



MOUNT CARMEL  
College of Nursing

## Policy and Procedure

<b>Policy Name:</b>	<b>Sexual Misconduct, Discrimination, Harassment, and Title IX Policy</b>
<b>Responsible Office:</b>	Compliance and Safety
<b>Approved By:</b>	Policy and Procedure Committee July 10, 2020
<b>Issued:</b>	July 10, 2020
<b>Revisions:</b>	July 7, 2020
<b>Current Version Posted:</b>	July 10, 2020

### *I. Policy & Jurisdiction*

---

Mount Carmel College of Nursing (“MCCN or the “College”) prohibits Discrimination, Harassment, and Retaliation of any kind on the basis of sex, such as sexual assault, sexual misconduct, sexual violence, domestic violence, dating violence, and stalking. Additionally, federal Title IX regulations prohibit specific activity related to those offenses. Sexual misconduct can be committed by a person of any gender, and it can occur between people of the same or different genders. Sexual misconduct may vary in its severity and consists of a range of behavior or attempted behavior. It can occur between strangers or acquaintances, including people involved in an intimate or sexual relationship. This Policy applies to both on-campus and off-campus conduct, academic, educational, co-curricular, and other MCCN programs in which affiliated faculty, staff, vendors, and students participate. Specifically for Title IX related sexual violence policies, MCCN jurisdiction is defined as when/if the occurrence was alleged to have occurred within the College’s location, events, or other circumstances (including clinical setting) where MCCN has substantial control of the respondent and context for the occurrence.

The MCCN Title IX Coordinator (Director of Compliance and Safety) handles matters related to Title IX violations. The Director of Compliance and Safety may, to the extent and/or desire possible, help students or employees:

- Access medical and mental health treatment.
- Report the Sexual or Interpersonal Offense to the police.
- Access support resources.
- Assist those involved in obtaining a MCCN no-contact directive, a court-issued restraining order, or other lawful order of protection.

The Mount Carmel College of Nursing’s Title IX Coordinator is:

Mitch Joseph-Kemplin  
Director of Compliance and Safety  
[mjoseph-kemplin@mccn.edu](mailto:mjoseph-kemplin@mccn.edu) OR [compliance@mccn.edu](mailto:compliance@mccn.edu)  
614-234-2341  
Marian Hall 2C09 127 S. Davis Ave. Columbus, OH 43222

### *II. Prohibited Conduct*

---

**Bullying/Cyberbullying:** Repeated and severe aggressive behavior with intent to likely intimidate, threaten, or intentionally hurt, control, or diminish another person whether physically or mentally is bullying whether done in person or through electronic means. Bullying that is considered to be gender-based or to have a sexual component may be considered a violation of this policy. Bullying that is not gender-based and does not have a sexual component is still prohibited.

**Discrimination:** Discrimination in employment and in access to educational opportunities is prohibited. Faculty, staff, students, and others affiliated with MCCN must not deny, deprive, or limit the educational, employment, social opportunity access, benefits and/or opportunities of any member of the MCCN community on the basis of their actual or perceived membership in any of the protected classes

as defined in MCCN Nondiscrimination Policy or by law.

Reports of discrimination will be appropriately investigated and addressed by the College in alignment with MCCN procedures. Separation by certain protected classes is allowed in certain circumstances, including, but not limited to: housing, locker rooms, and bathrooms.

**Harassment (Sex, Gender, and Protected Class Based):** Harassment constitutes a form of discrimination that is prohibited by MCCN policy as well as the law. Discriminatory harassment against any employee, student, visitor, or guest on the basis of any status protected by policy or law is prohibited at MCCN and any associated programs. The College will address all forms of harassment when reported, whether or not the harassment rises to the level of creating a hostile environment. If and when the harassment creates a hostile environment, the College may also impose disciplinary actions on the responding party through the student disciplinary process or process through Mount Carmel Health System (“MCHS”) Human Resources. MCCN prohibits any form of harassment, which is defined as:

- Unwelcomed conduct on the basis of actual or perceived membership in a protected class, by any member or group of the MCCN community.
- A hostile environment may be created by harassing verbal, written, graphic, or physical conduct that is severe or persistent/pervasive, and objectively offensive such that it interferes with, limits, or denies the ability of an individual to participate in or benefit from educational programs or activities or employment access, benefits, or opportunities.

