

Hannah E. Mullins
School of Practical Nursing



The Jeanne Clery Act
Annual Safety & Security Report
2020-2021

Updated 12/14/2020

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Introduction and Purpose

The safety of students, associates and visitors is an important concern of HEMSPN. We prepared this report to increase your awareness of a number of programs and provide information to protect your safety and well-being. HEMSPN prepares the Annual Security Report to comply with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act (Clery Act). Institutions participating in the federal financial aid must present to current and future students and employees certain crime statistics and policies in accordance with the Clery Act. The purpose of this report is to provide information relating to campus safety and security in an effort to aid future and current students and employees in making informed decision regarding our school.

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. HEMSPN administrators prepare this report which includes reported campus crime, arrest and referral statistics to local law enforcement agencies and designated campus officials.

HEMSPN does not have on or off campus housing nor does HEMSPN have student organizations. Therefore, no crime statistics or polices pertaining to such are included in this report.

Dissemination of the report includes email notifications to students, faculty, and staff providing the website address to the Annual Security Report. Potential students and employees are notified that they have access to the report on our web page at www.hemspn.com . A printed copy of the report is also available upon request.

Annual Report and Policy Biennial Review

Every year, in the month of January, HEMSPN organizes a committee that evaluates the effectiveness of its Safety and Security and Drug and Alcohol policies. This committee consists of the Director and members of the faculty and staff. Minutes are kept from this meeting and the Title IX Coordinator is responsible for implementing addendums to said policies. HEMSPN maintains a Security Incident Report wherein all events related to safety and/or security are kept and documented. These Security Incident Reports, along with the local police reports, are evaluated by the Committee at the annual meeting in order to evaluate the effectiveness of such policies.

Crime Reporting Procedures

Reporting Crimes:

Students, faculty, and staff are strongly encouraged to report all crimes to local law enforcement, dial 9-1-1 (emergencies only).

Kent State University the landlord of the building, employs uniformed security aids who are available during regular campus hours and special campus events. Any suspicious activity or person seen in the parking lots or loitering around vehicles, inside building should be reported to Campus Security.

Local Law Enforcement Agency	Local Phone Number	Emergency Number
Salem Police Department	330-337-7811	911

KSU Campus Security	330-337-4111
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While participating at clinical areas, students and faculty must abide by the policy of the facility they are attending.

In addition, students, faculty and staff should report a crime to the following areas:

Christina Devlin MSN, RN, FCN, Director
Administrative Staff
Title IX Coordinator

Timely reporting of criminal activity enables HEMSPN to respond to crime in a timely manner and potentially reduce the recurrence of that crime. Timely manner shall be defined to mean immediately or as immediately as possible under the circumstances.

For crimes where the victim does not want to or is unable to make a report, the report will be made by the HEMSPN administrative staff or Title IX Coordinator.

HEMSPN works cooperatively with local law enforcement agencies and Campus Security when necessary; however, there are no written memoranda of understanding agreements between HEMSPN and these agencies to investigate alleged crimes. HEMSPN does, in good faith effort, contact local law enforcement agencies to obtain data on Clery Act crimes that occurred on or near the campus. Not all agencies respond to our requests for data. HEMSPN does not have a police or security department and no HEMSPN employee or staff member possesses arrest authority.

Confidential Crime Reporting

Victims of crime may not want to pursue action with HEMSPN or the criminal justice system and may still want to consider making a confidential report. With permission, the Director or a designee of HEMSPN can complete an incident report on details of the incident without revealing the victim's identity. The purpose of confidential reporting is to comply with the wish to keep matters confidential while taking measures to keep the campus community safe. With such information, HEMSPN can keep accurate records and become aware of any patterns of crime that may warrant action. Reports filed in this manner are counted and disclosed in the annual crimes statistics for HEMSPN.

HEMSPN does not employ or contract with any pastoral counselors who provide confidentiality services to students or employees. However, HEMSPN provides assistance in obtaining an appropriate referral to a counseling or rehabilitation agency

Medical Assistance	Salem Regional Medical Center 1995 E. State Street, Salem, OH	330-332-1551
Victim Advocacy	<ul style="list-style-type: none"> • Alliance Area Domestic Violence Shelter • Columbiana Co. Prosecutor's Victim Assistance • Mahoning Co. Prosecutor's Victim Assistance • Stark Co. Prosecutor's Victim Assistance 	330-823-7223 330-420-0140 330-740-2082 330-451-7452
Counseling and Other Services	Help Hotline Crisis Center Office for Victims of Crime Suicide Prevention Crisis Hotline Columbiana Co. Mental Health Center Family Recovery	211 800-582-2877 800-272-8255 330-332-1514 330-424-1468

Emergency Response and Evacuation

Responses and Evacuation Procedures:

Emergencies are unexpected events which must be dealt with urgently to protect the health and safety of others. Emergencies may be related to natural disasters such as earthquakes, criminal activity such as armed robberies, environmental disasters, or highly contagious health concerns.

