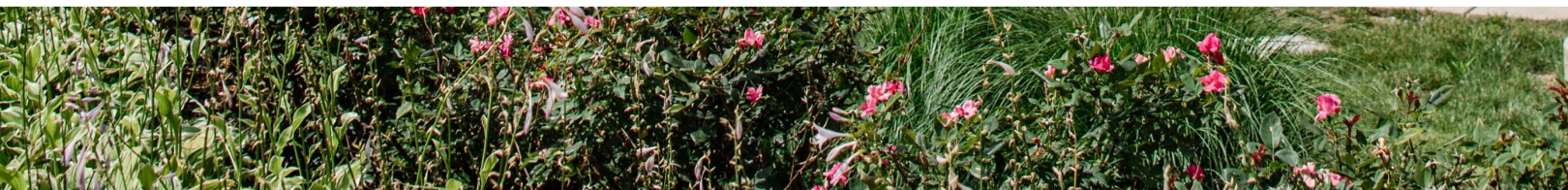




MOUNT CARMEL
College of Nursing

2025 Annual Security Report

for Calendar Year 2024



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For more information related to anything in this Annual Security Report, or to request a printed copy, contact:

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(614) 234-2341

mjoseph-kemplin@mccn.edu or compliance@mccn.edu

Policy for Reporting the Annual Disclosure of Crime Statistics

Mount Carmel College of Nursing (MCCN) has prepared this report to comply with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act (Clery Act), in cooperation with Mount Carmel Health System Safety & Security and local law enforcement agencies surrounding the Franklinton campus. This Annual Security Report (ASR) includes statistics for the previous three years concerning reported crimes that occurred on the MCCN campus, on public property within or immediately adjacent to and accessible from each campus, and on non-campus buildings/property. The report also includes institutional policies concerning campus security and other matters. In May 2025, MCCN closed its Lancaster branch campus. As such, Lancaster campus data has been removed from this report. Archive data can be found by contacting the Director of Compliance and Operations.

Each year, the College provides email notification to all faculty, staff, and enrolled students of the website where this report is available online. These notifications include a statement of the report's availability, a link to the exact URL where the ASR is located, a brief description of the report's contents, and a statement that the College will provide a paper copy of the ASR upon request. Prospective students and employees are notified of the availability of the report. Any request for a copy shall be made by contacting the Director of Compliance and Operations in the College of Nursing at compliance@mccn.edu or 614-234-2341, and it will be provided at no cost.

Emergency Contact Numbers

Emergency	911
Mount Carmel Safety & Security Department (Office)	(614) 234-4831
Mount Carmel Safety & Security 24/7/365 Line	(614) 896-1489
Title IX Coordinator/Director of Compliance and Operations	(614) 234-2341
Emergency Mental Health Crisis Line	(833) 646-1526
Additional Resources	
City Of Columbus Alcohol and Drug Abuse Program	(614) 645-6839
Sexual Assault Response Network of Central Ohio (SARNCO)	(614) 267-7020
Mount Carmel Crime and Trauma Assistance Program	(614) 234-5900
Spring Health Wellbeing Services for MCCN Colleagues	trinityhealth.springhealth.com
Uwill Counseling and Wellness for Students	app.uwill.com

Daily Crime Log

A copy of the daily crime-fire log is available for public inspection from the College Director of Compliance and Operations. Information on viewing can be obtained by calling 614-234-2341 or emailing compliance@mccn.edu.

Clery Geography

These figures include reports of crimes occurring on campus, non-campus buildings or properties, and public property. These geographic areas are defined as follows:

Campus

1. Any building or property owned or controlled by MCCN within the same reasonably contiguous geographic area and used by MCCN in direct support of, or in manner related to, MCCN's educational purposes, and
2. Any building or property that is within or reasonably contiguous to the area identified in paragraph (1), that is owned by MCCN but controlled by another person, is frequently used by students, and supports institutional purposes (such as food or other retail vendor).

Non-campus building or property

1. Any building or property owned or controlled by a student organization that is officially recognized by MCCN; or
2. Any building or property owned or controlled by MCCN that is used in direct support of, or in relation to, MCCN's educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of MCCN.

Public Property

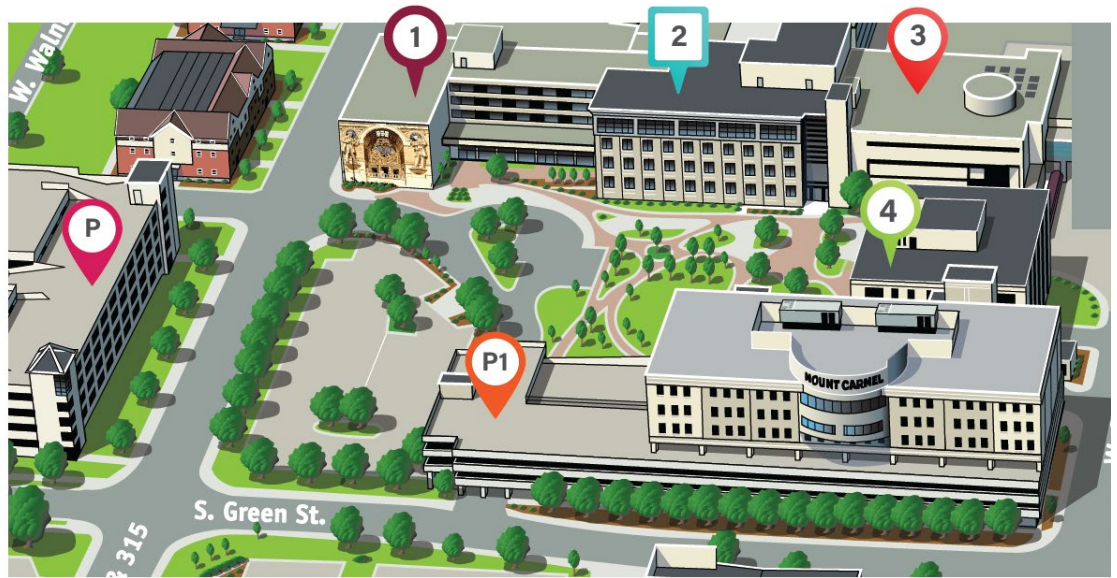
According to the Clery Act definition, "public property" is defined as all public property that is within the same reasonably contiguous geographic area of the institution, such as a sidewalk, a street, other thoroughfare, or parking facility, and is adjacent to a facility owned or controlled by the institution if the facility is used by the institution in direct support of, or in a manner related to the institution's educational purposes.

