they occur on the individual, relationship, institutional, community, and societal levels

Programs to prevent dating violence, domestic violence, sexual assault, and stalking include both primary prevention and awareness programs directed at incoming students and new employees and ongoing prevention and awareness campaigns directed at students and employees.

7. Awareness programs: Community-wide or audience specific programming, initiatives, and strategies that increase audience knowledge and share information and resources to prevent violence, promote safety, and reduce perpetration

8. Bystander intervention: Safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is a risk of dating violence, domestic violence, sexual assault, or stalking

Bystander intervention includes:

- Recognizing situations of potential harm
- Understanding institutional structures and cultural conditions that facilitate violence, overcoming barriers to intervening, identifying safe and effective intervention options, and taking actions to intervene

9. Ongoing prevention and awareness campaigns: Programming, initiatives, and strategies that are sustained over time and focus on increasing understanding of topics relevant to and skills for addressing dating violence, domestic violence, sexual assault, and stalking, using a range of strategies with audiences throughout the institution

10. Primary prevention programs: Programming, initiatives, and strategies informed by research or assessed for value, effectiveness, or outcome that are intended to stop dating violence, domestic violence, sexual assault, and stalking before they occur through the promotion of positive and healthy behaviors that foster healthy, mutually respectful relationships and sexuality, encourage safe bystander intervention, and seek to change behavior and social norms in healthy and safe direction.

11. Risk reduction: Options designed to decrease perpetration and bystander inaction, and to increase empowerment for victims in order to promote safety and to help individuals and communities address conditions that facilitate violence.

12. Prompt, fair, and impartial proceeding: A proceeding that is completed within reasonably prompt timeframes designated by an institution's policy, including a process that allows for the extension of timeframes for good cause and with written notice to the accuser and the accused of the delay and the reason for the delay;

Conducted in a manner that:

- Is consistent with the institution's policies and transparent to the accuser and accused;
- Includes timely notice of meetings at which the accuser or accused, or both, may be present; and
- Provides timely and equal access to the accuser, the accused, and appropriate officials to any information that will be used during informal and formal disciplinary meetings and hearings; and
- Conducted by officials who do not have a conflict of interest or bias for or against the accuser or the accused

13. Advisor: Any individual who provides the accuser or accused support, guidance, or advice

14. Proceeding: All activities related to a non-criminal resolution of an institutional disciplinary complaint, including, but not limited to, fact finding investigations, formal or informal meetings, and hearings. Proceeding does not include communications and meetings between officials and victims concerning accommodations or protective measures to be provided to a victim.

15. Result: Any initial, interim, and final decision by any official or entity authorized to resolve disciplinary matters within the institution. The result includes any sanctions imposed by the University.

Appendix C

The University is making the following state law definitions available pursuant to the Violence Against Women Act amendments to the Clergy Act.

State law definitions as of June 2018.

(State law definitions may be revised periodically. Please consult <http://codes.ohio.gov/orc> to determine whether there have been updates to the definitions below)

Section 2907.03 of the Revised Code: Sexual battery.

(A) No person shall engage in sexual conduct with another, not the spouse of the offender, when any of the following apply: (1) The offender knowingly coerces the other person to submit by any means that would prevent resistance by a person of ordinary resolution. (2) The offender knows that the other person's ability to appraise the nature of or control the other person's own conduct is substantially impaired. (3) The offender knows that the other person submits because the other person is unaware that the act is being committed. (4) The offender knows that the other person submits because the other person mistakenly identifies the offender as the other person's spouse. (5) The offender is the other person's natural or adoptive parent, or a stepparent, or guardian, custodian, or person in loco parentis of the other person. (6) The other person is in custody of law or a patient in a hospital or other institution, and the offender has supervisory or disciplinary authority over the other person. (7) The offender is a teacher, administrator, coach, or other person in authority employed by or serving in a school for which the state board of education prescribes minimum standards pursuant to division (D) of section 3301.07 of the Revised Code, the other person is enrolled in or attends that school, and the offender is not enrolled in and does not attend that school. (8) The other person is a minor, the offender is a teacher, administrator, coach, or other person in authority employed by or serving in an institution of higher education, and the other person is enrolled in or attends that institution. (9) The other person is a minor, and the offender is the other person's athletic or other type of coach, is the other person's instructor, is the leader of a scouting troop of which the other person is a member, or is a person with temporary or occasional disciplinary control over the other person. (10) The offender is a mental health professional, the other person is a mental health client or patient of the offender, and the offender induces the other person to submit by falsely representing to the other person that the sexual conduct is necessary for mental health treatment purposes. (11) The other person is confined in a detention facility, and the offender is an employee of that detention facility. (12) The other person is a minor, the offender is a cleric, and the other person is a member of, or attends, the church or congregation served by the cleric. (13) The other person is a minor, the offender is a peace officer, and the offender is more than two years older than the other person.

Ohio Rev. Code Ann. § 2907.03 (available at <http://codes.ohio.gov/orc/2907>).

Section 2907.02 of the Revised Code: Rape.

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

person shall engage in sexual conduct with another when the offender purposely compels the other person to submit by force or threat of force.

Ohio Rev. Code Ann. § 2907.02 (available at <http://codes.ohio.gov/orc/2907>).

Section 2903.11 of the Revised Code: Felonious assault.

(A) No person shall knowingly do either of the following: (1) Cause serious physical harm to another or to another's unborn; (2) Cause or attempt to cause physical harm to another or to another's unborn by means of a deadly weapon or dangerous ordnance.

(B) No person, with knowledge that the person has tested positive as a carrier of a virus that causes acquired immunodeficiency syndrome, shall knowingly do any of the following: (1) Engage in sexual conduct with another person without disclosing that knowledge to the other person prior to engaging in the sexual conduct; (2) Engage in sexual conduct with a person whom the offender knows or has reasonable cause to believe lacks the mental capacity to appreciate the significance of the knowledge that the offender has tested positive as a carrier of a virus that causes acquired immunodeficiency syndrome; (3) Engage in sexual conduct with a person under eighteen years of age who is not the spouse of the offender.

Ohio Rev. Code Ann. § 2903.11 (available at <http://codes.ohio.gov/orc/2903.11>).

Section 3113.31 of the Revised Code: Domestic violence definitions - hearings.

(A) As used in this section: (1) "Domestic violence" means the occurrence of one or more of the following acts against a family or household member: (a) Attempting to cause or recklessly causing bodily injury; (b) Placing another person by the threat of force in fear of imminent serious physical harm or committing a violation of section 2903.211 or 2911.211 of the Revised Code; (c) Committing any act with respect to a child that would result in the child being an abused child, as defined in section 2151.031 of the Revised Code; (d) Committing a sexually oriented offense.

Ohio Rev. Code Ann. § 3113.31 (available at <http://codes.ohio.gov/orc/3113.31v2>).

Section 2903.211 of the Revised Code: Menacing by stalking.

(A) (1) No person by engaging in a pattern of conduct shall knowingly cause another person to believe that the offender will cause physical harm to the other person or a family or household member of the other person or cause mental distress to the other person or a family or household member of the other person. In addition to any other basis for the other person's belief that the offender will cause physical harm to the other person or the other person's family or household member or mental distress to the other person or the other person's family or household member, the other person's belief or mental distress may be based on words or conduct of the offender that are directed at or identify a corporation, association, or other organization that employs the other person or to which the other person belongs.

(2) No person, through the use of any form of written communication or any electronic method of remotely transferring information, including, but not limited to, any computer, computer network, computer program, r-computer system, or telecommunication device shall post a message or use any intentionally written or verbal graphic gesture with purpose to do either of the following:

(a) Violate division (A)(1) of this section:

(b) Urge or incite another to commit a violation of division (A)(1) of this section.

(3) No person, with a sexual motivation, shall violate division (A)(1) or (2) of this section.

(B) Whoever violates this section is guilty of menacing by stalking.

(1) Except as otherwise provided in divisions (B)(2) and (3) of this section, menacing by stalking is a misdemeanor of the first degree.

(2) Menacing by stalking is a felony of the fourth degree if any of the following applies:

(a) The offender previously has been convicted of or pleaded guilty to a violation of this section or a violation of section [2911.211](#) of the Revised Code.

(b) In committing the offense under division (A)(1), (2), or (3) of this section, the offender made a threat of physical harm to or against the victim, or as a result of an offense committed under division (A)(2) or (3) of this section, a third person induced by the offender's posted message made a threat of physical harm to or against the victim.

(c) In committing the offense under division (A)(1), (2), or (3) of this section, the offender trespassed on the land or premises where the victim lives, is employed, or attends school, or as a result of an offense committed under division (A)(2) or (3) of this section, a third person induced by the offender's posted message trespassed on the land or premises where the victim lives, is employed, or attends school.

(d) The victim of the offense is a minor.

(e) The offender has a history of violence toward the victim or any other person or a history of other violent acts toward the victim or any other person.

(f) While committing the offense under division (A)(1) of this section or a violation of division (A)(3) of this section based on conduct in violation of division (A)(1) of this section, the offender had a deadly weapon on or about the offender's person or under the offender's control. Division (B)(2)(f) of this section does not apply in determining the penalty for a violation of division (A)(2) of this section or a violation of division (A)(3) of this section based on conduct in violation of division (A)(2) of this section.

(g) At the time of the commission of the offense, the offender was the subject of a protection order issued under section [2903.213](#) or [2903.214](#) of the Revised Code, regardless of whether the person to be protected under the order is the victim of the offense or another person.

(h) In committing the offense under division (A)(1), (2), or (3) of this section, the offender caused serious physical harm to the premises at which the victim resides, to the real property on which that premises is located, or to any personal property located on that premises, or, as a result of an offense committed under division (A)(2) of this section or an offense committed under division (A)(3) of this section based on a violation of division (A)(2) of this section, a third person induced by the offender's posted message caused serious physical harm to that premises, that real property, or any personal property on that premises.

(i) Prior to committing the offense, the offender had been determined to represent a substantial risk of physical harm to others as manifested by evidence of then-recent homicidal or other violent behavior,

evidence of then-recent threats that placed another in reasonable fear of violent behavior and serious physical harm, or other evidence of then-present dangerousness.

(3) If the victim of the offense is an officer or employee of a public children services agency or a private child placing agency and the offense relates to the officer's or employee's performance or anticipated performance of official responsibilities or duties, menacing by stalking is either a felony of the fifth degree or, if the offender previously has been convicted of or pleaded guilty to an offense of violence, the victim of that prior offense was an officer or employee of a public children services agency or private child placing agency, and that prior offense related to the officer's or employee's performance or anticipated performance of official responsibilities or duties, a felony of the fourth degree.

(C) Section [2919.271](#) of the Revised Code applies in relation to a defendant charged with a violation of this section.

(D) As used in this section:

(1) "Pattern of conduct" means two or more actions or incidents closely related in time, whether or not there has been a prior conviction based on any of those actions or incidents, or two or more actions or incidents closely related in time, whether or not there has been a prior conviction based on any of those actions or incidents, directed at one or more persons employed by or belonging to the same corporation, association, or other organization. Actions or incidents that prevent, obstruct, or delay the performance by a public official, firefighter, rescuer, emergency medical services person, or emergency facility person of any authorized act within the public official's, firefighter's, rescuer's, emergency medical services person's, or emergency facility person's official capacity, or the posting of messages, use of intentionally written or verbal graphic gestures, or receipt of information or data through the use of any form of written communication or an electronic method of remotely transferring information, including, but not limited to, a computer, computer network, computer program, computer system, or telecommunications device, may constitute a "pattern of conduct."

(2) "Mental distress" means any of the following:

(a) Any mental illness or condition that involves some temporary substantial incapacity;

(b) Any mental illness or condition that would normally require psychiatric treatment, psychological treatment, or other mental health services, whether or not any person requested or received psychiatric treatment, psychological treatment, or other mental health services.

(3) "Emergency medical services person" is the singular of "emergency medical services personnel" as defined in section [2133.21](#) of the Revised Code.

(4) "Emergency facility person" is the singular of "emergency facility personnel" as defined in section [2909.04](#) of the Revised Code.

(5) "Public official" has the same meaning as in section [2921.01](#) of the Revised Code.

(6) "Computer," "computer network," "computer program," "computer system," and "telecommunications device" have the same meanings as in section [2913.01](#) of the Revised Code.

(7) "Post a message" means transferring, sending, posting, publishing, disseminating, or otherwise communicating, or attempting to transfer, send, post, publish, disseminate, or otherwise communicate, any message or information, whether truthful or untruthful, about an individual, and whether done under one's own name, under the name of another, or while impersonating another.

(8) "Third person" means, in relation to conduct as described in division (A)(2) of this section, an individual who is neither the offender nor the victim of the conduct.

(9) "Sexual motivation" has the same meaning as in section [2971.01](#) of the Revised Code.

(10) "Organization" includes an entity that is a governmental employer.

(11) "Family or household member" means any of the following:

(a) Any of the following who is residing or has resided with the person against whom the act prohibited in division (A)(1) of this section is committed:

(i) A spouse, a person living as a spouse, or a former spouse of the person;

(ii) A parent, a foster parent, or a child of the person, or another person related by consanguinity or affinity to the person;

(iii) A parent or a child of a spouse, person living as a spouse, or former spouse of the person, or another person related by consanguinity or affinity to a spouse, person living as a spouse, or former spouse of the person.

(b) The natural parent of any child of whom the person against whom the act prohibited in division (A)(1) of this section is committed is the other natural parent or is the putative other natural parent.

(12) "Person living as a spouse" means a person who is living or has lived with the person against whom the act prohibited in division (A)(1) of this section is committed in a common law marital relationship, who otherwise is cohabiting with that person, or who otherwise has cohabited with the person within five years prior to the date of the alleged commission of the act in question.

(E) The state does not need to prove in a prosecution under this section that a person requested or received psychiatric treatment, psychological treatment, or other mental health services in order to show that the person was caused mental distress as described in division (D)(2)(b) of this section.

(F) (1) This section does not apply to a person solely because the person provided access or connection to or from an electronic method of remotely transferring information not under that person's control, including having provided capabilities that are incidental to providing access or connection to or from the electronic method of remotely transferring the information, and that do not include the creation of the content of the material that is the subject of the access or connection. In addition, any person providing access or connection to or from an electronic method of remotely transferring information not under that person's control shall not be liable for any action voluntarily taken in good faith to block the receipt or transmission through its service of any information that it believes is, or will be sent, in violation of this section.

3364-50-01 The University of Toledo Sexual Misconduct Policy

30

(2) Division (F)(1) of this section does not create an affirmative duty for any person providing access or connection to or from an electronic method of remotely transferring information not under that person's control to block the receipt or transmission through its service of any information that it believes is, or will be sent, in violation of this section except as otherwise provided by law.

