



**Start Something Real.**

**ADULT EDUCATION**  
**Annual SECURITY REPORT**

**CHOFFIN  
CAREER & TECHNICAL  
CENTER**

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Youngstown, Ohio 44503-1600**

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**2023**

**Mission Statement:**

*It is the mission of Choffin Career and Technical Center to develop individuals with technical, scholastic, employability, and life skills enabling them to exercise career options in becoming responsible citizens, productive employees, and life-long learners in cooperation with business, industry, and other community resources.*

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# Introduction

Choffin Career and Technical Center is providing this Annual Security Report in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act. In addition, the Violence Against Women Act (VAWA) included additional amendments to the Clery Act. Schools receiving Title IV funding (student financial aid assistance) are required to disclose campus crime statistics and other information to students and the public. This document intends to serve that purpose.

## Choffin CTC Adult Education Safety and Security

Choffin CTC Adult Education is owned and operated by Youngstown City School District (YCSD). YCSD employs a state of Ohio certified, uniformed police officer with full police authority, that meets all state law enforcement standards and is granted their authority from the Ohio Revised Code (Section 3345.04). This Resource Officer responds to calls for service, enforces parking rules and regulations, patrols campus in a marked police vehicle and investigates criminal activity. When the Resource Officer is not on campus, Choffin CTC relies on the Youngstown Police Department for law enforcement services. For fire and other medical emergencies at Choffin CTC, the Youngstown Fire Department provides additional emergency medical and fire services. Choffin CTC Adult Education maintains a positive working relationship with all state and federal agencies throughout the area.

Choffin CTC Adult Education Programs are located within the Choffin CTC High School building. Choffin Adult Education programs follow the procedures and policies set forth for K-12 education institutions. The Youngstown City School District Board of Education has adopted policies that address the safety and security of staff and students. As students who attend the Choffin CTC Adult Education Programs are adults, the parents of the adults do not need to be notified of circumstances except when participants are under the age of 18 or dual enrolled in the high school and adult programs.

Staff and students are informed annually of campus and security procedures and practices within the first week of instruction when the catalog, security report, and handbooks are reviewed with students. New staff are given an orientation by the program director on institutional procedures and practices. Copies of reports are found electronically online under the Student Services tab labeled Annual Security Report.

Choffin Adult Education strives to provide a safe and secure campus for all students and staff members. All students and staff are encouraged to report any and all suspicious campus activity immediately upon witnessing the occurrence. The school is in operation from 7:30 am to 4:00 pm Monday through Friday. The building will be open to staff and students during these hours.

## Security Awareness Programs for Students and Employees [34 CFR §668.46(b)(5)]

Choffin CTC Adult Education student services personnel, program directors and instructors welcome new students at the beginning of the academic year. During the first week of school policies and procedures of the Choffin CTC Adult Education Catalog and Program Student Handbook are reviewed, specifically in regard to student conduct and proper reporting procedures. Emphasis is placed upon Clery Act items related to security procedures and practices and Drug Abuse Prevention.

Youngstown City School District (YCSD) Human Resources office orientates all new employees during the onboarding process, the orientation is an overview of the YCSD and the many services available to its employees. In addition, each new employee is directed to the Employee Handbook found online, which includes the links to Ohio Ethics, the Ohio Revised Code for Schools, and Staff expectations. The Emergency Response Plan is kept at each building site including Choffin where emergency response drills

are conducted. As the Emergency Operation Plan has confidential information it is only available in its entirety to staff. Each program director conducts orientation with new staff.

Students and staff are encouraged to be responsible for their own security and the security of others.

### **Plan Review**

The Choffin CTC Adult Education plan for the health and safety of students, staff, and guests is reviewed and evaluated approximately annually by the District Safety Coordinator in coordination with the Safety Team: Director of Choffin CTC Adult Education, HR Executive Director, and Supervisor of School Clinic Nursing. .

### **Controlled Access Doors and Surveillance Cameras**

Choffin CTC Adult Education Programs strives to ensure the safety and security of all students, staff, and guests to the facilities while maintaining a positive and productive learning environment. Exterior doors are locked, and visitors must receive permission to enter by pressing a call button located outside the main doors. The person answering the call can view the visitor through a security camera feed. Visitors state their reason for entrance.

Visitors are required to stop at the front desk upon entering to sign in and receive a visitor's badge. Video surveillance cameras are placed throughout the buildings and school grounds. Actions recorded on these cameras may be used as evidence in disciplinary action and are for view by authorized school officials only. Any attempt to damage or interfere with the function of these devices will result in disciplinary action by the school and possible referral to local law enforcement agencies.

The Board recognizes the value of electronic surveillance systems in monitoring activity on school property and in school vehicles in protecting the health, welfare and safety of its students and staff. Carefully weighing the rights of privacy of students and staff against the District's duty to maintain order and discipline, the Board authorizes the use of electronic surveillance systems.

### **Cameras**

1. Cameras are not positioned in areas where individuals have a reasonable expectation of privacy.
2. Appropriate signs are posted in building entrances and at other locations deemed appropriate by the administration to inform visitors that electronic surveillance may occur on District property.
3. The use of cameras is subject to District policies concerning the confidentiality of student and staff records.
4. Surveillance cameras are used to promote the order, safety and security of students, staff and property.

Telephone Numbers by Agency Any Emergency – Call 911  
(Dial “9” to reach an outside line)

Youngstown City School District Security Officer	330-744-6934
Youngstown City School District Director of Operations	330-744-6904

Youngstown Police Department	330-742-8900
Gas - Dominion East Ohio	800-362-7557
Water - Youngstown Water Department	330-742-8749
Transportation - WRTA	330-744-8431

## Reporting Crime and Requesting Security Assistance

In the event of an emergency situation, call 9-1-1 immediately for assistance. Anyone observing or suspecting criminal activity will immediately report it to the instructor or Adult Education Director, who will immediately conduct an investigation and report the activity to the Youngstown Police Department and ask for their assistance. The Youngstown Police Department will investigate, determine facts and issues, and take action, which it feels necessary under their powers. A record of this report will be kept on file.

Students should use the following preventive measures to deter crime from occurring:

1. Keep cars locked.
2. Do not leave personal possessions unattended in the building.
3. Walk in pairs (groups) to vehicles when possible.
4. Be aware of your surroundings.
5. Know where to ask for help or get to the nearest phone in the building.
6. Report to school administration any restraining orders that a student may have been granted against another individual.