Campus Maps

The following maps (next page) provide a visual depiction of the Columbus main campus (Mount Carmel Franklinton). It shows the Campus and Public Property categories, as defined above. MCCN does not have any non-campus property as defined by the Clery Act.

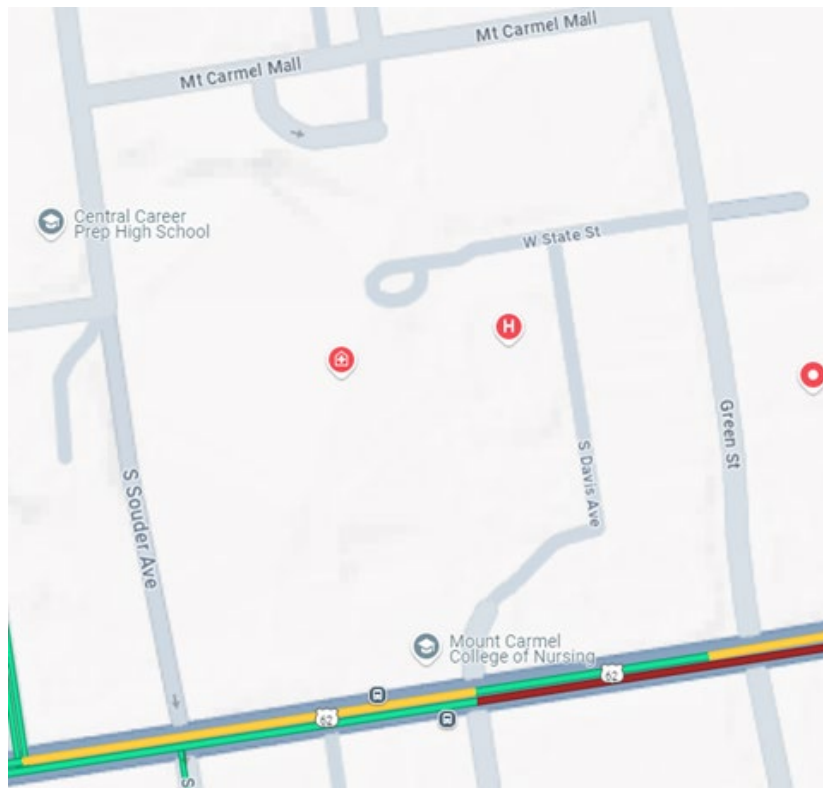
Columbus

- 1 Marian Hall
- 2 Center for Learning and Education (CLE)
- 3 Medical Staff Building & Auditorium
- 4 Center for Innovative Learning and Healthy Living Center
- P1 Visitor and Employee Parking
- P Student Parking



Notes: The building on top of Parking Garage (P1) is not owned by the College nor used in College programs. It is therefore not part of the campus geography.

MCCN Area Public Property



MCCN Campus Security Crime Statistics

MCCN Main Campus (Columbus)

	MCCN MAIN CAMPUS			PUBLIC PROPERTY			NON-CAMPUS		
	2024	2023	2022	2024	2023	2022	2024	2023	2022
MURDER/NON-NEGLIGENT MANSLAUGHTER	0	0	0	0	0	0	0	0	0
NEGLIGENT MANSLAUGHTER	0	0	0	0	0	0	0	0	0
RAPE	0	0	0	0	0	0	0	0	0
FONDLING	0	0	0	0	0	0	0	0	0
STATUTORY RAPE	0	0	0	0	0	0	0	0	0
INCEST	0	0	0	0	0	0	0	0	0
ROBBERY	0	0	0	0	0	0	0	0	0
AGGRAVATED ASSAULT	0	0	0	0	0	0	0	0	0
BURGLARY	0	0	0	0	0	0	0	0	0
MOTOR VEHICLE THEFT	0	0	0	1	1	0	0	0	0
ARSON	0	0	0	0	0	0	0	0	0

Campus Security Act Reporting, 2022-2024

There were no reported crimes on campus, non-campus or on public property that were determined to be unfounded for the years 2022-2024.

Hate Crime Reporting MCCN Main Campus (Columbus), 2022-2024

"Hate crimes" (crimes of prejudice) are to be reported according to category of prejudice for the specified crimes in which the victim is intentionally selected because of the perpetrator's bias against the victim based on the victim's actual or perceived race, gender, religion, sexual orientation, ethnicity, disability, gender identity or national origin of the victim. Hate crimes include: murder-negligent manslaughter; negligent manslaughter; rape; fondling; incest; statutory rape; robbery;

aggravated assault; burglary; motor vehicle theft; arson; and larceny-theft; simple assault; intimidation; and vandalism and property crimes, etc. in instances where the victim is intentionally selected because of the perpetrator's bias against the victim.

There were no reported hate crimes on campus, non-campus or public property for the years 2022-2024. There were no reported crimes on campus, non-campus or on public property that were determined to be unfounded for the years 2022-2024

Violence Against Women Act

	MCCN MAIN CAMPUS			PUBLIC PROPERTY			NON-CAMPUS		
	2024	2023	2022	2024	2023	2022	2024	2023	2022
DOMESTIC VIOLENCE	0	0	0	0	0	0	0	0	0
DATING VIOLENCE	0	0	0	0	0	0	0	0	0
STALKING	0	0	0	0	0	0	0	0	0

There were no reported crimes on campus, non-campus or on public property that were determined to be unfounded for the years 2022-2024.

Arrests

	MCCN MAIN CAMPUS			PUBLIC PROPERTY			NON-CAMPUS		
	2024	2023	2022	2024	2023	2022	2024	2023	2022
LIQUOR LAW ARRESTS	0	0	0	0	0	0	0	0	0
DRUG LAW ARRESTS	0	0	0	0	0	0	0	0	0
ILLEGAL WEAPONS POSSESSION ARRESTS	0	0	0	0	0	0	0	0	0

There were no reported crimes on campus, non-campus or on public property that were determined to be unfounded for the years 2022-2024.