(3) Division (F)(1) of this section does not apply to a person who conspires with a person actively involved in the creation or knowing distribution of material in violation of this section or who knowingly advertises the availability of material of that nature.

Amended by 131st General Assembly File No. TBD, HB 151, §1, eff. 8/16/2016.


Amended by 130th General Assembly File No. TBD, HB 129, §1, eff. 9/17/2014.

Effective Date: 08-29-2003; 2007 SB10 01-01-2008

Ohio Rev. Code Ann. § 3113.31 (available at <http://codes.ohio.gov/orc/2903.211>).



Appendix A12: Amnesty Policy 3364-30-03

Name of Policy: Amnesty Policy Number: 3364-30-03 Approving Officer: President Responsible Agent: The Office of Student Conduct and Community Standards Scope: All Students of the University of Toledo		 Revision date: August 9, 2018 Initial effective date: August 23, 2010
<input type="checkbox"/> New policy proposal <input type="checkbox"/> Major revision of existing policy	<input checked="" type="checkbox"/> Minor/technical revision of existing policy <input type="checkbox"/> Reaffirmation of existing policy	

(A) Policy statement

The University of Toledo (UT) strives to maintain a balance between student support and accountability. UT believes in addressing student health concerns directly, and confronting dangerous behaviors, but also encouraging students to seek help in situations where their own, or another student's health is endangered. As such, a student who seeks medical attention on behalf of themselves or another individual experiencing an alcohol and/or drug related emergency, will not be subject to conduct action for the alcohol and/or drug use under the Student Code of Conduct if the Office of Student Conduct and Community Standards (OSC&CS) becomes aware of the alcohol and/or drug use solely because the individual(s) sought medical attention. Student(s) involved in reported incidents of sexual misconduct may also receive Amnesty for the alcohol and/or drug violation(s) only. Amnesty is only granted to individual students, not student groups and/or student organizations.

(B) Purpose of policy

UT is committed to promoting a safe and healthy environment for all students, and wants students to feel confident they can make the right decision if there is an alcohol or drug related incident.

(C) Procedure

UT students who are granted Amnesty are required to meet with a Staff Member from the OSC&CS. During this meeting, the OSC&CS Staff Member will discuss the situation with the student, and provide them with appropriate resources. After the meeting, the OSC&CS Staff Member will have the student complete an assessment or counseling center screening for possible referral for treatment. Failure to attend this meeting, or follow through with the

3364-30-03 Amnesty

2

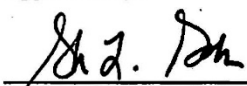
recommendations from the OSC&CS Staff Member will result in the student losing the opportunity for amnesty, and the incident being processed as a normal student conduct case. Even though conduct action may be waived due to the student receiving Amnesty, the OSC&CS will notify the appropriate parent/guardian of the incident.

Although a record of the incident will be kept on file, and used as prior conduct history should subsequent student conduct matters occur, it will not go on the student's educational record, and the file will be maintained in accordance with Student Conduct Records (per [The Student Code of Conduct, Policy 3364-30-04](#)).

The Associate Dean of Students & Director of Student Conduct and Community Standards will make decisions whether to grant Amnesty. The availability of Amnesty for students with repetitive or severe violations will be determined on a case by case basis.

- (1) Amnesty may be granted to UT students who initiate and seek assistance and/or treatment on behalf of themselves, or another individual. Amnesty for alcohol and/or drug violation(s) may also be granted to student(s) involved in reported incidents of sexual misconduct.
- (2) If a representative from a student group/student organization calls for medical assistance, the student group/student organization will not receive Amnesty. However, this act of responsibility will be considered when sanctioning for policy violations.
- (3) This policy is only applicable to the UT Student Code of Conduct, and does not preclude law enforcement agencies from enforcing the law.
- (4) The Amnesty Policy applies to emergencies related to alcohol and drug use, and is not applicable to other prohibited behavior(s). Other prohibited behavior(s) will be handled using the appropriate UT Policy.



<p>Approved By:</p> <p></p> <p>Sharon L. Gaber, Ph.D. President</p> <p><u>August 9, 2018</u> Date</p> <p><i>Review/Revision Completed by:</i> The Office of Student Conduct and Community Standards; The Office of Legal Affairs; SLT</p>	<p>Policies Superseded By This Policy:</p> <ul style="list-style-type: none">• <i>Previous 3364-30-03, effective date August 23, 2010</i> <p>Initial Effective Date: August 23, 2010 Review/Revision Date: June 2018, August 9, 2018 Next Review Date: August 9, 2021</p>
--	--

Appendix B

List of Educational Programs

Throughout the Academic Years 2016-2017 and 2017-2018, various campus group partnered to organize various prevention and educational events. Below is an outline of the programming for Academic Year 2017-2018.

Date	Event Title	Description	Target Audience
Summer 2017	Rocket Launches and Rocket Transitions	These are a one-day, mandatory orientation programs for new students. THE ATOD program disseminates information on specifics of the program, as well as formally invites new students to outreaches, events and programming.	Students, parents
08/31/2017	President's Football Tailgate	The substance-free tailgating event is dedicated to substance-free socializing at UT's football games. It is open to anyone interested in an alcohol- and drug-free sports experience. It is a great way to have fun in a safe, sobriety-friendly group to hang out with before or during the game. Students are provided with an opportunity to participate in a fun, substance-free atmosphere.	Students
09/16/2017	Parents and Family Tailgate	The substance free tailgating event is dedicated to substance-free socializing at UT's football games. It is open to anyone who is interested in an alcohol- and drug-free sports experience. It is a great way to have fun in a safe, sobriety-friendly group to hang out with before or during the game. Students are provided with an opportunity to participate in fun substance free atmosphere	Students, parents
09/18/2017-09/22/2017	Opioid Awareness Week	Provide information related to education, prevention, and awareness of the dangers of opiate use.	Students
09/22/2017	First-year Experience Class	ATOD information, including educational events, outreaches, and awareness events provided to first-year students	Students
09/24/2017	Greek Life New Member Orientation	PowerPoint presentation regarding alcohol and substance abuse/misuse education. ATOD services, educational outreaches and awareness events also promoted.	Students -new member orientation
09/29/2017	American Heart Day	Provide information related to education, prevention, and awareness of the dangers of tobacco use, as well as local cessation resources.	Students
10/25/2017	Be-Wise-Er	Collaborative event with Alpha Kappa Psi to target the dangers of substance misuse	Students, staff, community
11/07/2017	ATOD Presentation	Presentation providing ATOD information, introduction of services, educational events, and awareness events	Students



11/08/2017	Mock Crash Information Table	Collaborative event with Pi Beta Phi providing educational awareness information to students related to driving under the influence	Students
11/16/2017	Great American Smokeout	National Day to bring awareness to the health risks associated with smoking and tobacco use. Encouraging members of the UT community to join others around the country and quit smoking for good or to make the pledge to quit smoking for 24 hours.	Students, staff
02/27/2018	Rocket Wellness Health and Safety Expo	Collaborative event with the Rocket Wellness coalition. This provided students with education and resources prior to leaving for Spring Break.	Students
03/15/2018	Kick Butts Day	A day of activism that encourages youth to take a stand against tobacco. Users are encouraged to quit for 24 hours. Information regarding the health consequences of tobacco use is disseminated.	Students
03/20/2018	ATOD Presentation	Presentation providing ATOD information, introduction of services, educational events, and awareness events	Students
03/29/2018	ATOD Presentation	Presentation providing ATOD information, introduction of services, educational events, and awareness events	Students
04/15/2018	ATOD Presentation	Presentation providing ATOD information, introduction of services, educational events, and awareness events	Students
04/20/2018	Cannabis Screening Day	Provide information related to education, prevention, and awareness of the dangers of marijuana use.	Students
04/25/2018	ATOD Presentation	Presentation providing ATOD information, introduction of services, educational events, and awareness events	Students
04/26/2018	De-Stress Fest	De-Stress Fest was designed to provide a break to students during a very stressful time of the semester. Students had the opportunity to play games, eat healthy foods and receive information on ways to reduce stress, time management and study tips.	Students
05/25/2018	Annual Notice of Alcohol and Other Drug Information	In accordance with the Federal Drug-Free Schools and Communities Act and related regulations, this notification was sent to all students, faculty, and staff to provide information about the University's alcohol and other drug programs, policies, sanctions and the risks associated with use.	Students, faculty, staff

06/19/2018	Narcan Training	In collaboration with the President's Opioid Task Force, ATOD provided information on student data, and resources for students, faculty and staff.	Students, faculty, staff
Summer 2018	Rocket Launches and Transitions	These are a one-day, mandatory orientation programs for new students. THE ATOD program disseminates information on specifics of the program, as well as formally invites new students to outreaches, events and programming.	Students, parents
Ongoing	Utilization of New Social Media Accounts	Utilization of social media accounts to promote education, prevention, and awareness strategies of ATOD	Students, staff, community
Ongoing	Rocket Blasts	Provide ATOD education, outreach, awareness content	Students
Academic Year 2018-2019	RX Campaign	Campaign to bring awareness to prescription drug abuse	Students, staff
Ongoing	Office of Residence Life Collaboration	Working with the Office of Residence Life to provide ATOD education, outreach, and awareness	Students
Ongoing	Student Conduct Collaboration	Working with Student Conduct and Community Standards to provide education sanctions for students	Students
Ongoing	Lucas County Traffic Safety	Working with Lucas County Traffic Safety to provide education and outreach to students	Students, staff, community

Appendix C: Student Code of Conduct Sanction Rubric

Student Conduct Sanction Guide Edited Fall 2018			
Specific Student Code of Conduct Violation	1st Violation	2nd Violation	3rd Violation
Physical or Other Harm to a Person <ul style="list-style-type: none">Physical Injury/Harm to OthersBehavior That Endangers Physical/Mental Health/Safety of a PersonBehavior That Is Threatening or Intimidating	<ul style="list-style-type: none">Conduct Probation w/Restrictions (4/8 Months), Conduct Suspension (12 Months)Housing Relocation/Ban From Location/No Contact DirectiveEducational ActionUCC ReferralAdministrative Fee (\$25)	<ul style="list-style-type: none">Housing RemovalConduct Suspension (12/24 Months)Ban From Location/No Contact DirectiveEducational Action (Addendum)Off-Campus ReferralAdministrative Fee (\$25)	<ul style="list-style-type: none">Conduct Expulsion
Sexual Misconduct	Common Mitigating Factors	Common Aggravating Factors	Compounding Factors
Sexual Assault (Non-Consensual Contact)			
Sexual Assault (Non-Consensual Sexual Intercourse/Penetration)			
Sexual Harassment			
Interpersonal Relationship Violence			
Indecent Exposure			
Non-Consensual Recording			
Sexual Coercion			
Sex Discrimination			
Sexual Exploitation			
Sexual Violence			
Sexual Voyeurism			
Stalking			
Retaliation			
Harassment			
Harassment	<ul style="list-style-type: none">Conduct Probation w/o Restrictions, Conduct Probation w/Restrictions (4 Months)Housing Relocation/Ban From Location/No Contact DirectiveCommunity ServiceUCC ReferralApology LetterAdministrative Fee (\$25)	<ul style="list-style-type: none">Conduct Probation w/ Restrictions (8 Months), Conduct SuspensionHousing Relocation/Ban From Location/No Contact DirectiveCommunity ServiceReflection PaperAdministrative Fee (\$25)	<ul style="list-style-type: none">Conduct Suspension (12 Months)Housing Relocation/Ban From Location/No Contact DirectiveAddendumAdministrative Fee (\$25)

Student Conduct Sanction Guide
Edited Fall 2018

Discriminatory Harassment	<ul style="list-style-type: none"> Conduct Probation w/o Restrictions, Conduct Probation w/Restrictions (4 Months) Housing Relocation/Ban From Location/No Contact Directive Community Service UCC Referral Apology Letter Administrative Fee (\$25) 	<ul style="list-style-type: none"> Conduct Probation w/Restrictions (8 Months), Conduct Suspension Housing Relocation/Ban From Location/No Contact Directive Community Service Reflection Paper Administrative Fee (\$25) 	<ul style="list-style-type: none"> Conduct Suspension (12 Months) Housing Relocation/Ban From Location/No Contact Directive Addendum Administrative Fee (\$25)
Hazing			
Hazing	<ul style="list-style-type: none"> Social Suspension (length of Time Depends on Severity of Behavior) Student Group/Organization Restorative Action Plan Community Service Administrative Fee (\$25) 	<ul style="list-style-type: none"> Revocation of Registered Student Group/Organization Status (length of Time or Permanent Depends on Severity of Behavior) Educational Program Administrative Fee (\$25) 	
Weapons			
Weapons	<ul style="list-style-type: none"> Conduct Probation w/Restrictions (4/8 Months) or Housing Removal or Conduct Suspension (12 Months) UCC Referral or Off-Campus Counseling Referral (if Suspended) Educational Action Administrative Fee (\$25) 	<ul style="list-style-type: none"> Housing Removal or Conduct Suspension (12/24 Months) Off-Campus Counseling Referral Educational Action Administrative Fee (\$25) 	<ul style="list-style-type: none"> Conduct Expulsion
Fire Safety			
Failing to Evacuate	<ul style="list-style-type: none"> Written Warning Educational Action Administrative Fee (\$25) 	<ul style="list-style-type: none"> Conduct Probation w/Restrictions (4 Months) Educational Action Administrative Fee (\$25) 	<ul style="list-style-type: none"> Housing Removal Conduct Probation w/Restrictions (8 Months) Educational Action Administrative Fee (\$25)
False Report of an Alarm	<ul style="list-style-type: none"> Written Warning Educational Action Administrative Fee (\$25) 	<ul style="list-style-type: none"> Conduct Probation w/Restrictions (4 Months) Educational Action Administrative Fee (\$25) 	<ul style="list-style-type: none"> Housing Removal Conduct Probation w/Restrictions (8 Months) Educational Action Administrative Fee (\$25)