HEMSPN follows the Kent State University Emergency Guide

<https://www.kent.edu/sites/default/files/file/Emergency%20Guide%20Columbiana%20County.2015.pdf>

as well as the KSU Emergency Response Guidebook as it relates to emergency building evacuation as outlined below:

Building Evacuation:

- From the front of building Salem City Center, turn right or left onto N. Lincoln Avenue
- From the north side of the building thru parking lot, turn right or left onto East 3rd Street
- From the back of the building down the parking ramp, turn right or left onto Vine Avenue

HEMSPN will follow the policy and procedures of Kent State University (landlord) as it relates to emergency notifications to the campus community.

In addition, HEMSPN's administrative staff will contact parents, guardians, spouses and those listed as emergency contacts by the student via phone. Other staff and faculty members may be designated as back-ups and assist with assigned tasks.

Emergencies are identified by campus staff, by other campus community members, emergency alert radio, and forms of public media and notification. Anyone wishing to report an emergency should contact the Director or administrative staff as soon as safely possible using the most efficient means available.

Upon confirmation of a significant on campus emergency or dangerous situation involving an immediate threat to the health or safety of students and employees, the Director or administrative staff will issue an emergency notification and also notify the appropriate local emergency response teams, law enforcement, and individuals on campus who are in harm's way. Local authorities will determine when and if it is necessary to notify the surrounding community. The Director and administrative staff will determine what information should be contained in the alert. Campus alerts may be issued via text (to faculty only), or via email, classroom announcement, alarm, or any combination of methods determined to be necessary. Students and employees should regularly check email. The alerts will identify the appropriate action to take in an effort to have students and employees avoid the confirmed danger and minimize injuries. Depending on the situation, additional alerts will be disseminated as information becomes available

Evacuations to safe locations will be implemented when necessary and proceed in an organized manner per policy and procedure. All students are required to comply with the plan and the directions given to them by Campus Security, faculty, or public emergency response teams or law enforcement agencies during actual emergencies and drills for their personal safety. At no time during an actual campus emergency or drill shall students be permitted to leave the campus unless directed to do so.

The plan, including any updates, is reviewed with new students and employees during orientation, in classes at the start of each new term, and at a number of faculty meetings during the year. Exit signs are posted and to be followed for the nearest evacuation route.

Emergency response and evacuation drills are conducted, at minimum, semi-annually. All students, faculty and staff participate and conduct themselves appropriately. Drills may be announced or

unannounced at the discretion of the Director. Emergency Response Drill Log will be attached to this report as an addendum. Students and employees are encouraged to be responsible for their own security and the security of others. Employees and students are expected to follow safe practices while on campus property. Following safe practices will reduce the possibility of accidental emergencies, and increase the effectiveness of the campus response to unforeseen emergencies.

The campus community is obligated to report all unsafe activities, potential and real emergencies, and/or criminal activities to the Director or administrative staff as soon as possible. Persons responsible for carrying out the emergency response and evacuation procedures include: The Director, Title IX Coordinator, and administrative staff.

Timely Warnings for Emergency

In the event of an ongoing or continuing threat to the campus community, a timely warning is issued verbally and students will receive an email. Timely shall be defined to mean immediately or immediately as possible under the circumstances. The intent of a timely warning is to provide adequate information necessary to enable the campus community to protect themselves when a significant emergency or dangerous situation occurs. The content of the timely warning will not disclose information that may compromise law enforcement efforts. Anyone with information that warrants a timely warning should report it immediately to the Director, Title IX Coordinator, or administrative staff. The Director, Title IX Coordinator, and administrative staff are responsible for ensuring timely warnings are issued to the campus community.