Disciplinary Actions Referred for Disciplinary Action

	MCCN MAIN CAMPUS			PUBLIC PROPERTY			NON-CAMPUS		
	2024	2023	2022	2024	2023	2022	2024	2023	2022
LIQUOR LAW VIOLATIONS	0	0	0	0	0	0	0	0	0
DRUG LAW VIOLATIONS	0	0	0	0	0	0	0	0	0
ILLEGAL WEAPONS POSSESSION	0	0	0	0	0	0	0	0	0

Reporting Crimes and Incidents

Reporting a Crime

In the event of an emergency, dial 911.

Mount Carmel College of Nursing encourages anyone who is the victim of or witness to any crime to promptly report the incident to the Columbus Police Department or Mount Carmel Franklinton (MCF) Safety and Security.

All reports will be investigated. Violations of the law will be referred appropriate law enforcement, MCF Security, and campus security authorities, where appropriate. The College does not employ a confidential reporter – either in pastoral care or a licensed counselor.

Reporting a Crime: To report a criminal offense, contact MCF Security at 614-896-1489 or the College front desk in Marian Hall at 614-234-5800. The primary MCF Safety & Security Office is in the Healthy Living Center (Building 4 on the Campus Map) at MCF. To report a crime at a Mount Carmel hospital site, contact site-specific Safety & Security (dial 3 from a hospital phone).

Confidentiality: Mount Carmel College of Nursing does not employ a confidential reporting resource. The College does provide access to contracted counselors with Uwill, or under certain circumstances, to a physician or nurse at Uwill or a hospital. Some off-campus reports such as those to clergy members or some healthcare professionals may also be legally confidential pursuant to state law.

Reports that are confidential by law will not be reported to the College for inclusion in the annual crime statistics report. MCCN does not have a policy that permits confidential reporting of crimes for inclusion in the annual crime statistics report. The extent to which the College can protect the identity of victims of sex-based offenses contained in police reports is not absolute; however the College uses its best efforts to protect the identity of the victim and the intimate details of the report. The identity of an uncharged suspect may be withheld.

Campus Security Authorities

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

Director of Compliance and Operations Title IX Coordinator	Mitch Joseph-Kemplin	614-234-2341
Supervisor, Safety and Security	Michael Nance	614-234-5290

Security Practices and Procedures

Security Awareness Programs

Throughout the summer and academic year, students come together for orientation (or participate virtually) and are informed of services offered by MCF Safety & Security.

The ASR is posted on the College website for all students, faculty, staff and the general public, under “About Us” and then under the “Consumer Information Details” navigation link (<http://mccn.edu/pdf/asr-fire-safety-report.pdf>). The ASR contains current crime for Mount Carmel College of Nursing.

In addition, College staff and MCF Safety and Security organize periodic programs on campus that address student and colleague safety. Program schedules are communicated to students via CARMELink announcements, student email messages, the monthly student newsletter, and bulletin boards located in common areas on the campus. Communications to employees are made via the College-wide email system or the Mount Carmel Health System Intranet.

General Safety Precautions

A common theme of all awareness and crime prevention programs is to encourage students and employees to be aware of their responsibilities for their own safety and the safety of others. To enhance personal safety, MCF Safety & Security officers are available to escort students to and from their vehicles. Students and employees are encouraged to use this service after dark.

Members of the College community are encouraged to assume responsibility for their own personal safety, and security of personal belongings, by taking the following simple, common sense precautions.

- Although both campuses are well lighted, do not walk alone after dark.
- Keep purses/billfolds and other valuables with you or stored in a campus locker.
- Do not record your address on your key ring.
- Do not provide personal identifying information over the phone.
- Do not loan your MCCN ID Badge to anyone – even fellow students.
- Do not prop doors or hold them open.
- Report any potential fire hazards or broken equipment to the appropriate Safety & Security department.

Missing Student Policy

If a faculty or staff member is aware of a student who has missed three consecutive days of classes (without any known reason or response), they should immediately contact the Director of Compliance and Operations, who will then make contact with the following administrators as necessary:

- Director of Compliance and Operations, 614-234-2341
- College President, 614-234-4340
- Dean of Nursing and Allied Health, 614-234-1777
- Registrar, 614-234-5685
- Safety and Security, 614-896-1489

The Director of Compliance and Operations, in coordination with other campus authorities, will immediately notify other appropriate law enforcement agencies upon receipt of a missing student report. If the Law Enforcement agency makes an official determination that a student is missing, emergency contact procedures will be initiated within 24-hours in accordance with the student's designation. In addition, College administrators or their designees will be notified as appropriate.

Student Emergency Contact Information

Each student may register contact information to be notified in the event the student is determined to be missing. Student contact information will be registered confidentially, will be accessible only to authorized College officials and may not be disclosed except to law enforcement personnel in furtherance of a missing person investigation.

If a missing student is under 18 years of age and is not emancipated, MCCN is required to notify their custodial parent or guardian within 24-hours after the student is determined to be missing, in addition to notifying any additional contact person designated by the student.

Law Enforcement Authority and Jurisdiction

Mount Carmel College of Nursing (MCCN) is a subsidiary corporation of Mount Carmel Health System and Trinity Health. MCCN Columbus campus is located on the Franklinton campus of Mount Carmel Health System where the MCF Safety and Security Office provides services for MCCN. The MCF Safety & Security Department is maintained by Mount Carmel Health System and not by MCCN. The College Director of Compliance and Operations attends regularly scheduled meeting with the MCF and Mount Carmel Grove City (MCGC) Safety and Security team.

MCF Safety & Security have the authority to ask persons for identification and to determine whether individuals have lawful business at the College/MCF campus.

MCF Safety & Security can and do respond to student-related incidents that occur on campus. MCF Safety & Security also have direct communication with local police, fire department, and ambulance services to facilitate rapid response in any emergency situation. Designated Safety and Security Officers are trained or certified in the following areas:

Crime Prevention	Crisis Intervention	Hazmat responders
Active Shooter	Fire Prevention	CPR
Aggression managers	Bomb Awareness	

Emergency Response

Emergency Response Procedures

To report an emergency:

- MCF Safety & Security: 614-234-4831 or 614-896-1489
- Police or Fire: 911

Mount Carmel Franklinton Safety & Security (“MCF Security”), the Office of Compliance and Operations, and the College President receive information from various offices and departments on and off campus. If MCF Security or one of these offices confirms that there is an immediate threat to the health or safety of some or all of the members of the campus community, MCF Security and the Director of Compliance and Operations will determine the content of the message and either or both entities will use some or all of the methods described below to communicate to the campus community or appropriate segment of the campus community.