Student Conduct Sanction Guide
Edited Fall 2018

Tampering With/Improper Engagement of Alarm	<ul style="list-style-type: none"> Written Warning Educational Action Administrative Fee (\$25) 	<ul style="list-style-type: none"> Conduct Probation w/Restrictions (4 Months) Educational Action Administrative Fee (\$25) 	<ul style="list-style-type: none"> Housing Removal Conduct Probation w/Restrictions (8 Months) Educational Action Administrative Fee (\$25)
Improper Use/Possession of Fire Safety Equipment	<ul style="list-style-type: none"> Written Warning Educational Action Administrative Fee (\$25) 	<ul style="list-style-type: none"> Conduct Probation w/Restrictions (4 Months) Educational Action Administrative Fee (\$25) 	<ul style="list-style-type: none"> Housing Removal Conduct Probation w/Restrictions (8 Months) Educational Action Administrative Fee (\$25)
Intentionally/Recklessly Causing a Fire	<ul style="list-style-type: none"> Conduct Probation w/Restriction (4 Months) Restitution Educational Action Administrative Fee (\$25) Fine (\$100) 	<ul style="list-style-type: none"> Housing Removal Conduct Probation w/Restrictions (8 Months) Restitution Educational Action Administrative Fee (\$25) Fine (\$200) 	<ul style="list-style-type: none"> Conduct Suspension (12 Months) Restitution Off-Campus Counseling Referral Administrative Fee (\$25) Fine (\$300)
Controlled Substances/Drug Violations			
Possession/Use of Drugs	<ul style="list-style-type: none"> Conduct Probation w/o Restrictions (4 Months) Choices Workshop Alcohol & Drug Reflection Paper Parent/Guardian Notification Administrative Fee (\$25) Fine (\$30) 	<ul style="list-style-type: none"> Conduct Probation w/Restrictions (8 Months) SASSI Marijuana 101 Addendum Parent/Guardian Notification Administrative Fee (\$25) Fine (\$60) 	<ul style="list-style-type: none"> Removal From Residence Halls and/or Conduct Suspension for At Least One Semester Off-Campus Counseling Referral Sober Calendar Parent/Guardian Notification Administrative Fee (\$25) Fine (\$90)
Manufacture/Cultivation/Distribution/Sale of Drugs	<ul style="list-style-type: none"> Conduct Suspension (12 Months) UCC Referral SASSI ATOD Educational Action Parent/Guardian Notification Administrative Fee (\$25) Fine (\$100) 	<ul style="list-style-type: none"> Conduct Suspension (24 Months) Off-Campus Counseling Referral ATOD Educational Action Parent/Guardian Notification Administrative Fee (\$25) Fine (\$200) 	<ul style="list-style-type: none"> Conduct Expulsion Parent/Guardian Notification
Possession/Use of Prescription Drugs	<ul style="list-style-type: none"> Conduct Probation w/o Restrictions (4 Months) Choices Workshop Alcohol & Drug Reflection Paper Parent/Guardian Notification 	<ul style="list-style-type: none"> Conduct Probation w/Restrictions (8 Months) SASSI Marijuana 101 Addendum 	<ul style="list-style-type: none"> Removal From Residence Halls and/or Conduct Suspension for At Least One Semester Off-Campus Counseling Referral Sober Calendar

Student Conduct Sanction Guide
Edited Fall 2018

	<ul style="list-style-type: none"> Administrative Fee (\$25) Fine (\$30) 	<ul style="list-style-type: none"> Parent/Guardian Notification Administrative Fee (\$25) Fine (\$60) 	<ul style="list-style-type: none"> Parent/Guardian Notification Administrative Fee (\$25) Fine (\$90)
Distribution/Sale of Prescription Drug	<ul style="list-style-type: none"> Conduct Suspension (12 Months) UCC Referral SASSI ATOD Educational Action Parent/Guardian Notification Administrative Fee (\$25) Fine (\$100) 	<ul style="list-style-type: none"> Conduct Suspension (24 Months) Off-Campus Counseling Referral ATOD Educational Action Parent/Guardian Notification Administrative Fee (\$25) Fine (\$200) 	<ul style="list-style-type: none"> Conduct Expulsion Parent/Guardian Notification
Possession/Use of Drug Paraphernalia	<ul style="list-style-type: none"> Written Warning ATOD Educational Action Parent/Guardian Notification Administrative Fee (\$25) Fine (\$30) 	<ul style="list-style-type: none"> Conduct Probation w/o Restrictions (4 Months) SASSI ATOD Educational Action Parent/Guardian Notification Administrative Fee (\$25) Fine (\$60) 	<ul style="list-style-type: none"> Conduct Probation w/Restrictions (4 Months) UCC Referral ATOD Educational Action Parent/Guardian Notification Administrative Fee (\$25) Fine (\$90)
Alcohol Violations			
Underage Possession/Consumption of Alcohol Before 21 st Birthday	<ul style="list-style-type: none"> Conduct Probation w/o Restrictions (4 Months) Choices Workshop Alcohol & Drug Reflection Paper Parent/Guardian Notification Administrative Fee (\$25) Fine (\$30) 	<ul style="list-style-type: none"> Conduct Probation w/Restrictions (8 Months) SASSI AlcoholEdu for Sanctions Addendum Parent/Guardian Notification Administrative Fee (\$25) Fine (\$60) 	<ul style="list-style-type: none"> Removal From Residence Halls and/or Conduct Suspension for At Least One Semester Off-Campus Counseling Referral Sober Calendar Parent/Guardian Notification Administrative Fee (\$25) Fine (\$90)
DUI	<ul style="list-style-type: none"> Conduct Probation w/o Restrictions (8 Months) SASSI AlcoholEdu for Sanctions Parent/Guardian Notification Administrative Fee (\$25) Fine (\$30) 	<ul style="list-style-type: none"> Conduct Probation w/Restrictions (8 Months) UCC Referral ATOD Educational Action Parent/Guardian Notification Administrative Fee (\$25) Fine (\$60) 	<ul style="list-style-type: none"> Removal From Residence Halls and/or Conduct Suspension for At Least One Semester Off-Campus Counseling Referral ATOD Educational Action Parent/Guardian Notification Administrative Fee (\$25) Fine (\$90)
Distribution/Sale of an Alcoholic Beverage to Any Person Before 21 st Birthday	<ul style="list-style-type: none"> Conduct Probation w/Restrictions (8 Months) or Social Suspension (8 Months) UCC Referral 	<ul style="list-style-type: none"> Removal From Residence Halls and/or Conduct Suspension for At Least One Semester, Social Suspension (16 Months) 	<ul style="list-style-type: none"> Conduct Expulsion, Revocation of Registered Student Group/Organization Parent/Guardian Notification

Student Conduct Sanction Guide
Edited Fall 2018

	<ul style="list-style-type: none"> SASSI ATOD Educational Action Student Group/Organization Restorative Action Plan (if Applicable) Parent/Guardian Notification Administrative Fee (\$25) Fine (\$100) 	<ul style="list-style-type: none"> Off-Campus Counseling Referral ATOD Educational Action Parent/Guardian Notification Administrative Fee (\$25) Fine (\$200) 	
Unapproved Possession/Use of Common Source Containers	<ul style="list-style-type: none"> Dependent Upon Harm That Was Caused – Please Consult w/the OSC&CS 		
Hosting/Participating in an activity that promotes mass/excessive consumption	<ul style="list-style-type: none"> Dependent Upon Harm That Was Caused and Amount of Alcohol – Please Consult w/the OSC&CS 		
Public Intoxication	<ul style="list-style-type: none"> See Above 		
Disruptive Conduct			
<ul style="list-style-type: none"> Actions That Interfere w/operations of University Actions That Interfere w/orderly conduct, processes, functions of University 	<ul style="list-style-type: none"> Written Warning or Conduct Probation w/o Restrictions (4 Months) Educational Action Administrative Fee (\$25) 	<ul style="list-style-type: none"> Conduct Probation w/Restrictions (8 Months) Housing Relocation/Ban From Location/No Contact Directive Educational Action UCC Referral Administrative Fee (\$25) 	<ul style="list-style-type: none"> Conduct Suspension (12 Months) or Housing Removal Housing Relocation/Ban From Location/No Contact Directive Off-Campus Counseling Referral Administrative Fee (\$25)
Disorderly, lewd, or indecent behavior	<ul style="list-style-type: none"> Written Warning or Conduct Probation w/o Restrictions (4 Months) Educational Action Administrative Fee (\$25) 	<ul style="list-style-type: none"> Conduct Probation w/Restrictions (8 Months) Housing Relocation/Ban From Location/No Contact Directive Educational Action UCC Referral Administrative Fee (\$25) 	<ul style="list-style-type: none"> Conduct Suspension (12 Months) or Housing Removal Housing Relocation/Ban From Location/No Contact Directive Off-Campus Counseling Referral Administrative Fee (\$25)
<ul style="list-style-type: none"> Failure to Comply Failure to Identify Oneself to University Official 	<ul style="list-style-type: none"> Written Warning or Conduct Probation w/o Restrictions (4 Months) Educational Action (Apology Letter) Administrative Fee (\$25) 	<ul style="list-style-type: none"> Conduct Probation w/Restrictions (8 Months) Housing Relocation/Ban From Location/No Contact Directive Educational Action (Community Service) UCC Referral Administrative Fee (\$25) 	<ul style="list-style-type: none"> Conduct Suspension (12 Months) or Housing Removal Housing Relocation/Ban From Location/No Contact Directive Off-Campus Counseling Referral Administrative Fee (\$25)

Student Conduct Sanction Guide
Edited Fall 2018

Unauthorized Possession of Use of Property		
<ul style="list-style-type: none"> • Conduct Probation w/Restrictions (4/8 Months) • Housing Relocation/Ban From Location/No Contact Directive • UCC Referral • Restitution • Educational Action • Administrative Fee (\$25) 	<ul style="list-style-type: none"> • Conduct Probation w/Restrictions (8/16 Months) • Housing Relocation/Ban From Location/No Contact Directive • Restitution • Educational Action • Administrative Fee (\$25) 	<ul style="list-style-type: none"> • Conduct Suspension (12 Months) • Ban From Location/No Contact Directive • Restitution • Off-Campus Counseling Referral • Educational Action • Administrative Fee (\$25)
Theft Of/Abuse of Computer Facilities and Resources		
<ul style="list-style-type: none"> • Written Warning or Conduct Probation w/o Restrictions (4 Months) • Educational Action (Apology Letter) • Administrative Fee (\$25) 	<ul style="list-style-type: none"> • Conduct Probation w/Restrictions (8 Months) • Housing Relocation/Ban From Location/No Contact Directive • Educational Action (Community Service) • UCC Referral • Administrative Fee (\$25) 	<ul style="list-style-type: none"> • Conduct Suspension (12 Months) or Housing Removal • Housing Relocation/Ban From Location/No Contact Directive • Off-Campus Counseling Referral • Administrative Fee (\$25)
Unauthorized Entry to University Facilities		
<ul style="list-style-type: none"> • Written Warning or Conduct Probation w/o Restrictions (4 Months) • Educational Action (Apology Letter) • Administrative Fee (\$25) 	<ul style="list-style-type: none"> • Conduct Probation w/Restrictions (8 Months) • Housing Relocation/Ban From Location/No Contact Directive • Educational Action (Community Service) • UCC Referral • Administrative Fee (\$25) 	<ul style="list-style-type: none"> • Conduct Suspension (12 Months) or Housing Removal • Housing Relocation/Ban From Location/No Contact Directive • Off-Campus Counseling Referral • Administrative Fee (\$25)
Acts of Dishonesty		
<ul style="list-style-type: none"> • Written Warning or Conduct Probation w/o Restrictions (4 Months) • Educational Action (Apology Letter) • Administrative Fee (\$25) 	<ul style="list-style-type: none"> • Conduct Probation w/Restrictions (8 Months) • Housing Relocation/Ban From Location/No Contact Directive • Educational Action (Community Service) • UCC Referral • Administrative Fee (\$25) 	<ul style="list-style-type: none"> • Conduct Suspension (12 Months) or Housing Removal • Housing Relocation/Ban From Location/No Contact Directive • Off-Campus Counseling Referral • Administrative Fee (\$25)

Student Conduct Sanction Guide
Edited Fall 2018

Unauthorized Electronic or Digital Recording			
Unauthorized Electronic or Digital Recording	<ul style="list-style-type: none"> Conduct Probation w/ Restrictions (8 Months) Housing Relocation/Ban From Location/No Contact Directive Community Service UCC Referral Apology Letter Administrative Fee (\$25) 	<ul style="list-style-type: none"> Housing Removal/Conduct Suspension (12 Months) Housing Relocation/Ban From Location/No Contact Directive Community Service Reflection Paper Administrative Fee (\$25) 	<ul style="list-style-type: none"> Conduct Expulsion
Abuse of the Student Conduct Process			
Abuse of the Student Conduct Process	<ul style="list-style-type: none"> Conduct Probation w/Restrictions (4/8 Months) Housing Relocation/Ban From Location/No Contact Directive Educational Action Administrative Fee (\$25) 	<ul style="list-style-type: none"> Conduct Suspension (12 Months) Housing Relocation/Ban From Location/No Contact Directive Educational Action Administrative Fee (\$25) 	<ul style="list-style-type: none"> Conduct Expulsion
Gambling			
Illegal gambling or wagering	<ul style="list-style-type: none"> Written Warning Educational Action Administrative Fee (\$25) 	<ul style="list-style-type: none"> Conduct Probation w/o Restrictions (4/8 Months) Educational Action Administrative Fee (\$25) 	<ul style="list-style-type: none"> Conduct Probation w/Restrictions (8/12 Months) Educational Action Administrative Fee (\$25)
Participation in games of chance on-campus for money, or other things of value	<ul style="list-style-type: none"> Written Warning Educational Action Administrative Fee (\$25) 	<ul style="list-style-type: none"> Conduct Probation w/o Restrictions (4/8 Months) Educational Action Administrative Fee (\$25) 	<ul style="list-style-type: none"> Conduct Probation w/Restrictions (8/12 Months) Educational Action Administrative Fee (\$25)
Violation of Residence Life Policies and Procedures			
Violation of Residence Life Policies and Procedures	<ul style="list-style-type: none"> Written Warning Educational Action Administrative Fee (\$25) 	<ul style="list-style-type: none"> Conduct Probation w/o Restrictions (4/8 Months) Housing Relocation Educational Action Administrative Fee (\$25) 	<ul style="list-style-type: none"> Housing Removal Conduct Probation w/Restrictions (8/12 Months) Educational Action Administrative Fee (\$25)
Violation of University Policy			
Violation of University Policy	<ul style="list-style-type: none"> Consult w/the OSC&CS 	<ul style="list-style-type: none"> Consult w/the OSC&CS 	<ul style="list-style-type: none"> Consult w/the OSC&CS
Violation of Law			
Violation of Law	<ul style="list-style-type: none"> Consult w/the OSC&CS 	<ul style="list-style-type: none"> Consult w/the OSC&CS 	<ul style="list-style-type: none"> Consult w/the OSC&CS



Appendix D: Annual Notification



Annual Notification of Alcohol and Other Drug Information 2017-18

The University of Toledo is committed to a safe environment for all students, faculty and staff by promoting and maintaining a work and academic environment that is free from illegal use and misuse of alcohol and drugs in accordance with all federal, state, and local laws, including the Federal Drug-Free Schools and Communities Act and related regulations. The use of alcohol and illicit drugs also poses a health threat to members of the University community.