Facilities Security and Access

The campus facilities are open during day and evening business hours and are accessible to students, employees, contractors, guests and invitees. The campus is secured during non-business hours by locking doors and only accessible by issued key. Maintenance personnel enter the facility during evening or early morning nonbusiness hours. HEMSPN does not have on or off campus residences or official off campus student organizations. HEMSPN does not have a security or police department. Facilities and landscaping are maintained in a manner that minimizes hazardous condition. The Director, Title IX Coordinator, and administrative staff regularly review the campus and report malfunctioning lights and other unsafe physical conditions to building maintenance for corrections.

Security Awareness Programs for Students and Employees

Safety and security awareness programs are in place for students and employees. The common theme of awareness and crime prevention programs are to encourage students and employees to be aware of the responsibility for their own security and security of others. The safety rules, including crime prevention, are reviewed by students during orientation. Security, including crime prevention, is reviewed with employees at hire dates and during staff and faculty meetings.

Alcoholic and Drug Prevention Policy

HEMSPN has developed a program to prevent the illicit use of drugs and the abuse of alcohol by students and employees on campus and at clinical facilities. The program provides services related to drug use and abuse including dissemination of informational materials, disciplinary actions and a list of educational programs, counseling services, and treatment programs.

The Director, Title IX Coordinator, and administrative staff provide an overall coordination of the Drug-Free Policy. Drug and alcohol education materials are available to students and employees.

Alcoholic Beverages:

The possession, sale or the furnishing of alcohol at HEMSPN is governed by HEMSPN's Drug Free Policy and state law. Laws regarding the possession, sale, consumption or furnishing of alcohol is controlled by the state's Department of Commerce Division of Liquor Control. However, the enforcement of alcohol laws on-campus is the primary responsibility of the Director and administrative staff and local law enforcement agencies. HEMSPN has been designated "Drug Free" and in no circumstances is the consumption of alcohol 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 Director and administrative staff and local law enforcement agencies. Violators are subject to HEMSPN's disciplinary action, 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 of HEMSPN's Drug Free policy for anyone to consume or possess alcohol in any public or private area of HEMSPN. Students and employees violating alcohol / substance policies or laws will be subject to discipline by HEMSPN. For more information, please refer to the most recent Drug Free policy in the Catalog/Student Handbook.

Health Risks Associated with Substance Abuse

Substance abuse can cause very serious health and behavioral problems, including short and long-term effects upon both the body (physiological) and the mind (psychological), as well as impairment of learning ability, memory, and performance. For additional information on health risks of substance abuse, see: <http://www.drugabuse.gov/related-topics/medical-consequences-drug-abuse>.

Illegal Drug Possession

HEMSPN has been designated "Drug Free". 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 Director, Title IX Coordinator, and administrative staff and local law enforcement agencies. Violators are subject to HEMSPN's disciplinary action, criminal prosecution, fined and imprisonment. For more information please refer to the most recent Drug Free policy.

Disciplinary Action for Weapons, Drug and Alcohol Violation

HEMSPN is committed to helping students meet their educational and career goals. Employees are held to a high standard and are required to conduct themselves in a professional manner. When students or employees violate weapons, drug, or alcohol laws, disciplinary action will result as described on the following page. HEMSPN provides assistance in obtaining an appropriate referral to a counseling or rehabilitation agency.

The results of any investigation are available upon request to victims or if necessary, the victims next of kin as determined and require by Federal and State laws.

Legal Sanctions – Laws Governing Alcohol

The Clery Act requires HEMSPN to inform students and employees of laws governing alcohol. The State of Ohio has set 21 as the minimum age to purchase or possess any alcoholic beverage. Specific ordinances regarding violations of alcohol laws, including driving while intoxicated, are available from Bureau of Alcohol, Tobacco, Firearms and Explosives. (See Appendix A)

HEMSPN Sanctions

A violation of any law regarding the unlawful possession, use or distribution of illicit drugs and alcohol by students or employees is also a violation of HEMSPN's Drug Free policy and will be treated as a separate disciplinary matter by HEMSPN. For more information, please refer to the most recent Drug Free policy.

Sexual Offense Policy and Other Information

HEMSPN is required by the Clery Act to include in its Annual Security Report information about sex offense policy and procedures, prevention and how to access information on registered sex offenders in the campus community.