The emergency messaging system may be initiated from on-campus and from remote locations. The College will, without delay and taking into account the safety of the community, determine the content of the emergency message and initiate the emergency messaging system, unless issuing a message will, in the judgment of the MCF Security, the Police or other responsible authorities, compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency situation.

Code	Description
ADAM	Infant/Child Abduction: An infant has been taken without authorization or a child has been taken and/or is missing.
YELLOW	Disaster: There has been a disaster. An internal disaster can have significant effects on hospital operations. An external disaster occurs in the community and will directly affect the campus.
RED	Fire: Fire is discovered or the fire monitoring system has been activated.
BLACK	Bomb: A bomb threat has been received or a suspicious object has been found
GRAY	Severe Weather: Conditions are right for severe weather to occur (tornado, winter storm, etc.) or severe weather is present or has been sighted in the immediate area.

ORANGE (internal)	Hazardous Material Spill: A hazardous chemical/ material has been released and must be contained.
ORANGE (external)	Patient Decon: A hazardous chemical/material that requires a patient or individual needing decontamination. Follow site Decon Plan.
BLUE	Medical Emergency: A medical emergency occurring that requires immediate attention
PINK	Pediatric Medical Emergency: A pediatric medical emergency is occurring that requires immediate attention (age 12 and younger).
VIOLET	Violent Person: Someone is acting in a violent manner.
SILVER	Person with Weapon/Hostage: A person has a gun or an individual has been controlled and held against his/her will by another.
BROWN	Missing Adult Patient: An adult patient is missing.
EVAC	Evacuation: It is necessary to remove patients, staff members, and other people from an area or the entire facility
UTILITY	Loss of Utilities: A utility service has been lost or interrupted.

Emergency Notification System – Notification of Immediate Threat

The College maintains multiple systems for alerting the College community about campus emergencies and will use some or all of those systems, depending on the circumstances. The College provides emergency notification services to the College community via cell phone text messages and email. These notices may also be posted to the College website and social media. MCCN Rave Alert is available to all students, faculty, and staff. Their emails and phone numbers are automatically registered in the system.

Emergency messaging will primarily be used only for those situations that pose an immediate threat to the health or safety of students or employees on campus or for the closing of an entire campus or cancellation of classes (i.e., severe weather, chemical spills, fires, and crimes).

Messages about criminal activity generally will not be sent using these systems unless it is required by the Clery Act or decided there is an imminent threat of danger to people or property. In those cases where a crime has been reported and MCF Security and/or the Police determine that although there is no immediate threat but the crime poses a serious or ongoing threat to the campus community, an Alert will be issued, as described above. **Victim's name and other personally identifying information will NOT be included in any Emergency Notification or Crime Alert.**

The emergency notification system is provided in addition to existing emergency notification procedures and does not replace or eliminate any other emergency notification system (e.g., fire alarms, tornado sirens).

The College will generally provide follow-up information to the community as appropriate via the college's website portal and/or text message.

Timely Warnings

In the event of a potentially dangerous situation involving the College community, either on or off campus, that, in the judgment of the Director of Compliance and Operations (in consultation with the College President and MCF Safety & Security) constitutes an ongoing or continuing threat, a campus-wide "timely warning" will be issued without delay. This Timely Warning will be issued through the Mount Carmel College of Nursing Communications Alert System to students and employees. Students and employees are automatically registered for the Alert System. The purpose of a Timely Warning is to enable persons to protect themselves, to heighten safety awareness and to seek information that will lead to

an arrest and conviction of the perpetrator when violent crimes against persons or major crimes against property have occurred.

Depending on the particular circumstances of the crime, especially in all situations that could pose an immediate threat to the community and individuals, the Mount Carmel College of Nursing Communications Alert System sends messages via text message and to MCCN email addresses. If deemed appropriate, an announcement will also be made via in-class announcement, social media postings or the College website (mccn.edu). If announcements are made to other outlets, such information will be specified in the text message or email.

Anyone with information warranting a timely warning should report the circumstances to MCF Safety & Security at 614-896-1489. Callers should identify themselves as a Mount Carmel College of Nursing student, faculty or staff member, if applicable.

The victim's name and other personally identifying information will NOT be included in any Emergency Notification or Timely Warning See additional information below.

Emergency Alert v. Timely Warning

Emergency Alert	Timely Warning
<p>Under Clery, the institution is required to immediately notify the campus community upon confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on the campus.</p>	<p>Under Clery, the institution must alert the campus community to certain crimes in a manner that is timely and will aid in the prevention of similar crimes. Although Clery doesn't define "timely," because the intent of a warning regarding a criminal incident(s) is to enable people to protect themselves, this means that a warning should be issued as soon as the pertinent information is available.</p>
<p>Examples (includes but are not limited to):</p> <ul style="list-style-type: none"> • Outbreak of meningitis, norovirus or other serious illness • Approaching tornado, hurricane or other extreme weather conditions • Earthquake • Gas leak • Terrorist incident • Armed intruder • Bomb threat • Civil unrest or rioting • Explosion • Nearby chemical or hazardous waste spill 	<p>You must issue a timely warning for any Clery Act crime that occurs on your Clery geography that is:</p> <ul style="list-style-type: none"> • Reported to campus security authorities or local police agencies; and • Is considered by the institution to represent a serious or continuing threat to students and employees. <p>Timely warnings are not limited to violent crimes or crimes. Timely warnings can be issued for threats/risks to persons or to property.</p>

Publicly Available Record-Keeping

The College does not publically publish or archive Timely Warnings or Emergency Notifications. However, incident reports may be open for inspection. The College uses its best efforts to protect the identity of the victim and the intimate details of the report; however, the extent to which MCCN can protect the identity of a victim in police reports is not absolute. The College is specifically permitted to withhold the identity of an uncharged suspect.