## Procedure for Reporting Crimes

Choffin Career Technical Center (CCTC) is committed to creating and maintaining a professional, safe learning environment. To help accomplish this, we ask anyone who is a victim or witness to accurately and promptly report any instance of inappropriate or criminal conduct, violations of school rules and/or local state or federal laws to the Supervisor or Administrator on duty, Patrick Kelly, YCSD Security Officer or campus security personnel designated by Mr. Kelly or the Youngstown Police Department (330-742-8900). If a victim of a crime is unable to make a report to the appropriate law enforcement agency the Supervisor, Administrator or security personnel will carry out prompt and accurate reporting of the crime to the appropriate law enforcement agency.

Any crime scene should be secured and evidence protected by the police. Do not disturb the scene. Upon their arrival police may photograph the scene and also photograph any injuries. If a weapon was used or any object used as a weapon, leave it in position and do not touch it. All contraband must be turned over to the police. Any person violating school policies by threatening and /or endangering a school employee or a fellow student will be immediately removed from class and reported to the Youngstown Police Department (YPD). CCTC shall make timely reports to the campus community on crimes considered to be a threat to other students and employees that are reported to security personnel or local law enforcement agencies. Such reports will withhold the names of victims as confidential, but will be provided to students and employees to aid in the prevention of similar occurrences. YPD will evaluate requests for confidentiality in the context of the institution's responsibility to provide a safe and secure environment. All reports received, including confidential reports, are to be included in the annual disclosure of crime statistics. CCTC will protect the confidentiality of victims by excluding identifying

information about the victim from publicly available records to the extent permissible by law. School officials may apply sanctions in cases of criminal misconduct, which may include, but not limited to: suspension, termination, or restitution for school property damages.

## **Campus Security Authorities**

Security Officer

Patrick Kelly

474 Bennington Ave; room# 148

Youngstown, Ohio 44505

Main office security: 330-744-8767

## **Programs Designed to Inform Students and Employees About Prevention of Crime [34 CFR §668.46(b)(6)]**

Choffin CTC does not provide specific programming designed to inform students and staff about the prevention of crimes. Instead students and staff are directed to resources through posted flyers of community resources and provided the link to the Clery Center in the Google Classroom to access resources suggested for students and families. This catalog has statements regarding harassment and reporting processes within Choffin and the YCSD.

Staff has required online on-demand virtual training on the following topics: Human Trafficking Awareness, Sexual Harassment, Students Experiencing Homelessness: Awareness and Understanding, Threat Assessment, Youth Suicide: Awareness, Prevention and Postvention, Reasonable Suspicion for Drug and Alcohol Use, Dating Violence Identification and Prevention, and Sexual Misconduct Staff to Student.

## **Geographic Locations**

On Campus is defined as (1) Any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institution's educational purposes; and (2) Any building or property that is within or reasonably contiguous to the area identified in (1) of this definition, that is owned by the institution but controlled by another person, is frequently used by students and supports institutional purposes.

Public Property Defined as all public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus or immediately adjacent to and accessible from campus.

## **Emergency Notification and Evacuations**

Under the direction of the Superintendent of Youngstown City School District (YCSD), the Director of Adult Education or their designee, the school will initiate an immediate notification to the campus community upon confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of the campus community, unless the notification at that time will compromise efforts to contain the emergency. The YCSD Emergency Response Team, upon determining that a significant emergency or dangerous situation exists, will immediately disseminate emergency

information to the affected parts of the campus community through the following methods or notification which include but are not limited to outdoor speakers (bullhorns), local radio stations, building coordinators, student management email system for students, staff and faculty, campus website, portable electronic signs and/or the mass email, text and phone emergency notification system. Evacuation schematics can be found in every building on campus. Assembly points are designated for each building, as well as for a campus evacuation. Evacuation drills of campus buildings are completed per State guidelines.

Communication is a critical part of incident management. This section outlines Choffin Career and Technical Centers emergency communication plan and supports its mission to provide clear, effective internal and external communication between the school, staff, students, emergency responders, the community and media.

**Applicable to Below Hazards**

- |                   |                                       |
|-------------------|---------------------------------------|
| Active Shooter    | Hostage                               |
| Bomb Threat       | Injury/Health Emergency               |
| Bullying (HIB)    | Lost Child                            |
| Bus Accident      | Medical: Blood borne pathogen         |
| Chemical Accident | Medical: Pandemic                     |
| Civil Unrest      | Nuclear Incident                      |
| Dam Failure       | Power Outage                          |
| Death             | Severe Storm/Tornado                  |
| Earthquake        | Sexual Assault/Abuse                  |
| Explosion         | Terrorism                             |
| Fire              | Unidentified Substances/Illicit Drugs |
| Flood             | Water Outage/Restriction              |
| Gas Leak/Outage   | Winter Storm/Ice Storm                |

**Methods of Communication**

The below table indicates which method of communication is likely to be used to implement the functional content areas (left column). If the situation warrants or a communication method fails, additional methods should immediately be implemented.

<b>Methods of Communication</b>
---------------------------------



Functional Content Area (Protective Measures)	Phones	Radios	PA System	Cell phones	Megaphone	Social Media	Computer alert pop ups	School wide email	Other
Close School	X	X	X	X	X	X	X		
Drop, Cover, Hold On		X	X						
Emergency Communication	X	X	X	X		X	X	X	
Evacuation	X	X	X	X	X	X	X	X	
Family Reunification	X			X		X	X	X	
Lockdown	X	X	X	X	X	X	X	X	
Medical Response		X							
Mental Health Services	X			X					
Rapid Assessment		X	X						
Reverse Evacuation	X	X	X	X	X	X	X	X	
Shelter-in-Place		X	X						

\*This table does not limit the school administrator from altering this plan if the incident requires different communication methods.

The school is aware of the following communication system limitations or deficiencies:

- Limited battery life of cell phones
- Limited battery life and broadcasting distance of radios

Priority of communication to recipients

1. Those directly involved in the incident
2. First responders
3. Policy group/superintendent/school administration
4. Media
5. Community

The emergency notification system is tested annually.

The communication office or public information officer has:

- a plan to address an influx of phone calls from students, staff and community members.
- templates for statements/press releases, the communication plan and media contacts at the major television, Internet and radio stations are maintained by the chief communications officer and

located at the district office and a contact list of community partner Public Information Officers (PIOs).

### **During an Emergency**

- Disseminate information via email, text, cell phone and school messenger system to inform students and staff about what is known to have happened.
- Radios and cell phones are used to communicate attendance/accountability status to Incident Command.
- Implement a plan to manage an influx of phone calls from the community
- Provide regular updates to the media and school community.
- Establish a media site and reception area away from the school and any established Incident Command Post.
- Coordinate media communications with relevant community partners through the Joint Information Center (JIC), if established.
- Provide only information that has been approved to be released by the Incident Commander in charge of the scene
- Identify injured and deceased and where they have been transported. Coordinate notifications with law enforcement and/or medical personnel.