Availability of Sex Offender Registry

In accordance to the "Campus Sex Crimes Prevention Act" of 2000, which amends the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act, the Jeanne Clery Act and the Family Educational Rights and Privacy Act of 1974, HEMSPN is providing a link to the State of Ohio Department of Justice's register sex offender's website. This act requires institutions of higher education to issue a statement advising the campus community where law enforcement information provided by the State concerning registered sex offenders may be obtained. It also requires sex offenders already required to register in a State to provide notice of each institution of higher education in that State at which the person is employed, carries a vocation, or is a student. In Ohio, convicted sex offenders must register with local law enforcement under Megan's Law.

The registry is available on the second of the building at the information board outside the KSU office and at the following web address: <https://ohio.gov/wps/portal/gov/site/residents/resources/sex-offender-search>

POLICIES TO PREVENT DATING VIOLENCE, DOMESTIC VIOLENCE, SEXUAL ASSAULT & STALKING

STATEMENT OF POLICY

HEMSPN is an institution built upon honor, integrity, trust, and respect. Consistent with these values, HEMSPN is committed to providing a safe and non-discriminatory learning and working environment for all members of its community. HEMSPN does not discriminate on the basis of sex or gender in any of its education or employment programs and activities. To that end, this policy prohibits specific forms of behavior that violate Title IX of the Education Amendments of 1972 ("Title IX"); Title VII of the Civil Rights Act of 1964 ("Title VII"). Such behavior also requires HEMSPN to fulfill certain obligations under the Violence Against Women Reauthorization Act of 2013 ("VAWA") and the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act ("Clery Act").

HEMSPN is committed to providing a work and school environment free of unlawful harassment or discrimination. In furtherance of this commitment, all students and employees are required to take our mandatory Sexual Harassment and Prevention Training upon starting with HEMSPN and generally every year thereafter. School policy prohibits harassment or discrimination based on race, religion, creed, color, national origin, ancestry, sex (including pregnancy, childbirth or related medical conditions), military or veteran status, physical or mental disability, medical condition, marital status, age, sexual orientation, gender, gender identity or expression, genetic information or any other basis protected by the federal, state or local law. Additionally, in accordance with Title IX of the Education Amendments of 1972, HEMSPN has jurisdiction over Title IX complaints.

HEMSPN's anti-harassment policy applies to all persons involved in the operation of HEMSPN, and prohibits unlawful harassment by any employee of HEMSPN, as well as students, customers, vendors or anyone who does business with HEMSPN. It further extends to prohibit unlawful harassment by or against students. Any employee, student or contract worker who violates this policy will be subject to disciplinary action. To the extent a customer, vendor or other person with whom the School does business engages in unlawful harassment or discrimination, HEMSPN will take appropriate corrective action.

As part of HEMSPN's commitment to providing a harassment-free working and learning environment, this policy shall be disseminated to HEMSPN community through publications, HEMSPN website, new employee orientations, student orientations, and other appropriate channels of communication. HEMSPN provides training to key staff members to enable HEMSPN to handle any allegations of sexual harassment or sexual violence promptly and effectively. HEMSPN will respond quickly to all reports, and will take appropriate action to prevent, to correct, and if necessary, to discipline behavior that violates this policy.

AWARENESS PROGRAMS

Awareness programs consist of community-wide or audience-specific programming, initiatives, and strategies that increase audience knowledge and share information and resources to prevent violence, promote safety, and reduce perpetration. HEMSPN's specific annual awareness programs include:

Information Center which contains brochures. The written policy is located on the HEMSPN website and in the Catalog/Student Handbook for reference including the OAC 4723-5-12C Code of Conduct for Nursing Students.

Students and employees are made aware of written policy located on the website and in the Catalog/Student Handbook for their reference.

ONGOING PREVENTION AND AWARENESS CAMPAIGNS

Ongoing prevention and awareness campaigns consist of programming, initiatives, and strategies that are sustained over time and focus on increasing understanding of topics relevant to, and skills for addressing Prohibited Conduct, using a range of strategies with audiences throughout HEMSPN. HEMSPN's specific ongoing prevention and awareness campaigns are:

Literature is available to students and employees in the Information Center

RISK REDUCTION

Risk reduction consists of options designed to decrease perpetration and bystander inaction and to increase empowerment in an effort to promote safety and to help individuals and communities address conditions that facilitate violence. HEMSPN's specific risk reduction programs are:

Literature is available to students and employees in the Information Center

DEFINITIONS

Sexual Assault consists of (1) Sexual Contact and/or (2) Sexual Intercourse that occurs without Affirmative Consent.