Emergency Drills, Testing and Evacuation Procedures

Evacuation drills are coordinated by MCF Security at least annually and may be conducted in the form of a drill, tabletop, functional, or full scale exercise. These exercises may include not only College personnel, but also surrounding jurisdiction

first responders and government agencies, as well as other Mount Carmel colleagues. MCF Security documents a description of each exercise as well as the date and time of the exercise and information about whether the test was announced or unannounced. The College works closely with MCF Security to conduct exercise activities in accordance with Federal and State exercise guidelines. All campus wide exercises meet or exceed the minimum requirements set forth by the Homeland Security Exercise and Evaluation Program (HSEEP) and FEMA. HSEEP is the standard for which all drills and exercises should meet. HSEEP sets forth minimum requirements that include the assessment and evaluation of emergency plans, response capabilities, and evacuation procedures. HSEEP also requires follow-up to ensure proper follow-up and corrective action where necessary.

The purpose of evacuation drills is to prepare building occupants for an organized evacuation in case of an emergency. During the drill, building occupants 'practice' drill procedures and familiarize themselves with the location of exits and the sound of the fire alarm. In addition to educating the occupants of each building about the evacuation procedures during the drills, the process also provides the College an opportunity to test the operation of fire alarm system components.

Testing of the MCCN Alert System occurs quarterly. MCF Security provides safety training to students through New Student Orientation programs.

The College's Director of Compliance and Operations sits on the Mount Carmel Franklinton Safety Team which reviews and develops all safety and emergency plans. The team meets annually to review safety plans throughout the Franklinton campus.

Evacuation Procedure (Code E-Vac): When a Code Evac is called, it is necessary to remove College faculty, staff, students and visitors from the College buildings.

- Evacuate persons in immediate danger.
- The order to evacuate an area or the facility must come from the College President, Director of Compliance and Operations, or a representative from Safety and Security. The evacuation order will be announced overhead and/or via the College Alert System.
- Evacuation can be immediate, partial (from one area to another area) or total (removal of everyone from the building).
- If an evacuation of the building is necessary, all occupants will gather in the parking area (east) directly across from the main College entrance unless instructed otherwise

Building Security and Access

MCCN Main Campus

MCF Safety & Security provides services to Mount Carmel College of Nursing. MCCN is an independent institution and considered private property. Persons who do not have legitimate business on campus may be asked to leave or considered as trespassers.

The main entrance to the College is locked 24/7/365 and, as such, the College is not accessible to the public. Students and employees must use ID swipe access at the Marian Hall doors during all hours. All guests must be let in by Safety & Security staff upon their arrival. All students, employees, and guests must wear proper, College-provided, identification at all times while inside College buildings. During non-business hours, access to College facilities is by authorized key card or by admittance via MCF Safety & Security or College administrators. Cameras are located throughout the College with 24 hour recording.

MCF Safety & Security officers do not have arrest powers. MCF Safety & Security maintains a professional working relationship and refers criminal incidents to the Columbus Police Department (CPD), which has jurisdiction on the

campus. MCF Safety & Security issues a photo identification badge to each student and employee. MCF Safety & Security provides uniform security to MCCN 24 hours a day, seven days a week to assist college faculty, staff and students.

Mount Carmel Health System staff work in coordination regarding the maintenance of facilities, landscaping, and lighting on campus. MCF Safety & Security provides crime prevention audits to MCCN, reviewing lighting, landscaping and obstructions.

In addition, emergency call boxes are located outside of parking garages and at various locations throughout the Franklinton campus.

Alcohol, Drug, and Substance Abuse Policies

The following information is provided in response to the Drug-Free Schools and Communities Act Amendments of 1989, which requires that the College show that it has adopted and implemented a program to prevent the use of illicit drugs and the abuse of alcohol by students and employees. The College must certify that it is in compliance with this law in order to receive any federal funds. The law requires, in part, the annual distribution of the following descriptive statements to each College student and employee. There is no distinction between full-time and part-time or permanent and temporary students and employees.

The unlawful possession, use, consumption or distribution of drugs and/or alcohol by students or employees on College property or as a part of any College activity is prohibited. Violators will be prosecuted in accordance with applicable laws and ordinances and will be subject as well to disciplinary actions by the College, in accordance with the MCCN *Catalog-Handbook*.

All students and employees entering MCCN are tested for illicit drug and substance use. This is a mandatory requirement for the College community. Sanctions for violations may include suspension, compulsory attendance at drug/alcohol education programs, termination/dismissal, or other appropriate disciplinary measures.

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

Illicit drugs include substances such as opium derivatives, hallucinogens (e.g., marijuana, mescaline, peyote, LSD, psilocybin), cocaine, amphetamines, codeine, heroin, methamphetamines, morphine, and other drugs prohibited by law. Lawfully prescribed drugs being taken under a physician's directions are permitted. Abuse of prescribed drugs will be considered the same as abuse of illicit drugs.

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

Legal and Responsible Use of Alcohol

The possession or use of alcohol by anyone under 21 years of age is illegal, and individuals in violation will be subject to disciplinary action by MCCN. Alcoholic beverages are never served to students during any campus events. Individuals who bring or use alcoholic beverages into the College are subject to disciplinary action including possible expulsion from the College.

Drug Use

The use, offer for sale, sale, distribution, possession, or manufacture of any controlled substance or drug except as expressly permitted by law is prohibited. The use, offer for sale, sale, distribution, possession, or manufacture of chemicals, products, or materials for the purpose of use as an intoxicant (such as glue or paint) except as expressly permitted by law is also prohibited. Possession of drug paraphernalia is also prohibited. Individuals who bring or use illegal drugs into the College are subject to disciplinary action including possible expulsion from the College. More information can be found in the drug abuse policies published in the *Student Handbook-Catalog*.

Federal Drug Laws

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

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

Federal Drug Trafficking Penalties (21 U.S.C. 841) Penalties for federal drug trafficking convictions vary according to the quantity of the controlled substance involved in the transaction. Penalties for subsequent convictions are twice as severe. If death or serious bodily injury results from the use of a controlled substance which has been illegally distributed, the person convicted on federal charges of distributing the substance faces the possibility of a life sentence and fines ranging up to \$10 million. Persons convicted on federal charges of drug trafficking within 1,000 feet of a university (21 U.S.C. 860) face penalties of prison terms and fines which are twice as high as the regular penalties for the offense, with a mandatory prison sentence of at least one year.