The University of Toledo is required by law to notify annually all students, faculty, and staff of alcohol and other drug policies, sanctions and risks associated with use.

This notification provides the campus community with the following information:

- A. Alcohol and drug programs available to employees and/or students
- B. Health risks associated with alcohol abuse and illicit drug use
- C. Standards of conduct and disciplinary sanctions for students regarding alcohol and drug use
- D. Standards of conduct and disciplinary sanctions for employees regarding alcohol and drug use
- E. Federal and state legal sanctions

A. Alcohol and drug programs available to employees and/or students

The University of Toledo is committed to providing education, programming and social awareness campaigns regarding the negative impact of the consumption of alcohol and other drugs. Listed below is an outline of various offices and their function related to assisting in educating faculty, staff and students regarding alcohol, tobacco, and other drug prevention education.

Student resources

University services and resource information (booklets, brochures, pamphlets, videos, etc.) for students regarding health and safety concerns from substance use and/or alcohol abuse and information regarding campus and community services are available from the [Division of Student Affairs](#) and a variety of campus services, including:

- [Main Campus Medical Center](#), 419.530.3451
- [HSC Student Health and Wellness Center](#), 419.383.5000
- [University Counseling Center](#), 419.530.2426
- [Office of Alcohol, Tobacco and Other Drug Prevention](#), 419.530.8436
- [University Police](#), 419.530.2600

Employee resources

[Human Resources](#) provides resources to faculty and staff related to the [Employee Assistance Program \(EAP\)](#) in new hire orientation. Services provided to employees can be found in the [Employee Toolkit](#).

Employees can utilize the [IMPACT Solutions Employee Assistance Program](#). IMPACT Solutions provides 24/7/365 phone support with full services assistance offering web, phone, in-office and onsite solutions for personal and work related challenges and daily living needs. Should an employee need immediate assistance, the employee can call: 1.800.227.6007.

Community resources

There are many community resources that are available for support, information and treatment, including:

- [UTMC Emergency Department](#), 419.383.3888
- [UTMC Adult Psychiatry](#), 419.383.5695
- [UTMC Inpatient Adult Detox Unit](#), 419.383.3441
- [Al-Anon-Alateen](#), 419.537.7500
- [Alcoholics Anonymous](#), 419.380.9862
- [New Concepts](#), 419.531.5544
- [A Renewed Mind](#), 419.720.9247
- [Racing for Recovery](#), 419.824.8462
- Empowered for Excellence, 567.316.7253
- [Harbor Behavioral Health](#), 419.872.2419
- [Urban Minority Alcoholism & Drug Abuse Outreach Program](#), 419.255.4444



B. Health risks associated with alcohol abuse and illicit drug use

There are many health risks associated with using alcohol and drugs, including:

Alcohol: Alcohol consumption causes a number of marked changes in behavior. Even low doses impair judgment and coordination and increase the incidence of aggressive behavior. Very high doses can cause respiratory depression and death. Alcohol intoxication is equivalent to a drug overdose. Repeated use of alcohol can lead to a change in tolerance and dependence. Cessation of alcohol intake can produce withdrawal symptoms, including tremors, hallucinations, convulsions and death. Long-term consumption of large quantities of alcohol can lead to permanent damage to vital organs such as the brain and the liver. Women who drink even small amounts of alcohol during pregnancy may give birth to infants with fetal alcohol syndrome. Children of alcoholic parents have a 40 percent greater risk of developing alcoholism than those children of non-alcoholic parents.

Marijuana: The mood-altering effects of marijuana are the result of a chemical delta-9 tetrahydrocannabinol (THC). THC is fat-soluble and remains in the body up to four weeks after smoking one marijuana cigarette. Consequently, even the occasional user can be detected through urinalysis. Research indicates that regular use may have long-term effects on the user's brain, heart and reproductive organs. The numerous carcinogenic chemicals found in marijuana smoke make it particularly harmful to the lungs.

Depressants: The use of depressants can result in a change in tolerance and physical and psychological dependency. The combining of multiple depressants (e.g. Xanax and alcohol) will intensify the depressant effects, exacerbating the health risk. Withdrawal symptoms include anxiety, vomiting, acute psychotic episodes, seizures, coma and death.

Stimulants: High doses of stimulant drugs result in intense personality disturbances, including visual and auditory hallucinations, delusions and paranoia. Tolerance develops rapidly. Cross-tolerance does develop among stimulant drugs (e.g. methamphetamines and cocaine). The use of cocaine can cause death by cardiac arrest or respiratory failure. Stimulants are addictive and withdrawal from them may cause depression and suicidal ideation with some individuals.

Narcotics: Tolerance, especially to the euphoric effects of narcotics, and physical dependence develop rapidly. In order to avoid intense drug cravings, the addict becomes preoccupied with acquiring the drug. Withdrawal symptoms are extremely uncomfortable; however, they are seldom life threatening.

Hallucinogens: Large doses of Phencyclidine (PCP) may result in convulsive seizure, coma and death. Mood disorders occur and the user may become violent, irrational and potentially harmful to self and others. Lysergic acid (LSD), mescaline and psilocybin cause sensations and feelings to change rapidly. The user may experience panic, confusion, anxiety, depersonalization and spontaneous reappearance, which are flashbacks of the drug experience after use has ceased.



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

For additional information about commonly abused drugs, visit <https://www.drugabuse.gov/drugs-abuse/commonly-abused-drugs-charts>.

C. Standards of conduct and disciplinary sanctions for students regarding alcohol and drug use

The University of Toledo has policies and procedures for maintaining a drug-free learning environment for students. The University's policies include [Alcohol and Substance Abuse Policy on Alcoholic Beverages](#) and the [Student Code of Conduct](#).

It is the responsibility of a university to be concerned with the overall development of its students. The emphasis in the administration of student conduct is placed upon treating behavioral problems in a manner that relates to the educational purposes of a university.

The [Office of Student Conduct and Community Standards](#) has the jurisdiction and responsibility of enforcing the [Student Code of Conduct](#). The Office of Student Conduct and Community Standards outlines the expectation of students while attending The University of Toledo. Additionally, The Student Code of Conduct and Community Standards website provides additional information related [for students](#) and related information [for parents](#) regarding policy.

Additional information can be found in the [Residence Life Living Guide](#).

Students who violate campus alcohol and substance abuse policies are initially referred to the Office of Student Conduct and Community Standards, which collaborates with the Alcohol, Tobacco, and Other Drug Prevention Program (ATOD), University Counseling Center, University Police, Residence Life, and the Vice President for Student Affairs on sanctions. All student violators receive education, however, if a student commits a major violation, he or she will complete an alcohol and other drug assessment and receive counseling or other interventions if deemed to be appropriate. Alcohol and drug policy sanction guidelines can be found [here](#).

The University of Toledo adopted the [Medical Amnesty Policy](#) on Aug. 23, 2010. The policy encourages students to make responsible decisions and to seek medical attention in life threatening situations that results from alcohol and/or other drug abuse.



D. Standards of conduct and disciplinary sanctions for employees regarding alcohol and drug use

The University of Toledo has policies and procedures for maintaining a [Drug-Free Workplace](#) and subscribes to a zero tolerance stance regarding [Drug and alcohol abuse](#). The University of Toledo prohibits the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance while on University property or University business. The workplace encompasses all University facilities. On the basis of its established policies and procedures, The University of Toledo will certify to funding agencies that the institution will provide a drug-free workplace.

Violation of University policies may result in disciplinary action. In addition, such matters may be reported by the University to appropriate law enforcement authorities. Violators will be subject to penalties, which may include discipline up to and including separation from the University. The University follows applicable federal, state and local laws as stated in the Ohio Revised Code, Ohio Administrative Code, United States Code, Code of Federal Regulations and applicable municipal ordinances. It is the responsibility of each staff and faculty member to familiarize themselves with the applicable laws and policies and to conduct oneself in a responsible and prudent manner.

UT contracts and policies outline discipline for violating alcohol and substance abuse standards.

American Federation of State, County and Municipal Employees (AFSCME) Ohio Council 8 and AFSCME Local 241

Article 7: Corrective action — 7.1 An employee may be subject to corrective action for incompetency, inefficiency, dishonesty, drunkenness, immoral conduct, insubordination, discourteous treatment of the public, neglect of duty, or any failure of good behavior, or any other acts of misfeasance, or nonfeasance in office, use of alcohol or abusive drugs while on duty, or for other just cause.

Communication Workers of America (CWA) Local 4319

Article 31: Corrective action — 31.1 Just Cause: The University will not discharge, suspend, or otherwise discipline employees except for just cause. Management will make a good faith effort to initiate the corrective action process within ten (10) working days after the event upon which the corrective action is based occurs, or with reasonable diligence should have been known.

The University of Toledo Police Patrolman's Association (UTPPA)

Article 6: Corrective Action and Employee Records — 6.1 The University will not discharge, suspend or otherwise discipline members except for just cause. The University agrees to apply the principles of progressive discipline where appropriate. Progressive discipline may include verbal reprimand, written reprimand, suspension or demotion prior to termination.

American Association of University Professors (AAUP)

Article 18.1 (Tenured, Tenure-Track) and Article 15.1 (lecturers): Corrective action — The Employer shall not impose discipline except for just cause. The employer subscribes to the principles of progressive discipline except in instances when summary action is called for. Any disciplinary action shall be predicated upon written charges.

Fraternal Order of Police, Ohio Labor Council, Inc. (FOP)

Article 8: Discipline — 8.1 No employee shall, for disciplinary reasons, be reduced in pay, suspended without pay, or discharged except for just cause.



Professional Staff Association (PSA) and faculty not covered by collective bargaining

3364-25-01 Standards of Conduct Policy — (3) General rules of conduct and policies have been established to help achieve the objectives of this policy. The expectation is that all employees are held to the highest standards of conduct in all areas related to their employment.

Inappropriate conduct of any kind, including but not limited to, disruptive, discourteous, disrespectful, abusive behavior, and substandard quality of work, theft, falsifying records, and failure to properly record time worked or any other behavior deemed inappropriate will be subject to disciplinary action based on the circumstances of the situation.

(4) Employees should recognize that "failure of good behavior" may be grounds for disciplinary action. Failure of good behavior includes but is not limited to discourtesy to the public, absenteeism, tardiness, insubordination, inappropriate attire, and dishonesty.

(5) In the event any University of Toledo employee is convicted of any felony the employee shall within ten (10) days, notify Human Resources and Talent Development. Failure to notify HRTD may subject the employee to discipline up to and including termination.

3364-25-111 Corrective action (Non-Collective Bargaining Unit Employees) — (D) Procedure: A non-bargaining unit classified employee may be subject to corrective action for incompetency, inefficiency, dishonesty, drunkenness, immoral conduct, insubordination, discourteous treatment of the public, neglect of duty or any failure of good behavior, or any other acts of misfeasance or nonfeasance in office, use of alcohol or abusive drugs while on duty, or for other just cause. Exempt unclassified employees occupying positions in a non-collective bargaining unit are considered "at will" employees. As such, they may be subject to progressive discipline at the discretion of the University, or be suspended or terminated for cause at its sole discretion.



E. Federal and state legal sanctions

Under local, state, and federal laws, it is a crime to do any of the following:

- I. Underage Consumption, Purchasing or Possession of Alcohol
 - a. Purchase, order, pay for, or share the cost of alcohol if you are under 21.
 - b. Possess alcohol if you are under 21.
 - c. Consume alcohol if you are under 21, unless it is provided by and consumed in the presence of your parent, legal guardian or adult spouse who is 21 or older.
 - d. Sell alcohol to, buy alcohol for or furnish alcohol to anyone under 21.
 - e. Allow anyone under 21 who possess or consumes alcohol to remain in your home, apartment or residence hall room, or in other property that you own or occupy unless alcohol is given by and consumed in the presence of the underage person's parent, legal guardian or adult spouse.
- II. False Identification
 - a. Show or give false information about your name, age or other identification to purchase or obtain alcohol if you are under 21.
 - b. Provide false information about the name, age or other identification of another person under 21 to purchase or obtain alcohol for that person.
- III. Open Containers
 - a. Have an open container of alcohol in your possession in any unlicensed public place.
 - b. Have an open container of alcohol in your possession while driving or riding in or on a motor vehicle.
 - c. Have an open container of alcohol in your possession while in or on a motor vehicle that is parked in or on a highway, street or other place open to the public for parking.
- IV. Transportation
 - a. Operate a vehicle under the influence. If you are under 21, you are considered to be operating a vehicle under the influence if your blood alcohol level is .02 or higher and 0.08 at age 21. Refusing an alcohol test results in an immediate administrative license suspension.
 - b. Consume alcohol while in a motor vehicle
 - c. Drive while under the influence of alcohol.
 - d. Be in physical control of a vehicle while drinking or under the influence of alcohol.
- V. Disorderly Conduct
 - a. Engage in conduct likely to be offensive or cause inconvenience, annoyance or alarm to others or that poses a risk of physical harm to yourself, to others or to property while you are voluntarily intoxicated.
- VI. Alcohol Sales
 - a. Hold an event where alcohol is sold, or an event where alcohol is provided without charge but there is an entrance fee, cover charge or other fee, without an appropriate permit. Information on how to obtain a temporary liquor permit is available from the [Ohio Division of Liquor Control](#).
- VII. Illicit Drugs



- a. Sell or offer to sell any controlled substance, or prepare or package any controlled substance for sale.
- b. Distribute any controlled substance, unless authorized to do so by law
- c. Knowingly obtain, possess, or use a controlled substance without a prescription.

For more information, consult the [Ohio Department of Commerce Division of Liquor Control](#) and [US Drug Enforcement Administration](#).

State of Ohio alcohol and drug law criminal sanctions under the Ohio Revised Code (O.R.C.)

[O.R.C. 4301.62](#) provides that no person shall have in the person's possession an open container of beer or intoxicating liquor in any public place; or while operating or being a passenger in or on an operating or stationary motor vehicle on any street, highway, or other public or private property open to the public for purposes of vehicular travel or parking,

[O.R.C. 4301.63](#) provides that no person under the age of 21 shall purchase beer or intoxicating liquor. Penalty for violation: A fine of not less than \$25 but no more than \$100 may be imposed. The court may order that the fine be paid by the performance of public work at a reasonable hourly rate established by the court and shall designate the time within which the public work shall be completed.