### **Off-site Evacuation**

An MOU is in place with both the primary and secondary evacuation locations.

### **Lockdown**

Definition: Lockdown is used to secure all building occupants against a possible or known immediate threat to life. The steady state of a building requires that all exterior doors be locked.

Any failure to conform to visitor procedures should be viewed with suspicion until the person is identified as a non-threat to the school. Individuals may enter the school without following the school's security regulations. They may gain entry to the building via unlocked or propped open doors. A person may also be granted entry to the building but fail to report to the office and sign-in as a visitor.

Applicable to Below Hazards

Active Shooter

Civil Disturbance

Hostage

Injury/Health Emergency

Medical: Blood borne Pathogen

Terrorism

### **Lockdown Procedures**

Initiation: Different levels of lockdown may be prudent depending on the situation. The School Incident Commander/Assistant Principal or designee will make an announcement declaring a level of lockdown using [the public address system, 2-way radio, telephone, etc.].

Level 1 – secured in building - no admittance to or exit from building

Level 2 – secured in classrooms – no movement in hallways  
Level 2 – secured in classrooms – no movement in hallways

Level 3 - secured in place – no movement within classroom

## **Youngstown City School Board Policy**

The Board of Education is committed to maintaining a safe and drug-free environment in all of the District's schools. The Board believes that school crime and violence are multifaceted problems that need to be addressed in a manner that utilizes all available resources in the community through a coordinated effort of School District personnel, law enforcement agencies, and families. The Board further believes that school administrators and local law enforcement officials must work together to provide for the safety and welfare of students while they are at school or a school-related event or are on their way to and from school. The Board also believes that the first step in addressing school crime and violence is to assess the extent and nature of the problem(s) or threat, and then plan and implement strategies that promote school safety and minimize the likelihood of school crime and violence.

## **Emergency Management Plan (EMP)**

To that end, the Superintendent shall develop and adopt a comprehensive Emergency Management Plan (“EMP”) for each building under his/her control. In developing the EMP for each building, the Superintendent shall involve community law enforcement and safety officials (including, but not limited to, law enforcement, fire, emergency medical personnel, and any local divisions having county-wide emergency management), parents of students who are assigned to the building, and teachers and non teaching employees assigned to the building. Each EMP shall contain the name, title (if applicable), contact information, and signature of each person involved in development of the EMP.

In developing the EMP, the Superintendent shall examine the environmental conditions and operations of each building to determine potential hazards to student and staff safety. The Superintendent shall further propose operating changes to promote the prevention of potentially dangerous problems and circumstances. The Superintendent shall incorporate remediation strategies into the EMP for any building where documented safety problems have occurred.

Each EMP will consist of four (4) parts:

- A. A single document to address all hazards that may negatively impact the school; including but not limited to active shooter, hostage, bomb threat, act of terrorism, bullying, and any other natural or manmade events that the Superintendent knew or should have reasonably known about that compromise the health or safety of students, employees, administrators, or property. The document will include:
  1. a hazard identification and risk analysis (i.e., a process to identify hazards and assess the vulnerability associated with each);
  2. an all-hazards emergency operations plan organized around five (5) mission areas: prevention, protection, mitigation, response, and recovery;

The plan shall be compliant with the National Incident Management System (NIMS).

3. the access and functional needs of the students, teachers, and staff;
4. education for students, staff, and administrators to avoid, deter, or stop an imminent crime or safety issue, threatened or actual;
5. procedures for notifying law enforcement, fire, EMS, emergency management, mental health, and other outside experts who could assist in responding to and recovering from an emergency;

The plan shall be updated and revised at least every three (3) years from the previous date of compliance to reflect lessons learned and best practices to continually improve the plan. The emergency management test and actual emergencies at the school buildings will be a source for lessons learned.

- B. A floor plan unique to each floor of the building.
- C. A site plan that includes all building property and surrounding property.
- D. An emergency contact information sheet.

The Superintendent shall submit an electronic copy of each EMP s/he developed and adopted to the Ohio Department of Education (“ODE”) not less than once every three (3) years, whenever a major modification to the building requires changes to the procedures outlined in the EMP, and whenever the information on the emergency contact information sheet changes. No later than the date prescribed by ODE, the Superintendent shall also file a copy of the current, updated EMP with the following:

- A. each law enforcement agency that has jurisdiction over the school building; and
- B. upon request, the local fire department, emergency medical service organization, and county emergency management agency serve the area in which the building is located.

The Superintendent will also file copies of updated EMPs with ODE and the above agencies within ten (10) days after s/he adopts the revised EMPs.

The EMP is not a public record.

The Superintendent shall prepare and conduct at least one (1) annual emergency management test, in accordance with rules adopted by the Ohio Department of Education (ODE). By July 1st of every year, the Superintendent shall review the EMPs s/he previously developed and adopted, and certify in writing to the ODE that the EMPs are current and accurate.

The emergency management test must be a scheduled event; an actual emergency will not satisfy this requirement, even if an after-action report is produced. The emergency management test must be tabletop, functional, or full-scale as defined in A.C. 3301-5-01, and each type shall be used once every three (3) years. It must include at least one (1) hazard from the hazard analysis in the EMP and at least one (1) functional content area. At least one (1) representative from law enforcement, fire, EMA, EMS, and/or behavioral health should be included.

Students may participate in the emergency management test at the discretion of the Principal. In deciding whether, and to what extent, to involve students in an emergency management test, the Principal should consider what benefit student inclusion in the emergency management test may have on the student population's preparation for an emergency and to enhance the safety of students in the building. The Principal shall also consider age-appropriate participation, guidance, and training in preparation for students' participation in the test.

Parental consent is required prior to student participation in the emergency management test.

The Superintendent shall submit an after-action report to the ODE no later than thirty (30) days after the emergency management test documenting the following: 1) date/time/weather/length of exercise; 2) the type of discussion/operations based exercise; 3) the scenario utilized; 4) the hazard(s) utilized (including safety data sheets, as appropriate); 5) the functional content area(s) utilized; and 6) the identification of at least three (3) strengths and at least three (3) improvement areas of the EMP discovered as a result of the emergency management test.

The Superintendent shall grant access to each school building under his/her control to law enforcement personnel and any local fire department, emergency medical service organization, and/or county emergency management agency that has requested a copy of the EMP, to enable such personnel and entities to conduct training sessions for responding to threats and emergency events affecting the school building. Such access shall be provided outside of student instructional hours and the Superintendent or designee shall be present in the building during the training sessions.

Prior to the opening day of each school year, the Superintendent shall inform each enrolled student and the student's parent/legal guardian of the procedures to be used to notify parents in the event of an emergency or a serious threat to safety. Any student enrolled in the school after the annual notification and their parent/legal guardian shall be notified upon enrollment. Also, see Policy 8420 - Emergency Situations at School.