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

Drug and Alcohol State Law Summary

Marijuana: While marijuana use is legal in the State of Ohio, Mount Carmel still prohibits student use due to federal financial aid regulations and patient safety. Patient safety and care is at the heart of what we do. Impairment from marijuana, recreational or medicinal, can threaten safety in patient care.

The Ohio Administrative Code, specific to student conduct, prohibits impairment of the ability to practice according to acceptable and prevailing standards of safe nursing care due to the influence of drugs, alcohol, or other chemical substances (4723-5-12 (15) OAC).

Mount Carmel College of Nursing holds affiliation agreements with many clinical agencies across the State of Ohio and the United States whose policies prohibit the use of any substance that may impair judgment, thus risking patient safety.

Marijuana is still an illicit substance at the Federal level. As such, policies of the College must align with Federal requirements to continue to be eligible to grant federal financial aid.

Controlled Substances: Ohio has a wide range of laws governing controlled substances and their possession and distribution. OHIO REV. CODE §§ 2925.01-2925.58. Penalties vary widely based on the amount and type of substance

used. Under Ohio law, no person shall knowingly obtain, possess, or use a controlled substance. OHIO REV. CODE § 2925.11. Possession of certain drugs, like cocaine, LSD, and heroin, results in a charge of aggravated possession of drugs, a fifth-degree felony. *Id.* Possession of larger amounts of drugs leads to a presumption of prison time.

Selling or offering to sell a controlled substance is illegal. OHIO REV. CODE § 2925.03. Doing so results in an aggravated felony (unless the substance is marijuana), subject to prison time and fines. OHIO REV. CODE §§ 2925.11, 2929.12. As an example, if a person is found guilty of possession of 12 grams of opium, he is guilty of a third-degree felony, facing 9–36 months in prison and a possible \$10,000 fine.

Alcohol and Minors: No person under the age of 21 shall purchase beer or intoxicating liquor. OHIO REV. CODE § 4301.63. Doing so can result in a fine between \$25–\$100. OHIO REV. CODE § 4301.99. Use of fake identification is also prohibited. OHIO REV. CODE § 4301.634 (West 2020). Doing so is a misdemeanor of the first degree. OHIO REV. CODE § 4301.99. It is illegal to sell beer or intoxicating liquor to a minor. OHIO REV. CODE § 4301.22. This is also a misdemeanor and can result in a fine between \$500–\$1000 and imprisonment up to 60 days. OHIO REV. CODE § 4301.99.

Driving Under the Influence (DUI): No person shall operate a vehicle under the influence of alcohol. OHIO REV. CODE § 4511.19. The legal limit is 0.08 percent. Operating under the influence results in a mandatory prison term of 3 days (possibly more) as well as the possibility of an intervention program. OHIO REV. CODE § 4511.19(G)(1)(a)(i).

Alcohol and Other Drug Education

MCCN encourages education to assist students to understand the consequences of current and future behavior as it relates to drug and alcohol use.

If a student tests positive for non-prescribed controlled or illegal substances and/or alcohol, the student may immediately be referred to a Mount Carmel Health System Assistance Program (or Uwill) for assessment and possible referral to a trained substance abuse counselor.

Counseling, Treatment and Rehabilitation Services

Mount Carmel College of Nursing demonstrates its commitment to eliminating illegal drug use and resolving alcohol problems by offering students and employees the opportunity to participate in Mount Carmel's programs. A partial list of services provided includes alcohol and drug abuse, anxiety and depression, family relationships, job and legal concerns, marital and other relationship difficulties, and self-esteem issues.

MCCN's Uwill partnership also provides counseling and limited rehabilitation for all referrals. Participants with drug or alcohol abuse problems may be referred to additional appropriate services. Those needing assistance may visit app.uwill.com. A licensed professional is available to assist 24-hours a day.

Title IX Policies; Dating Violence and Sexual Assault

Mount Carmel College of Nursing is committed to maintaining a safe, secure, living, learning and working environment. This includes providing an environment free from sexual discrimination, domestic violence, dating violence and stalking. All members of the College community are expected to conduct themselves in a manner that does not infringe upon the rights of others. MCCN believes in a zero tolerance policy for any type of criminal activity.

Sexual Offense Prevention and Response

The College's Title IX Policy prohibits "Sexual and Interpersonal Offenses" such as sexual assault, sexual misconduct, sexual violence, domestic violence, dating violence, and stalking. "Sexual offenses" include any sexual act directed toward another person, without consent of the victim, including instances where the victim is incapable of giving consent. Under the Clery Act, sexual assault includes rape, fondling, incest, and statutory rape. Sexual conduct requires consent.

The following are definitions of the sexual interpersonal offenses per the Clery Act requirements:

Definitions

These definitions are sourced, as required by the Clery Act, from the FBI Summary Reporting System Use Manual, the National Incident-Based Reporting System User Manual, and/or Violence Against Women Act of 1994.

Rape: 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, or by a sex-related object. This definition also includes instances in which the victim is incapable of giving consent because of temporary or permanent mental or physical incapacity (including due to the influence of drugs or alcohol) or because of age. Physical resistance is not required on the part of the victim to demonstrate lack of consent.

Criminal Sexual Contact (Fondling): The intentional touching of the clothed or unclothed body parts without consent of the victim for the purpose of sexual degradation, sexual gratification, or sexual humiliation. The forced touching by the victim of the actor's clothed or unclothed body parts, without consent of the victim for the purpose of sexual degradation, sexual gratification, or sexual humiliation

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.

Consent: The College defines consent as an act that 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.

Domestic violence: A felony or misdemeanor crime of violence committed:

- By a current or former spouse or intimate partner of the victim;
- By a person with whom the victim shares a child in common;
- By a person who is cohabiting with or has cohabited with, the victim as a spouse or intimate partner;
- 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;
- 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.

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 safety of others; or suffer substantial emotional distress.

For the purpose 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. Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling. "Reasonable person" means a reasonable person under similar circumstances and with similar identities to the victim.

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 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.

Ohio Law Definitions: Ohio law definitions of the above offenses differ in some respects from the Clery Act definitions. In addition, not all Clery Act offenses have the same name as offenses defined by Ohio's criminal code. Ohio definitions of the corresponding offenses are as follows:

R.C. 2907.02 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.

R.C. 2907.03 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.

R.C. 2919.25 Domestic violence.