[O.R.C. 4301.633](#) provides that no person shall knowingly furnish any false information as to the name, age or other identification of any person less than 21 years of age for the purpose of obtaining or with the intent to obtain beer or intoxicating liquor for a person less than 21 years of age by purchase or as a gift. Penalty for violation: A misdemeanor of the first degree with a maximum penalty of imprisonment for not more than six months and a \$1,000 fine.

[O.R.C. 4301.634](#) provides that no person under the age of 21 shall knowingly show or give false information concerning his name, age or other identification for the purpose of purchasing or otherwise obtaining beer or intoxicating liquor in any place in this state where beer or intoxicating liquor is sold under permit issued by the department of liquor control or sold directly by the department of liquor control. Penalty for violation: A misdemeanor of the first degree with a maximum penalty of imprisonment for not more than six months and a \$1,000 fine.

[O.R.C. 4301.64](#) prohibits the consumption of any beer or intoxicating liquor in a motor vehicle. Penalty for violation: A misdemeanor of the fourth degree with a maximum penalty of imprisonment for not more than 30 days and a \$250 fine.

[O.R.C. 4301.69 \(A\)](#) prohibits selling beer or intoxicating liquor to a person under the age of 21 or buying it for or furnishing it to such a person. Penalty for violation: A misdemeanor of the first degree with a maximum penalty of imprisonment for not more than six months and a \$1,000 fine.



[O.R.C. 4301.69 \(E\)](#) provides that no underage person shall knowingly possess or consume in any public or private place, unless he or she is accompanied by a parent, spouse, or legal guardian who is not an underage person, or unless the beer or intoxicating liquor is given for medical or religious purposes. Penalty for violation: A misdemeanor of the first degree with a maximum penalty of imprisonment for not more than six months and a \$1,000 fine.

[O.R.C. 4511.19](#) prohibits any person from operating a vehicle while under the influence of alcohol and or drugs. Penalty for violation: A misdemeanor of the first degree with a maximum penalty of imprisonment for not more than six months and a \$1,000 fine, in addition to license suspension or revocation as provided in [O.R.C. 4507.16](#). Penalties for repeat offenders are found in [O.R.C. Section 4511.99](#).

[O.R.C. 2925.03](#) prohibits any person from selling or offering to sell any controlled substance, preparing or packaging any controlled substance for sale, or distributing any controlled substances. Penalty for violation: Anyone who violates this statute is guilty of drug trafficking, a felony, the level of which depends on the specific criteria set forth in [O.R.C. 2925.03\(C\)](#), including type and weight of drug. The minimum penalty for a fifth-degree felony can include six to 12 months in jail and/or a fine up to \$2,500. The maximum penalty for a first-degree felony can include imprisonment up to 10 years and a fine up to \$20,000.

[O.R.C. 2925.11](#) prohibits any person from knowingly obtaining, possessing, or using a controlled substance. PENALTY FOR VIOLATION: Violation of this statute is drug abuse, which may be a misdemeanor or a felony depending on the specific criteria set forth in Section 2925.11 (C). The maximum penalty is imprisonment for not more than 60 days and fine of not more than \$500. Under the maximum penalty (felony in the third degree) the minimum term of imprisonment shall be two years and the maximum term shall be 10 years. The penalty also includes a fine of not more than \$5,000.

A complete list of Ohio drug prohibitions can be found in [O.R.C. 2925](#).



Federal drug laws

Federal law prohibits the trafficking and illegal possession of controlled substances as outlined in the Title 21 United States Code Controlled Substances Act [Section 811](#) and [Section 844](#). Depending on the amount, first offense maximum penalties for trafficking marijuana range from five years imprisonment and a fine of \$250,000 to imprisonment for life and a fine of \$4 million. Again, depending on the amount, first offense maximum penalties for trafficking class I and class II controlled substances (including but not limited to marijuana, methamphetamine, heroin, cocaine, cocaine base, PCP, LSD, fentanyl analogue) range from five years to imprisonment for life and maximum fines ranging from \$2 million to \$4 million. First offense penalties and sanctions for the illegal possession of a controlled substance range from up to one year in prison and a fine of at least \$1,000 but no more than \$250,000, or both.

Disclaimer

This information is provided as a general summary of applicable laws and policies. Laws are frequently amended and reinterpreted, and the application of law to specific situations generally requires an analysis of all of the facts and circumstances. Updates to these laws and policies are generally reflected on the websites mentioned here, but individuals are ultimately responsible for knowing the laws. This information should not be substituted for specific legal advice.

The University of Toledo's Student Code of Conduct and university policies and rules are campus behavior and safety standards that may result in sanctions, educational outcomes or penalties that are independent of any criminal considerations. Law violations also may be a violation of University expectations and could result in University sanctions. It also should be noted that the University's expectations for appropriate behavior may be higher than the minimums set forth under the law.



Appendix E: AlcoholEdu Data

Appendix E1: Academic Year 2016-2017

University of Toledo AlcoholEdu for College

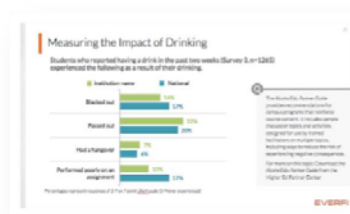
Impact Report 2016-2017

EVERFI

Introduction

This report provides key insights from your *AlcoholEdu for College* data. We encourage you to share this report, or specific slides from this report, with others on your campus.

To help facilitate that process, we have included references to related studies or resources that offer important context for understanding the data provided. This information offers a framework for those who may not be familiar with EverFi or the *AlcoholEdu for College* course structure, content, and data. It will assist you and your colleagues in utilizing your *AlcoholEdu* data to inform prevention efforts on your campus.



For deeper insights, the EverFi Analytics Platform provides real-time graphic representations of your EverFi data. In addition to on-demand data, you also have the ability to download the raw data files for all three *AlcoholEdu* surveys. If you added custom questions to the course survey, those data may be accessed on the platform as well.

EVERFI

Your Impact Report Outline



About EverFi

About *AlcoholEdu for College*

Your Students' Drinking Behavior

Next Steps

EVERFI

About EverFi

EVERFI

Our mission in higher education is to drive lasting, large-scale change on critical wellness issues facing students, faculty, and staff.

We help institutions make transformative impact on sexual assault, high-risk drinking, and financial education through evidence-based online programs, data, and advisory services.

EVERFI

6

Our Experience – Higher Education



EVERFI

The Benefits of Partnering With EverFi



PROVEN EFFICACY

Eight independent studies have been published demonstrating the efficacy of EverFi online programs. Our approach improves knowledge, attitudes, and behaviors.



TRUE EXPERTISE

Our team includes public health professionals, administrators from student affairs, campus prevention offices, and more. Extend your team by partnering with ours.



BEYOND COMPLIANCE

Our online programs are built by prevention and compliance experts to meet and exceed requirements from Title IX, Clery Act (Campus SaVE/VAWA), EDGAR part 86.



DATA-DRIVEN

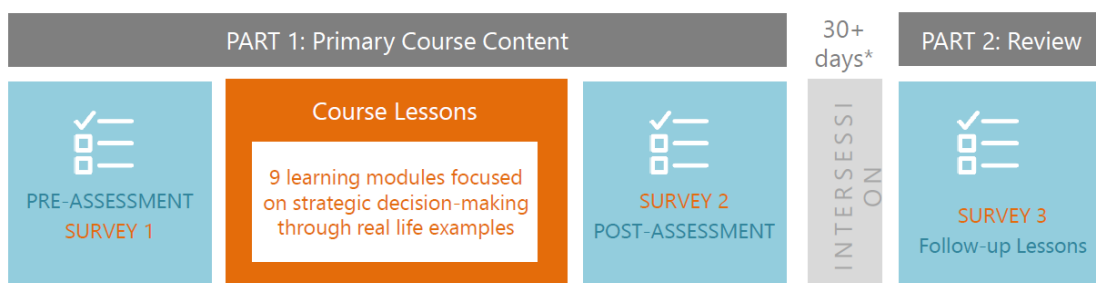
Our data and analytics provide real-time access to attitudinal and behavioral data from your unique populations, and national benchmarks to assess needs and strengths.

EVERFI

About *AlcoholEdu for College*

EVERFI

Course Structure and Resulting Data Set



*Length of intercession is determined by individual schools.

SURVEYS measure changes in attitudes and behaviors

ASSESSMENTS are tests and quizzes that measure student knowledge

Data in this report are based on responses from **1827** students at your Institution who completed all 3 *AlcoholEdu for College* surveys in the fall of 2016. Where available, data is benchmarked against the national aggregate (N= 15623).

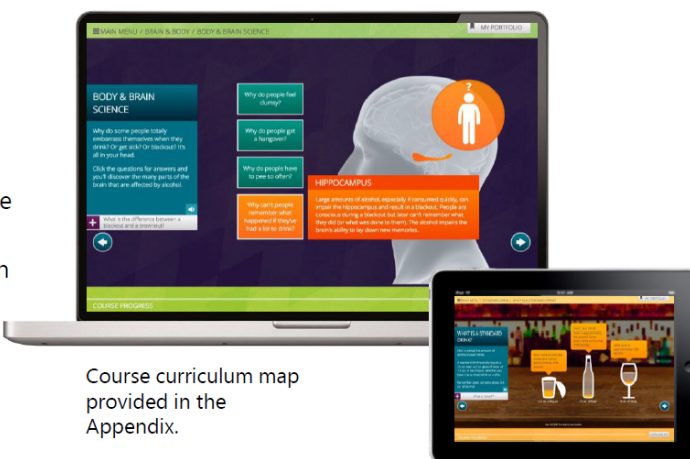
University of Toledo

EVERFI

9

The AlcoholEdu for College Course

- Developed in collaboration with leading prevention experts and researchers
- Interactive content guided by recommendations from the National Institute of Alcohol Abuse and Alcoholism (NIAAA)
- Informed by emerging research on evidence-based practice (e.g., social norms approach, bystander intervention)
- Cited as a top-tier strategy by NIAAA in their CollegeAIM Matrix
- Most widely used universal online AOD prevention program since its development in 2000



EVERFI

A Profile of Your Students' Drinking Behavior

EVERFI

12

Highlights from Your Data

- 10%** of your students reported **drinking in a high risk way**, when measured midway through the fall term (Survey 3, n=1827).
- 28%** of your students reported **not drinking in the past two weeks**, with 38% indicating **not drinking in the past year**. (Survey 3, n=1827)
- 87%** of your students, after completing *AlcoholEdu* (Survey 2, n=1827), reported that the course prepared them to **make responsible decisions about drinking**.

The following are based on responses provided by your students in Survey 3 (n=1827):

The most common drinking-related risk behaviors that your students engage in are **Pregaming** and **Doing Shots**.

Two of the **most frequently reported negative consequences of drinking** are **Had a hangover** and **Blacked Out**.

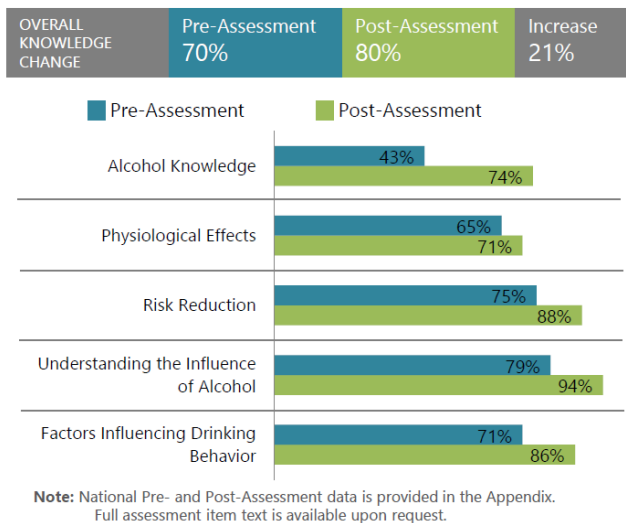
Students reported that some of the **most important reasons not to drink** are because **I'm going to drive** and that **I don't want to spend the money**.

University of Toledo

EVERFI



Formative Assessments and Knowledge Gains



Your students reported that *AlcoholEdu*:

Prepared them to prevent an alcohol overdose **86%**

Prepared them to help someone who may have alcohol poisoning **90%**

Helped them establish a plan ahead of time to make responsible decisions about drinking **87%**

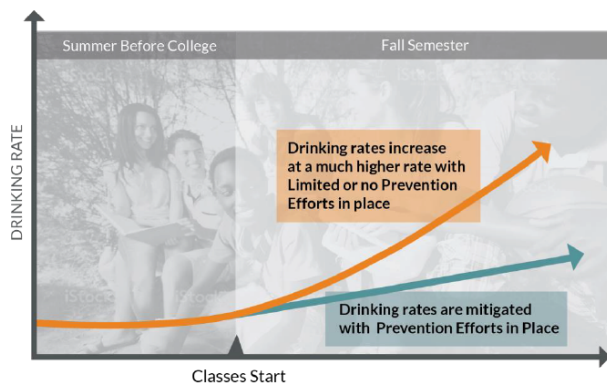
Changed their perceptions of other's drinking behavior **65%**

University of Toledo

EVERFI

Important Context for Reviewing Your Data: Understanding the "College Effect"

National student drinking rates follow a typical pattern: alcohol use generally rises the summer before a student enters college, and then increases substantially after their arrival on campus. This phenomenon, known as the "College Effect," is represented by the conceptual graphic below.



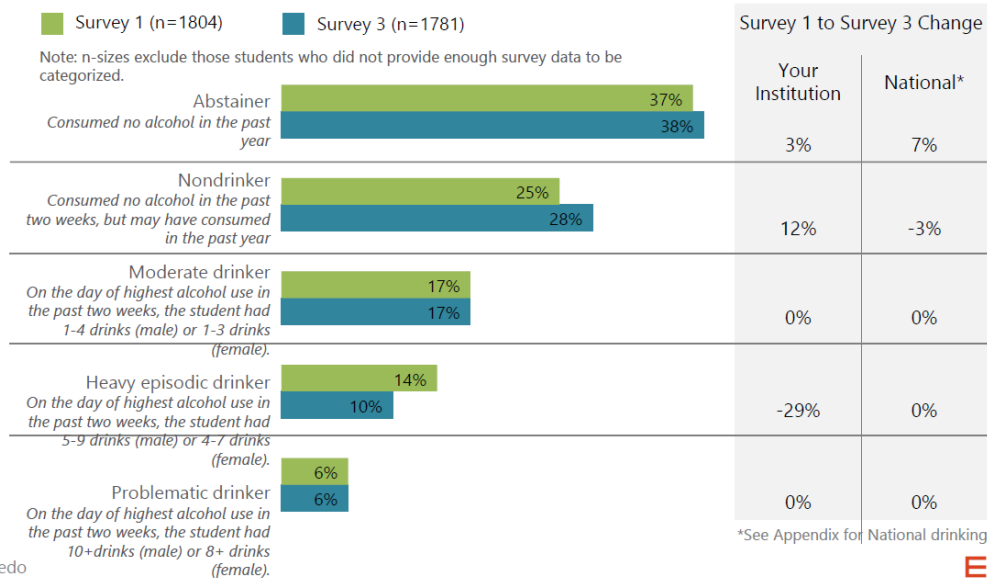
Mitigating The College Effect

There is a narrow window of opportunity for primary prevention. Through evidence-based education and prevention efforts, including *AlcoholEdu*, institutions can mitigate the impact of the College Effect.