Sexual Contact is:

- Any intentional sexual touching, however slight,
- With any object or body part (as described below)
- Performed by a person upon another person

Sexual Contact includes (a) intentional touching of the breasts, buttocks, groin or genitals, whether clothed or unclothed, or intentionally touching another with any of these body parts; and (b) making another touch you or themselves with or on any of these body parts.

Sexual Intercourse is:

- Any penetration
- However slight
- With any object or body part (as described below)
- Performed by a person upon another person

Sexual Intercourse includes (a) vaginal penetration by a penis, object, tongue, or finger; (b) anal penetration by a penis, object, tongue, or finger; and (c) any contact, no matter how slight, between the mouth of one person and the genitalia of another person.

Affirmative Consent is:

- Informed (knowing)
- Voluntary (freely given)
- Active (not passive), meaning that, through the demonstration of clear words or actions, a person has indicated permission to engage in mutually agreed-upon sexual activity
- Consent is an affirmative, unambiguous, and conscious decision by each participant to engage in mutually agreed-upon sexual activity. It must be given without coercion, force, threats or intimidation. Consent must be ongoing throughout a sexual encounter and can be revoked at any time. Once consent is withdrawn, the sexual activity must stop immediately.

Affirmative Consent cannot be obtained by Force. Force includes (a) the use of physical violence, (b) threats, (c) intimidation, and/or (d) coercion.

Intimidation is an implied threat that menaces or causes reasonable fear in another person. A person's size, alone, does not constitute intimidation; however, a person's size may be used in a way that constitutes intimidation (e.g., blocking access to an exit).

Coercion is the use of an unreasonable amount of pressure to gain sexual access. Coercion is more than an effort to persuade, entice, or attract another person to have sex. When a person makes clear a decision not to participate in a particular form of Sexual Contact or Sexual Intercourse, a decision to stop, or a decision not to go beyond a certain sexual interaction, continued pressure can be coercive.

Sexual Harassment is defined as unwelcome conduct of a sexual nature. It includes unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal, or physical conduct of a sexual nature. Sexual harassment is conduct that explicitly or implicitly affects a person's employment or education or interferes with a person's work or educational performance or creates an environment such that a reasonable person would find the conduct intimidating, hostile or offensive.

Sexual Violence is defined as physical sexual acts engaged in without the consent of the other person or when the other person is unable to consent to the activity. Sexual violence includes sexual assault, rape, battery, and sexual coercion; domestic violence; dating violence; and stalking.

Domestic Violence is defined as abuse committed against an adult or a minor who is a spouse or former spouse, cohabitant or former cohabitant, or someone with whom the abuser has a child, has an existing dating or engagement relationship, or has had a former dating or engagement relationship.

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

Sexual Assault occurs when a physical sexual activity is engaged in without the consent of the other person or when the other person is unable to consent to the activity. The activity or conduct may include physical force, violence, threat, or intimidation, ignoring the objections of the other person, causing the other person's intoxication or incapacitation through the use of drugs or alcohol, and taking advantage of the other person's incapacitation (including voluntary intoxication).

Stalking is behavior in which a person repeatedly engages in conduct directed at a specific person that places that person in reasonable fear of his or her safety or the safety of others.

Bystander Intervention consists of safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is risk of an occurrence of Prohibited Conduct. It also includes recognizing situations of potential harm, understanding institutional structures and cultural conditions that facilitate violence, overcoming barriers to intervening, identifying safe and effective intervention options, and taking action to intervene.

PROHIBITED CONDUCT

This policy strictly prohibits sexual or other unlawful harassment or discrimination as well as sexual violence, as defined above. Sexual or other unlawful harassment or discrimination includes any verbal, physical or visual conduct based on sex, gender, race, age, national origin, disability or any other legally protected basis if:

- i. *submission to such conduct is made either explicitly or implicitly a term or condition of an individual's education or employment;*
- ii. *submission to or rejection of such conduct by an individual is used as a basis for decisions concerning that individual's education or employment; or*
- iii. *it creates a hostile or offensive work environment, which means the alleged conduct is sufficiently serious to limit or deny a student's ability to participate or benefit from the student's education program.*

Unlawful harassment or discrimination may include racial epithets, slurs and derogatory remarks, stereotypes, jokes, posters or cartoons based on race, national origin, age, disability, marital status or other legally protected categories.