## **Threat Assessment**

The primary purpose of a threat assessment is to minimize the risk of targeted violence at school. The following threat assessment process is designed to be consistent with the process set forth in the joint U.S. Secret Service and U.S. Department of Education publication, *Threat Assessment in Schools: A Guide to Managing Threatening Situations and to Creating Safe School Climates* for identifying, assessing, and managing students who may pose a threat. The goal of the threat assessment process is to take appropriate preventive or corrective measures to maintain a safe school environment, protect and support potential victims, and provide assistance, as appropriate, to the student being assessed.

The threat assessment process is centered upon an analysis of the facts and evidence of behavior in a given situation. The appraisal of risk in a threat assessment focuses on actions, communications, and specific circumstances that might suggest that an individual intends to cause physical harm and is engaged in planning or preparing for that event.

The Board authorizes the Superintendent to create building-level, trained threat assessment teams. Each Team shall be headed by the Principal and may include a school counselor, school psychologist, instructional personnel, and/or the School Resource Officer, where appropriate. At the discretion of the Superintendent, a threat assessment team may serve more than one (1) school when logistics and staff assignments make it feasible.

The Team will meet when the Principal learns a student has made a threat of violence or engages in concerning communications or behaviors that suggest the likelihood of a threatening situation.

The Team is empowered to gather information, evaluate facts, and make a determination as to whether a given student poses a threat of violence to a target. If an inquiry indicates that there is a risk of violence in a specific situation, the Team may collaborate with others to develop and implement a written plan to manage or reduce the threat posed by the student in that situation.

The Board authorizes the Superintendent to create guidelines for the purpose of:

- A. identifying team participants by position and role;
- B. requiring team participants to undergo appropriate training;
- C. defining the nature and extent of behavior or communication that would trigger a threat assessment and/or action pursuant to a threat assessment;
- D. defining the types of information that may be gathered during the assessment;
- E. stating when and how parents/guardians of the student making the threat shall be notified and involved;
- F. designating the individuals (by position) who are responsible for gathering and investigating information;
- G. identifying the steps and procedures to be followed from initiation to conclusion of the threat assessment inquiry or investigation.

Board employees, volunteers, and other school community members, including students and parents, shall immediately report to the Superintendent or Principal any expression of intent to harm another person or other statements or behaviors that suggest a student may intend to commit an act of violence.

Nothing in this policy overrides or replaces an individual's responsibility to contact 911 in an emergency.

Regardless of threat assessment activities or protocols, disciplinary action and referral to law enforcement shall occur as required by State law and Board policy.

Threat assessment team members shall maintain student confidentiality at all times as required by Board Policy 8330 - Student Records, and State and Federal law.

## **Safe and Drug-Free Schools**

As a part of the EMP, the Board shall verify that it has procedures in place for keeping schools safe and drug-free that include (see also, Form 8330 F15 entitled Checklist of Policies and Guidelines Addressing Safe and Drug-Free Schools):

- A. appropriate and effective school discipline policies that prohibit disorderly conduct, the illegal possession of weapons and the illegal use, possession, distribution, and sale of tobacco, alcohol, and other drugs by students;
- B. security procedures at school and while students are on the way to and from school;
- C. prevention activities that are designed to maintain safe, disciplined and drug-free environments;

- D. a code of conduct or policy for all students that clearly states the responsibilities of students, teachers, and administrators in maintaining a classroom environment that:
1. allows a teacher to communicate effectively to all students in the class;
  2. allows all students in the class the opportunity to learn;
  3. has consequences that are fair, and developmentally appropriate;
  4. considers the student and the circumstances of the situation; and
  5. is enforced accordingly.

### **Persistently Dangerous Schools**

The Board recognizes that State and Federal law requires that the District report annually incidents which meet the statutory definition of violent criminal offenses that occur in a school, on school grounds, on a school conveyance, or at a school-sponsored activity. It is further understood that the State Department of Education will then use this data to determine whether or not a school is considered persistently dangerous as defined by State policy.

Pursuant to the Board's stated intent to provide a safe school environment, the school administrators are expected to respond appropriately to any and all violations of the Student Code of Conduct, especially those of a serious, violent nature. In any year where the number of reportable incidents of violent criminal offenses in any school exceed the threshold number established in State policy, the Superintendent shall convene a meeting of the building administrator, representative(s) of the local law enforcement agencies, and any other individuals deemed appropriate for the purpose of developing a plan of corrective action that can be implemented in an effort to reduce the number of these incidents in the subsequent year.

The Superintendent shall make a report to the Board about this plan of corrective action and shall recommend approval and adoption of it.

In the unexpected event that the number of reportable incidents in three (3) consecutive school years exceeds the statutory threshold and the school is identified as persistently dangerous, students attending the school shall have the choice option as provided in Policy 5113.02 and AG 5113.02.

In addition, the Superintendent shall convene a meeting of the building administrator, representative(s) of the local law enforcement agencies, and any other individuals deemed appropriate for the purpose of developing a plan of corrective action that can be implemented in an effort to reduce the number of these incidents in the subsequent year.

### **Victims of Violent Crime**

The Board further recognizes that, despite the diligent efforts of school administrators and staff to provide a safe school environment, an individual student may be a victim of a violent crime in a school, on school grounds, on a school conveyance, or at a school-sponsored activity. In accordance with Federal and State

law the parents of the eligible student shall have the choice options provided by Policy 5113.02 and AG 5113.02.

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Revised 9/23/14

Revised 6/23/15

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Legal

R.C. 3313.536

A.C. 3301-5-01

Title IX, Section 9532 of the Elementary and Secondary Education Act, as amended

20 U.S.C. 6301 et seq.

Public Law 107-110

### **Campus Policy Regarding Illegal Substances**

The school strictly forbids the possession, use or sale of any alcoholic beverages and /or illegal drugs on campus. Students and staff members should report any knowledge of such activities to the appropriate school personnel (**main office security 330-744-8767**). Any infraction is cause for immediate termination. When appropriate, such infractions will be reported to legal authorities. Students receiving Title IV funds risk having funds revoked.

### **Violence Against Women Act**

On March 7, 2013, President Barack Obama signed the Violence Against Women Reauthorization Act (VAWA), focusing on improving criminal justice response to violence against women. VAWA enhanced accountability for all Post-Secondary Schools to educate students and prevent gender based violence. Additional rights were afforded to campus victims of domestic violence, dating violence, sexual assault, and stalking. Compliance with these provisions does not constitute a violation of section 444 of the General Education Provisions Act (20 U.S.C. 1232g), the Family Educational rights and Privacy Act of 1974 (FERPA).