Such efforts must consider the need to focus on all students, not just those who have a prior history of heavy or problematic drinking. Efforts aimed at reinforcing the behaviors of the healthy majority should not be overlooked.

EVERFI

Examining Changes in Drinking Rates

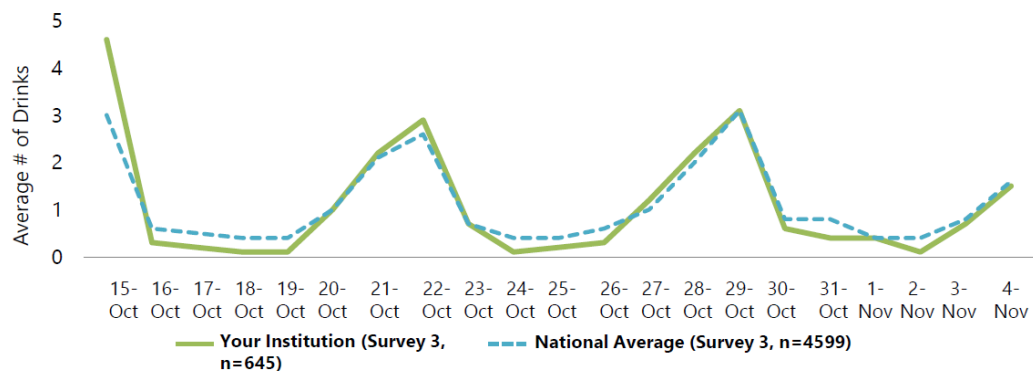


University of Toledo

EVERFI

Peak Drinking Days

Below is a snapshot of student drinking rates over a 3-week period of time. It represents the average number of drinks consumed by your students (drinkers only) as compared to the national average during that same 3-week period.



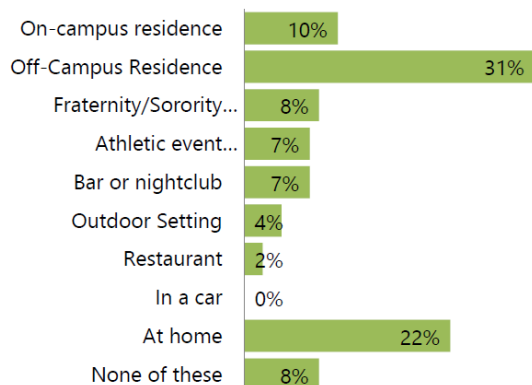
Note: The date range for the above graph was selected as the peak drinking period for our national aggregate and may not represent the peak drinking days for your institution.

University of Toledo

EVERFI

Where Students Drink

The most common location where your students report consuming alcohol in the past two weeks (Survey 3, drinkers only, n = 645):



Certain drinking locations – on campus pubs, off-campus house parties – have been shown to be associated with significant negative consequences (EverFi, 2012).

The same study also indicated that certain locations (on-campus dances and concerts) have a greater relationship with sexual assault than other locations.

Note: Last year, students could select multiple common locations; this year they could only select the most common location.

University of Toledo

EVERFI

Student Reasons for Not Drinking

Both drinkers and non-drinkers indicated their most important reasons for choosing whether or not to drink alcohol (Survey 3, n = 1827).

When you choose NOT to drink alcohol, how important are the following reasons:

Percentage Important/Very Important*

I'm going to drive	0.68%
I don't want to spend the money	0.46%
I have other things to do	0.41%
I don't have to drink to have a good time	0.37%
I don't want to lose control	0.32%



"It would be far easier to increase the salience of existing reasons that drinkers have for restricting their alcohol use than to win their endorsement of still additional reasons that are primarily endorsed by abstainers (Huang et al., 2011)."

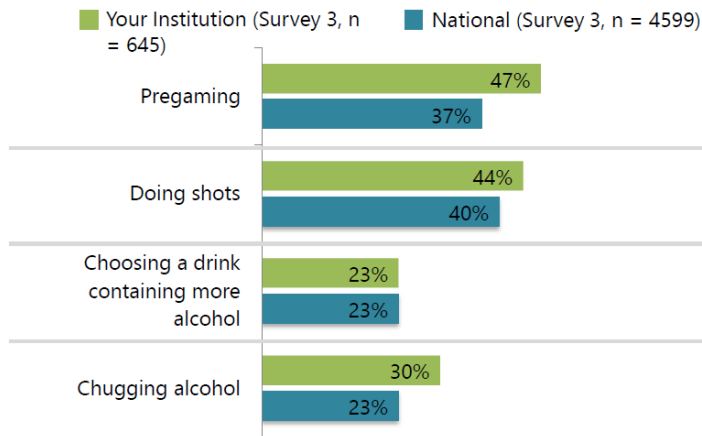
*Percentages represent responses of 5-7 on 7 point Likert scale (1=Not at all important, 7=Very important)

University of Toledo

EVERFI

High-Risk Drinking Behaviors

These are some of the most common risk-related drinking behaviors reported by your students who had a drink in the past two weeks:



Percentages represent responses of 5-7 on 7 point Likert scale (1=Never)

University of Toledo



More than other high-risk behaviors, pregameing has been shown to have a predictive relationship with a variety of negative outcomes (EverFi, 2012).

As such, pregameing can potentially be used as a marker to identify students who are more likely to be at risk for negative consequences.

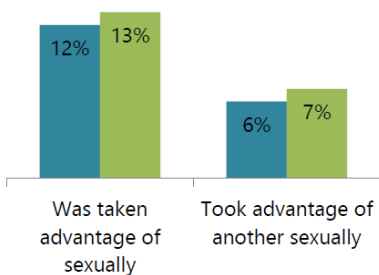
For more on this topic, see: *Strategic Drinking – Examining the Culture of Pregameing* (Webinar recording)

EVERFI

The Role of Alcohol in Sexual Assault

Students who drank in the past two weeks reported that the following occurred in conjunction with their drinking:

National (Survey 3, n = 4599) Your Institution (Survey 3, n = 645)



Percentages represent responses of 2-7 on 7-point Likert scale (1=Never experienced)

University of Toledo

"The fact that alcohol consumption and sexual assault frequently co-occur does not demonstrate that alcohol causes sexual assault."

(ABBEY, 2008)

Insights from Haven: Understanding Sexual Assault

Students with **unhealthy attitudes** regarding sexual violence:

- are much more likely to perpetrate sexual assault
- have higher rates of alcohol use (frequency and quantity)
- are *much* more likely to experience alcohol-related problems



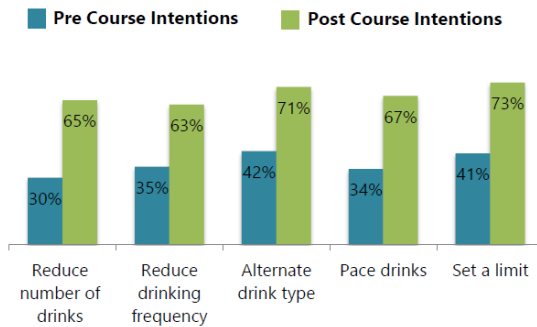
How do we effectively identify and intervene with students at risk for being victimized or perpetrating sexual assault?

For more on this topic, see: *Alcohol and Sexual Assault – Unpacking the Connections and Implications for Practice* (Webinar recording)

EVERFI

The Importance of Behavioral Intentions

After completing *AlcoholEdu*, students reported an increase in several positive behavioral intentions.



Data represents student responses collected in Survey 1 (Pre-course) and Survey 2 (Post-course).

Impact For High-risk Students:

Among the **64%** of high risk drinkers (**230 students**) who saw **"no need to change the way they drink"** before taking *AlcoholEdu*, **66%** of those students (**152 students**) indicated their readiness to change after completing the course.



Intention has been shown to be the most important variable in predicting behavior change (Ajzen, 1991). Actual behavior change is driven, in part, by an individual's perception of the social environment surrounding the behavior (subjective norms). As such, a campus environment that reinforces safe and healthy norms can help support individual intentions and, ultimately, change in behavior.

University of Toledo

EVERFI

Next Steps

EVERFI

Engage Your Students

Effective prevention includes actively engaging students to reinforce positive behavioral intentions of all students: drinkers and non-drinkers alike.

Interest in Alcohol-Free Activities

Your students voluntarily provided their name and email address in order to be contacted regarding alcohol-free activities. Lists of students who want to attend such activities, along with the specific types of activities they are interested in, can be downloaded from the Higher Ed Partner Center.

Group	Last Name	First Name	Email	Student ID
First Year Undergraduates
First Year Undergraduates
First Year Undergraduates
First Year Undergraduates
First Year Undergraduates
First Year Undergraduates
First Year Undergraduates
First Year Undergraduates
First Year Undergraduates
First Year Undergraduates

Activity	# of Students	Actions
Boating	829	View/Export
Intercollegiate Sports/Tournaments	851	View/Export
Extracurricular Sports Events	850	View/Export
Outdoor Adventures	715	View/Export
Fest/Tournaments	399	View/Export
Fitness Classes (yoga, pilates, etc.)	710	View/Export
Dance Classes (hip-hop, break dancing, ballroom)	399	View/Export
Board Games	393	View/Export
Video Game Tournaments	346	View/Export
Karaoke Night	277	View/Export

University of Toledo

Additional Engagement Opportunities

Group	Last Name	First Name	Email	Student ID
First Year Undergraduates
First Year Undergraduates
First Year Undergraduates
First Year Undergraduates
First Year Undergraduates

Group	Last Name	First Name	Email	Student ID
First Year Undergraduates
First Year Undergraduates
First Year Undergraduates
First Year Undergraduates
First Year Undergraduates

EVERFI

Connect Students With Resources and Each Other

A growing number of students arriving on campus choose to **regularly abstain from alcohol use**. Research has shown that these students are more likely to be successful in their commitment to not drink if they are able to connect with like-minded peers. *AlcoholEdu* provides campuses with a unique tool to identify and assist students with that process.

SUPPORT FOR YOUR CHOICE

Would you like to connect with other students on campus who have also decided not to drink?

☐ Yes, I would like to be contacted by my school to learn more about connecting with other students who are interested in a social life that isn't focused around alcohol.

☐ No, thanks.

*By selecting this option, you are authorizing AlcoholEdu to share the name and email address you selected to be in the course with your school or organization, exclusively for the purpose of connecting you about such opportunities.

Note: Students choose to abstain from alcohol use for a variety of reasons, from religious beliefs to recovery from alcohol or other drug addiction. Be sure to consider all possibilities when reaching out to students on your list.

University of Toledo

AlcoholEdu also enables students to indicate their interest in learning more about a school's programs and services to **support recovery from alcohol or other drug addiction**. Whether seeking information for themselves, a friend, or a family member, students may opt in to be connected with available resources.

RECOVERY SUPPORT

Many colleges and universities provide a variety of support services and resources for students in recovery from alcohol or other drug addiction.

Would you like your school to contact you about recovery programs and services available on your campus?

☐ Yes

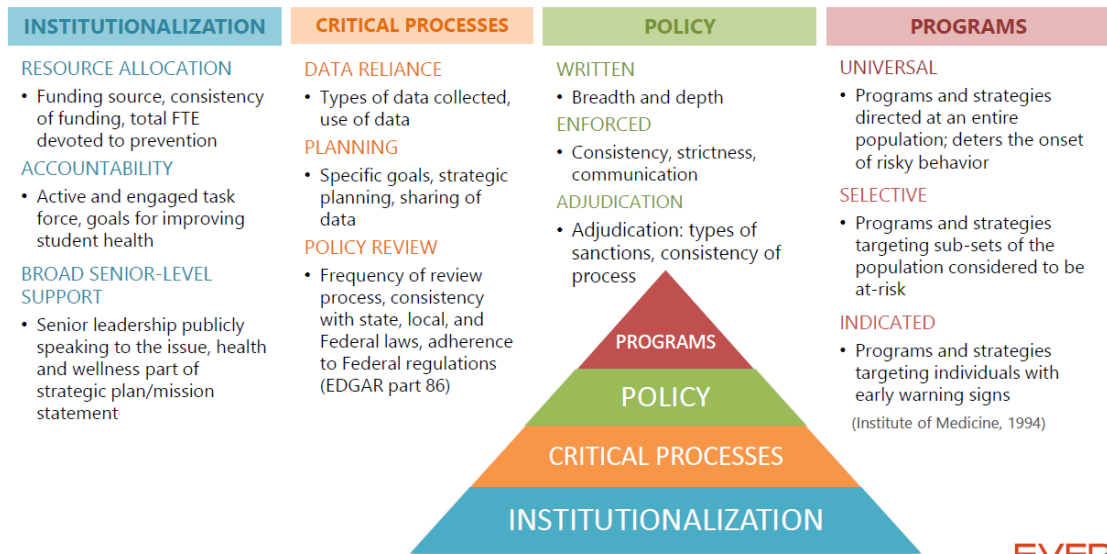
☐ No

*By selecting the 'Yes' option above, you are authorizing AlcoholEdu to share the name and email address you selected to be in the course with your school or organization, exclusively for the purpose of connecting you about such opportunities. Your school may at any time choose to contact you. Your response to survey questions cannot be shared to the public in any way.

"...two of the most important sociodemographic and psychobehavioral variables that predict whether students abstain is their perception of friends' alcohol-related attitudes and having a close friend who abstains (Huang, et al., 2009)."


EVERFI

Considerations for Your Prevention Strategy



EVERFI

Resources to Support Your Efforts

 FOR ALL PARTNERS

AlcoholEdu Partner Guide
Designed to assist partners in creating programs and strategies that reinforce critical course content.