MCCN may address reported offensive conduct and/or harassment that:

- Does not rise to the level of creating a hostile environment, or
- Generic/not based on a protected class.

**Hazing:** Hazing is a form of discriminatory behavior based on membership within any kind of group. Hazing includes activities, whether or not the act is voluntarily agreed upon, created through a new member process or in conjunction with membership with a student club/organization, other group on campus, or new employment, that causes or creates a substantial risk of mental or physical harm, embarrassment, or harassment. Hazing is prohibited, regardless of the intent or end result of the activity. MCCN considers an activity to be hazing if the behavior exhibits and/or includes force, coercion, or restrictions on freedom of movement, speech, or the management of daily needs.

**Indecent Exposure:** Indecent exposure is when an individual exposes their genitals in a sexually explicit manner in any public place or in any place where there are other persons present under circumstances in which one should reasonably know that this action is likely to offend or alarm others.

**Intimate Partner Violence (Dating and Domestic Violence):** Violence and abuse committed by a person to exert power and control over a current or former dating partner. Dating violence often involves a pattern of escalating violence and abuse over a period of time. Dating violence and can include physical abuse, physiological and emotional abuse, and sexual abuse. It can also include “digital abuse,” use of technology to intimate, harass, threaten, or isolate a victim.

*For the purpose of this definition:*

- *Dating violence includes, but is not limited to, sexual or physical abuse or threat of such abuse.*
- *Intimate partner violence is defined as any act of or threatened act of violence that occurs between individuals who are involved or have been involved in a sexual, dating, spousal, or domestic relationship, or other intimate encounters.*

**Retaliation:** Retaliation is words or actions taken in response to reporting of a policy violation or participation in the College’s complaint process or the follow up to a complaint. Retaliation will be a violation of this policy when it is sufficiently serious (e.g., severe and/or pervasive) to discourage a reasonable person from accessing their rights under this policy. The protection against retaliation applies to both parties and to all witnesses. *Behavior that may be considered retaliatory includes but is*

not limited to:

- Discouraging an individual from reporting an incident;
- Discouraging witness participation;
- Threatening or intimidating a participant in a complaint, investigation, and/or hearing;
- Intentionally causing negative consequences for a participant through any part of this process; or
- Behavior using another individual, may also be considered a means of retaliation.

**Sexual Exploitation:** Sexual exploitation is defined as a situation in which a person takes non-consensual or abusive sexual advantage of another person or persons. Examples of sexual exploitation include, but are not limited to:

- Taking advantage of another's sexuality and/or threatening to disclose an individual's sexual orientation or gender;
- Causing intoxication or incapacitation for the purpose of compromising a person's ability to give or deny consent to sexual activity;
- Extending the bounds of consensual sexual contact without the knowledge of the other individual. This could include knowingly failing to use contraception without the other party's knowledge;
- Watching a person undressing, observing another's nudity and/or sexual activity, using the bathroom, or engaging in sexual acts without the consent of the person observed – defined as sexual voyeurism;
- Taking pictures of or video or audio recording another in a sexual act, or in any other private activity, without the consent of all involved in the activity;
- Prostitution: defined as the exchange of sexual acts for money, drugs, or other compensation or the facilitation of prostitution of another individual;
- The knowing transmission of HIV or other sexually transmitted infections (STI) without informing the other person of the infection; and/or
- Encouraging or permitting another person to engage in non-consensual sexual activity.

**Sexual Harassment:** Sexual harassment encompasses unwelcome sexual advances, request for sexual favors, or other unwanted verbal or physical conduct of a sexual nature when one or more of the following conditions are present:

- Condition of an individual's employment, evaluation of academic work, or any aspect of a MCCN program or activity whether explicit or implicit;
- Submission to or rejection of such conduct by an individual is used as the basis for decisions affecting the individual; or,
- Is such that it is sufficiently severe, pervasive, and objectively offensive to create an intimidating, hostile, demeaning, or sexually offensive working, academic, or social environment; or causes unreasonable interference with an individual's work or academic performance.
  - The determination of whether an environment is hostile may be based on the totality of the circumstances, including, but not limited to: the frequency; nature and severity; threatening and/or demeaning; effect on the individual's mental and/or emotional state; directed at more than one person; and context.

**Sex Offenses – Non-Consensual/Contact Based:** Any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age, and/or because of his/her temporary or permanent mental incapacity.

