Annual Security Report

2026



This information is provided by Wayne County Schools Career Center (WCSCC) in compliance with the Jeanne Clery Act and Drug Free Schools and Campuses Regulations.

For more information on school security or WCSCC Drug Free Club, contact WCSCC at 330-669-7070

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1 Introduction

Wayne County Schools Career Center (WCSCC) prepares this safety report to comply with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act. This report is prepared in cooperation with the local law enforcement agencies surrounding WCSCC. Each entity provides relevant statistics to comply with the Act.

Crime statistics include those reported to local administration and police departments. Each year students are sent an email notification providing access to the crime statistics. In the event that a situation arises at Wayne County Schools Career Center, that, in the judgment of the administration constitutes an ongoing or continuing threat, a student wide, timely warning will be issued through Remind – a service that sends out important messages and notifications to registered recipients quickly and effectively - and other sources of media transmission. Every attempt is made to distribute the alert as quickly as possible; however, the release of the alert is subject to the availability of facts concerning the incident.

1.1 The Clery Act

The safety of students, staff and visitors is an important concern of Wayne County Schools Career Center. This report is intended to raise your awareness and provide you with information to protect your safety and well-being.

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, formally known as the Crime Awareness and Campus Security Act requires postsecondary institutions to disclose and publish an annual security report. The annual Security Report is published every year by October 1st and contains three years of campus crime statistics and campus security policy statements in accordance with the Clery Act. In addition, it includes reported campus crimes, arrests and referral statistics to local law enforcement agencies and designated campus officials.

1.2 Housing and Student Organizations Statement

Wayne County Schools Career Center does not have on or off campus housing nor does it have student organizations. Therefore, no crime statistics or policies pertaining to such are included in this report.

1.3 Clery Act Geography

The Adult Education Building is considered to be the main campus of the Adult Education programs conducted through WCSCC. Additional places of responsibility for reporting purposes consist of any classrooms or labs located in the high school building during specific times for which contracts are in place, the parking lots where Adult Education students park during class, and common areas within the high school building during specific times as also outlined in contracts.

Any crime that happens on WCSCC property but is outside of these specified areas outlined above, will not be considered part of the Clery Act Geography and therefore will not be included in crime statistics for the purposes of this report.

1.4 Important Phone Numbers

For all life-threatening emergencies, DIAL 911

Non-emergency:

Smithville Police Department	330-669-3471
Wayne County Sheriff's Office	330-287-5750
Central Fire District	330-669-2091
Office of Emergency Management	330-262-9817
American Electric Power	1-888-710-4237
Dominion East Ohio Gas - Daytime	330-262-8010
Dominion East Ohio Gas – 24 hours	1-877-542-2630
Smithville Water-Sewer Department	330-669-2633
Wayne County Health Department	330-264-9590
Poison Control	1-800-222-1222

Staff:	330-669-7070
Adult Education Office	ext. 1320
Director of Operations/Nursing Supervisor	ext. 6001
High School Principal	ext. 1024
Maintenance Supervisor	ext. 5010
Nursing Manager	ext. 2010
Safety Coordinator	ext. 6113
School Nurse	ext. 1110
Superintendent	ext. 6160
Supervisor of Career Tech	ext. 1322

Please Note:

1- To make an outgoing call from a school phone, you must first dial 8.

2- When dialing 911 from a school phone, it is not necessary to dial 8 first.

3- When dialing 911, it is recommended to use a landline when possible because a dispatcher can easily determine your location, which results in a much quicker intervention.

1.5 Campus Safety

- All exterior doors to the main building are locked from 8:05 a.m. through the remainder of the day during the school year when the high school is in session.
- The Adult Education building (separate from the high school) front doors are locked at all times.
- All visitors are identified at the main office prior to admittance to the building.
- Large, well-lit parking lots are provided.
- Escorts are provided to staff and students at individual requests.
- WCSCC fingerprints every potential employee in order to obtain a criminal history background check.

1.6 Campus Security

It is the policy of Wayne County Schools Career Center that any criminal activities or emergencies be reported immediately to the appropriate authorities. Notification should then be made to any available staff member, who will report the incident to the supervisor on duty. All emergencies and criminal activities will be reported to the Manager of Adult & Community Education, Director of Operations and to the Superintendent.

WCSCC maintains a close working relationship with the Smithville Police Department. WCSCC has an assigned School Resource Officer and a Safety Monitor on site during the day and the Adult Education Safety Coordinator serves in the role of security for evening classes. Students will be notified of emergencies per the WCSCC Health and Safety Plan, which may be viewed at http://www.wayne-jvs.k12.oh.us .

2 Personnel

2.1 WCSCC Safety and Security Committee

WCSCC Safety and Security Committee is chaired by the Director of Operations. Safety and security procedures are reviewed and discussed at regularly held meetings. The committee is comprised of administrators, selected staff and local law enforcement. Several aspects of the safety and security of WCSCC and its occupants this committee looks at include:

- Assist with the development of our security plans.
- Ongoing assessments of our current security procedures and recommendations of ways to improve.
- Share important security concerns between the community and WCSCC.
- Arrange for the participation of emergency personnel in our safety drills.
- Discuss available options for safety and security training for staff.

2.2 Campus Security Authorities

WCSCC has identified several individuals who are considered Campus Security Authorities (CSA's). These are individuals who receive annual training on how to report any crimes for Clery Act purposes. Any student or staff should report a crime or alleged crime to one of these individuals, with their first attempt if possible, to their program supervisor.

Ryan Pearson – Safety Coordinator
Lorie Rodgers – Practical Nursing Program Manager
Lynn Moomaw – Superintendent
Lynette Boggs – Director of Operations / Title IX Coordinator
Curtis Good – Adult Education Manager / Career Technical Supervisor

Any crime reported by a victim or witness, should be on a voluntary and confidential basis for the inclusion in the annual disclosure of crime statistics. In most cases it is possible for a CSA to fulfill reporting responsibilities while still maintaining confidentiality of the victim.

Pastoral and Professional Counselors, either employed by WCSCC or under a contract for such counseling services on campus, are exempt from CSA responsibilities so that they are able to provide the necessary counseling services and still protect the counselor-client relationship. This does not exempt them, however, from certain situations where they are legally obligated to report a crime.

2.3 Clery Compliance Committee

In the absence of a Clery Compliance Officer (CCO), any concerns or questions regarding the CSA's, their responsibilities, and/or their reporting capabilities, should be brought to the attention of the Clery Compliance Committee which consists of the following members:

Ryan Pearson – Safety Coordinator
Lynette Boggs – Director of Operations / Title IX Coordinator
Curtis Good – Adult Education Manager / Career Technical Supervisor
Taryn Wolf – Financial Aid Clerk

3 Emergency Procedures

3.1 Basic Emergency Procedures

Response – The Incident Command System (ICS) is utilized when responding to incidents and the WCSCC works with local safety agencies to manage, mitigate, and recover from incidents.

Evacuation – Evacuation will take place if it is determined that it is safer outside than inside the building (fire, explosion, hazardous material, intruder) and staff, students and visitors can safely reach the evacuation location without danger (see WCSCC Emergency Operations Plan).

Shelter-in-place – The shelter-in-place procedure provides for refuge for students, staff and the public inside the school building during an emergency. Shelter-in-place is used when evacuation would place people at risk. Everyone should remain inside the building until told it is safe to come out (see WCSCC Emergency Operations Plan).

3.2 Dissemination of Emergency Situations

Once an emergency or threat has been identified, the appropriate personnel will evaluate the situation to confirm the emergency or threat, determine the appropriate group of people to notify, the content of the notification, and will then proceed to initiate the appropriate notification system. Examples of mass notification systems are outlined below:

- Remind – This service sends out important messages to registered recipients quickly and effectively.
- PA (Public Address Announcement) – This method is used to communicate important messages internally. Announcements can be made via a designated microphone located in the main office or by using classroom or office telephones.
- Website – School officials use this method when they need to disseminate urgent messages or updates to a larger population.
- Local Media – This method is usually utilized when major announcements or emergency-related updates of utmost importance are intended to reach a much larger population.

Lynn Moomaw, Superintendent, or her assigned designee, will hold the responsibility to determine the emergency or threat, determine the appropriate group of people to notify, the content of the notification, and will initiate the appropriate notification system.

3.3 Emergency Notifications

Emergency notifications consist of a significant or dangerous situation that is currently occurring on or imminently threatening the campus as defined by Clery Act Geography. A notification will be sent out immediately upon confirmation of the situation by the appropriate notification system and initiated by one of the specified individuals (see Section 3.2).

3.4 Timely Warnings

A timely warning will be disbursed to the appropriate group of people when it is concerning a Clery crime as reported to one of the CSA's for a crime that occurred on campus as defined by Clery Act Geography and that represents an ongoing threat. Information will be made available as soon as information is forthcoming.

4 Safety and Security Tools

Campus security has become a major concern for many people across the nation, including but not limited to: school staff and administration, students and their parents, law enforcement agencies and government officials. Everyone shares the same concern and the same goal. The concern is, a life-

threatening emergency taking place in a school building or on campus, and the goal is, to be prepared to address any emergency that occurs. WCSCC staff have received training in Incident Command and responding to critical incidents on campus. The Incident Command System (ICS) is utilized when responding to incidents and the WCSCC works with local safety agencies to manage, mitigate, and recover from incidents.

At Wayne County Schools Career Center, we realize that an emergency can occur at any given time without a warning. Therefore, we continually perform security assessments in order to determine where we stand and what needs to be improved. Below are examples of the tools and measures that we have in place to help us achieve and maintain the highest level of security:

4.1 Surveillance System

All buildings and campus activities are monitored and recorded 24 hours a day, 7 days a week. Recordings are saved for designated periods of time and can be retrieved when necessary.

4.2 Access Control System

A state-of-the-art electronic door locking system is installed and active. Entry doors to the building and certain office areas automatically lock and unlock according to a preset time schedule. Doors that are programed to remain locked require a key fob (key card) with the proper access level for entry. All key fob activities are recorded and a card history report with specific data can be generated when necessary. In the event of an emergency in which a lockdown becomes necessary, the building can be secured with the push of a button.

4.3 Emergency Procedures Reference Guide

An emergency preparedness guide (The Health & Safety Plan) has been developed and is continually evaluated and updated. This guide has been designed to identify various security threats and to assist staff and administration in handling and/or reacting to them. A copy of this guide has been distributed to all staff and local law enforcement agencies. In addition, an online copy of this guide is currently available on our website www.wcscc.org.

4.4 Drills

At Wayne County Schools Career Center, we conduct various safety drills regularly: Fire, Tornado, Lockdown…etc. We encourage the participation of our local Police and Fire departments in our safety drills as we believe it is extremely important for the emergency first responders to be familiar with our building. Wayne County Schools Career Center has adopted the A.L.I.C.E (Alert, Lockdown, Inform, Counter, Evacuate) concept in an active shooter emergency situation and all of our staff members have received the proper training associated with it. Upon completion of each safety drill, instant feedback is given by staff and administration. This feedback is vital for the purpose of our ongoing security assessment and evaluation process.

4.5 Fire and Burglar Alarm System

We have a Fire Alarm system, made by Siemens with an Intelligent addressable fire alarm control panel. We also have addressable thermal (heat) and photoelectric smoke detectors. Our burglar system is called Entrapass by Kantech. The system has magnetic relays at the main doors and overhead doors. We have motion detectors throughout the building. We have 117 alarm points monitored 24/7 by Silco fire and security.

4.6 AED's, Bleeding Control Kits and Fire Extinguishers

There are several Automated External Defibrillators (AED's), bleeding control kits and fire extinguishers at Wayne County Schools Career Center. They are strategically placed throughout the building.

4.7 Hazardous Materials

All labs are equipped with eye-wash stations and first aid kits are assigned by program. An up-to-date MSDS (Material Safety Data Sheet) binder is placed in all areas in which chemicals/hazardous materials are used. All classrooms and labs in our Health Department have sharps containers for the safe disposal of needles and other sharp objects.

5 Reporting of Crimes

WCSCC expects all students to follow school policies and state laws. Any infraction is expected to be reported promptly. As adults and contributing members of society the expectation is that students and staff will conduct themselves in a way to promote campus safety. Any suspicious activity or person seen in the parking lots, loitering around vehicles or inside the building should be reported immediately. Students and staff will be made aware of resources related to Campus Safety and Security at Orientations.