#### **VAWA Offenses**

**Stalking:** Means engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for his/her safety, safety of others, or suffer substantial emotional distress. This also includes “cyber stalking” the use of e-mail, internet, instant messaging, social media, or use of any electronic devices to harass or abuse another person. All are a crime under Ohio law.



Domestic Violence: Means a felony or misdemeanor crime of violence committed by current or former spouse or intimate partner of the victim.

Dating Violence: Means violence committed by a person: who is or has been in a social relationship either romantic or intimate with the victim. The existence of such a relationship is determined based on the following factors: the length of the relationship, the type of relationship, and frequency of interaction between persons involved in the relationship.

### **Violence Prevention [34 CFR §668.46(b)(11) (i)]**

It is the intent of Choffin CTC to provide a safe and secure working and learning environment for its students, employees, and visitors through prevention, reduction and management of threats of violence or violence. Violence includes, but is not limited to: intimidation, threats, physical attack, behavior that creates a reasonable fear of injury, harm or extreme emotional distress, threats or actual domestic and dating violence, sexual assault, sexual harassment, stalking, displaying a weapon, property damage, or any retaliation against a person who reports a potential or actual violation, and includes acts of violence committed by or against school employees, students, contractual workers, temporary employment agency workers, customers, relatives, acquaintances, or other third parties on school property.

Choffin CTC will employ management strategies to identify and prevent incidents of violence against employees, students, themselves or others; take appropriate action against those who threaten or perpetrate violence, and reduce the effects of violence on victims. Administrators, instructors, staff and students are responsible for reporting indications of potential violent behavior and must not be subjected to retaliation for reporting such good faith concerns. The school may engage all available resources, programs and policies; agency referrals; and, if needed, local law enforcement and emergency services, to respond to alleged acts of violence. Choffin CTC does not tolerate acts of violence committed by or against employees, students, contractual workers, temporary employment agency workers, volunteers, visitors, or other third parties on school owned, controlled, or leased properties, or while conducting school business at any location, including representing the school at conferences or off-site meetings, or riding in school owned or leased vehicles.

### **Sexual Assault, Sexual Harassment, Stalking, Domestic Violence, Dating Violence**

All persons associated with the District, including, but not limited to, the Board, the administration, the staff and the students are expected to conduct themselves at all times so as to provide an atmosphere free from incidents of sexual assault, sexual harassment, stalking, domestic violence and dating violence. Any incident, whether verbal or nonverbal, occurring inside or outside of Choffin CTC building or other property owned by CCTC, is illegal and unacceptable. Any person engaging in an incident while acting as a member of the school community is in violation of this policy.

### **CCTC Adult Education Process for Reporting Sexual Assault, Sexual Harassment, Stalking, Domestic Violence, Dating Violence**

If you are a victim of a sexual assault, sexual harassment, stalking, domestic violence or dating

violence at this institution, your first priority should be to get to a place of safety. You should obtain the necessary medical treatment even if you do not intend to report the assault. Prior to medical treatment/exam it is important not to bathe, or change one's clothes or disturb anything at the crime scene. Choffin Career and Technical Center strongly advocates that the victim or witness of any incident report the incident in a timely manner. Time is critical for evidence collection and preservation.

An incident that took place on campus should be reported directly to security personnel or the Administrator on duty in the Adult Business Office on the main floor. All reporting is on a voluntary and confidential basis. Filing the report does not obligate the victim to notify law enforcement authorities, prosecute, nor subject the victim to scrutiny or judgmental opinions from the school. When/if a report is filed the victim will be provided with a written explanation of his/her rights, resources and options. The school will assist the victim/survivor in notifying the proper law enforcement authorities if requested. Filing a police report will:

1. Ensure that a victim receives the necessary medical treatment and tests.
2. Provide the opportunity for preservation and collection of evidence helpful in prosecution, which cannot be obtained later.
3. Assure the victim has access to confidential counseling from specifically trained in the area of crisis intervention.

Victims or witnesses of sexual assault, domestic violence or dating violence should take steps to preserve evidence that may aid in obtaining a protective order or any administrative action or criminal prosecution that may result.

1. Provide the opportunity for preservation and collection of evidence helpful in prosecution, which cannot be obtained later.
2. Assure the victim has access to confidential counseling from specifically trained in the area of crisis intervention.

Victims or witnesses of sexual assault, domestic violence or dating violence should take steps to preserve evidence that may aid in obtaining a protective order or any administrative action or criminal prosecution that may result.

### **Sexual Misconduct [34 CFR §668.46(b)(11)]**

Sexual misconduct is a form of sex discrimination prohibited by Title IX. Choffin CTC is committed to eliminating any and all acts of sexual misconduct and discrimination on its campuses. As set forth in this policy, sexual misconduct includes dating violence, domestic violence, stalking, and sexual assault. Choffin CTC strictly prohibits these offenses.

### **Types of Sexual Assault and Violence Against Women**

**Rape-** Rape Penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim, including situations where drugs and/or alcohol impair the person's ability to give full and free consent.

**Forcible Sodomy-** Oral or anal sexual intercourse with another person, forcibly and/or against that person's will; or not forcibly against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.

**Sexual Assault With An Object-** The use of an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.

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

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

**Statutory-** Non Forcible sexual intercourse with a person who is under the statutory age of consent.

**Consent**—an informed decision, freely given, made through mutually understandable words or actions that indicate a willingness to participate in mutually agreed upon sexual activity. Consent cannot be given by an individual who is asleep; unconscious; or mentally or physically incapacitated, either through the effect of drugs or alcohol or for any other reason; or, is under duress, threat, coercion, or force. Past consent does not imply future consent. Silence or an absence of resistance does not imply consent. Consent can be withdrawn at any time.

**Dating Violence**—violence against a person when the accuser and accused are dating, or who have dated, or who have or had a sexual relationship. “Dating” and “dated” do not include fraternization between two (2) individuals solely in a business or non-romantic social context. Violence includes, but is not necessarily limited to:

1. Inflicting, or attempting to inflict, physical injury on the accuser by other than accidental means;
2. Placing the accuser in fear of physical harm;
3. Physical restraint;
4. Malicious damage to the personal property of the accuser, including inflicting, or attempting to inflict, physical injury on any animal owned, possessed, leased, kept, or held by the accuser; or,
5. Placing a victim in fear of physical harm to any animal owned, possessed, leased, kept, or held by the accuser – TCA § 36-3-601(5)(c)

**Domestic Violence Victim**—violence against a person when the accuser and accused:

1. Are current or former spouses'
2. Live together or have lived together;
3. Are related by blood or adoption;
4. Are related or were formally related by marriage; or,
5. Are adult or minor children of a person in a relationship described above.