Sexual harassment is conduct based on sex, whether directed towards a person of the opposite or same sex, and may include explicit sexual propositions, sexual innuendo, suggestive comments, sexually oriented “kidding” or “teasing”, practical jokes, jokes about or displays of obscene printed or visual material, questions about sexual fantasies, preferences or history, and physical contact such as patting, pinching, or intentionally brushing against another person’s body. Gender-based harassment, including acts of verbal, nonverbal or physical aggression, intimidation, or hostility based on sex or sex-stereotyping are strictly prohibited, even if those acts do not involve conduct of a sexual nature

COMPLAINT/PROCEDURE

If you believe that you have experienced or witnessed harassment or sexual violence, notify your instructor, director, office staff or KSU Security as soon as possible after the incident. Do not allow an inappropriate situation to continue by not reporting it, regardless of who is creating the situation. No employee, contract worker, student, vendor or other person who does business with HEMSPN is exempt from the prohibitions in this policy. Supervisors will refer all harassment complaints to the Coordinator for student-related complaints and to the Director if the complaint involves an employee. In order to facilitate the investigation, your complaint should include details of the incident or incidents, names of the individuals involved and names of any witnesses.

All complaints involving a student will be referred to the campus’s Title IX Coordinator. The Coordinator is listed below and has the responsibility of overseeing all Title IX complaints and identifying and addressing any patterns or systemic problems that arise during the review of such complaints.

Coordinator:

DeAnn Russell

HEMSPN ensures that its employee(s) designated to serve as Title IX Coordinator(s) have adequate training on what constitutes sexual harassment, including sexual violence, and that they understand how HEMSPN’s procedures operate.

INVESTIGATION OF COMPLAINTS

In response to all complaints, HEMSPN promises prompt and equitable resolution through a reliable and impartial investigation of complaints, including the opportunity for both parties to present witnesses or other evidence. The time necessary to conduct an investigation will vary based on complexity but will generally be completed within sixty (60) days of receipt of the complaint. HEMSPN shall maintain confidentiality for all parties to the extent possible, but absolute confidentiality cannot be guaranteed. In cases where a student does not give consent for an investigation, HEMSPN will weigh the student’s request for confidentiality against the impact on School safety to determine whether an investigation must proceed. Complainants should be aware that in a formal investigation due process generally requires that the identity of the charging party and the substance of the complaint be revealed to the person charged with the alleged harassment.

The preponderance of the evidence standard will apply to investigations, meaning HEMSPN will evaluate whether it is more likely than not that the alleged conduct occurred. Both parties will receive written notice of the outcome of the complaint.

During the investigation, HEMSPN will provide interim measures, as necessary, to protect the safety and wellbeing of students and/or employees involved.

Complaint Procedure

Upon receipt of a report of Prohibited Conduct committed by a Student, the Coordinator will make an initial assessment of the reported information and respond to any immediate health or safety concerns raised by the report. In this initial assessment, the Coordinator will:

- A. Assess the Complainant's safety and well-being and offer HEMSPN's immediate support and assistance;
- B. Inform the Complainant of the right to seek medical treatment, and explain the importance of obtaining and preserving forensic and other evidence;
- C. Inform the Complainant of the right to contact law enforcement, decline to contact law enforcement, and/or seek a protective order; and the availability of providing assistance with any of the above.
- D. Inform the Complainant about school and community resources, the right to seek appropriate and available remedial and protective measures, and how to request those resources and measures. Said resources include written information on available counseling, mental health, victim advocacy, legal assistance, visa and immigration assistance, and student financial aid.
- E. Explain HEMSPN's prohibition against Retaliation and that HEMSPN will take prompt action in response to any act of Retaliation;
- F. Assess the nature and circumstances of the report, including whether it provides the names and/or any other information that personally identifies the Complainant, the Respondent, any witness, and/or any other third party with knowledge of the reported incident;
- G. Ascertain the ages of the Complainant and the Respondent, if known, and, if either of the parties is a minor (under 18), contact the appropriate child protective service agency; and
- H. Communicate with appropriate school officials to determine whether the report triggers any Clery Act obligations, including entry of the report in the daily crime log and/or issuance of a timely warning, and take steps to meet those obligations.
- I. Communicate with appropriate school officials if the crime is determined "unfounded" by law enforcement officials so the information may be reported in HEMSPN's Annual Security Report as "unfounded" and withheld from its crime statistics.