WCSCC encourages anyone who is a victim or witness to any crime to promptly report the incident to the police. Please note: Police reports are public records under state law, WCSCC and local police departments cannot hold reports of crime in confidence.

Students may report crimes directly and voluntarily to any district administration personnel but their first attempt to report the crime should be to their program supervisor (listed below) or one of the CSA's:

Curtis Good - Administrative Office Professional, Cosmetology, Dental Assisting, Medical Assisting, Nurse Aide, Practical Nursing, Diploma RN, General Interest, Literacy Education Programs, Trade & Industry Programs

6 Adam Walsh Child Protection and Safety Act of 2006 (42 U.S.C. 16921)

It is against WCSCC policy to allow known sex offenders to enroll or be on school grounds. We are notified by the Sheriff's office of anyone newly placed on the sex offenders list and they are added to our student data base with a flag so that everyone knows they are not allowed to enroll if they should try. For a complete list of registered sex offenders, they may be viewed at the Wayne County Sheriff's website: https://www.waynecountysheriff.com/sex-offenders.

7 Sexual Offense Definitions, Policy, and Procedure

Harassment is prohibited. Any harassment is to be reported immediately to a supervisor or other member of Adult & Community Education Administration.

WCSCC prohibits the crimes of sexual assault, dating violence, domestic violence, and stalking. Allegations of sexual assaults will be promptly investigated, and an appropriate action will be taken against the offender.

7.1 Definitions

The Clery Act requires definitions of the terms "sexual assault," "domestic violence," "dating violence," and "stalking" as used in our institution's jurisdiction for educational and awareness purposes. The following related definitions are from the Ohio Revised Code. Please note that these definitions may be different from the definitions used for Clery Act statistical reporting purposes. Clery Act definitions are provided in the back of this report.

7.1.1 Sexual Conduct

ORC Section 2907.01 (A), means vaginal intercourse between a male and female; anal intercourse, fellatio, and cunnilingus between persons regardless of sex; and, without privilege to do so, the insertion, however slight, of any part of the body or any instrument, apparatus, or other object into the vaginal or anal opening of another. Penetration, however slight, is sufficient to complete vaginal or anal intercourse.

7.1.2 Sexual Contact

ORC Section 2907.01 (B), means any touching of an erogenous zone of another, including without limitation the thigh, genitals, buttock, pubic region, or, if the person is a female, a breast, for the purpose of sexually arousing or gratifying either person.

7.1.3 Sexual Assault

The Ohio Revised Code does not have a specific definition. (See Rape below.)

7.1.4 Rape

ORC Section 2907.02:

(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.

7.1.5 Domestic Violence

ORC Section 3113.31

(A) As used in this section:

(1) "Domestic violence" means the occurrence of one or more of the following acts against a family or household member:

(a) Attempting to cause or recklessly causing bodily injury:

(b) Placing another person by the threat of force in fear of imminent serious physical harm or committing a violation of section 2903.211 or 2911.211 of the Revised Code:

(c) Committing any act with respect to a child that would result in the child being an abused child, as defined in section 2151.031 of the Revised Code:

(d) Committing a sexually oriented offense.

(2) "Court" means the domestic relations division of the court of common pleas in counties that have a domestic relations division and the court of common pleas in counties that do not have a domestic relations division, or the juvenile division of the court of common pleas of the county in which the person to be protected by a protection order issued or a consent agreement approved under this section resides if the respondent is less than eighteen years of age.

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

(a) Any of the following who is residing with or has resided with the respondent:

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

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

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

(b) The natural parent of any child of whom the respondent is the other natural parent or is the putative other natural parent.

(4) "Person living as a spouse" means a person who is living or has lived with the respondent in a common law marital relationship, who otherwise is cohabiting with the respondent, or who otherwise has cohabited with the respondent within five years prior to the date of the alleged occurrence of the act in question.

7.1.6 Menacing by Stalking

ORC Section 2903.211

(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.

7.1.7 Dating Violence

The Ohio Revised Code does not have a specific definition of dating violence.

7.1.8 Consent

ORC Section 5924.120 (3), means words or overt acts indicating a freely given agreement to the sexual conduct at issue by a competent person.

7.2 Prevention

Being a victim of a crime can have devastating effects on any individual. A victim’s physical and emotional trauma resulting from a sexual assault can last a lifetime. Therefore, preventing sexual assaults from occurring is a high priority. In an effort to prevent such crimes, Wayne County Schools Career Center raises awareness of sexual misconduct, harassment and other sexual-related crimes among students and employees.

7.3 Action Steps

7.3.1 Counseling

Although Wayne County Schools Career Center does not provide on or off-site specialized counseling services to sexual assault victims, the Adult Education Student Advisor or Title IX Coordinator (see section 9) can provide victims with a professional referral. The advisor will also provide the student or employee a written explanation of the student's or employee's rights and options.

7.3.2 Safety and School Reporting

If you become a victim of a sexual assault on campus, immediately seek shelter in a safe location then report the incident to the police and school administration. Below are the recommended steps of action for reporting a sexual assault:

- Get to a place of safety as soon as you can.
- It is important to preserve all physical evidence that may assist in proving that the alleged criminal offense occurred. Do not wash, use the toilet, or change clothing if you can avoid it. If you do change clothes, put all clothing you were wearing at the time of the attack in a paper, not plastic, bag.
- Do not eat, drink liquids, smoke, or brush teeth if oral contact took place.
- Get medical attention as soon as possible to make sure you are physically well and to permit collection of important evidence.
- Report the incident in a timely manner to a CSA and the local police. (Time is a critical factor for evidence collection and preservation).

7.3.3 Police Reporting

Reporting a sexual assault incident to the police is at the discretion of the victim. However, filing a police report will help with the following:

- Ensure that a victim of sexual assault receives the necessary medical treatment and tests at no expense to the victim.
- Provide the opportunity for collection of evidence helpful in prosecution that cannot be obtained later.
- Assure the victim has access to free confidential counseling from counselors specifically trained in the area of sexual assault crisis intervention.
- To take action which may prevent further victimization.
- To apprehend the assailant.

Wayne County Schools Career Center will fully cooperate and assist law enforcement agencies with any investigation related to sexual assault crimes occurring on campus.

7.4 Accommodations

Protecting the safety and wellbeing of everyone on campus is a priority of Wayne County Schools Career center. Some types of incidents, especially domestic violence, dating violence, sexual assault, and stalking may require special arrangements/accommodations by the school to ensure the safety of the victims or potential victims while on campus.

Wayne County Schools Career Center can facilitate changes to the victim's academic and/or daily working conditions, provide extra time to complete or retake classes, and provide security escorts to the victim in the building and on grounds when requested. Adjustments may also be made to the victim's externship schedule.

Any publicly available recordkeeping, including Clery Act reporting and disclosures, will be completed without the inclusion of personally identifying information about the victim, as defined in section 40002(a)(20) of the Violence Against Women Act of 1994. Any accommodations or protective measures provided to the victim will be maintained as confidential, to the extent that maintaining such confidentiality would not impair the ability of the school to provide such accommodations.

In some cases, security personnel and school administration are alerted when there is an active court-ordered protection order involving a student or an employee. The WCSCC will make these accommodations or provide such protective measures if the victim requests them and if they are reasonably available, regardless of whether the victim chooses to report the crime. Students or employees who have obtained a legal protection order, no contact order, restraining order, or similar lawful order issued by a criminal, civil, or tribal court should file a copy of the order with the WCSCC. This information can assist in preventing potential crimes.

7.5 Disciplinary Actions

The WCSCC Board of Education is responsible, by law, for regulating student, visitor, and employee conduct. In the case of student or employee conduct which involves an alleged or proven violation of criminal law, police authority may be invoked. Disciplinary action may be taken if the conduct also involves a violation of school standards, or if the interests of the academic community are distinct from those of civil authority.

Proceedings for disciplinary action in cases of alleged domestic violence, dating violence, sexual assault or stalking will:

- Provide prompt, fair, and impartial process from the initial investigation to the result.
- Be conducted by officials who receive annual training on the issues related and how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability.
- The accuser and the accused are entitled to the same opportunities to have others present during the disciplinary proceeding, including the opportunity to be accompanied to any related meeting or proceeding by an advisor of their choice.
- Both the accuser and the accused shall be simultaneously informed in writing of the outcome when such results become final.

7.6 Notification

The WCSCC will provide written notification to students and employees about existing counseling, health, mental health, victim advocacy, legal assistance, student financial aid, and other services available for victims. The WCSCC will also provide to students and employees on an introductory and ongoing basis, prevention and awareness materials on the crimes covered above to include bystander intervention and risk reduction.

7.7 Bystander Intervention

Bystander intervention is defined as safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is a risk of dating violence, domestic violence, sexual assault, or stalking. It encourages people to watch out for each other.

Be aware of those behaviors and situations that appear to be inappropriate, coercive, or harassing. If you see someone in danger or in a situation that doesn't feel right:

- Create a distraction to help the person get to safety. If it is a friend, join the conversation and suggest that you leave, ask them to go to the restroom with you, etc. Make up an excuse to get them out of a potentially dangerous situation.
- Observe your surroundings. If you see someone who has had too much to drink or could be vulnerable, try to get him or her to a safe place.
- If you feel someone is at risk and you feel safe, find a way to de-escalate the situation and separate the parties. Ask the person directly if they need help or feel uncomfortable.
- Enlist others if needed. Call in friends or other people to remind someone behaving inappropriately that their actions should be respectful.
- Take steps to curb someone's use of alcohol before problems occur.
- Do not hesitate to call the authorities if needed.
- Be aware that men can also be victims of domestic violence, dating violence, stalking and sexual assault.

7.8 Risk Reduction

7.8.1 Tips for Reducing your Risk of Sexual Assault

The following information is provided to members of our campus community in an attempt to reduce their risk of sexual assault:

- Be aware of your surroundings.
- Walk with purpose, look confident. Walk only in lighted areas after dark.
- Travel with a friend or in a group. Make an agreement with your friends to look out for each other. If you go to a party, arrive together, check in with each other frequently and leave together. If you are uncomfortable with the plans, speak up.
- Trust your instincts. If you start to feel uncomfortable due to a situation or location, trust your gut and get out.

- Make sure your cell phone is with you, is charged, and that you have extra money to get home.
- Avoid drinking too much alcohol.
- Watch your beverages. Do not leave them unattended or accept a drink from someone you do not know or trust.
- If you are going out with someone new or someone you met on an internet-dating site, meet him or her in a public place or have a group date. Do not give them your address until you are comfortable.
- Know your sexual limits and that you always have the right to say "No". You can say "No" even if you've been flirting, making out, said "Yes" then changed your mind, or you've had sex with the person before.
- Keep the doors to your car and home locked.

7.8.2 Tips for Reducing Your Risk of Dating Violence, Domestic Violence, or Stalking

Know the warning signs for potentially abusive relationships. Abuse can be verbal and emotional, as well as physical.

- Extreme jealousy.
- Controlling behavior, checking up on you, questioning you about where you have been or whom you have been with.
- Quick involvement, "love at first sight."
- They blame others for their problems.
- They abuse alcohol or other drugs.
- A history of trouble with the law, fighting, or destroying property.
- The abuser forces you to have sex when you do not want to.
- The abuser attempts to isolate you from family or friends.
- Cruelty to other family members, animals, or children.
- The abuser says cruel and harmful things to you, calls you names, says you are stupid or crazy or puts down your accomplishments.
- The abuser threatens you.
- They blame all arguments and problems on you.
- They threaten to kill themselves if you break up with them, say they cannot live without you.
- You feel afraid of them or afraid to break up with them.

If you are in an abusive relationship, the following are some steps you can take to reduce your risk:

- Make a plan for how you are going to leave, where you will go, and how to cover your tracks. Make one plan if you have time to prepare and an emergency plan if you need to leave in a hurry.
- Pack a bag with spare car keys, your driver's license, credit card numbers, checkbook, money, phone numbers, spare clothing, and medication.
- Go to a doctor or hospital as soon as possible if you are hurt. Keep a copy of the record.
- Keep evidence of abuse; pictures of bruises or other injuries, torn or bloody clothing,

pictures of your home messed up after violence, text, or phone messages, etc. as evidence in the event you later wish to pursue legal action.
- Leave when the abuser will least expect it, so you have more time to get away.
- Call the police to ask them to escort you out of the house as you leave.