- *Non-Consensual Sexual Intercourse/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.
- *Non-Consensual Sexual Contact/Fondling*—The touching of the private body parts of another person for the purpose of sexual gratification.
- *Incest*—Nonforcible sexual intercourse between persons who are related to each other

- within the degrees wherein marriage is prohibited by law.
- **Statutory Rape**—Nonforcible sexual intercourse with a person who is under the statutory age of consent.

**Stalking:** A pattern of repeated and unwanted attention, harassment, contact, or any other course of conduct directed at a specific person that would cause a reasonable person to feel fear. Stalking is dangerous and can often cause severe and long-lasting emotional and psychological harm to victims. Stalking often escalates over time and can lead to domestic violence, sexual assault, and even homicide. Stalking can include frightening communications, direct or indirect threats, and harassing a victim through the internet.

*For the purpose of this definition:*

- *Course of conduct means two or more acts, including but not limited to, acts in which an individual 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.*
- *Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.*

### III. Definitions

---

**Consent:** Sexual conduct requires consent. Consent must be voluntary. An individual cannot consent who is substantially impaired by any drug or intoxicant; or who has been compelled by force, threat of force, or deception; or if the accused substantially impairs the victim/survivor'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; or who is unaware that the act is being committed; or whose ability to consent is impaired because of a mental or physical condition; or who is coerced by supervisory or disciplinary authority. Consent may be withdrawn at any time. Prior sexual activity or relationship does not, in and of itself, constitute consent.

**Complainant:** An Individual who is alleged to be the victim/survivor of conduct that could constitute a violation of this policy.

**Respondent:** An individual who has been reported to be the perpetrator of conduct that would constitute of violation of this policy.

**Formal Complaint:** A document filed by complainant and signed by the complainant and/or Title IX Coordinator alleging a violation of this policy. A formal complaint requests that an investigation take place in to the allegation. See "Reporting" section for details on how to submit a Formal Complaint.

### IV. Confidentiality

---

MCCN will preserve confidentiality to the extent possible and as allowed by law.

**Confidential Reporting:** Upon the Title IX Coordinator's receipt of a complaint, the reporter may request confidentiality. Such requests may severely limit MCCN's ability to investigate and take reasonable action in response to the report.

If a student wishes to reach out for help to a privileged, confidential source, the MCCN Student Counselor is available to students who wish to do so. The counselor can be reached by phone (614) 234-4752 or by email [counselor@mccn.edu](mailto:counselor@mccn.edu).

**Non-Confidential Reporting:** MCCN personnel are required to report Sexual and Interpersonal Offenses to the Director of Compliance and Safety. Reporting to Mount Carmel Franklinton ("MCF") Security, Fairfield Medical Center ("FMC") Police or other law enforcement does not require the victim/survivor to pursue criminal charges.

**FERPA:** The Family Educational Rights and Privacy Act (FERPA) protects students' educational records. FERPA prohibits MCCN from releasing these records to persons outside the institution without the student's consent except in response to a lawful subpoena or as otherwise required by law. However, if the responding party is found to have committed a Sexual or Interpersonal Offense, MCCN may release the violation and sanctions imposed as a result of the disciplinary proceedings.

## V. Supportive Measures

---

**Supportive Measures:** MCCN provides a number of interim and other support services, upon request, to students who have been involved in any of the above listed conduct, including those alleged to have violated policies. Students may, upon request, obtain interim support services, such as changing academic, residential, working, and transportation circumstances from the Director of Compliance and Safety. Supportive measures may be enacted for an interim period or, after a resolution, more final/permanent.

Supports can include, but are not limited to, the following:

- Changing class assignments so that the parties do not share the same classes;
- Providing academic support services including tutoring;
- Changing the students' work situation;
- Transportation/parking options;
- Prohibiting any contact between the parties; and/or
- Assisting in obtaining a MCCN no-contact directive.

To access interim support services, contact the Director of Compliance and Safety.

**Protection Orders:** MCF Security, FMC Police and the Director of Compliance and Safety, are available to assist the student in obtaining a MCCN no-contact directive or a court-issued restraining order or other lawful order of protection. After a court-issued protection order is issued, the protected party should provide a copy of the court order to Director of Compliance and Safety, MCF Security and/or FMC Police.