**Domestic Violence** – includes, but is not necessarily limited to:

1. Inflicting, or attempting to inflict, physical injury on the accuser by other than accidental means;

2. Placing the accuser in fear of physical harm;
3. Physical restraint;
4. Malicious damage to the personal property of the accuser, including inflicting, or attempting to inflict, physical injury on any animal owned, possessed, leased, kept, or held by the accuser; or,
5. Placing the accuser in fear of physical harm to any animal owned, possessed, leased, kept, or held by the accuser – TCA § 36-3-601

**Sexual Assault**—the nonconsensual sexual contact with the accuser by the accused, or the accused by the accuser when force or coercion is used to accomplish the act, the sexual contact is accomplished without consent of the accuser, and the accused knows or has reason to know at the time of the contact that the accuser did not or could not consent.

**Sexual Misconduct**—for the purposes of this policy, “sexual misconduct” is defined as dating violence, domestic violence, stalking, and sexual assault.

**Stalking**—a willful course of conduct involving repeated or continuing harassment of another individual that would cause a reasonable person to feel terrorized, frightened, intimidated, threatened, harassed, or molested, and that actually causes the accuser to feel terrorized, frightened, intimidated, threatened, harassed, or molested.

### **Sexual Misconduct Educational Programs and Campaigns [34 CFR §668.46(b)(11)(i)]**

Educational programming consists of prevention and awareness through information provided in the Google Classroom Student Resource Center, student request for information from student support personnel, and all incoming students orientation and new employees onboarding

The Adult Education Catalog and ASR informs students and staff of:

1. The identification of domestic violence, dating violence, sexual assault and stalking as prohibited conduct;
2. Defines what behavior constitutes domestic violence, dating violence, sexual assault and stalking;
3. Defines what behavior and actions constitute consent to sexual activity;
4. Provides safe and positive options for bystander intervention that may be carried out by an individual to prevent harm or intervene when there is a risk of domestic violence, dating violence, sexual assault and stalking against a person other than the bystander;
5. Provides information on risk reduction so that students and employees may recognize warning signs of abusive behavior and how to avoid potential attacks; and
6. Provides an overview of information contained in the Annual Security Report in compliance with the Clery Act.

Staff has required online on-demand virtual training on the following topics: Human Trafficking Awareness, Sexual Harassment, Students Experiencing Homelessness: Awareness and Understanding, Threat Assessment, Youth Suicide: Awareness, Prevention and Postvention, Reasonable Suspicion for Drug and Alcohol Use, Dating Violence Identification and Prevention, and Sexual Misconduct Staff to Student.

### **CCTC Adult Education Process for Reporting Sexual Assault, Sexual Harassment, Stalking, Domestic Violence, Dating Violence**

If you are a victim of a sexual assault, sexual harassment, stalking, domestic violence or dating violence at this institution, your first priority should be to get to a place of safety. You should obtain the necessary medical treatment even if you do not intend to report the assault. Prior to medical treatment/exam it is important not to bathe, or change one's clothes or disturb anything at the crime scene. Choffin Career and Technical Center strongly advocates that the victim or witness of any incident report the incident in a timely manner. Time is critical for evidence collection and preservation.

An incident that took place on campus should be reported directly to security personnel or the Administrator on duty in the Adult Education Office on the main floor. All reporting is on a voluntary and confidential basis. Filing the report does not obligate the victim to notify law enforcement authorities, prosecute, nor subject the victim to scrutiny or judgmental opinions from the school. When/if a report is filed the victim will be provided with a written explanation of his/her rights, resources and options. The school will assist the victim/survivor in notifying the proper law enforcement authorities if requested. Filing a police report will:

1. Ensure that a victim receives the necessary medical treatment and tests.
2. Provide the opportunity for preservation and collection of evidence helpful in prosecution, which cannot be obtained later.
3. Assure the victim has access to confidential counseling from specifically trained in the area of crisis intervention.

Victims or witnesses of sexual assault, domestic violence or dating violence should take steps to preserve evidence that may aid in obtaining a protective order or any administrative action or criminal prosecution that may result.

1. Provide the opportunity for preservation and collection of evidence helpful in prosecution, which cannot be obtained later.
2. Assure the victim has access to confidential counseling from specifically trained in the area of crisis intervention.

Victims or witnesses of sexual assault, domestic violence or dating violence should take steps to preserve evidence that may aid in obtaining a protective order or any administrative action or criminal prosecution that may result.

Choffin CTC prohibits all acts of dating violence, domestic violence, sexual assault, and stalking. If you are a bystander to these acts there are options on how to intervene safely.

## **Bystander Intervention**

The Clery Act defines bystander intervention 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. Bystander intervention includes recognizing situations of potential harm, understanding institutional structures and cultural conditions that facilitate violence, overcoming barriers to intervening, identifying safe and effective intervention options, and taking action to intervene." (34 CFR 668.46(j)(2)(ii))

Bystanders play a critical role in the prevention of sexual and relationship violence. They are "individuals who observe violence or witness the conditions that perpetuate violence. They are not directly involved but have the choice to intervene, speak up, or do something about it." We want to promote a culture of community accountability where bystanders are actively engaged in the prevention of violence without causing further harm. We may not always know what to do even if we want to help. Below is a list of some ways to be an active bystander. If you or someone else is in immediate danger, dial 911. This could be when a person is yelling at or being physically abusive towards another and it is not safe for you to interrupt.

1. Watch out for your friends and fellow students/employees. If you see someone who looks like they could be in trouble or need help, ask if they are ok.
2. Confront people who seclude, hit on, try to make out with, or have sex with people who are incapacitated.
3. Speak up when someone discusses plans to take sexual advantage of another person.
4. Believe someone who discloses sexual assault, abusive behavior, or experience with stalking.
5. Refer people to on- or off-campus resources for support in health, counseling, or with legal assistance.

## **Risk Reduction Strategies to Avoid Victimization**

The following are some strategies to reduce one's risk of sexual assault or harassment:

1. Be aware of your surroundings. Knowing where you are and who is around you may help you to find a way to get out of a bad situation.
2. Try to avoid isolated areas. It is more difficult to get help if no one is around.
3. Walk with purpose. Even if you don't know where you are going, act like you do.