If you are a victim of stalking, the following are some things you can do to help reduce your risk:

- If you are receiving unwanted telecommunication, send the offender a message stating, "Please do not contact me anymore by any means."
- Stop all further contact and communication with the stalker.
- Carry a cell phone and emergency money. Be sure your cell phone is charged.
- Have a safe place to go in an emergency.
- Try not to travel alone.
- Vary your routes to and from work or school. Change your routines.
- Be careful about the personal information you are posting on social media.
- Keep your address confidential whenever you can. Tell friends and neighbors not to give your address to anyone.
- Alert co-workers, classmates, and the WCSCC regarding your situation.
- Create a stalking log recording time, date, and information about stalking encounters as evidence in the event you wish to pursue legal action.

8 Firearms, Knives, and Other Dangerous Weapons

It is illegal in the state of Ohio to possess any type of a firearm in or on the buildings or grounds of any school, with exceptions noted in ORC 2923.122. This prohibition includes the conveyance or possession of any dangerous ordnance or any object indistinguishable from a firearm. For more information, please refer to “ORC 2923.122 Illegal conveyance or possession of deadly weapon or dangerous ordnance or of object indistinguishable from firearm in school safety zone”. Students are prohibited from bringing firearms, knives, or other dangerous weapons (such as razors, explosives, poisons, gases, drugs, etc.) on school property, in school vehicles, to school-sponsored activities, or on any other property which is used by the Board. Students bringing a firearm, knives, or other dangerous weapons will be dismissed immediately. WCSCC has zero tolerance of violent, disruptive, or inappropriate behavior by its students.

9 Unlawful Discrimination and Retaliation

The Board designates the following individuals to serve as the District’s "Compliance Officers" (also known as "Civil Rights Coordinators" or “Title IX Coordinators”)

Matt Brown, High School Principal, 330-669-7000, mbrown@wcscc.edu

Lynette Boggs, Director of Operations, 330-669-7000, lboggs@wcscc.edu

Students and all other members of the School District community and third parties are encouraged to promptly report incidents of unlawful discrimination and/or retaliation to a teacher, administrator, supervisor, or other District official so that the Board may address the conduct. Any teacher, administrator, supervisor, or other District employee or official who receives such a complaint shall file it with the Compliance Officer (CO) within two (2) school days.

Members of the School District community, which includes students or third parties, who believe they have been unlawfully discriminated/retaliated against are entitled to utilize the complaint process set forth below. Initiating a complaint, whether formally or informally, will not adversely affect the complaining individual's employment or participation in educational or extra-curricular programs. Individuals should make every effort to file a complaint within thirty (30) calendar days after the conduct occurs while the facts are known and potential witnesses are available.

Retaliation against a person who makes a report or files a complaint alleging unlawful discrimination, or participates as a witness in an investigation is prohibited. Specifically, WCSCC will not retaliate against, coerce, intimidate, threaten or interfere with any individual because the person opposed any act or practice made unlawful by any Federal or State civil rights law, or because that individual made a charge, testified, assisted or participated in any manner in an investigation, proceeding, or hearing under those laws, or because that individual exercised, enjoyed, aided or encouraged any other person in the exercise or enjoyment of any right granted or protected by those laws.

If, during an investigation of alleged bullying, aggressive behavior and/or harassment in accordance with Board Policy 5517.01 – Bullying and Other Forms of Aggressive Behavior, the Supervisor believes that the reported misconduct may constitute unlawful discrimination based on a Protected Class, the Supervisor shall report the act to one of the COs who shall insure the allegation is investigated in accordance with this policy. While the CO overseas the investigation of the allegation, the Supervisor shall suspend his/her Policy 5517.01 investigation to await the CO's written report. The CO shall keep the Supervisor informed of the status of the Policy 2260 investigation and provide him/her with a copy of the resulting written report.

The COs will be available during regular school/work hours to discuss concerns related to unlawful discrimination/retaliation. COs shall accept complaints of unlawful discrimination/retaliation directly from any member of the School District community or a visitor to the

Definitions

Discrimination – Unfair or unequal treatment of an individual (or group) based on certain characteristics, including:

Age

Disability

Ethnicity

Gender

Marital Status

National Origin

Race

Religion

Sexual Orientation

Retaliation – recipients of federal funds are prohibited from intimidating, threatening, coercing, or discriminating against any individual for the purpose of interfering with any right or privilege secured by Federal Civil Rights law.

District, or receive complaints that are initially filed with a school building administrator. Upon receipt of a complaint either directly or through a school building administrator, a CO will begin either an informal or formal process (depending on the request of the person alleging the discrimination/retaliation or the nature of the alleged discrimination/retaliation), or the CO will designate a specific individual to conduct such a process. The CO will provide a copy of this policy to any person who files a complaint. In the case of a formal complaint, the CO will prepare recommendations for the Superintendent or oversee the preparation of such recommendations by a designee. All members of the School District community must report incidents of discrimination/retaliation that are reported to them to the CO within two (2) business days of learning of the incident/conduct.

Any WCSCC employee who directly observes unlawful discrimination/retaliation of a student is obligated, in accordance with this policy, to report such observations to one of the COs within two (2) business days. Additionally, any WCSCC employee who observes an act of unlawful discrimination/retaliation is expected to intervene to stop the misconduct, unless circumstances make such an intervention dangerous, in which case the staff member should immediately notify school security or the Safety Coordinator and/or local law enforcement officials, as necessary, to stop the misconduct. Thereafter, the CO or designee must contact the student, if age eighteen (18) or older, or the student's parents if the student is under the age eighteen (18), within two (2) school days to advise s/he/them of the Board's intent to investigate the alleged wrongdoing.

9.1 Investigation and Complaint Procedure

Any student who believes that s/he has been subjected to unlawful discrimination or retaliation may seek resolution of his/her complaint through the procedures described below. The formal complaint procedures involve an investigation of the individual’s claims and a process for rendering a decision regarding whether the charges are substantiated.

Due to the sensitivity surrounding complaints of unlawful discrimination or retaliation, timelines are flexible for initiating the complaint process; however, individuals should make every effort to file a complaint within thirty (30) calendar days after the conduct occurs. Once the formal complaint process is begun, the investigation will be completed in a timely manner (ordinarily, within fifteen (15) business days of the complaint being received).

The procedures set forth below are not intended to interfere with the rights of a student to pursue a complaint of unlawful discrimination or retaliation with the United States Department of Education Office for Civil Rights ("OCR"). You should file your complaint as soon as possible. In some instances, you may have only 180 days after the alleged incident. In others, you may have at most one year after the alleged incident to file with OCR. The Cleveland Office of the OCR can be reached at 1350 Euclid Avenue, Suite 325, Cleveland, Ohio 44115; Telephone: (216) 522-4970; Fax: (216) 522-2573; TDD: (216) 522-4944; E-mail: ocr.cleveland@ed.gov; Web: http://www.ed.gov/ocr.

9.1.1 Informal Complaint Procedure

The goal of the informal complaint procedure is to quickly stop inappropriate behavior and facilitate resolution through an informal means, if possible. The informal complaint procedure is provided as a less formal option for a student who believes s/he has been unlawfully discriminated or retaliated against. This informal procedure is not required as a precursor to the filing of a formal complaint.

The informal process is only available in those circumstances where the parties (the alleged target of the discrimination and individual(s) alleged to have engaged in the discrimination) agree to participate in it.

Students who believe that they have been unlawfully discriminated/retaliated against may proceed immediately to the formal complaint process and individuals who seek resolution through the informal procedure may request that the informal process be terminated at any time to move to the formal complaint process.

All complaints involving a District employee or any other adult member of the School District community against a student will be formally investigated.

As an initial course of action, if a student feels that s/he is being unlawfully discriminated/retaliated against and s/he is able and feels safe doing so, the individual should tell or otherwise inform the person who engaged in the allegedly discriminatory/retaliatory conduct that it is inappropriate and must stop. The complaining individual should address the alleged misconduct as soon after it occurs as possible. The COs are available to support and counsel individuals when taking this initial step or to intervene on behalf of the individual if requested to do so. An individual who is uncomfortable or unwilling to inform the person who allegedly engaged in the unlawful conduct of his/her concerns is not prohibited from otherwise filing an informal or a formal complaint. In addition, with regard to certain types of unlawful discrimination, such as sexual discrimination, the CO may advise against the use of the informal complaint process.

A student who believes s/he has been unlawfully discriminated/retaliated against may make an informal complaint, either orally or in writing: (1) to a teacher, other employee, or building administrator in the school the student attends; (2) to the Superintendent or other District-level employee; and/or (3) directly to one of the COs.

All informal complaints must be reported to one of the COs who will either facilitate an informal resolution as described below, or appoint another individual to facilitate an informal resolution.

The School District's informal complaint procedure is designed to provide students who believe they are being unlawfully discriminated/retaliated against with a range of options aimed at bringing about a prompt resolution of their concerns. Depending upon the nature of the complaint and the wishes of the student claiming unlawful discrimination/retaliation, informal resolution may involve, but not be limited to, one or more of the following:

- Advising the student about how to communicate his/her concerns to the person who allegedly engaged in the discriminatory/retaliatory behavior.
- Distributing a copy of Board Policy 2260 – Non-Discrimination as a reminder to the individuals in the school building or office where the individual whose behavior is being questioned works or attends.
- If both parties agree, the CO may arrange and facilitate a meeting between the student claiming discrimination/retaliation and the individual accused of engaging in the misconduct to work out a mutual resolution.

While there are no set time limits within which an informal complaint must be resolved, the CO or designee will exercise his/her authority to attempt to resolve all informal complaints within fifteen (15)

business days of receiving the informal complaint. Parties who are dissatisfied with the results of the informal complaint process may proceed to file a formal complaint. And, as stated above, parties may request that the informal process be terminated at any time to move to the formal complaint process.

All materials generated as part of the informal complaint process will be retained by the COs in accordance with the Board's records retention policy and/or Student records policy. (See Board Policy 8310 and Policy 8330)

9.1.2 Formal Complaint Procedure

If a complaint is not resolved through the informal complaint process, if one of the parties requested that the informal complaint process be terminated to move to the formal complaint process, or if the student elects to file a formal complaint initially, the formal complaint process shall be implemented.

A student who believes s/he has been subjected to unlawful discrimination/retaliation (hereinafter referred to as the "Complainant") may file a formal complaint, either orally or in writing, with a teacher, Supervisor, or other District employee at the student's school, the CO, Superintendent, or another District employee who works at another school or at the District level. Due to the sensitivity surrounding complaints of unlawful discrimination, timelines are flexible for initiating the complaint process; however, individuals should make every effort to file a complaint within thirty (30) calendar days after the conduct occurs. If a Complainant informs a teacher, Director, or other District employee at the student's school, Superintendent, or other District employee, either orally or in writing, about any complaint of discrimination/retaliation, that employee must report such information to the CO within two (2) business days.

Throughout the course of the process, the CO should keep the parties informed of the status of the investigation and the decision-making process.

All formal complaints must include the following information to the extent it is available: the dates and times of occurrence; the identity of the individual believed to have engaged in, or be engaging in; the discriminatory/retaliatory conduct; a detailed description of the facts upon which the complaint is based; a list of potential witnesses; and the resolution sought by the Complainant.

If the Complainant is unwilling or unable to provide a written statement including the information set forth above, the CO shall ask for such details in an oral interview. Thereafter, the CO will prepare a written summary of the oral interview, and the Complainant will be asked to verify the accuracy of the reported charge by signing the document.

Upon receiving a formal complaint, the CO will consider whether any action should be taken in the investigatory phase to protect the Complainant from further discrimination or retaliation, including, but not limited to, a change of work assignment or schedule for the Complainant and/or the person alleged to have engaged in the misconduct. In making such a determination, the CO should consult the Complainant to assess his/her agreement to the proposed action. If the Complainant is unwilling to consent to the proposed change, the CO may still take whatever actions s/he deems appropriate in consultation with the Superintendent.

Within two (2) business days of receiving the complaint, the CO or designee will initiate a formal investigation to determine whether the Complainant has been subjected to unlawful discrimination/retaliation.