## VI. Reporting

---

- **Online:**
  - Go to [www.mccn.edu/about/titleix](http://www.mccn.edu/about/titleix)
  - Click on the "Report an Incident" link
  - Follow instructions on reporting form
- **Phone:**
  - Title IX Coordinator: 614-234-2341
  - MCCN Security: 614-896-1489
- **E-Mail:**
  - [compliance@mccn.edu](mailto:compliance@mccn.edu)
  - [mjoseph-kemplin@mccn.edu](mailto:mjoseph-kemplin@mccn.edu)
- **Confidential Reporting Options:**
  - MCCN Student Behavioral Health Counselor 614-234-4752 or [counselor@mccn.edu](mailto:counselor@mccn.edu)
  - Mount Carmel Crime and Trauma Assistance Program: 614-234-5900
  - Sexual Assault Response Network *24-Hour Rape Helpline*: 614-267-7020
  - CHOICES for Victims of Domestic Violence *24-Hour Crisis Hotline*: 614-224-4663

**Actual Knowledge and Notice of Incident:** A student making a report to Administrative Staff Leadership, as defined on the MCCN website at [www.mccn.edu/about/leadership](http://www.mccn.edu/about/leadership) (with exception of the Board of Trustees) constitutes actual knowledge of an alleged violation of this policy. Individuals listed on that website have been instructed to immediately inform the Title IX Coordinator/Director of Safety and Compliance of any such reports made.

All faculty and staff members are considered “Responsible Employees”, and have an obligation set by MCCN to report incidents to the Director of Compliance and Safety. However, reports made to faculty and staff other than those listed above do not qualify as MCCN actual notice as those staff members may not be in a position to institute corrective measures on MCCN’s behalf. Students should also not consider those individuals to be confidential resources.

**Amnesty for Minor Policy Violations:** The MCCN community encourages the reporting of misconduct and crimes by reporting parties and witnesses. Sometimes, reporting parties or witnesses are hesitant to report to MCCN officials or participate in resolution processes because they fear that they themselves may be accused of policy violations, such as underage drinking at the time of the incident. It is in the best interests of this community that reporting parties choose to report, and that witnesses come forward to share what they know. To encourage reporting, MCCN allows reporting parties and witnesses amnesty from minor policy violations related to the incident. The use of alcohol or other drugs does not justify sexual misconduct, and a person who was incapacitated due to the use of alcohol or other drugs cannot consent to sexual activity.

**Next Steps:** Once the Director of Compliance and Safety receives a report of a potential policy violation, the Director will conduct a preliminary assessment of the report. The Director of Compliance and Safety or their designee will conduct an investigation to bring together all facts, conduct interviews with the involved parties, and will include any relevant evidence for the case.

Upon completion of the investigation, and the accused is another MCCN student, the complaint may be referred to the Student Conduct Process below. If the accused is someone other than a student (e.g., a MCCN employee, vendor, contractor or subcontractor), the Director of Compliance and Safety will inform the complainant of the right to pursue a complaint using the appropriate process and refer and guide the complainant to the appropriate process. If the responding party is a student at another college, the Director of Compliance and Safety will assist the student in reporting the conduct to their home school.

## ***VII. Conduct Process***

---

If the responding party is a MCCN student, students may file a disciplinary complaint of a policy violation with the Director of Compliance and Safety. Criminal investigations and/or prosecutions do not determine whether a violation of this Policy has occurred. Disciplinary action generally cannot begin without disclosing the victim/survivor's identity. MCCN reserves the right to pursue disciplinary action if MCCN believes there is sufficient information to proceed without the participation of the involved party. This process is followed for all members of the MCCN community.

Community members can file a disciplinary complaint without pursuing criminal charges. The purpose of these disciplinary proceedings is to provide a prompt, fair and impartial investigation and resolution of the complaint(s). Disciplinary complaints may be filed at any time the accused is a student at MCCN.

**Investigations:** An investigation may take at least 21 academic days, or more, depending upon the number and availability of witnesses, the academic calendar, and other factors. Cases where violence and/or harassment has occurred will take priority. It is a goal to resolve complaints within 60 academic days from notice of complaint. The timeframe will exclude the days that classes are not in session. The College may extend an investigation process for reasonable circumstances and will provide this information to the complainant and respondent in writing. The 60-day window does not include appeals that may be filed.