4. Trust your instincts. If a situation or location feels unsafe or uncomfortable, it probably isn't the best place to be.
5. Try not to load yourself down with packages or bags as this can make you appear more vulnerable.
6. Make sure your cell phone is with you and charged and that you have cab money.
7. Don't allow yourself to be isolated with someone you don't trust or someone you don't know.
8. Avoid putting music headphones in both ears so that you can be more aware of your surroundings, especially if you are walking alone.
9. When you go to a social gathering, go with a group of friends. Arrive together, check in with each other throughout the evening, and leave together. Knowing where you are and who is around you may help you to find a way out of a bad situation.
10. Trust your instincts. If you feel unsafe in any situation, go with your gut. If you see something suspicious, contact law enforcement immediately (local authorities can be reached by calling 911 in most areas of the U.S.).
11. Don't leave your drink unattended while talking, dancing, using the restroom, or making a phone call. If you've left your drink alone, just get a new one.
12. Don't accept drinks from people you don't know or trust. If you choose to accept a drink, go with the person to the bar to order it, watch it being poured, and carry it yourself. At parties, don't drink from the punch bowls or other large, common open containers.
13. Watch out for your friends, and vice versa. If a friend seems out of it, is way too intoxicated for the amount of alcohol they've had, or is acting out of character, get him or her to a safe place immediately.
14. If you suspect you or a friend has been drugged, contact law enforcement immediately (local authorities can be reached by calling 911 in most areas of the U.S.). Be explicit with doctors so they can give you the correct tests (you will need a urine test and possibly others).
15. If you need to get out of an uncomfortable or scary situation here are some things that you can try:

Remember that being in this situation is not your fault. You did not do anything wrong, it is the person who is making you uncomfortable that is to blame.

Be true to yourself. Don't feel obligated to do anything you don't want to do. "I don't want to" is always a good enough reason. Do what feels right to you and what you are comfortable with.

Have a code word with your friends or family so that if you don't feel comfortable you can call them and communicate your discomfort without the person you are with knowing. Your friends or family can then come to get you or make up an excuse for you to leave.

Lie. If you don't want to hurt the person's feelings it is better to lie and make up a reason to leave than to stay and be uncomfortable, scared, or worse. Some excuses you could use are: needing to take care of a friend or family member, not feeling well, having somewhere else that you need to be, etc.

16. Try to think of an escape route. How would you try to get out of the room? Where are the doors? Windows? Are there people around who might be able to help you? Is there an emergency phone nearby?
17. If you and/or the other person have been drinking, you can say that you would rather wait until you both have your full judgment before doing anything you may regret later.

### **Campus Sexual Assault Victim's Bill of Rights**

Additionally, through the United States Congress the "Campus Sexual Assault Victims' Bill of Rights" was enacted in 1992 as a part of the Higher Education Amendments of 1992 (Public Law: 102-325, section 486(c)).

This law requires that all colleges and universities (both public and private) participating in federal student aid programs afford sexual assault victims certain basic rights, which are outlined below.

- Accuser and accused must have the same opportunity to have others present.
- Both parties shall be informed of the outcome of any disciplinary proceeding.
- Survivors shall be informed of their options to notify law enforcement.
- Survivors shall be notified of counseling services.
- Survivors shall be notified of options for changing academic and living situations.

Complaints about schools that have failed to comply with this law should be made with the U.S. Department of Education.\*

### **Procedures Victims Should Follow If a Sex Offense Occurs [34 CFR §668.46(b)(11)(ii)]**

If you are a victim of a sexual assault, your first priority should be to get to a place of safety. You should then obtain necessary medical treatment. Choffin CTC strongly advocates that a victim of sexual assault reports the incident in a timely manner. Time is a critical factor for evidence collection and preservation. An assault can be reported directly 9-1-1 or to a local law



enforcement agency. If the victim wishes to make a confidential notification, the victim should follow the procedure outlined below for confidentially reporting sexual misconduct. The victim may be assisted by campus authorities in notifying local law enforcement. The victim should contact the Student Services Coordinator or the Director of Adult Education for assistance.

A victim has the right to decline to notify local law enforcement. However, filing a police report with a local law enforcement agency will not obligate the victim to prosecute, nor will it subject the victim to scrutiny or judgmental opinions from officers. Filing a police report will:

- 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, which cannot be obtained later (ideally a victim of sexual assault should not wash, douche, use the toilet, or change clothing prior to a medical/legal exam); and
- ensure the victim has access to confidential counseling from counselors specifically trained in the area of sexual assault crisis intervention.

When a victim of sexual misconduct presents to Choffin, the institution will provide information about the importance of preserving evidence that may assist in proving that the alleged criminal offense occurred or may be helpful in obtaining a protection order. Choffin CTC will also provide information on community resources available to victims and refer them to YCSD nursing coordinator . Choffin CTC will further provide written notification to victims about options for, and available assistance in, changing academic, and working situations. Note, Choffin CTC programs are clock hours programs that have class entry one time a year, other than clinical sites it will not be possible to change academic classrooms. Choffin CTC must make such accommodations if the victim requests them and they are reasonably available, regardless of whether the victim chooses to report the crime to local law enforcement.

### **Reporting Sexual Misconduct [34 CFR §668.46(b)(11)(ii)]**

As a survivor of sexual assault on a college campus you have three options:

- You may report the sexual assault off campus to the local police and elect to participate in the criminal investigation and potential prosecution of the perpetrator; and/or
- You may report the sexual assault on campus to any responsible employee on campus to begin the campus process as outlined in your student handbook; or
- You may not report at all or through any official channels and just access support and services.

**Report off campus** – you can report off campus by calling local law enforcement directly or dialing 911 or seeking medical treatment off campus. You are not required to make a report to the police by seeking medical attention, but be prepared for law enforcement to be called in and ask to interview you.

**Report on campus** – you can report on campus by disclosing the assault to any responsible employee on campus. Due to the increasing pressure on higher education institutions to address sexual assault, many are implementing policies to designate virtually every faculty and staff member as mandatory reporters. Reports made will not be kept confidential as they will be shared with the appropriate security personnel of YCSD. All staff at Choffin are mandatory

reporters. There may call the anonymous national sexual assault hotline: 1-800-656-4673 to make a report. If you choose to call the “anonymous” hotline, and you wish to truly remain anonymous, be careful to not discuss any personally identifying information – which may include the exact time, place, and perpetrator of the assault.

After you report on campus, the process will vary depending on your institution. You can read your student handbook to figure out how things are handled at your school. Ultimately, your college is required to act to eliminate and remedy the harm of sexual violence on campus under Title IX.

**Your rights include:**

- The right to receive contact information about existing counseling, health, mental health, victim advocacy, legal assistance, and other services available both on-campus and in the community
- The right to reasonable accommodations to continue your education from sexual violence and harassment. This may include changes to your academic schedule, living arrangements, transportation, or working situations to avoid a hostile environment. It can also include a campus issued no contact directive against the perpetrator.
- The right to a prompt, fair, and impartial investigation and resolution by trained officials.
- The school’s disciplinary process and the range of possible sanctions must be established and clear. Read the policy carefully as it may identify gatekeepers that could prevent your case from proceeding to an actual disciplinary board.
- The right to have an advisor of your choice present during an institutional disciplinary proceeding. This advisor may be an attorney, but it is important to remember that the campus proceeding is not a legal proceeding and the lawyer will not be afforded the same ability to represent you or speak on your behalf as he or she would in court. Also, all of the legal training that an attorney receives regarding court rules will not apply during your hearing.
- The perpetrator’s advisor will be similarly restrained.
- The right to receive a written decision of all disciplinary proceedings at the same time as the perpetrator.
- The right to be free from retaliation for filing a report with the institution. The school also has an obligation to take action to prevent retaliation for the perpetrator or third parties.