Sexual Assault Disciplinary Action

The victim of a sexual assault may choose for the investigation to be pursued through the criminal justice system and HEMSPN or only the latter. HEMSPN encourages all witnesses to a sexual assault to report the incident and not be a bystander. We encourage all of our employees and students to support each other in a positive way and lend a hand where needed. All witnesses will be offered a safe and confidential environment in which to report the incident. HEMSPN encourages an environment of 'If you see something, say something'.

All investigations are completed in a fair and impartial manner; both the accuser and the accused will be offered the same opportunities to provide any and all evidence to the investigator.

To initiate disciplinary action against a student or employee for sexual assault, a written report must be made to the Director.

The following disciplinary procedures will be conducted in case of an alleged sex offense:

- The Title IX coordinator will review the specifics in the case, interview the accuser and accused, and any witnesses. The Title IX coordinator will attend an annual training on Sexual assault crimes and investigations.
- The Title IX coordinator will conduct a meeting during which the accuser and the accused are entitled to participate and have the option of one person to accompany them throughout the meetings.
- The standard of evidence that will be use will be “preponderance of evidence.”
 - preponderance of the evidence definition from <https://dictionary.law.com/>
 - The greater weight of the evidence required in a civil (non-criminal) lawsuit for the trier of fact (jury or judge without a jury) to decide in favor of one side or the other. This preponderance is based on the more convincing evidence and its probable truth or accuracy, and not on the amount of evidence. Thus, one clearly knowledgeable witness may provide a preponderance of evidence over a dozen witnesses with hazy testimony, or a signed agreement with definite terms may outweigh opinions or speculation about what the parties intended. Preponderance of the evidence is required in a civil case and is contrasted with "beyond a reasonable doubt," which is the more severe test of evidence required to convict in a criminal trial. No matter what the definition stated in various legal opinions, the meaning is somewhat subjective.
- Both the accuser and the accused will be informed simultaneously in writing of HEMSPN’s final determination with respect to the alleged sex offense and any sanction that is imposed against the accused.

Sanctions

A student or employee found guilty of a sexual assault will be dismissed or terminated, and reported to the appropriate local or federal authorities.

If HEMSPN determines that unlawful harassment or sexual violence has occurred, immediate appropriate corrective action will be taken in accordance with the circumstances involved, and HEMSPN will take steps to prevent the recurrence of any harassment or discrimination. Any employee determined by HEMSPN to be responsible for unlawful harassment or discrimination will be subject to appropriate disciplinary action, up to and including termination. Remedies for student-related claims may include, but are not limited to, an order to stay away, suspension or expulsion.

To initiate a criminal investigation, reports of sexual violence should be made to “911” or local law enforcement. The criminal process is separate from HEMSPN’s disciplinary process. To the extent that an employee or contract worker is not satisfied with the school’s handling of a harassment or discrimination complaint, he or she may also contact the appropriate state or federal enforcement agency for legal relief.

RETALIATION PROHIBITED

HEMSPN will not retaliate against you for filing a complaint, and will not tolerate retaliation by students or employees. If you believe you have been retaliated against, you should promptly notify the Director.

REPORTING REQUIREMENTS

Victims of sexual misconduct should be aware that School administrators must issue timely warnings for incidents reported to them that pose a substantial threat of bodily harm or danger to other members of the campus community. HEMSPN will make every effort to ensure that a victim's name and other identifying information is not disclosed, while still providing enough information for community members to make safety decisions in light of the danger. HEMSPN reserves the right to notify parents/guardians of dependent students regarding any health or safety risk, or a change in student status.

Rights and Options Complainants and Respondents can expect:

- A. Prompt and equitable resolution of allegations of Prohibited Conduct;
- B. Privacy in accordance with the Policy and any legal requirements;
- C. Reasonably available interim remedial measures, as described in the Policy
- D. Freedom from Retaliation for making a good faith report of Prohibited Conduct or participating in any proceeding under the Policy;
- E. The responsibility to refrain from Retaliation directed against any person for making a good faith report of Prohibited Conduct or participating in any proceeding under the Policy;
- F. The responsibility to provide truthful information in connection with any report, investigation, or resolution of Prohibited Conduct under the Policy;
- G. The opportunity to articulate concerns or issues about proceedings under the Policy;
- H. Timely notice of any meeting or proceeding at which the party's presence is contemplated by the Policy;
- I. The opportunity to choose an advisor, including the right to have that advisor attend any meeting or proceeding at which the party's presence is contemplated by the Policy;
- J. Written notice of an investigation, including notice of potential Policy violations and the nature of the alleged Prohibited Conduct;
- K. The opportunity to challenge the Investigator or any member of the Review Panel for bias or conflict of interest;
- L. The opportunity to offer information, present evidence, and identify witnesses during an investigation;