- The investigation will generally involve meeting with the complainant, respondent, and witnesses separately to conduct interviews, collect information, and clarify information shared with the investigator from all persons involved;
- The complainant, respondent, and witnesses have the right to decline meeting with the

- investigator, but that will not stop the investigation from continuing;
- The investigator may contact witnesses outside of the provided list or other persons that the investigator believes may have relevant information to the alleged violations. Witnesses may decline participation in the investigation. Witnesses may also be subject to cross examination during a hearing.
- Medical information is not part of the investigation unless it is voluntarily submitted by a party.
- Both the complainant and respondent will have the ability to review the investigative report at the conclusion of the full investigation. At that time, either party is able to request additional information to be added and/or witnesses to be interviewed, provided the information gained will add further evidence in the report.

**Advisor/Support Person:** In incidents of harassment, and/or discrimination, or sexual harassment and/or misconduct, the complainant and the respondent has the right to an advisor/support person of their choice with limited exceptions (i.e.: a witness may not serve as an advisor).

When an advisor is chosen, the party must inform the Director of Compliance and Safety. The advisor will be provided a copy of the advisor conduct rules to review and sign. The advisor's role in any meeting or hearing is limited to privately conferring with or writing notes to the complainant/respondent as long as doing so does not disrupt the process. For longer or more involved discussions, the parties and their advisors should ask for a break in the proceedings. The advisor may not submit material or speak on behalf of the party during an investigation interview.

Advisors are not required for or during an investigation, however should the case continue to a formal hearing, an advisor is required for cross examination. During a hearing, the advisor is limited to speaking only during cross examination of the opposite party and witnesses.

Should a student not have an advisor, MCCN will provide one. The College does not guarantee equal advisory rights, meaning that if one party selects an advisor who is an attorney, but the other party does not, or cannot afford an attorney, the College is not obligated to provide one. The College will make reasonable provisions to allow an advisor who cannot attend in person to attend a meeting by telephone, video, and/or virtual meeting as may be convenient and available.

**Interim Suspensions:** An accused student may be suspended from campus on a temporary, interim basis, based on a threat to the campus. An individualized threat assessment will be conducted to determine individual risk to the community. An interim suspension may prohibit the student from all or part of MCCN property and activities or permit the student to remain only under specified conditions (e.g., no-contact directive). Any student placed on interim suspension may immediately appeal the suspension to the Associate Dean for Student Services, or designee, following the directions found in the official suspension letter.

**Disciplinary Hearings:** Formal resolution of a complaint involves adjudication of the complaint through a Conduct Hearing Panel. A Conduct Hearing Panel is comprised of no less than three voting members. The voting members are either faculty or staff and have received student conduct adjudication training as well as education about trauma-informed response to sexual misconduct. The Director of Compliance and Safety, or designee, will chair hearings, but is not an active participant in the hearing, is not a voting member of the panel, and does not participate in deciding upon or issuing sanctions. The Director will provide the panel with relevant sanction guidelines and/or applicable conduct history only if there is a finding of responsibility.

A complainant and/or respondent may challenge the participation of a Conduct Hearing Panel member based on the member's perceived or actual conflict of interest, bias, or prejudice. Such challenges, including rationale, must be made to the Director of Compliance and Safety at least 48 hours prior to the commencement of the hearing. At their discretion, the Director will determine whether a panel member should be replaced or not. A panelist will be replaced if they recuses themselves or when it is

determined that their conflict of interest, bias or prejudice precludes an impartial hearing of the allegation. It should be noted that in these cases, the hearing may be delayed in order to name an appropriate replacement for any removed panel member.

Electronic devices (e.g., computer, cell phone, audio/video recorder, etc.) are not permitted in the hearing room. The panel will make an audio recording of the hearing to be kept on file in a secure location, such as a secure database management system for at least seven years. Reasonable care will be taken to create a quality audio recording and minimize technical problems. Technical problems that result in no recording or a poor-quality recording will not be a valid basis for appeal. All parties may request review of the recording by contacting the Director of Compliance and Safety.

The Panel will hear information from all witnesses interviewed during the investigation. Witnesses who were not part of the investigation are not permitted to participate in the hearing. When adjudicating a case, the Panel may make reasonable assumptions based on the witness' participation or lack thereof. Witnesses are subject to cross examination by either party's advisor.