Simultaneously, the CO will inform the individual alleged to have engaged in the discriminatory or retaliatory conduct (hereinafter referred to as the "Respondent") that a complaint has been received. The Respondent will be informed about the nature of the allegations and provided with a copy of any relevant policies and/or administrative guidelines, including Policy 2260 - Non- Discrimination. The Respondent must also be informed of the opportunity to submit a written response to the complaint within five (5) business days.

Although certain cases may require additional time, the CO or designee will attempt to complete an investigation into the allegations of discrimination/retaliation within fifteen (15) business days of receiving the formal complaint. The investigation, which may be recorded, will include:

- interviews with the Complainant and representation, if requested;
- interviews with the Respondent and representation, if requested;
- interviews with any other witnesses who may reasonably be expected to have any information relevant to the allegations;
- consideration of any documentation or other information presented by the Complainant, Respondent, or any other witness that is reasonably believed o be relevant to the allegations;
- review of appropriate and related policies.

At the conclusion of the investigation, the CO or designee shall prepare and deliver a written report to the Superintendent that summarizes the evidence gathered during the investigation and provides recommendations based on the evidence and the definition of unlawful discrimination/retaliation as provided in Board policy and State and Federal law as to whether the Complainant has been subjected to unlawful discrimination/retaliation. The CO's recommendations must be based upon the totality of the circumstances, including the ages and maturity levels of those involved. In determining if unlawful discrimination or retaliation occurred, a preponderance of evidence standard will be used. The CO may consult with the Board’s legal counsel before finalizing the report to the Superintendent.

Absent extenuating circumstances, within five (5) business days of receiving the report of the CO or designee, the Superintendent must either issue a final decision regarding whether the charges have been substantiated or request further investigation. A copy of the Superintendent's final decision will be delivered to both the Complainant and the Respondent.

If the Superintendent requests additional investigation, the Superintendent must specify the additional information that is to be gathered, and such additional investigation must be completed within five (5) days. At the conclusion of the additional investigation, the Superintendent shall issue a final written decision as described above.

If the Superintendent determines the Complainant was subjected to unlawful discrimination/retaliation, she/he must identify what corrective action will be taken to stop, remedy, and prevent the recurrence

of the discrimination/retaliation. The corrective action should be reasonable, timely, age-appropriate and effective, and tailored to the specific situation.

A Complainant or Respondent who is dissatisfied with the final decision of the Superintendent may appeal through a signed written statement to the Board within five (5) business days of his/her receipt of the Superintendent's final decision.

In an attempt to resolve the complaint, the Board shall meet with the concerned parties and their representatives within twenty (20) business days of the receipt of such an appeal. A copy of the Board's disposition of the appeal shall be sent to each concerned party within ten (10) business days of this meeting. The decision of the Board will be final.

The Board reserves the right to investigate and resolve a complaint or report of unlawful discrimination/retaliation regardless of whether the student alleging the unlawful discrimination/retaliation pursues the complaint. The Board also reserves the right to have the formal complaint investigation conducted by an external person in accordance with this policy or in such other manner as deemed appropriate by the Board or its designee.

The Complainant may be represented, at his/her own cost, at any of the above described meetings/hearings.

The right of a person to a prompt and equitable resolution of the complaint shall not be impaired by the person's pursuit of other remedies such as the filing of a Complaint with the Office for Civil Rights or the filing of a court case. Use of this internal complaint procedure is not a prerequisite to the pursuit of other remedies.

9.1.3 Anonymous Complaints

Individuals who make informal complaints as provided above may request that their name be maintained in confidence by the school staff member(s) and administrator(s) who receive the complaint. Anonymous complaints shall be reviewed and reasonable action shall be taken to address the situation, to the extent such action may be taken that (1) does not disclose the source of the complaint, and (2) is consistent with the due process rights of the student(s) alleged to have committed acts of harassment, intimidation, and/or bullying.

When an individual making an informal complaint has requested anonymity, the investigation of such complaint shall be limited as is appropriate in view of the anonymity of the complaint. Such limitation of investigation may include restricting action to a simple review of the complaint subject to receipt of further information and/or the withdrawal by the complaining student of the condition that his/her report be anonymous.

9.2 Privacy and Confidentiality

WCSCC encourages anyone who is a victim or witness to any crime to promptly report the incident to the police. Please note: Police reports are public records under state law, WCSCC and local police departments cannot hold reports of crime in confidence.

Students may report crimes directly and voluntarily to any district administration personnel but their first attempt to report the crime should be to their program supervisor:

- Curtis Good – Administrative Office Professional, Cosmetology, Dental Assisting, Medical Assisting, Phlebotomy, Nurse Aide, Practical Nursing, Diploma RN, General Interest, Literary Education Programs, and Trade and Industry Programs

During the course of a formal investigation, the CO or designee will instruct each person who is interviewed about the importance of maintaining confidentiality. Any individual who is interviewed as part of an investigation is expected not to disclose to third parties any information that s/he learns and/or provides during the course of the investigation.

All records created as a part of an investigation of a complaint of discrimination/retaliation will be maintained by the CO in accordance with the Board's records retention policy. Any records that are considered student education records in accordance with the Family Educational Rights and Privacy Act or under Ohio's student records law will be maintained in a manner consistent with the provisions of the Federal and State law.

9.3 Sanctions and Monitoring

The Board shall vigorously enforce its prohibitions against unlawful discrimination/retaliation by taking appropriate action reasonably calculated to stop and prevent further misconduct. While observing the principles of due process, a violation of this policy may result in disciplinary action up to and including the discharge of an employee or the suspension/expulsion of a student. All disciplinary action will be taken in accordance with applicable State and Federal law and the terms of the relevant collective bargaining agreement(s). When imposing discipline, the Superintendent shall consider the totality of the circumstances involved in the matter, including the ages and maturity levels of those involved. In those cases where unlawful discrimination/retaliation is not substantiated, the Board may consider whether the alleged conduct nevertheless warrants discipline in accordance with other Board policies, consistent with the terms of the relevant collective bargaining agreement(s).

Where the Board becomes aware that a prior remedial action has been taken against a member of the School District community, all subsequent sanctions imposed by the Board and/or Superintendent shall be reasonably calculated to end such conduct, prevent its reoccurrence, and remedy its effects.

10 Board Policy 2266 : Nondiscrimination on the basis of sex in education programs or activities

10.1 Introduction

The Governing Board of the Wayne County Schools Joint Vocational School District (hereinafter referred to as "the Board" or "the Center") does not discriminate on the basis of sex (including sexual orientation or gender identity), in its education programs or activities, and is required by Title IX of the Education Amendments Act of 1972, and its implementing regulations, not to discriminate in such a manner. The requirement not to discriminate in its education program or activity extends to admission and employment. The Board is committed to maintaining an education and work environment that is free from discrimination based on sex, including sexual harassment.

The Board prohibits Sexual Harassment that occurs within its education programs and activities. When the Center has actual knowledge of Sexual Harassment in its education program or activity against a person in the United States, it shall promptly respond in a manner that is not deliberately indifferent.

Pursuant to its Title IX obligations, the Board is committed to eliminating Sexual Harassment and will take appropriate action when an individual is determined responsible for violating this policy. Board employees, students, third-party vendors and contractors, guests, and other members of the School Center community who commit Sexual Harassment are subject to the full range of disciplinary sanctions set forth in this policy. The Board will provide persons who have experienced Sexual Harassment ongoing remedies as reasonably necessary to restore or preserve access to the Center's education programs and activities.

10.2 Coverage

This policy applies to Sexual Harassment that occurs within the Center's education programs and activities and that is committed by a member of the School Center community or a Third Party.

This policy does not apply to Sexual Harassment that occurs off school grounds, in a private setting, and outside the scope of the Center's education programs and activities; such Sexual Misconduct/Sexual Activity may be prohibited by the Student Code of Conduct if committed by a student, or by Board policies and administrative guidelines, applicable State and/or Federal laws and/or Employee/Administrator Handbook(s) if committed by a Board employee.

Consistent with the U.S. Department of Education's implementing regulations for Title IX, this policy does not apply to Sexual Harassment that occurs outside the geographic boundaries of the United States, even if the Sexual Harassment occurs in the Center's education programs or activities. Sexual Harassment that occurs outside the geographic boundaries of the United States is governed by the Student Code of Conduct if committed by a student, or by Board policies and administrative guidelines, applicable State and/or Federal laws and/or Employee/Administrator Handbook(s) if committed by a Board employee.

10.3 Definitions

Words used in this policy shall have those meanings defined herein; words not defined herein shall be construed according to their plain and ordinary meanings.

Sexual Harassment: "Sexual Harassment" means conduct on the basis of sex that satisfies one or more of the following:

A. A Board employee conditioning the provision of an aid, benefit, or service of the Center on an individual's participation in unwelcome sexual conduct (often called "*quid pro quo*" harassment);
B. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, ***and*** objectively offensive that it effectively denies a person equal access to the Center's education program or activity; or
C. "Sexual assault" as defined in 20 U.S.C. 1092(f)(6)A(v), or "dating violence" as defined in 34

U.S.C. 12291(a)(10), “domestic violence” as defined in 34 U.S.C. 12291(a)(8), or “stalking” as defined in 34 U.S.C. 12291(a)(30).

“Sexual assault” means any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent. Sexual assault includes rape, sodomy, sexual assault with an object, fondling, incest, and statutory rape.

1. *Rape* is 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, including instances where the victim is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity. Attempted rape is included. **(effective until the FBI retires the Summary Reporting System, which is scheduled for January 2021)**

Rape is the carnal knowledge of a person (i.e., penetration, no matter how slight, of the genital or anal opening of a person), without the consent of the victim, including instances where the victim is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity. **(effective upon retirement of the Summary Reporting System, which is scheduled for January 2021)**

2. *Sodomy* is oral or anal sexual intercourse with another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity.

3. *Sexual Assault with an Object* is using an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity. An “object” or “instrument” is anything used by the offender other than the offender’s genitalia.

4. *Fondling* is the touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity.

5. *Incest* is sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by State law.

6. *Statutory Rape* is sexual intercourse with a person who is under the statutory age of consent as defined by State law.

7. *Consent* refers to words or actions that a reasonable person would understand as agreement to engage in the sexual conduct at issue. A person may be incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity. A person who is incapacitated is not capable of giving consent.

8. *Incapacitated* refers to the state where a person does not understand and/or appreciate the nature or fact of sexual activity due to the effect of drugs or alcohol consumption, medical condition, disability, or due to a state of unconsciousness or sleep.

D. "Domestic violence" includes felony or misdemeanor crimes of violence committed by:

1. a current or former spouse or intimate partner of the victim;
2. a person with whom the victim shares a child in common;
3. a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner;
4. a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime occurred; or
5. 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 occurred.

E. "Dating violence" means 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 consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

F. "Stalking" means engaging in a course of conduct directed at a specific person that would cause a reasonable person to – (1) fear for the person's safety or the safety of others; or (2) suffer substantial emotional distress.

Complainant: "Complainant" means an individual who is alleged to be the victim of conduct that could constitute Sexual Harassment.

Respondent: "Respondent" means an individual who has been reported to be the perpetrator of conduct that could constitute Sexual Harassment.

Formal Complaint: "Formal Complaint" means a document filed by a Complainant or signed by the Title IX Coordinator alleging Sexual Harassment against a Respondent and requesting that the Center investigate the allegation(s) of Sexual Harassment. At the time of filing a Formal Complaint with the Center, a Complainant must be participating in or attempting to participate in the Center's education program or activity. A "document filed by a complainant'' means a document or electronic submission (such as by electronic mail or through an online portal that the Board provides for this purpose) that contains the Complainant's physical or digital signature, or otherwise indicates that the Complainant is the person filing the Formal Complaint. Where the Title IX Coordinator signs a Formal Complaint, the Title IX Coordinator is not a Complainant or a party to the Formal Complaint and must not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent.

Actual Knowledge: "Actual knowledge" means notice of Sexual Harassment or allegations of Sexual Harassment to the Center's Title IX Coordinator, or any Center official who has authority to institute corrective measures on behalf of the Board, or any Board employee. The mere ability or obligation to

report Sexual Harassment or to inform a student about how to report Sexual Harassment, or having been trained to do so, does not qualify an individual as one who has authority to institute corrective measures on behalf of the Center. "Notice" includes, but is not limited to, a report of Sexual Harassment to the Title IX Coordinator. This standard is not met when the only Center official with actual knowledge is the Respondent.