EverFi Analytics Platform (EAP)
This new resource provides easily accessible, real time, campus-level data and reports for all EverFi courses. If you need assistance accessing the EAP, please contact your partner services director.

Thought Leadership
Be sure to look out for e-mails regarding upcoming webinars, white papers and guidebooks to further support your Prevention and compliance initiatives.

EVERFI

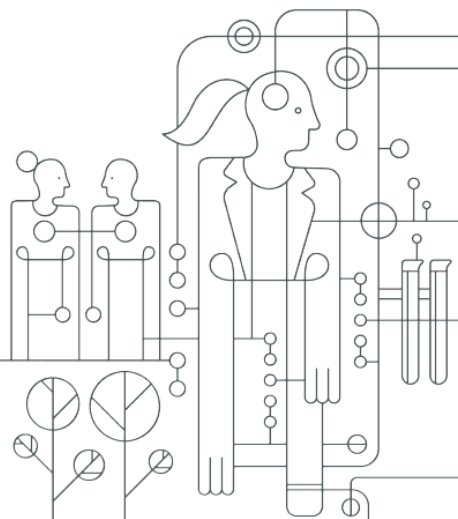
Appendix E2: Academic Year 2017-2018

EVERFI

AlcoholEdu for College

University of Toledo

Impact Report 2017-2018

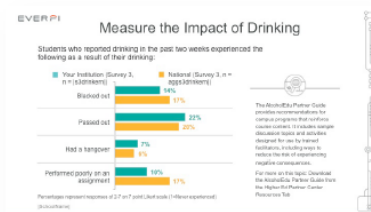


EVERFI

Introduction

This report provides key insights from your *AlcoholEdu for College* data. We encourage you to share this report, or specific slides from this report, with others on your campus.

To help facilitate that process, we have included references to related studies or resources that offer important context for understanding the data provided. This information offers a framework for those who may not be familiar with EVERFI or the *AlcoholEdu for College* course structure, content, and data. It will assist you and your colleagues in utilizing your data to inform prevention efforts on your campus.



For deeper insights, the EVERFI Analytics platform provides real-time graphic representations of your EVERFI data. In addition to on-demand data, you also have the ability to download the raw data files for all *AlcoholEdu* surveys. If you added custom questions to the course survey, those data may be accessed on the platform as well.



Your Impact Report Outline



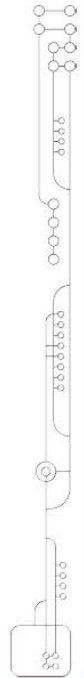
About EVERFI

About *AlcoholEdu for College*

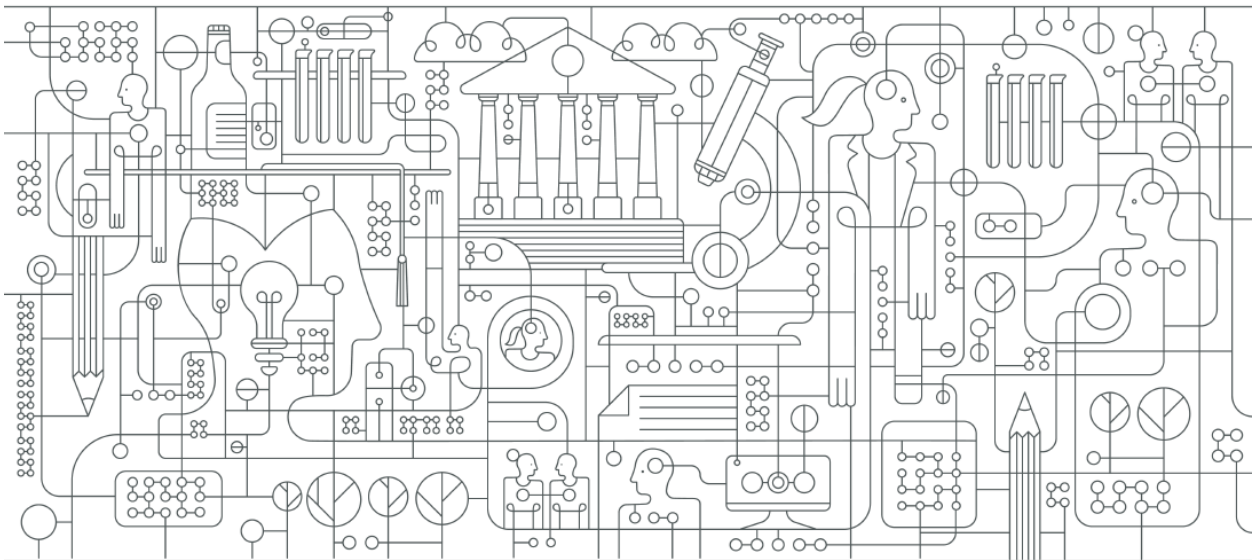
Your Students' Drinking Behavior

Next Steps

Appendix



About EVERFI



Our mission in higher education is to drive lasting, large-scale change on critical wellness issues facing students, faculty, and staff.

We help institutions make transformative impact on sexual assault, high-risk drinking, and financial education through evidence-based online programs, data, and advisory services.



EVERFI



The Benefits of Partnering With EVERFI



Proven Efficacy

Eight independent studies have been published demonstrating the efficacy of EVERFI online programs. Our approach improves knowledge, attitudes, and behaviors.



True Expertise

Our team includes public health professionals, administrators from student affairs, campus prevention offices, and more. Extend your team by partnering with ours.



Beyond Compliance

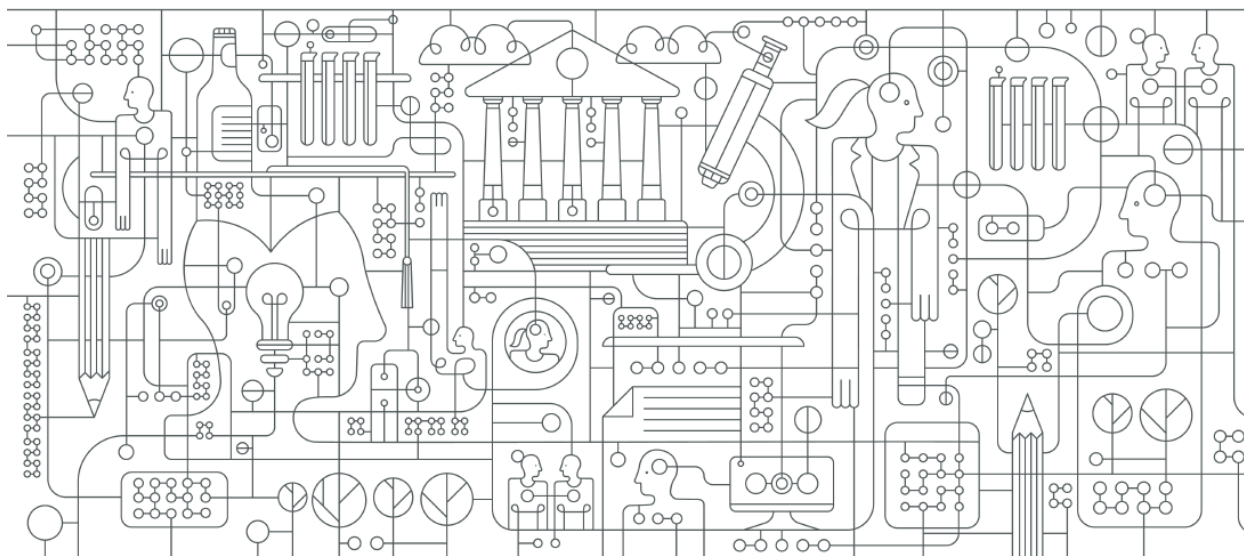
Our online programs are built by prevention and compliance experts to meet and exceed requirements from Title IX, Clery Act (Campus SaVE/VAWA), EDGAR part 86.



Data-driven

Our data and analytics provide real-time access to attitudinal and behavioral data from your unique populations, and national benchmarks to assess needs and strengths.

About AlcoholEdu for College





The AlcoholEdu for College Course

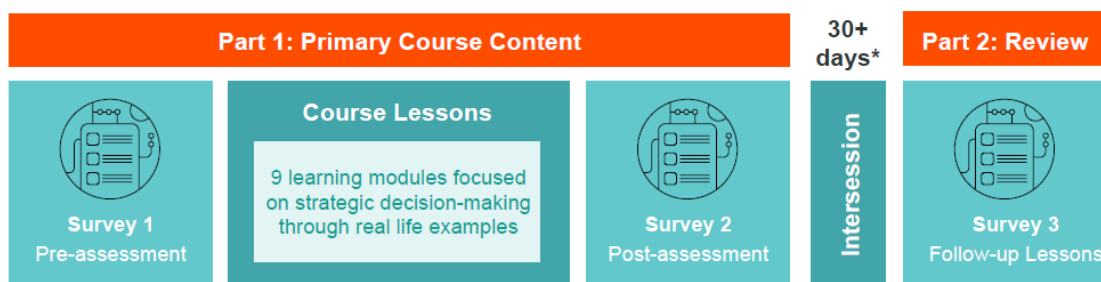
- Developed in collaboration with leading prevention experts and researchers
- Interactive content guided by recommendations from the National Institute of Alcohol Abuse and Alcoholism (NIAAA)
- Informed by emerging research on evidence-based practice (e.g., social norms approach, bystander intervention)
- Cited as a top-tier strategy by NIAAA in their CollegeAIM Matrix
- Most widely used universal online AOD prevention program since its development in 2000



Course curriculum map provided in the Appendix.



Course Structure and Resulting Data Set



*Length of interession is determined by individual schools.

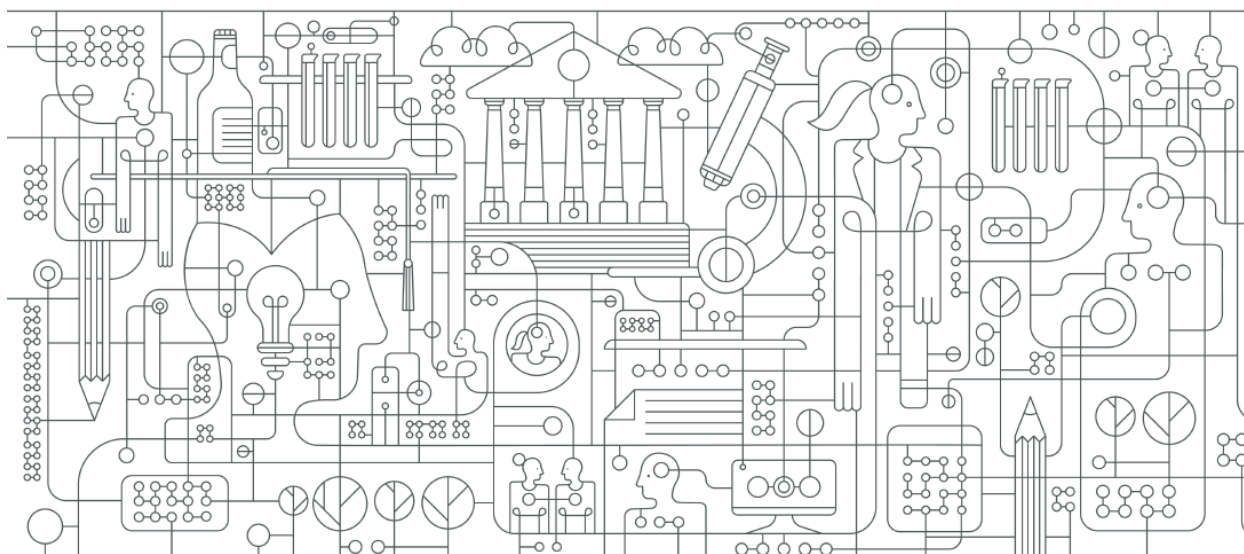
Surveys measure changes in attitudes and behaviors

Assessments are tests and quizzes that measure student knowledge

Data in this report are based on responses from **2329** students at your Institution who completed all 3 *AlcoholEdu for College* surveys in the fall of 2017. Where available, data is benchmarked against the national aggregate (N= 21918).

University of Toledo

A Profile of Your Students' Drinking Behavior



EVERFI

Highlights from Your Data

16%

of your students reported drinking in a high risk way, when measured midway through the fall term (Survey 3, n=2329).

27%

of your students reported not drinking in the past two weeks, with 39% indicating not drinking in the past year. (Survey 3, n=2329)

90%

of your students, after completing *AlcoholEdu for College* (Survey 2, n=2329), reported that the course prepared them to make responsible decisions about drinking.

The following are based on responses provided by your students in Survey 3 (n=2329):

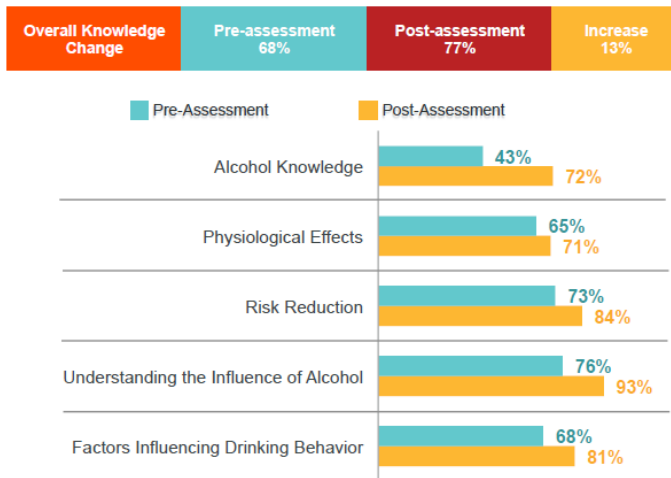
The most common drinking-related risk behaviors that your students engage in are **pregaming** and **doing shots**.

Two of the most frequently reported negative consequences of drinking are **hangovers** and **blacking out**.

Students reported that some of the most important reasons not to drink are because **I'm going to drive** and that **I don't want to spend the money**.

University of Toledo

Formative Assessments and Knowledge Gains



Note: National Pre- and Post-Assessment data is provided in the Appendix.
Full assessment item text is available upon request.