All questions must be related to policy elements of the violations being charged or related to content/clarification of the case materials. The parties may not question each other or other witnesses directly but may do so through their support advisor at the appropriate time in the hearing. The Conduct Hearing Chair determines the relevancy of the questions and may, in their sole discretion, deny a request for a question. If a request is denied, the reason for the denial will be provided to the requesting party.

Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the complainant's prior sexual behavior are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent.

The parties will all be in the same room together. However, at either party's request, an electronic hearing may take place through phone or video conferencing.

**Standard of Proof:** In resolving complaints of discrimination, harassment, and sexual misconduct, the College will use a "preponderance of evidence" standard, which is "more likely than not" that a violation occurred. This is a lower evidentiary standard than that found through the court system which uses the "beyond a reasonable doubt" standard. Staff and faculty are employed by Mount Carmel Health System and, as such, are subject to the Health System's discipline process and standard of proof.

**Disciplinary Sanctions:** Possible sanctions against a student found to have violated this Policy include suspension, dismissal, educational interventions/workshops, no-contact directives, and restrictions from participating in extracurricular activities. The sanction(s) imposed may vary depending on the severity of the violation and the respondent's conduct history. All parties will be simultaneously informed in writing of the outcome of each stage of the disciplinary proceedings and of their right to appeal.

**Informal Resolutions:** Some incidents are most appropriately resolved informally. Possible informal resolutions include referrals to a variety of educational workshops, counseling referrals, and/or other outcomes as agreed upon by all parties. Students may also participate in resolution or restorative justice conferences as methods of informal resolution, which may eliminate the need for more formal proceedings. Informal resolutions cannot be used to resolve employee-related cases and can only be used upon receipt of a formal complaint. At any time, either party can withdraw from the informal resolution process and resume the formal resolution process.



Informal resolution is voluntary and must be agreed to by all parties. All alleged violations under this policy are subject to informal resolution. When agreed upon, all parties will meet with the Director of Compliance and Safety, or designee, to discuss the incident and come to an informal resolution agreement. Informally resolved matters are considered finally decided, with no subsequent process for appeal.

**Appeals:** Both parties have the right to appeal the outcome of a hearing by filing a written appeal to the Associate Dean of Student Services, or designee, within fourteen (14) academic days of receipt of written notice of the determination. Appeals regarding dismissal of formal complaints follow this same procedure. Information on how to submit an appeal is included in the outcome letters sent to both parties.

Appeals may be filed under the following circumstances. It is the responsibility of the student, in writing, to prove one or more of the following occurred for an appeal to be accepted:

- Procedural error that resulted in significant harm to the student. Deviations from the designated procedures will not be a basis for accepting an appeal unless the deviations are material, substantial, and/or significant harm or bias resulted;
- The Title IX Coordinator, Investigator, or hearing body had a conflict of interest, bias or prejudice that prevented a fair and impartial hearing and affected the outcome of the hearing;
- Substantial new evidence that was unavailable at the time of the hearing and which reasonably could have affected the decision of the conduct hearing body;
- Sanctions imposed are substantially outside the parameters or guidelines set by the College for violations of this policy or the cumulative conduct record of the responding student.

Students may not appeal under the following circumstances:

- Non-attendance by the responding student may not be the sole grounds for an appeal;
- Dissatisfaction with a decision.

The Associate Dean of Student Services, or designee, will decide the appeal based upon a review of the conduct record and supporting documents. The appeal officer may consider additional relevant information from any party to the proceeding and then decide the appeal based upon the enhanced record. The decision of the appeal officer is final. The appeal officer may:

- Uphold the original decision and/or sanction(s);
- Dismiss the case or individual violation(s) against the student and lift any or all sanction(s);
- Modify, enhance, or reduce the sanction(s);
- Refer the case to the original hearing body or refer the case to a new hearing body for a rehearing. If possible, a new hearing body should be different from the one that originally decided the case.

### ***VIII. Crime Alerts/Timely Notification***

---

If a report of a Sexual or Interpersonal Offense reveals there is an immediate threat to the health or safety of students or employees on campus or that an on-going serious or continuing threat to the campus community exists, an Emergency Notification or a Campus Crime Alert will be issued. **The reporting and responding party, victim's/survivor's name, and other personally identifying information will NOT be included in any Emergency Notification or Crime Alert.**