- (A) No person shall knowingly cause or attempt to cause physical harm to a family or household member.
- (B) No person shall recklessly cause serious physical harm to a family or household member.
- (C) No person, by threat of force, shall knowingly cause a family or household member to believe that the offender will cause imminent physical harm to the family or household member.

R.C. 2903.211 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

Reporting Incidents

- **Online:**
 - Go to 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
 - mjoseph-kemplin@mccn.edu
- **Confidential Reporting Options:**
 - 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

Ohio law and MCCN policy require those not in a legally protected role with knowledge of a felony to report it to law enforcement. MCCN personnel, are required to report Sexual and Interpersonal Offenses to the MCF Safety & Security who will, in turn, report it to the Director of Compliance and Operations. Reporting to MCF Safety & Security or other law enforcement does not require the victim/survivor to pursue criminal charges.

Actual Knowledge and Notice of Incident: A student making a report to college faculty, staff, or administrative leadership 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 have an obligation set by MCCN to report incidents to the Director of Compliance and Operations. Students should also not consider reports to any MCCN employees to be confidential.

Amnesty for Minor Policy Violations: MCCN 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 Operations receives a report of a potential policy violation, the Director will conduct a preliminary assessment of the report. The Director of Compliance and Operations 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 Operations 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 Operations will assist the student in reporting the conduct to their home school.

Supportive Measures & Interim Actions

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 Operations. Supportive measures may be enacted for an interim period or, after a resolution, more final/permanent. These services include 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.

If the responding party is a MCCN student, students may file a disciplinary complaint of a policy violation with the Director of Compliance and Operations. 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.

Programming, Education and Resources

All students and employees are provided with online training and various in person training offerings. Students and employees are educated on domestic abuse as well as on risk reduction and security services offered through MCCN and in the community. Also during orientation, in online training, and various in person training offerings, students and employees are informed about bystander intervention and provided information on safe and positive options for bystander intervention. The College informs its employees about bystander intervention and domestic abuse during faculty/staff training. The College holds periodic programs to enhance awareness regarding rape, acquaintance rape, and other sexual offenses. Literature on sexual assault, date rape education, and risk reduction is available through Student Affairs staff and throughout the College.

The list of training programs conducted in 2024 includes, but is not limited to the following events:

- Welcome Day/Orientation Events
- Title IX Compliance Education Training and Presentations
- Sexual Assault Awareness speakers
- Self Defense training sessions
- MCCN Wellness Festival
- Individual In-Class Presentations

Supportive Services

The College is able to provide supportive services to victims of sexual assault through the Hospital's Mount Carmel Crime and Trauma Assistance Program (614-234-5900). This program provides support and assistance for victims of assault, including counseling for such individuals. In addition, the Sexual Assault Response Network of Central Ohio (SARNCO) maintains a 24-hour advocacy through their rape crisis helpline at 614-267-7020. The SARNCO website is located at www.ohiohealth.com/sexualassaultresponesenetwork/.

Sex Offender Registration

The Campus Sex Crimes Prevention Act (CSCPA) of 2000 is a federal law that provides for the tracking of convicted sex offenders enrolled at, or employed by, institutions of higher education. The CSCPA is an amendment to the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Act. The federal law requires state law enforcement agencies to provide MCCN with a list of registered sex offenders who have indicated they are either enrolled in, or employed by, MCCN.

The Franklin County Sheriff's Office has responsibility for registration of sex offenders under Ohio's Sex Offender Registration and Notification (SORN) laws. MCCN will make available to the College community information on any sexual offender who enrolls in, or is employed by, the College. The information is made available to MCCN by the respective sheriff's office and maintained in the College Compliance and Operations office, located on the fourth floor of the Medical Staff Building. In addition, information concerning registered sex offenders may be obtained from the Franklin County Sheriff's Office online at <https://sheriff.franklincountyohio.gov/>.

The CSCPA amends the Family Educational Rights and Privacy Act of 1974 (FERPA) to clarify that nothing in the Act can prohibit an educational institution from disclosing information provided to the institution concerning registered sex offenders.

Student Conduct Process

Mount Carmel College of Nursing takes allegations of academic and professional misconduct seriously. We expect all students to uphold the standards of conduct found within the College's Catalog Handbook and all professional and ethical standards set forth for the nursing and healthcare professions.

This conduct resolution process enables College faculty to manage classroom and clinical behaviors in a progressive discipline model that closely aligns with resolution processes that are found within the workplace.

These levels of resolution include informal and formal processes. Informal levels noted below are not appealable. Serious allegations involving egregious academic misconduct or professional behaviors may result in immediate escalation to any level of disciplinary action. All levels of disciplinary process are documented for reference.

1. **Developmental Coaching Conversations:** The coaching process allows the faculty member to meet with the student to come to an informal agreement among themselves to resolve the allegation and correct behaviors before they escalate beyond the coaching level. The coaching meeting should include all the details of the behavior(s) and address the consequences of such actions at present and in the future. The coaching conversation is documented and tracked for reference, but it is not a formal method of conduct resolution.
2. **Verbal Warning:** A verbal warning is a formal, documented method of conduct resolution. The verbal warning allows a faculty member to assign formal disciplinary action, as outlined below, for the allegation. If behaviors or actions do not improve, the student may face more severe disciplinary action.
3. **Written Reprimand:** The written reprimand is an official documented disciplinary action that is issued by the College, through the faculty member, for academic misconduct or unprofessional conduct. A written reprimand may include a student being placed on disciplinary probation and may disqualify the student from recognition in College programs, including Dean's or President's List Honors.
4. **Formal Hearing:** Students are referred to a Academic and Professional Conduct Committee hearing on their second alleged violation during the duration of their program, or on their first allegation of egregious misconduct, professional behavior, or patient safety concerns.

Severity/Resolution Categories

These resolution levels include, but are not exclusive to:

- Coaching Conversation: Informal corrective action to improve behaviors, including minor academic integrity, incivility and unprofessional behaviors, before escalation to formal action.
 - Students subject to repeat coaching conversations related to similar behaviors may be subject to escalated disciplinary action.
- Verbal Warning: The beginning of formal corrective behavioral action. This level can include non-Intentional acts or actions that may happen as a result of inattention that include, but are not limited to:
 - Negligence of proper citation methods.
 - Simple misunderstandings of assignment instructions.
 - General classroom/clinical behaviors.