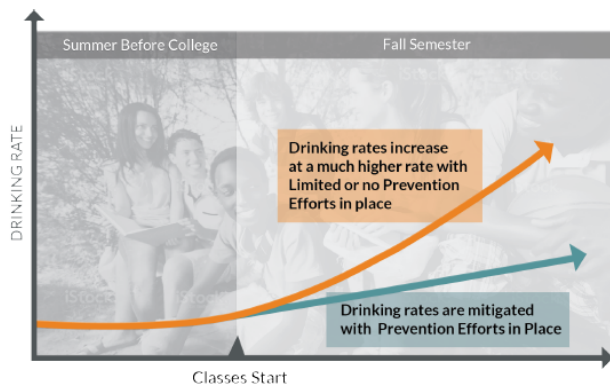
University of Toledo

Your students reported that *AlcoholEdu for College*:

Prepared them to prevent an alcohol overdose	88%
Prepared them to help someone who may have alcohol poisoning	90%
Helped them establish a plan ahead of time to make responsible decisions about drinking	90%
Changed their perceptions of other's drinking behavior	64%

Important Context for Reviewing Your Data: Understanding the "College Effect"

National student drinking rates follow a typical pattern: alcohol use generally rises the summer before a student enters college, and then increases substantially after their arrival on campus. This phenomenon, known as the "College Effect," is represented by the conceptual graphic below.



Mitigating The College Effect

There is a narrow window of opportunity for primary prevention. Through evidence-based education and prevention efforts, including *AlcoholEdu for College*, institutions can mitigate the impact of the "College Effect".

Such efforts must consider the need to focus on all students, not just those who have a prior history of heavy or problematic drinking. Efforts aimed at reinforcing the behaviors of the healthy majority should not be overlooked.

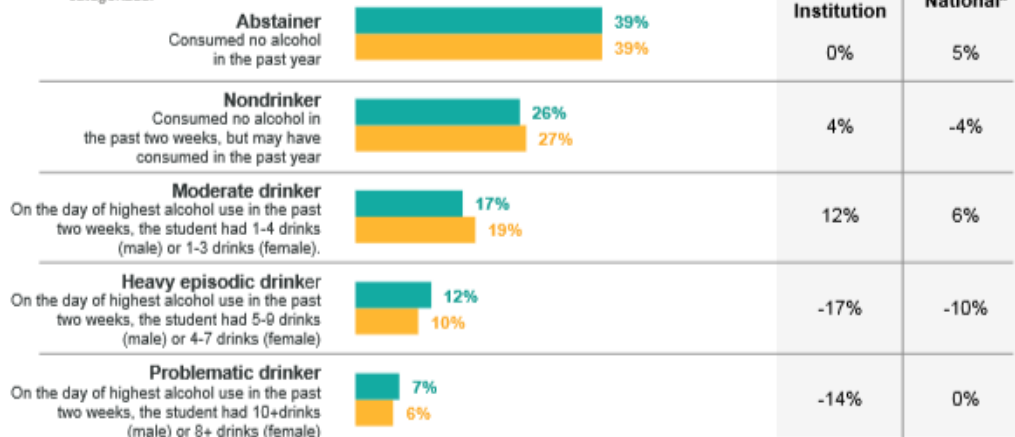


Examining Changes in Drinking Rates

Survey 1 (n=2276)

Survey 3 (n=2233)

Note: n-sizes exclude those students who did not provide enough survey data to be categorized.



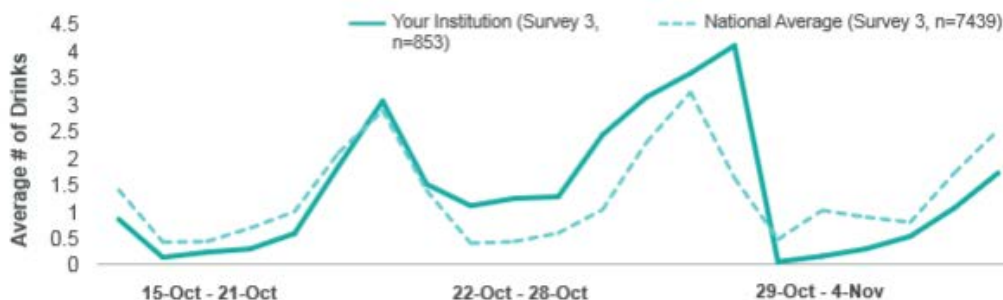
University of Toledo

*See Appendix for National drinking rates.



Peak Drinking Days

Below is a snapshot of student drinking rates over a 3-week period of time. It represents the average number of drinks consumed by your students (drinkers only) as compared to the national average during that same 3-week period.

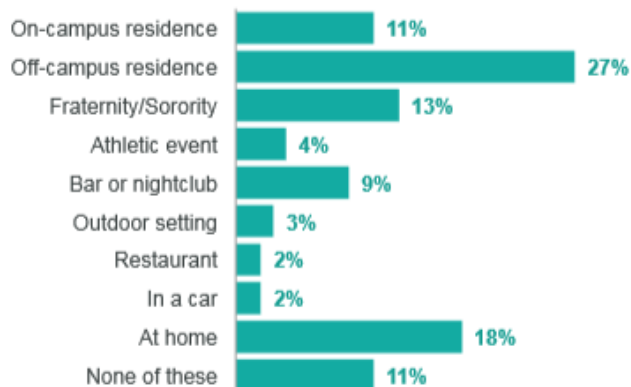


Note: The date range for the above graph was selected as the peak drinking period for our national aggregate and may not represent the peak drinking days for your institution.

University of Toledo

Where Students Drink

The most common location where your students report consuming alcohol in the past two weeks (Survey 3, drinkers only, n = 853):



Certain drinking locations – on campus pubs, off-campus house parties – have been shown to be associated with significant negative consequences (EVERFI, 2012).

The same study also indicated that certain locations (on-campus dances and concerts) have a greater relationship with sexual assault than other locations.

University of Toledo

Student Reasons for Not Drinking

Both drinkers and non-drinkers indicated their most important reasons for choosing whether or not to drink alcohol (Survey 3, n = 2329).

When you choose NOT to drink alcohol, how important are the following reasons:

**Percentage Important/
Very Important***

I'm going to drive	68%
I don't want to spend the money	55%
I have other things to do	54%
I don't have to drink to have a good time	51%
I don't want to lose control	51%



"It would be far easier to increase the salience of existing reasons that drinkers have for restricting their alcohol use than to win their endorsement of still additional reasons that are primarily endorsed by abstainers (Huang et al., 2011)."

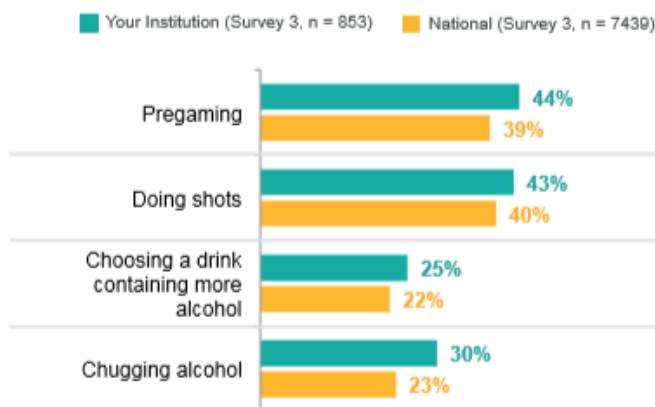
*Percentages represent responses of 5-7 on 7 point Likert scale (1=Not at all important, 7=Very important)

University of Toledo



High-Risk Drinking Behaviors

These are some of the most common risk-related drinking behaviors reported by your students who had a drink in the past two weeks:



Percentages represent responses of 5-7 on 7 point Likert scale (1=Never)
University of Toledo



More than other high-risk behaviors, pregameing has been shown to have a predictive relationship with a variety of negative outcomes (EVERFI, 2012).

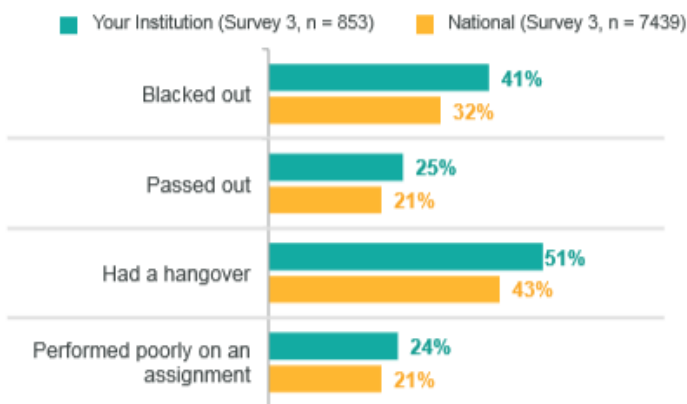
As such, pregameing can potentially be used as a marker to identify students who are more likely to be at risk for negative consequences.

For more on this topic, see: Strategic Drinking – Examining the Culture of Pregaming (Webinar recording)



Measure the Impact of Drinking

Students who reported drinking in the past two weeks experienced the following as a result of their drinking:



Percentages represent responses of 2-7 on 7 point Likert scale (1=Never experienced)
University of Toledo

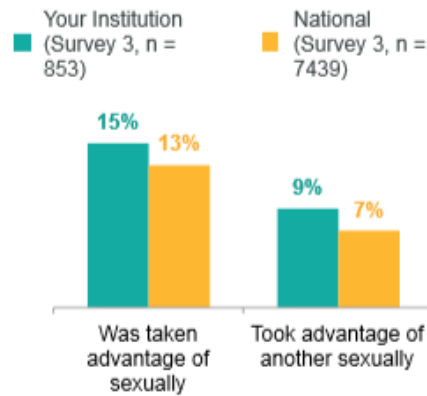


The AlcoholEdu Partner Guide provides recommendations for campus programs that reinforce course content. It includes sample discussion topics and activities designed for use by trained facilitators, including ways to reduce the risk of experiencing negative consequences.

For more on this topic: Download the AlcoholEdu Partner Guide from the Higher Ed Partner Center Resources Tab

The Role of Sexual Assault

Students who drank in the past two weeks reported that the following occurred in conjunction with their drinking:



Percentages represent responses of 2-7 on 7-point Likert scale (1=Never experienced)

"The fact that alcohol consumption and sexual assault frequently co-occur does not demonstrate that alcohol causes sexual assault."

(ABBEY, 2008)

Insights from Haven: Understanding Sexual Assault

Students with unhealthy attitudes regarding sexual violence:

- are much more likely to perpetrate sexual assault
- have higher rates of alcohol use (frequency and quantity)
- are much more likely to experience alcohol-related problems

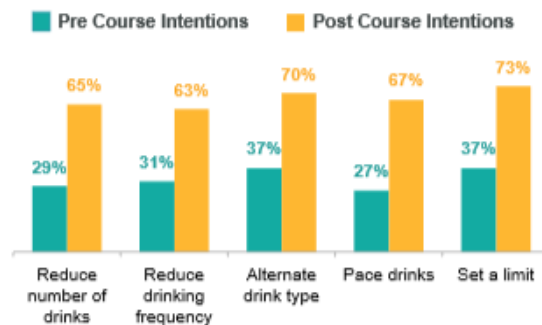


How do we effectively identify and intervene with students at risk for being victimized or perpetrating sexual assault?

For more on this topic, see: *Alcohol and Sexual Assault – Unpacking the Connections and Implications for Practice* (Webinar recording)

The Importance of Behavioral Intentions

After completing *AlcoholEdu for College*, students reported an increase in several positive behavioral intentions.



Data represents student responses collected in Survey 1 (Pre-course) and Survey 2 (Post-course).

University of Toledo

Impact For High-risk Students:

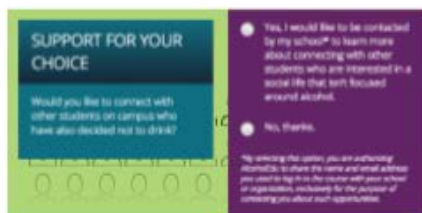
Among the **68%** of high risk drinkers (**414 students**) who saw **"no need to change the way they drink"** before taking *AlcoholEdu for College*, **66%** of those students (**275 students**) indicated their readiness to change after completing the course.



Intention has been shown to be the most important variable in predicting behavior change (Ajzen, 1991). Actual behavior change is driven, in part, by an individual's perception of the social environment surrounding the behavior (subjective norms). As such, a campus environment that reinforces safe and healthy norms can help support individual intentions and, ultimately, change in behavior.

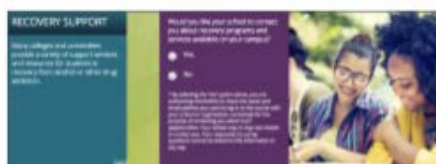
Connect Students with Resources and Each Other

A growing number of students arriving on campus choose to **regularly abstain from alcohol use**. Research has shown that these students are more likely to be successful in their commitment to not drink if they are able to connect with like-minded peers. *AlcoholEdu for College* provides campuses with a unique tool to identify and assist students with that process.



Note: Students choose to abstain from alcohol use for a variety of reasons, from religious beliefs to recovery from alcohol or other drug addiction. Be sure to consider all possibilities when reaching out to students on your list.

AlcoholEdu for College also enables students to indicate their interest in learning more about a school's programs and services to **support recovery from alcohol or other drug addiction**. Whether seeking information for themselves, a friend, or a family member, students may opt in to be connected with available resources.



"...two of the most important sociodemographic and psychobehavioral variables that predict whether students abstain is their perception of friends' alcohol-related attitudes and having a close friend who abstains (Huang, et al., 2009)."

Considerations for Your Prevention Strategy

Institutionalization

Resource Allocation

- Funding source, consistency of funding, total FTE devoted to prevention

Accountability

- Active and engaged task force, goals for improving student health

Broad Senior-level Support

- Senior leadership publicly speaking to the issue, health and wellness part of strategic plan/mission statement

Critical Processes

Data Reliance

- Types of data collected, use of data

Planning

- Specific goals, strategic planning, sharing of data

Policy Review

- Frequency of review process, consistency with state, local, and Federal laws, adherence to Federal regulations (EDGAR part 86)

Policy

Written

- Breadth and depth

Enforced

- Consistency, strictness, communication

Adjudication

- Adjudication: types of sanctions, consistency of process

Programs

Universal

- Programs and strategies directed at an entire population; deters the onset of risky behavior

Selective

- Programs and strategies targeting sub-sets of the population considered to be at-risk

Indicated

- Programs and strategies targeting individuals with early warning signs

(Institute of Medicine, 1994)





Resources to Support Your Efforts

AlcoholEdu Partner Guide

Designed to assist partners in creating programs and strategies that reinforce critical course content.

EVERFI Analytics Platform (EAP)

This resource provides easily accessible, real time, campus-level data and reports for all EVERFI courses. If you need assistance accessing the EAP, please contact your partner services director.

Campus Prevention Network (CPN)

The CPN is uniquely positioned to help campuses make breakthrough progress on critical health and safety issues impacting the lives of your students, staff and faculty.

Thought Leadership

Be sure to look out for e-mails regarding upcoming webinars, white papers and guidebooks to further support your efforts.