Supportive Measures: "Supportive measures" means non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the Complainant or the Respondent before or after the filing of a Formal Complaint or where no Formal Complaint has been filed. Such measures are designed to restore or preserve equal access to the Center's education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the Center's educational environment, or deter Sexual Harassment. Supportive measures may include counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, school/campus escort services, mutual restrictions of contact between the parties, changes in work locations), leaves of absence, increased security and monitoring of certain areas of the campus (including school buildings and facilities), and other similar measures.

Education Program or Activity: "Education program or activity" refers to all operations of the Center, including but not limited to in-person and online educational instruction, employment, extracurricular activities, athletics, performances, and community engagement and outreach programs. The term applies to all activity that occurs on school grounds or on other property owned or occupied by the Board. It also includes locations, events and circumstances that take place off-school property/grounds over which the Board exercises substantial control over both the Respondent and the context in which the Sexual Harassment occurs.

School Center community: "School Center community" refers to students and Board employees (i.e., administrators, and professional and classified staff), as well as Board members, agents, volunteers, contractors, or other persons subject to the control and supervision of the Board.

Third Parties: "Third Parties" include, but are not limited to, guests and/or visitors on School Center property (e.g., visiting speakers, participants on opposing athletic teams, parents), vendors doing business with, or seeking to do business with the Board, and other individuals who come in contact with members of the School Center community at school-related events/activities (whether on or off Center property).

Inculpatory Evidence: "Inculpatory evidence" is evidence that tends to establish a Respondent's responsibility for alleged Sexual Harassment.

Exculpatory Evidence: "Exculpatory evidence" is evidence that tends to clear or excuse a Respondent from allegations of Sexual Harassment.

Day(s): Unless expressly stated otherwise, the term "day" or "days" as used in this policy means business day(s) (i.e., a day(s) that the Board office is open for normal operating hours, Monday – Friday, excluding State-recognized holidays).

Eligible Student: "Eligible Student" means a student who has reached eighteen (18) years of age or is attending an institution of postsecondary education.

10.4 Title IX Coordinator(s)

The Board designates and authorizes the following individual(s) to oversee and coordinate its efforts to comply with Title IX and its implementing regulations:

Principal
330-669-7000 ext. 1024
518 West Prospect St.
Smithville, OH 44677

Director of Operations
330-669-7000 ext. 6001
518 West Prospect St.
Smithville, OH 44677

The Title IX Coordinator shall report directly to the Superintendent. Questions about this policy should be directed to the Title IX Coordinator.

The Superintendent shall notify applicants for admission and employment, students, parents or legal guardians of elementary and secondary school students, Board employees, and all unions or professional organizations holding collective bargaining or professional agreements with the Board of the following information:

The Board of the Wayne County Schools Joint Vocational School District does not discriminate on the basis of sex in its education program or activity, and is required by Title IX and its implementing regulations not to discriminate in such a manner. The requirement not to discriminate in its education program or activity extends to admission and employment. The Center's Title IX Coordinator(s) is/are:

Principal
330-669-7000 ext. 1024
518 West Prospect St.
Smithville, OH 44677

Director of Operations
330-669-7000 ext. 6001
518 West Prospect St.
Smithville, OH 44677

Any inquiries about the application of Title IX and its implementing regulations to the Center may be referred to the Title IX Coordinator(s), the Assistant Secretary for the U.S. Department of Education's Office for Civil Rights, or both.

The Board has adopted a grievance process and procedures that provide for the prompt and equitable resolution of student and employee complaints alleging any action that is prohibited by Title IX and/or its implementing regulations. The grievance process and procedures are included in Policy 2265 –

Nondiscrimination on the Basis of Sex in Education Programs or Activities. The grievance process and procedures specifically address how to report or file a complaint of sex discrimination, how to report or file a formal complaint of Sexual Harassment, and how the Center will respond.

The Superintendent shall also prominently display the Title IX Coordinator's(s') contact information – including name(s) and/or title(s), phone number(s), office address(es), and e-mail address(es) – and this policy on the Center's website and in each handbook or catalog that the Board makes available to applicants for admission and employment, students, parents or legal guardians of elementary and secondary school students, Board employees, and all unions or professional organizations holding collective bargaining or professional agreements.

10.5 Grievance Process and Procedures

The Board is committed to promptly and equitably resolving student and employee complaints alleging Sexual Harassment. The Center's response to allegations of Sexual Harassment will treat Complainants and Respondents equitably, including providing supportive measures to the Complainant and Respondent, as appropriate, and following this Grievance Process before imposition of any disciplinary sanctions or other actions, other than supportive measures, against the Respondent.

The Title IX Coordinator(s), along with any investigator(s), decision-maker(s), or any person(s) designated to facilitate an informal resolution process, shall not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent.

If a determination of responsibility for Sexual Harassment is made against the Respondent, the Board will provide remedies to the Complainant. The remedies will be designed to restore or preserve equal access to the Center's education program or activity. Potential remedies include, but are not limited to, individualized services that constitute supportive measures. Remedies may also be disciplinary or punitive in nature and may burden the Respondent.

10.6 Report of Sexual Discrimination/Harassment

Any person may report sex discrimination, including Sexual Harassment (whether or not the person reporting is the person alleged to be the victim of conduct that could constitute sex discrimination or Sexual Harassment), in person, by mail, by telephone, or by electronic mail, using the Title IX Coordinator's(s') contact information listed above, or by any other means that results in the Title IX Coordinator receiving the person's oral or written report. Reports may be made at any time (including during non-business hours), by using the telephone number(s) or electronic mail address(es), or by mail to the office address(es), listed for the Title IX Coordinator(s). Anonymous reports may be submitted using the hotline reporting number 330-669-7000 ext. 6001.

Students, Board members, and Board employees are required, and other members of the School Center community, and Third Parties) are encouraged, to report allegations of sex discrimination or Sexual Harassment promptly to the/a Title IX Coordinator or to any Board employee, who will in turn notify the/a Title IX Coordinator. Reports can be made orally or in writing and should be as specific as possible. The person making the report should, to the extent known, identify the alleged victim(s), perpetrator(s), and witness(es), and describe in detail what occurred, including date(s), time(s), and location(s).

If a report involves allegations of Sexual Harassment by or involving the Title IX Coordinator, the person making the report should submit it to the Superintendent, or another Board employee who, in turn, will notify the Superintendent of the report. The Superintendent will then serve in place of the Title IX Coordinator for purposes of addressing that report of Sexual Harassment.

The Board does business with various vendors, contractors, and other third-parties who are not students or employees of the Board. Notwithstanding any rights that a given vendor, contractor, or third-party Respondent may have under this policy, the Board retains the right to limit any vendor's, contractor's, or third-party's access to school grounds for any reason. The Board further retains all rights it enjoys by contract or law to terminate its relationship with any vendor, contractor, or third-party irrespective of any process or outcome under this policy.

A person may file criminal charges simultaneously with filing a Formal Complaint. A person does not need to wait until the Title IX investigation is completed before filing a criminal complaint. Likewise, questions or complaints relating to Title IX may be filed with the U.S. Department of Education's Office for Civil Rights at any time.

Any allegations of Sexual Misconduct/Sexual Activity not involving Sexual Harassment will be addressed through the procedures outlined in Board policies and/or administrative guidelines, the applicable Student Code of Conduct, applicable collective bargaining agreement, and/or Employee/Administrator Handbook.

Because the Board is considered to have actual knowledge of Sexual Harassment or allegations of Sexual Harassment if any Board employee has such knowledge, and because the Board must take specific actions when it has notice of Sexual Harassment or allegations of Sexual Harassment, a Board employee who has independent knowledge of or receives a report involving allegations of sex discrimination and/or Sexual Harassment must notify the/a Title IX Coordinator within two (2) days of learning the information or receiving the report. The Board employee must also comply with mandatory reporting responsibilities pursuant to R.C. 2151.412 and Policy 8462 – Student Abuse and Neglect, if applicable. If the Board employee's knowledge is based on another individual bringing the information to the Board employee's attention and the reporting individual submitted a written complaint to the Board employee, the Board employee must provide the written complaint to the Title IX Coordinator.

If a Board employee fails to report an incident of Sexual Harassment of which the Board employee is aware, the Board employee may be subject to disciplinary action, up to and including termination.

When a report of Sexual Harassment is made, the Title IX Coordinator shall promptly (i.e., within two (2) days of the Title IX Coordinator's receipt of the report of Sexual Harassment) contact the Complainant (including the parent/guardian if the Complainant is under 18 years of age or under guardianship) to discuss the availability of supportive measures, consider the Complainant's wishes with respect to supportive measures, inform the Complainant of the availability of supportive measures with or without the filing of a Formal Complaint, and explain to the Complainant the process for filing a Formal Complaint. The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures. Any supportive measures provided to the Complainant or Respondent shall be maintained as confidential, to the extent that maintaining such confidentiality will not impair the ability of the Center to provide the supportive measures.

Emergency Removal: Subject to limitations and/or procedures imposed by State and/or Federal law, the Center may remove a student Respondent from its education program or activity on an emergency basis after conducting an individualized safety and risk analysis. The purposes of the individualized safety and risk analysis is to determine whether the student Respondent poses an immediate threat to the physical health or safety of any student or other individual arising from the allegations of Sexual Harassment that justifies removal. If the Center determines the student Respondent poses such a threat, it will so notify the student Respondent and the student Respondent will have an opportunity to challenge the decision immediately following the removal. See Policy 5610 – Removal, Suspension, Expulsion, and Permanent Exclusion of Student, Policy 5610.03 – Emergency Removal of Students, and Policy 5611 – Due Process Rights.

If the Respondent is a non-student employee, the Center may place the Respondent on administrative leave during the pendency of the grievance process.

For all other Respondents, including other members of the School Center community and Third Parties, the Board retains broad discretion to prohibit such persons from entering onto its school grounds and other properties at any time and for any reason, whether after receiving a report of Sexual Harassment or otherwise.

10.7 Formal Complaint of Sexual Harassment

A Formal Complaint may be filed with the Title IX Coordinator in person, by mail, or by electronic mail, by using the contact information set forth above. If a Formal Complaint involves allegations of Sexual Harassment by or involving the Title IX Coordinator, the Complainant should submit the Formal Complaint to the Superintendent, who will designate another person to serve in place of the Title IX Coordinator for the limited purpose of implementing the grievance process and procedures with respect to that Formal Complaint.

When the Title IX Coordinator receives a Formal Complaint or signs a Formal Complaint, the Center will follow its Grievance Process and Procedures, as set forth herein. Specifically, the Center will undertake an objective evaluation of all relevant evidence – including both inculpatory and exculpatory evidence – and provide that credibility determinations will not be based on a person's status as a Complainant, Respondent, or witness.

It is a violation of this policy for a Complainant(s), Respondent(s), and/or witness(es) to knowingly making false statements or knowingly submitting false information during the grievance process, including intentionally making a false report of Sexual Harassment or submitting a false Formal Complaint. The Board will not tolerate such conduct, which is a violation of the Student Code of Conduct and the Employee/Administrator Handbook.

The Respondent is presumed not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance process.

10.8 Timeline

The Center will seek to conclude the grievance process, including resolving any appeals, within sixty (60) days of receipt of the Formal Complaint.

If the Title IX Coordinator offers informal resolution processes, the informal resolution processes may not be used by the Complainant or Respondent to unduly delay the investigation and determination of responsibility. The timeline, however, may be subject to a temporary delay of the grievance process or a limited extension for good cause with written notice to the Complainant and the Respondent of the delay or extension and the reasons for the action. Good cause may include considerations such as the absence of a party, a party's advisor, or a witness; concurrent law enforcement activity; and the need for language assistance or accommodation of disabilities. The Title IX Coordinator will provide the parties with reasonable updates on the status of the grievance process.