- Tardiness.
 - Absences.
 - General attitude/behavioral concerns.
- Written Reprimand: Willful and deliberate of misconduct that include, but are not limited to:
 - Plagiarism and self-plagiarism.
 - Including use of artificially generated content (A.I., ChatGPT, etc.).
 - Providing or receiving any unauthorized assistance.
 - Including use of unauthorized testing materials/aids.
 - Repeat of coaching/verbal warning behaviors.
- Formal Hearing Panel: Especially egregious acts of academic integrity and professional behavior violations that include, but are not limited to:
 - Repeated written reprimand-level offenses.
 - Patient Safety concerns.
 - Collusion.
 - Including the posting and/or sharing of MCCN assignments and testing materials in online venues for acquisition by other students or individuals.
 - Forging or falsifying any clinical or academic information; documenting clinical hours that were not actually completed; falsifying any patient record or other document used during clinical experiences.
 - Hazing.
 - Title IX Violations.
 - Students addressing multiple allegations, or allegations at the severe/major category may be dismissed from Mount Carmel College of Nursing by the Academic and Professional Conduct Committee.

Academic Integrity and Professional Conduct Hearing Panel

Formal resolution of the most egregious and serious complaints involves adjudication of the complaint through a Conduct Hearing Panel. Students may contact the Director of Compliance and Operations via email prior to the hearing to schedule a pre-hearing meeting and to review any hearing documents that the Panel will review. A Conduct Hearing Panel is typically reserved for cases where a student may be removed from the College or for students found in repeated violations. A Conduct Hearing Panel is composed of up to 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 Operations, or designee, will manage hearing logistics and 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 Operations 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 recuse 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 Operations.

The Panel may elect to hear information from all parties interviewed during the investigation. Those 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. A respondent may elect to provide witness statements in advance to the Hearing Panel for

consideration, however the statements may be subject to interview by the Panel. For Title IX hearings, writers of all statements may be required to appear for cross examination for their statements to be considered.

All questions must be related to policy elements of the violations being charged or related to content/clarification of the case materials. Parties are permitted to cross examine one another. However, in Title IX related hearings, 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.

Related to Title IX hearings, 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.

Role of the President: The President of the College has sole authority to elect to hear any case as an administrative hearing and impose any sanction. In a case where the President elects to conduct an administrative hearing, they will still follow general guidelines of a hearing process as necessary and appropriate, as well as consult with the Director of Compliance and Operations.

Advisor/Support Person: Students involved in formal resolution proceedings have 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 students must inform the Director of Compliance and Operations. 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 student as long as doing so does not disrupt the process. For longer or more involved discussions, the students and their advisors should ask for a break in the proceedings. The advisor may not submit material or speak on behalf of the student during an investigation interview.

For specific policies related to Advisors in Title IX conduct hearings, refer to the Sexual Misconduct, Discrimination, Harassment, and Title IX Policy.

Expedited Process: In cases where a prompt hearing is essential (e.g., when graduation, end of a term, or the end of the academic year is imminent) an expedited process may be initiated by the Director of Compliance and Operations upon consultation with the Academic and Professional Conduct Committee. In an expedited process, all time periods referenced in the student conduct process may be waived and altered to reflect the needs of the individual case.

Standard of Proof: In resolving all allegations of academic and professional conduct, 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.

Participation in Resolution Process: Students have the right to choose to not participate in resolution proceedings, after having been given reasonable notice (no fewer than two [2] business days) of the date/time of the hearing. However, both Informal and Formal Resolution proceedings may occur without the active participation of a responding party and may draw reasonable conclusions on the preponderance of evidence from reports and information available without the participation in the hearing process.

Students who do not participate in the resolution process will not be permitted to appeal a sanction. Students are expected to complete the sanctions issued in the conduct process. Failure to do so may result in further conduct action, including dismissal.

Possible Sanctions

- **Warning:** defined as a notification that a student has committed certain violations and that continuance of such conduct will result in more severe disciplinary action.
- **Educational Sanctions:** These include but are not limited to alcohol education, counseling assessment and

adherence to professional counseling recommendations, research paper or project, hall or building program with a residential life staff member, group education program, etc. A Performance Improvement Contract (PIC) may be initiated as part of an educational sanction through the Formal Resolution process.

- **Disciplinary Probation:** defined as the student is not in good disciplinary standing with the College (for a specified period of time, ordinarily no less than one term/semester), and any future violations may result in an additional immediate referral to the Academic and Professional Misconduct Committee hearing process, with a recommendation of a more severe disciplinary action.
- **Disciplinary Suspension:** defined as the denial of the opportunity to continue in the College for a specified period of time (ordinarily no less than one term/semester). While suspended, a student is not allowed to be on campus or to attend any official College event. In the event that additional educational sanctions are imposed in conjunction with the suspension, these sanctions will most likely be expected to be completed prior to an application for reinstatement to be considered before the Academic Progress Committee. A student wishing to return after a period of suspension must apply for reinstatement and is not guaranteed reinstatement.
- **Disciplinary Dismissal:** defined as the denial of the opportunity to continue as a student at the College. A student who is disciplinarily dismissed is not allowed to be on campus or to be at any official College event at any time, unless given prior written approval. A student who is disciplinarily dismissed will not be afforded the opportunity for reinstatement or readmission to the College at any time.

Disclosure of Disciplinary Actions

To Victim of an Alleged Sex-Based Offense: Both the reporting party and the respondent will be simultaneously informed, in writing, of the outcome of any institutional proceeding that arises from an allegation of domestic violence, dating violence, sexual misconduct or stalking. The reporting party and the respondent will also be informed of the procedures to appeal the results of the disciplinary proceeding; of any changes to the results that occur prior to the time that such results become final; and when such results become final.

To Victims of an Alleged Perpetrator of a Crime of Violence: Upon written request, MCCN will disclose to the alleged victim of any crime of violence or sexual misconduct, the results of any disciplinary proceeding conducted by the institution against a student who is the alleged perpetrator of such crime or offense. If the alleged victim is deceased as a result of the crime or offense, the information shall be provided, upon request, to the next of kin of the alleged victim.

Student Conduct Appeals

Both parties have the right to appeal the outcome of a hearing by filing a written appeal to the Academic Dean, or designee, within five (5) 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 appellate body, 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.

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