- M. The opportunity to be heard, orally and/or in writing, as to the determination of a Policy violation and the imposition of any sanction(s);
- N. Timely and equal access to any information that will be used during proceedings and related meetings;
- O. Reasonable time to prepare any response;
- P. Written notice of any extension of timeframes for good cause; and
- Q. Written notice of the outcome of any Formal Resolution proceedings, including the determination of a Policy violation, imposition of any sanction(s), and the rationale for each.
- R. A written explanation of the student's or employee's rights and options will be given at time of initial complaint and results.

ADDITIONAL INFORMATION

Employees should contact the Director for more information or any questions related to this policy. Students may contact the Title IX Coordinator with any questions related to this policy. In addition, the U.S. Department of Education Office for Civil Rights (“OCR”) investigates complaints of unlawful harassment of students in educational programs or activities. This agency may serve as a neutral fact finder and will attempt to facilitate the voluntary resolution of disputes with the parties. For more information, visit the OCR website at: <http://www.hhs.gov/ocr/>.

Violence against Women Reauthorization Act of 2013 (VAWA)

The Violence Against Women Reauthorization Act of 2013 (VAWA) amended the Clery Act and requires HEMSPN will compile statistics for additional crimes that are reported to HEMSPN or to local police agencies. These additional crimes include sexual assault, domestic violence, dating violence, and stalking.

Hate Crimes

There were zero (0) reported incidents of hate crimes reported for the reporting period. Hate crimes statistics are presented in narrative format when there are no hate crimes to report or if there are a limited number of hate crimes reported.

A Clery Act hate crime is committed when the victim was intentionally targeted because of bias. Bias for the purpose of Clery Act hate crime reporting is a *performed negative opinion or attitude toward a group of persons based on their race, gender, religion, disability, sexual orientation, or ethnicity/national origin*.

Hate crimes categories include murder / non-negligent manslaughter, sex offenses – forcible, sex offenses – non forcible, incest, statutory rape, robbery, aggravated assault, burglary, motor vehicle theft, arson, simple assault, larceny-theft, intimidation, destruction/damage/vandalism of property.

HEMSPN takes hate crimes and all criminal offences seriously and encourages the campus community to report any crime to the Director, Title IX Coordinator, or administrative staff. Crimes also can be reported by calling 911.

Hannah E. Mullins School of Practical Nursing						
Crime Statistics 2017-2019						
Hate Crimes						
	On Campus			Public Property		
	2017	2018	2019	2017	2018	2019
Murder & Non-Negligent Manslaughter	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0
Forcible Sex Offenses	0	0	0	0	0	0
Non-Forcible Sex Offenses	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
Larceny-Theft	0	0	0	0	0	0
Simple Assault	0	0	0	0	0	0
Intimidation	0	0	0	0	0	0
Destruction, Damage, Vandalism of Property	0	0	0	0	0	0
Any other crime involving bodily injury	0	0	0	0	0	0
Totals	0	0	0	0	0	0

Arrests & Disciplinary Actions

Hannah E. Mullins School of Practical Nursing Crime Statistics 2017-2019 Arrests						
	On Campus			Public Property		
	2017	2018	2019	2017	2019	2019
Liquor Law Violations	0	0	0	0	0	0
Drug Law Violations	0	0	0	0	0	0
Illegal Weapons Possession	0	0	0	0	0	0
Totals	0	0	0	0	0	0

Hannah E. Mullins School of Practical Nursing Crime Statistics 2017-2019 Disciplinary Actions						
	On Campus			Public Property		
	2017	2018	2019	2017	2018	2019
Liquor Law Violations	0	0	0	0	0	0
Drug Law Violations	0	0	0	0	0	0
Illegal Weapons Possession	0	0	0	0	0	0
Totals	0	0	0	0	0	0

Hannah E. Mullins School of Practical Nursing Crime Statistics 2017-2019 VAWA Crimes						
	On Campus			Public Property		
	2017	2018	2019	2017	2018	2019
Domestic Violence	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0
Stalking	0	0	0	0	0	0
Totals	0	0	0	0	0	0

***During 2017, 2018, 2019 no crime reports were unfounded.**