Upon receipt of a Formal Complaint, the Title IX Coordinator will provide written notice of the following to the parties who are known:

A. Notice of the Board's grievance process, including any informal resolution processes;
B. Notice of the allegations of misconduct that potentially constitutes Sexual Harassment as defined in this policy, including sufficient details known at the time and with sufficient time to prepare a response before any initial interview. Sufficient details include the identities of the parties involved in the incident, if known, the conduct allegedly constituting Sexual Harassment, and the date and location of the alleged incident, if known. The written notice must:

1. include a statement that the Respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility will be made at the conclusion of the grievance process;
2. inform the parties that they may have an advisor of their choice, who may be, but is not required to be, an attorney, and may inspect and review evidence.
3. inform the parties of any provision in the Student Code of Conduct, this policy, and/or Employee/Administrator Handbook that prohibits knowingly making false statements or knowingly submitting false information during the grievance process.

If, during the course of the investigation, the investigator becomes aware of allegations about the Complainant or Respondent that are not included in the original notice provided to the parties, the investigator will notify the Title IX Coordinator and the Title IX Coordinator will decide whether the investigator should investigate the additional allegations; if the Title IX Coordinator decides to include the new allegations as part of the investigation, the Title IX Coordinator will provide notice of the additional allegations to the parties whose identities are known.

10.9 Dismissal of a Formal Complaint

The Center shall investigate the allegations in a Formal Complaint, *unless* the conduct alleged in the Formal Complaint:

A. would not constitute Sexual Harassment (as defined in this policy) even if proved;
B. did not occur in the Center's education program or activity; or
C did not occur against a person in the United States.

If one of the preceding circumstances exist, the Title IX Coordinator *shall* dismiss the Formal Complaint. If the Title IX Coordinator dismisses the Formal Complaint due to one of the preceding reasons, the Center may still investigate and take action with respect to such alleged misconduct pursuant to another provision of an applicable code of conduct, Board policy, and/or Employee/Administrator Handbook.

The Title IX Coordinator *may* dismiss a Formal Complaint, or any allegations therein, if at any time during the investigation:

A. a Complainant notifies the Title IX Coordinator in writing that the Complainant would like to withdraw the Formal Complaint or any allegations therein;
B. the Respondent is no longer enrolled in the Center or employed by the Board; or
C. specific circumstances prevent the Center from gathering evidence sufficient to reach a determination as to the Formal Complaint or allegations therein.

If the Title IX Coordinator dismisses a Formal Complaint or allegations therein, the Title IX Coordinator must promptly send written notice of the dismissal and the reason(s) therefor simultaneously to the parties.

10.10 Consolidation of Formal Complaints

The Title IX Coordinator may consolidate Formal Complaints as to allegations of Sexual Harassment against more than one Respondent, or by more than one Complainant against one or more Respondents, or by one party against the other party, where the allegations of Sexual Harassment arise out of the same facts or circumstances.

Where a grievance process involves more than one Complainant or more than one Respondent, references in this policy to the singular ‘‘party,’’ ‘‘Complainant,’’ or ‘‘Respondent’’ include the plural, as applicable.

10.11 Informal Resolution Process

Under no circumstances shall a Complainant be required as a condition of enrollment or continuing enrollment, or employment or continuing employment, or enjoyment of any other right, to waive any right to an investigation and adjudication of a Formal Complaint of Sexual Harassment. Similarly, no party shall be required to participate in an informal resolution process.

If a Formal Complaint is filed, the Title IX Coordinator may offer to the parties an informal resolution process. If the parties mutually agree to participate in the informal resolution process, the Title IX Coordinator shall designate a trained individual to facilitate an informal resolution process, such as mediation, that does not involve a full investigation and adjudication. The informal resolution process may be used at any time prior to the decision-maker(s) reaching a determination regarding responsibility.

If the Title IX Coordinator is going to propose an informal resolution process, the Title IX Coordinator shall provide to the parties a written notice disclosing:

A. the allegations;
B. the requirements of the informal resolution process including the circumstances under which it precludes the parties from resuming a Formal Complaint arising from the same allegations; and
C. any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared.

Any time prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process and resume the grievance process with respect to the Formal Complaint.

Before commencing the informal resolution process, the Title IX Coordinator shall obtain from the parties their voluntary, written consent to the informal resolution process.

During the pendency of the informal resolution process, the investigation and adjudication processes that would otherwise occur have stayed and all related deadlines are suspended.

The informal resolution process is not available to resolve allegations that a Board employee or another adult member of the School Center community or Third Party sexually harassed a student.

The informal resolution process is not available to resolve allegations involving a sexual assault involving a student Complainant and a student Respondent.

10.12 Investigation of a Formal Complaint of Sexual Harassment

In conducting the investigation of a Formal Complaint and throughout the grievance process, the burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility is on the Center, not the parties.

In making the determination of responsibility, the decision-maker(s) is(are) directed to use the preponderance of the evidence standard. The decision-maker(s) is charged with considering the totality of all available evidence, from all relevant sources.

The Center is not permitted to access, consider, disclose, or otherwise use a party's records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in the professional's or paraprofessional's capacity, or assisting in that capacity, and which are made and maintained in connection with the provision of treatment to the party, unless the party provides the Center with voluntary, written consent to do so; if a student party is not an Eligible Student, the Center must obtain the voluntary, written consent of a parent.

Similarly, the investigator(s) and decision-maker(s) may not require, allow, rely upon or otherwise use questions or evidence that constitute, or seek disclosure of, information protected under a legally recognized privilege, unless the person holding such privilege has waived the privilege in writing.

As part of the investigation, the parties have the right to:

A. present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence; and
B. have others present during any grievance proceeding, including the opportunity to

be accompanied to any related meeting or proceeding by the advisor of their choice, who may be, but is not required to be, an attorney. The Center may not limit the choice or presence of an advisor for either the Complainant or Respondent in any meeting or grievance proceeding.

Board Policy 2461 – Recording of Center Meetings Involving Students and/or Parents controls whether a person is allowed to audio record or video record any meeting or grievance proceeding.

Neither party shall be restricted in their ability to discuss the allegations under investigation or to gather and present relevant evidence.

The Center will provide to a party whose participation is invited or expected written notice of the date, time, location, participants, and purpose of all investigative interviews, or other meetings, with sufficient time for the party to prepare to participate. The investigator(s) and decision-maker(s) must provide a minimum of one (1) days' notice with respect to investigative interviews and other meetings.

Both parties shall have an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in the Formal Complaint, including the evidence upon which the Center does not intend to rely in reaching a determination regarding responsibility and inculpatory or exculpatory evidence whether obtained from a party or other source, so that each party can meaningfully respond to the evidence prior to the conclusion of the investigation.

Prior to completion of the investigative report, the Title IX Coordinator will send to each party and the party's advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy, and the parties will have at least ten (10) calendar days to submit a written response, which the investigator will consider prior to completion of the investigative report. The Center will make all such evidence subject to the parties' inspection and review available at any hearing to give each party equal opportunity to refer to such evidence during the hearing, including for purposes of cross-examination.

At the conclusion of the investigation, the investigator shall create an investigative report that fairly summarizes relevant evidence and send the report to each party and the party's advisor, if any, for their review and written response. The investigator will send the investigative report in an electronic format or a hard copy, at least ten (10) calendar days prior to the decision-maker(s) issuing a determination regarding responsibility.

10.13 Determination of Responsibility

The Title IX Coordinator shall appoint a decision-maker(s) to issue a determination of responsibility. The decision-maker(s) cannot be the same person(s) as the Title IX Coordinator(s) or the investigator(s).

After the investigator sends the investigative report to the parties and the decision-maker(s), and before the decision-maker(s) reaches a determination regarding responsibility, the decision-maker(s) will afford each party the opportunity to submit written, relevant questions that a party wants asked of any party or witness, provide each party with the answers, and allow for additional, limited follow-up questions from each party. The decision-maker(s) must explain to the party proposing the questions any decision to exclude a question as not relevant.

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 decision-maker(s) must explain to the party proposing the questions any decision to exclude a question as not relevant.

For postsecondary institutions, the school's grievance process must provide for a live hearing.

10.14 Determination Regarding Responsibility

The decision-maker(s) will issue a written determination regarding responsibility. To reach this determination, the decision-maker(s) must apply the preponderance of the evidence standard.

The written determination will include the following content:

A. Identification of the allegations potentially constituting Sexual Harassment pursuant to this policy;
B. A description of the procedural steps taken from the receipt of the Formal Complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, [and] methods used to gather other evidence;
C. Findings of fact supporting the determination;
D. Conclusions regarding the application of the applicable code of conduct to the facts;
E. A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions the decision-maker(s) is recommending that the Center impose on the Respondent(s), and whether remedies designed to restore or preserve equal access to the Center's education program or activity should be provided by the Center to the Complainant(s); and
F. The procedures and permissible bases for the Complainant(s) and Respondent(s) to appeal.

The following disciplinary sanctions/consequences may be imposed on a student Respondent who is determined responsible for violating this policy (i.e., engaging in Sexual Harassment):

A. Informal Discipline
    1. writing assignments;
    2. changing of seating or location:
    3. after-school detention;
    4. in-school discipline;
B. Formal Discipline
    1. suspension of bus riding/transportation privileges;
    2. removal from co-curricular and/or extra=curricular activities(ties), including athletics;
    3. removal from co-curricular and/or extra-curricular activity(ies), including athletics;
    4. emergency removal;
    5. suspension for up to ten (10) school days;
    6. expulsion for up to eighty (80) school days or the number of school days

remaining in a semester, whichever is greater;
7. expulsion for up to one (1) year;
8. permanent exclusion; and
9. any other sanction authorized by the Student Code of Conduct.

If the decision-maker(s) determines the student Respondent is responsible for violating this policy (i.e., engaging in Sexual Harassment), the decision-maker(s) will recommend appropriate remedies, including disciplinary sanctions/consequences. The Title IX Coordinator will notify the Superintendent of the recommended remedies, so an authorized administrator can consider the recommendation(s) and implement an appropriate remedy(ies) in compliance with Policy 5600 – Student Discipline, Policy 5605 – Suspension/Expulsion of Students with Disabilities, Policy 5610 – Removal, Suspension, Expulsion, and Permanent Exclusion of Students, Policy 5601.01 – Permanent Exclusion of Nondisabled Students, Policy 5610.02 – In-School Discipline, Policy 5610.03 – Emergency Removal of Students, Policy 5610.04 – Suspension of Bus Riding/Transportation Privileges, Policy 5610.05 – Prohibition from Extra-Curricular Activities, and Policy 5611 – Due Process Rights. Discipline of a student Respondent must comply with the applicable provisions of the Individuals with Disabilities Education Improvement Act (IDEA) and/or Section 504 of the Rehabilitation Act of 1972, and their respective implementing regulations.

The following disciplinary sanctions/consequences may be imposed on an employee Respondent who is determined responsible for violating this policy (i.e., engaging in Sexual Harassment):

A. oral or written warning;
B. written reprimands;
C. performance improvement plan;
D. required counseling;
E. required training or education;
F. suspension with pay;
G. suspension without pay;
H. termination, and any other sanction authorized by any applicable Employee/Administrator Handbook and/or collective bargaining agreement.

If the decision-maker(s) determines the employee Respondent is responsible for violating this policy (i.e., engaging in Sexual Harassment), the decision-maker(s) will recommend appropriate remedies, including disciplinary sanctions/consequences. The Title IX Coordinator will notify the Superintendent of the recommended remedies, so an authorized administrator can consider the recommendation(s) and implement an appropriate remedy(ies) in compliance with applicable due process procedures, whether statutory or contractual.

Discipline of an employee will be implemented in accordance with Federal and State law, Board policy, and applicable provisions of any relevant collective bargaining agreement.

The following disciplinary sanctions/consequences may be imposed on a non-student/non-employee member of the School Center community or Third Party who is determined responsible for violating this policy (i.e., engaging in Sexual Harassment):

A. oral or written warning;
B. suspension or termination/cancellation of the Board's contract with the third-party

vendor or contractor;
C. mandatory monitoring of the third-party while on school property and/or while working/interacting with students;
D. restriction/prohibition on the third-party's ability to be on school property; and
E. any combination of the same.

If the decision-maker(s) determines the third-party Respondent is responsible for violating this policy (i.e., engaging in Sexual Harassment), the decision-maker(s) will recommend appropriate remedies, including imposition of sanctions. The Title IX Coordinator will notify the Superintendent of the recommended remedies, so appropriate action can be taken.

The decision-maker(s) will provide the written determination to the Title IX Coordinator who will provide the written determination to the parties simultaneously.

In ultimately, imposing a disciplinary sanction/consequence, the Superintendent will consider the severity of the incident, previous disciplinary violations (if any), and any mitigating circumstances.

The Center's resolution of a Formal Complaint ordinarily will not be impacted by the fact that criminal charges involving the same incident have been filed or that charges have been dismissed or reduced.

At any point in the grievance process and procedures, the Superintendent may involve local law enforcement and/or file criminal charges related to allegations of Sexual Harassment that involve a sexual assault.

The Title IX Coordinator is responsible for effective implementation of any remedies.

10.15 Appeal

Both parties have the right to file an appeal from a determination regarding responsibility, or from the Title IX Coordinator's dismissal of a Formal Complaint or any allegations therein, on the following bases:

A. Procedural irregularity that affected the outcome of the matter (e.g., material deviation from established procedures);
B. New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; and
C. The Title IX Coordinator, investigator(s), or decision-maker(s) had a conflict of interest or bias for or against Complainants or Respondents generally or the individual Complainant(s) or Respondent(s) that affected the outcome of the matter.

Any party wishing to appeal the decision-maker(s)'s determination of responsibility, or the Title IX Coordinator's dismissal of a Formal Complaint or any allegations therein, must submit a written appeal to the Title IX Coordinator within five (5) days after receipt of the decision-maker(s)'s determination of responsibility or the Title IX Coordinator's dismissal of a Formal Complaint or any allegations therein.

Nothing herein shall prevent the Superintendent from imposing any remedy, including disciplinary sanction, while the appeal is pending.

As to all appeals, the Title IX Coordinator will notify the other party in writing when an appeal is filed and implement appeal procedures equally for both parties.

The decision-maker(s) for the appeal shall not be the same person(s) as the decision-maker(s) that reached the determination regarding responsibility or dismissal, the investigator(s), or the Title IX Coordinator(s). The decision-maker(s) for the appeal shall not have a conflict of interest or bias for or against Complainants or Respondents generally or an individual Complainant(s) or Respondent(s) and shall receive the same training as required of other decision-makers.

Both parties shall have a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome.

The parties' written statements in support of, or challenging, the determination of responsibility must be submitted within five (5) days after the Title IX Coordinator provides notice to the non-appealing party of the appeal.

The decision-maker(s) for the appeal shall issue a written decision describing the result of the appeal and the rationale for the result. The original decision-makers(s') determination of responsibility will stand if the appeal request is not filed in a timely manner or the appealing party fails to show clear error and/or a compelling rationale for overturning or modifying the original determination. The written decision will be provided to the Title IX Coordinator who will provide it simultaneously to both parties. The written decision will be issued within five (5) days of when the parties' written statements were submitted.

The determination of responsibility associated with a Formal Complaint, including any recommendations for remedies/disciplinary sanctions, becomes final when the time for filing an appeal has passed or, if an appeal is filed, at the point when the decision-maker(s) for the appeal's decision is delivered to the Complainant and the Respondent. No further review beyond the appeal is permitted.

10.16 Retaliation

Neither the Board nor any other person may intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by Title IX, its implementing regulations, or this policy, or because the individual made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under this policy. Intimidation, threats, coercion, or discrimination, including charges against an individual for code of conduct violations that do not involve sex discrimination or Sexual Harassment, but arise out of the same facts or circumstances as a report or complaint of sex discrimination, or a report or Formal Complaint of Sexual Harassment, for the purpose of interfering with any right or privilege secured by Title IX, its implementing regulations, or this policy, constitutes retaliation. Retaliation against a person for making a report of Sexual Harassment, filing a Formal Complaint, or participating in an investigation and/or hearing, is a serious violation of this policy that can result in imposition of disciplinary sanctions/consequences and/or other appropriate remedies.

Complaints alleging retaliation may be filed according to the grievance procedures set forth above.

The exercise of rights protected under the First Amendment of the United States Constitution does not constitute retaliation prohibited under this policy.

Charging an individual with a code of conduct violation for making a materially false statement in bad faith in the course of a grievance proceeding under this policy shall not constitute retaliation, provided, however, that a determination regarding responsibility, alone, is not sufficient to conclude that any party made a materially false statement in bad faith.

10.17 Confidentiality

The Center will keep confidential the identity of any individual who has made a report or complaint of sex discrimination, including any individual who has made a report or filed a Formal Complaint of Sexual Harassment, any Complainant, any individual who has been reported to be the perpetrator of sex discrimination, any Respondent, and any witness, except as may be permitted by the Family Educational Rights and Privacy Act ("FERPA"), 20 U.S.C. 1232g, or FERPA regulations, 34 CFR part 99, or as required by law, or to carry out the purposes of 34 CFR part 106, including the conduct of any investigation, hearing, or judicial proceeding arising thereunder (i.e., the Center's obligation to maintain confidentiality shall not impair or otherwise affect the Complainant's and Respondent's receipt of the information to which they are entitled related to the investigative record and determination of responsibility).

10.18 Application of the First Amendment

The Board will construe and apply this policy consistent with the First Amendment to the U.S. Constitution. In no case will a Respondent be found to have committed Sexual Harassment based on expressive conduct that is protected by the First Amendment.

10.19 Training

The Center's Title IX Coordinator, along with any investigator(s), decision-maker(s), or person(s) designated to facilitate an informal resolution process, must receive training on:

A. the definition of Sexual Harassment (as that term is used in this policy);
B. the scope of the Center's education program or activity;
C. how to conduct an investigation and implement the grievance process, appeals and informal resolution processes, as applicable; and
D. how to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interests, and bias.

All Board employees will be trained concerning their legal obligation to report Sexual Harassment to the Title IX Coordinator. This training will include practical information about how to identify and report Sexual Harassment.

10.20 Recordkeeping

As part of its response to alleged violations of this policy, the Center shall create, and maintain for a period of seven (7) calendar years, records of any actions, including any supportive measures, taken in response to a report or Formal Complaint of Sexual Harassment. In each instance, the Center shall document the basis for its conclusion that its response was not deliberately indifferent, and document that it has taken measures designed to restore or preserve equal access to the Center's education program or activity. If the Center does not provide a Complainant with supportive measures, then the Center will document the reasons why such a response was not clearly unreasonable in light of the known circumstances. The documentation of certain bases or measures does not limit the Center in the future from providing additional explanations or detailing additional measures taken.

The Center shall maintain for a period of seven (7) calendar years the following records:

A. each Sexual Harassment investigation including any determination regarding responsibility and any audio or audiovisual recording or transcript that is made of any hearing, any disciplinary sanctions recommended and/or imposed on the Respondent(s), and any remedies provided to the Complainant(s) designed to restore or preserve equal access to the Center's education program or activity
B. any appeal and the result therefrom
C. any informal resolution and the result therefrom, and
D. all materials used to train Title IX Coordinators, investigators, decision makers, and any person who facilitates an informal resolution process.

The Center will make its training materials publicly available on its website. If a person is unable to access the Center's website, the Title IX Coordinator will make the training materials available upon request for inspection by members of the public.

10.21 Outside Appointments, Dual Appointments, and Delegations

The Board retains discretion to appoint suitably qualified persons who are not Board employees to fulfill any function of the Board under this policy, including, but not limited to, Title IX Coordinator, investigator, decision-maker, decision-maker for appeals, facilitator of informal resolution processes, and advisor.

The Board also retains discretion to appoint two or more persons to jointly fulfill the role of Title IX Coordinator, investigator, decision-maker, decision-maker for appeals, facilitator of informal resolution processes, and advisor.

The Superintendent may delegate functions assigned to a specific Board employee under this policy, including but not limited to the functions assigned to the Title IX Coordinator, investigator, decision-maker, decision-maker for appeals, facilitator of informal resolution processes, and advisor, to any suitably qualified individual and such delegation may be rescinded by the Superintendent at any time.

10.22 Discretion in Application

The Board retains discretion to interpret and apply this policy in a manner that is not clearly unreasonable, even if the Board's interpretation or application differs from the interpretation of any specific Complainant and/or Respondent.

Despite the Board's reasonable efforts to anticipate all eventualities in drafting this policy, it is possible unanticipated or extraordinary circumstances may not be specifically or reasonably addressed by the express policy language, in which case the Board retains discretion to respond to the unanticipated or extraordinary circumstance in a way that is not clearly unreasonable.

The provisions of this policy are not contractual in nature, whether in their own right, or as part of any other express or implied contract. Accordingly, the Board retains discretion to revise this policy at any time, and for any reason. The Board may apply policy revisions to an active case provided that doing so is not clearly unreasonable.

11 Education and Training

In support of this policy, the Board promotes preventative educational measures to create greater awareness of unlawful discriminatory practices. The Superintendent or designee shall provide appropriate information to all members of the School District community related to the implementation of this policy and shall provide training for District students and staff where appropriate. All training, as well as all information, provided regarding the Board's policy and discrimination in general, will be age and content appropriate.

12 Alcohol and Drug Prevention

As your support team while you are completing your technical training, we feel it is important for us to make you aware of the impact Drugs and Alcohol can have on your employment. Alcohol and drug use among employees and their family members can be an expensive problem for business and industry, with issues ranging from lost productivity, absenteeism, injuries, fatalities, theft and low employee morale, to an increase in health care, legal liabilities and workers' compensation costs. We want to provide you with resources to be successful therefore a handout has been prepared and is available; to educate you on various drug related issues.

WCSCC encourages any students and employees who may have a problem with the use of drugs or alcohol to seek professional advice and treatment.

Local support and treatment programs include:

Anazao Community Partners

330-264-9597

Arrow Passage Recovery

844-347-0543

One Eighty

330-264-8498

WHIRE – Wayne. Holmes. Information. Referral. Exchange.

330-263-6363

Alcoholics Anonymous:

Akron 330-253-8181

Canton 330-491-1989

Mansfield 419-522-4800

National Suicide Prevention:

800-273-8255

Wayne County Schools Career Center is proud to be a “Drug free” campus and complies with the Drug Free Work Place Act and the Drug Free Schools and Campuses Act. In an effort to prevent the illicit use of drugs and alcohol by students and employees, the school has developed a policy that provides services related to treatment and prevention of drug and alcohol use and abuse. This policy includes dissemination of informational materials, disciplinary actions; and a list of educational programs, and referrals for outside-specialized counseling and treatment programs. This Policy applies to both on campus and off campus related activities.

Drug and Alcohol educational materials are available to students and employees. Wayne County Schools Career Center is the first Adult Education center to participate in the WCSCC Drug Free Club. Students have the opportunity to drug test to voluntarily qualify for the program then are subject to random testing throughout their training program. Students that are part of the Drug Free Club receive incentives for their participation and are moved to the top for all placement related opportunities. Any student or staff requiring additional resources will be referred to STEPS and or Anazao, alcohol and drug counseling and rehabilitation agencies.

The possession, sale or the furnishing of alcohol or drugs at Wayne County Schools Career Center is forbidden by board policies and state laws.

Wayne County Schools Career Center has been designated “Drug free” and in no circumstances is the consumption of alcohol or drugs permitted. The Possession, sale, manufacture or distribution of any controlled substance is illegal under both state and federal laws. Such laws are strictly enforced by the school administration and local law enforcement agencies. Violators are subject to disciplinary actions by the school, criminal prosecution, fine and imprisonment.

It is unlawful to sell, furnish, or provide alcohol to a person under the age of 21. The possession of alcohol by anyone under 21 years of age in a public place or a place open to the public is illegal. It is also a violation for anyone to consume or possess alcohol in any public or private area of Wayne County Schools Career Center.

12.1 Board Policy 4170 : Substance Abuse

The following board policies are in place related to substance and drug use:

The Board of Education recognizes alcoholism and drug abuse as treatable illnesses. Such illnesses may impair the performance of staff. When appropriate, the Board may assist such employees in a manner recommended by appropriate specialists in the treatment of those illnesses.

A staff member having an illness or other problem relating to the use of alcohol or other drugs including, controlled substances, medications not prescribed by the employee’s physician, or medications not taken as prescribed, will receive the same careful consideration and offer of assistance that is presently extended to staff having any other illness.

The responsibility to correct unsatisfactory job performance, attendance or behavioral problems resulting from a suspected health problem rests with the staff member. Additionally, regardless of whether a staff member has an illness or other problem relating to the use of alcohol or other drugs it remains the responsibility of the staff member to report to work and perform his/her duties in a fit and appropriate condition at all times. Being under the influence of alcohol or other drugs while on duty, on

school property, or at a school related activity/event is not acceptable. Failure to correct unsatisfactory job performance, attendance or behavior and/or working or reporting to work under the influence of alcohol or other drugs for whatever reason, will result in appropriate corrective or disciplinary action as determined by the Board, up to and including termination.

If a staff member sustains a workplace injury while s/he is under the influence of alcohol or a controlled substance not prescribed by his/her physician, s/he may be disqualified for compensation and benefits under the Workers Compensation Act. If the staff member tests positive or refuses to submit to a test for alcohol and/or other drugs after sustaining a workplace injury, the employee may dispute or prove untrue the presumption or belief that alcohol and/or other drugs are the proximate cause of the injury (i.e., rebuttable presumption). The Board directs the Superintendent to establish guidelines and post a notice advising employees that the results of, or the employees refusal to submit to an alcohol or other drug test may affect an employee's right to receive workers' compensation benefits.

If a staff member voluntarily requests counseling or assistance before the Board learns of the staff member's substance abuse problem (through a positive test result or otherwise), the staff member's job security or promotion opportunities will not be jeopardized by his/her request for counseling or referral assistance. A staff member may not avoid the consequences of a positive test by requesting counseling or assistance for a substance abuse problem after being instructed to submit to a drug test.

Staff who suspect they may have an alcoholism or other drug abuse problem are encouraged to seek counseling and information on a confidential basis by contacting resources available for such service.

R.C. 2925.01 et seq., 3793.02, 3719.01 et seq., 4123.54
Rehabilitation Act of 1973, 29 U.S.C. 794

12.2 Board Policy 5530 : Drug Prevention

The Board of Education recognizes that the misuse of drugs is a serious problem with legal, physical, and social implications for the whole school community.

As the educational institution of this community, the schools should strive to prevent drug abuse and help drug abusers by educational, rather than punitive, means.

For purposes of this policy, "drugs" shall mean:

A. all dangerous controlled substances as so designated and prohibited by Ohio Statue and Federal Law;
B. all chemicals which release toxic vapors;
C. all alcoholic beverages;
D. any prescription or patent drug, except those for which permission to use in school has been granted pursuant to Board policy;
E. any substance that is a look-alike to any of the above.

The Board prohibits the use, possession, concealment, or distribution of any drug or any drug-related paraphernalia as the term is defined by law, on school grounds, on school vehicles and/or at any school-sponsored event.

13 Student Code of Conduct

Students are expected to treat staff, substitute teachers, clinical faculty, guest lecturers and other students with courtesy, dignity, and respect. Student behavior must reflect the high ideals and integrity of the Career Center. Actions deemed disruptive to the educational process will result in the following progressive disciplinary measures: (note – disciplinary measures may begin at any point below based on the actions of the student)

- A conference/counseling session with the classroom instructor
- Referral to the appropriate Career Services Advisor who will develop a written plan of action to address the problem
- Presentation of the problem to the Appeal Committee for recommended action, which may include dismissal

Inappropriate behavior that occurs outside of school and involves law enforcement may also impact your enrollment status.

13.1 Board Policy 5500 : Student Conduct

Respect for law and for those persons in authority shall be expected of all students. This includes conformity to school rules as well as general provisions of law affecting students. Respect for the rights of others, consideration of their privileges, and cooperative citizenship shall also be expected of all members of the school community. The Board of Education has zero tolerance of violent, disruptive, or inappropriate behavior by its students.

Respect for real and personal property; pride in one's work; achievement within the range of one's ability; and exemplary personal standards of courtesy, decency, and honesty shall be maintained in the schools of this District. It is the responsibility of students, teachers and administrators to maintain a classroom environment that:

A. allows teaches to communicate effectively with all students in the class;
B. allows all students in the class the opportunity learn;
C. has consequences that are fair, and developmentally appropriately;
D. considers the student and the circumstances of the situation; and
E. enforces the student Code of Conduct/Student Discipline Code accordingly.

Students may be subject to discipline for violation of the Code of Conduct/Student Discipline Code even if that conduct occurs on property not owned or controlled by the Board but that is connected to activities or incidents that have occurred on property owned or controlled by the Board, or conduct that, regardless of where it occurs, is directed at a Board official or employee, or the property of such official or employee.

Student conduct shall be governed by the rules and provisions of the Student Code of Conduct/Student Discipline Code. This Code of Conduct/Student Discipline Code shall be reviewed periodically.

R.C. 3313.20, 3313.534, 3313.66, 3313.661

14 Grievance Policy/Procedure

The Wayne County Schools Career Center values your feedback so that we may ensure the education you receive is of the highest quality. Concerns should be initially discussed with the classroom instructor. If the situation is not resolved, contact your student advisor. Unresolved concerns should be referred to the Adult Education Administration in writing. A record of these written concerns will be maintained. If complaints are not satisfactorily addressed an appointment may be requested with the Superintendent.

After all attempts to voice a concern have been made within the district, a formal complaint procedure is available. For issues that have not been settled through school processes, the student or employee has the right to petition help from the Director of the Office for Civil Rights, Ohio Department of Higher Education, (25 South Front Street, Columbus, OH 43215,Telephone: (614) 466-6000 Fax: (614) 466-5866—directions and forms available at https://www.ohiohighered.org/students/complaints) or the accreditation agency (Council on Occupational Education 7840 Roswell Road, Building 300, Suite 325 Atlanta, Georgia 30350. 770-396-3898, www.council.org) or any other applicable agency.

15 Crime Statistics

WCSCC publishes this annual report to comply with the statutory mandates imposed by the Jeanne Clery Act. The statistics are gathered, correlated, and published annually by the WCSCC in this document entitled “Annual Security Report”. This report is prepared in cooperation with the surrounding local law enforcement agencies of the WCSCC.
The Annual Security Report does not include any personally identifying information about the victims or other individuals involved in the crimes reflected in the statistics.

Summary of Past Three Years	2023		2024		2025	
Criminal Offense Including Hate Crimes	On Campus	On Public Property Adjacent to Campus	On Campus	On Public Property Adjacent to Campus	On Campus	On Public Property Adjacent to Campus
Murder/Non-negligent manslaughter	0	0	0	0	0	0
Negligent manslaughter	0	0	0	0	0	0
Sexual Assault/Sex Offenses:						
Rape	0	0	0	0	0	0
Fondling	0	0	0	0	0	0
Incest	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0
Robbery	0	0	0	0	0	0
Aggravated assault	0	0	0	0	0	0
Burglary	0	0	0	0	0	0
Motor vehicle theft	0	0	0	0	0	0
Arson	0	0	0	0	0	0
Hate Crimes:						
Simple Assault	0	0	0	0	0	0
Larceny-theft	0	0	0	0	0	0
Intimidation	0	0	0	0	0	0
Destruction/damage/vandalism of property	0	0	0	0	0	0
Number of Arrests for Crimes						
Illegal weapons possession	0	0	0	0	0	0
Drug law violations	0	0	0	0	0	0
Liquor law violations	0	0	0	0	0	0
Number of persons referred for Disciplinary Action						
Legal weapons possession	0	0	0	0	0	0
Drug law violations	0	0	0	0	0	0
Liquor law violations	0	0	0	0	0	0

15.1 The Violence Against Women Reauthorization Act of 2013 (VAWA)

The Violence Against Women Reauthorization Act of 2013 (VAWA) amended the Clery Act. In compliance with the Violence Against Women Reauthorization Act of 2013 (VAWA), Wayne County Schools Career Center has included the following crimes in its annual statistical and procedural information disclosure: domestic violence, dating violence, sexual assault, and stalking.

	2023		2024		2025	
VAWA Offenses:	On Campus	On Public Property Adjacent To Campus	On Campus	On Public Property Adjacent To Campus	On Campus	On Public Property Adjacent To Campus
Domestic Violence	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0
Stalking	0	0	0	0	0	0

15.2 Hate Crimes

A hate crime is a criminal offense committed against a person or property, which is motivated, in whole or in part, by the offender's bias. Bias is a preformed negative opinion or attitude toward a group of persons based on their race, gender, religion, sexual orientation, ethnicity, disability, national origin, or gender identity. For Clery purposes, hate crimes include any offense in the following list that is motivated by bias: Murder/non-negligent manslaughter, sex offenses (rape, fondling, incest, and statutory rape), robbery, aggravated assault, burglary, motor vehicle theft, arson, domestic violence, dating violence, stalking, larceny/theft, simple assault, intimidation, and destruction/damage/vandalism of property.

If a hate crime occurs where there is an incident involving intimidation, vandalism, larceny, simple assault or other bodily injury, the law requires that the statistic be reported as a hate crime even though there is no requirement to report the crime classification in any other area of the compliance document.

A hate or bias related crime is not a separate, distinct crime, but is the commission of a criminal offense that was motivated by the offender's bias. For example, a subject assaults a victim, which is a crime. If the facts of the case indicate that the offender was motivated to commit the offense because of his bias against the victim's race, sexual orientation, etc., the assault is then also classified as a hate/bias crime.

For a hate (bias) related crime, we also must provide information about the type of bias involved in the crime, race, religion, ethnicity, gender, sexual orientation, disability, national origin, or gender identity.

15.3 Definitions of Clery Crimes

As per the Uniform Crime Reporting Handbook.

15.3.1 Murder/Non-Negligent Manslaughter

The willful (non-negligent) killing of one human being by another. NOTE: Deaths caused by negligence, attempts to kill, assaults to kill, suicides, accidental deaths, and justifiable homicides are excluded.

15.3.2 Negligent Manslaughter

The killing of another person through gross negligence.

15.3.3 Robbery

The taking or attempting to take anything of value from the care, custody or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear.

15.3.4 Aggravated Assault

An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm. It is not necessary that injury result from an aggravated assault when a gun, knife or other weapon is used which could or probably would result in a serious potential injury if the crime were successfully completed.

15.3.5 Burglary

The unlawful entry of a structure to commit a felony or a theft. For reporting purposes, this definition includes unlawful entry with intent to commit a larceny or a felony; breaking and entering with intent to commit a larceny; housebreaking; safecracking; and all attempts to commit any of the aforementioned.

15.3.6 Motor Vehicle Theft

The theft or attempted theft of a motor vehicle. (Classify as motor vehicle theft all cases where vehicles are taken by persons not having lawful access, even though the vehicles are later abandoned - including joy riding.)

15.3.7 Arson

The willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, or personal property of another kind.

15.3.8 Weapon Law Violations

The violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices or other deadly weapons. This classification encompasses weapons offenses that are regulatory in nature.

15.3.9 Drug Abuse Violations

The violation of laws prohibiting the production, distribution and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use. The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation or importation of any controlled drug or narcotic substance.

15.3.10 Liquor Law Violations

The violation of state or local laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession or use of alcoholic beverages, not including driving under the influence and drunkenness.

15.3.11 Sexual Assault/Sex Offenses

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

15.3.12 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.

15.3.13 Fondling

The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.

15.3.14 Incest

Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

15.3.15 Statutory Rape

Sexual intercourse with a person who is under the statutory age of consent.

15.3.16 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 cohabitating with, or has cohabitated 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.

15.3.17 Dating Violence

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

- The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.
- For the purposes of this definition, dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
- Dating violence does not include acts covered under the definition of domestic violence.
- Any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

15.3.18 Stalking

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

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

15.3.19 Larceny

The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another.

15.3.20 Vandalism

To willfully or maliciously destroy, injury, disfigure, or deface any public or private property, real or personal, without the consent of the owner or person having custody or control by cutting, tearing, breaking, marking, painting, drawing, covering with filth, or any other such means as may be specified by local law.

15.3.21 Intimidation

To unlawfully place another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct, but without displaying a weapon or subjecting the victim to actual physical attack.

15.3.22 Simple Assault

An unlawful physical attack by one person upon another where neither the offender displays a weapon, nor the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration or loss of consciousness.

15.4 Unfounded Crimes

A crime is considered unfounded for Clery Act purposes only if sworn or commissioned law enforcement personnel make a formal determination that the report is false or baseless. Crime reports can be properly determined to be false only if the evidence from a complete and thorough investigation establishes that the crime reported was not, in fact, completed or attempted in any matter.