If you believe that your institution is not abiding by their requirement to provide you with a safe, educational environment free from sexual violence and sexual harassment, you can file a complaint with the U.S. Department of Education under the Campus SaVE Act, the Clery Act, and/or Title IX. You can file a formal complaint with the Clery Act Compliance Division by emailing [clery@ed.gov](mailto:clery@ed.gov). Your campus is required to have a Title IX compliance officer to receive your Title IX complaint. Check your student handbook or your school’s website for that person’s contact information and reporting options. Also, see [NotAlone.gov](http://NotAlone.gov)’s website for reporting information.

**Not to report at all** – you can choose to not report the assault at all or just not to any person with official responsibilities to law enforcement or the institution. There are a number of reasons that survivors choose this option and if you do so, it is important that you plan how to access support

and services so that your choice will be respected. You always have the right to access services off campus from unaffiliated rape crisis centers and hotlines in your area or nationally. If you are concerned about a report being made, call in anonymously from a blocked number first to ask if a report will be made to law enforcement or the institution.

Whether you report or not, support is available. Contact your local rape crisis center for additional confidential advocacy in Ohio.

### **Institutional Response to a Reported Sexual Assault, Sexual Harassment, Stalking, Domestic Violence or Dating Violence**

The supervisor will assist the victim in notifying local law enforcement authorities if the victim so chooses. The victims may choose for the investigation to be pursued through the criminal justice system. Law enforcement officers will guide the victim through the available options and support the victim in his/her decision. All matters in regard to an incident, including the identity of both the charging party and the accused are kept confidential, to the extent possible. Assistance will be made available in changing academic or externship situations after an alleged incident, if requested by the victim and if these changes are reasonably available regardless of whether or not the victim chooses to report the crime to local law enforcement. If a student wishes to exercise this option, students should contact their Program Director.

The Campus Sex Crimes Prevention Act (CSCPA) of 2000 is a federal law that provides for tracking of convicted sex offenders enrolled at, or employed by institutions of higher education. Federal law requires state law enforcement agencies to provide institutions of higher education with a list of registered sex offenders who indicate that they are enrolled at or employed by those institutions. In addition, information on registered sex offenders is available at <https://www.mahoningcountyoh.gov/966/Sheriff>. The CSCPA further amends the Family Educational Rights and Privacy Act of 1974 (FERPA) to clarify that concerning registered sex offenders. This statement is provided in compliance with the Campus Sex Crimes Prevention Act of 2000.

### **Protective Order**

For information on obtaining an Order of Protection visit the Mahoning County Domestic Relations Court at [Domestic Relations Court | Mahoning County, OH \(mahoningcountyoh.gov\)](https://www.mahoningcountyoh.gov/966/Sheriff)

### **Resources for Victims of Sex Offenses**

Counseling can assist victims in understanding and working through their reactions to dating violence, domestic violence, and stalking. By enhancing the victim's coping skills and ability to deal with the events, minimizing potential long-term effects of the events.

Here are some local and national resources:

Mercy Health Youngstown 330-746-7211

National Sexual Assault Hotline 1-800-656-4673

Compass Family Counseling Services 330-782-5664

Compass 24 hour Hotline 330-782-3936

Rape Crisis Center 330-782-5664  
Beatitude House 330-744-3147  
Some Place Safe 330-393-3005  
National Domestic Violence 1-800-799-7233  
Rescue Mission 330-744-5486  
**Legal Aid 330-744-3196, or 1-866-584-2350**

## **Investigation of Incidents Related Campus Sexual Assault**

In the case of an alleged incident of dating violence, domestic violence, sexual assault, or stalking, Choffin CTC will provide a prompt, fair, and impartial process from initial investigation to final result following the processes and procedures set forth by YCSD Board policy 1662 Sexual Harassment.

## **1662 - ANTI-HARASSMENT YCSD Board Policy**

### **General Policy Statement**

It is the policy of the Board of Education to maintain an education and work environment that is free from all forms of unlawful harassment, including sexual harassment. This commitment applies to all School District operations, programs, and activities. All students, administrators, teachers, staff, and all other school personnel share responsibility for avoiding, discouraging, and reporting any form of unlawful harassment. This policy applies to unlawful conduct occurring on school property, or at another location if such conduct occurs during an activity sponsored by the Board.

The Board will vigorously enforce its prohibition against discriminatory harassment based on race, color, national origin, sex (including sexual orientation and gender identity), disability, age, religion, ancestry, or genetic information (collectively, "Protected Classes") that are protected by Federal civil rights laws (hereinafter referred to as "unlawful harassment"), and encourages those within the School District community as well as Third Parties, who feel aggrieved to seek assistance to rectify such problems. The Board will investigate all allegations of harassment and in those cases where unlawful harassment is substantiated, the Board will take immediate steps to end the harassment, prevent its recurrence, and remedy its effects. Individuals who are found to have engaged in unlawful harassment will be subject to appropriate disciplinary action.

The District will offer counseling services to any person found to have been subjected to unlawful harassment, and, where appropriate, the person(s) who committed the unlawful harassment.

### **Other Violations of the Anti-Harassment Policy**

The Board will also take immediate steps to impose disciplinary action on individuals engaging in any of the following prohibited acts:

- A. Retaliating against a person who has made a report or filed a complaint alleging unlawful harassment, or who has participated as a witness in a harassment investigation.

- B. Filing a malicious or knowingly false report or complaint of unlawful harassment.
- C. Disregarding, failing to investigate adequately, or delaying investigation of allegations of harassment, when responsibility for reporting and/or investigating unlawful harassment charges comprises part of one's supervisory duties.

## **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.

**Complainant** is the individual who alleges, or is alleged, to have been subjected to unlawful harassment, regardless of whether the person files a formal complaint or is pursuing an informal resolution to the alleged harassment.

**Respondent** is the individual who has been alleged to have engaged in unlawful harassment, regardless of whether the Reporting Party files a formal complaint or is seeking an informal resolution to the alleged harassment.

**School District community** means 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** include, but are not limited to, guests and/or visitors on School District 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 District community at school-related events/activities (whether on or off District property).

**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).

## **Bullying**

Bullying rises to the level of unlawful harassment when one or more persons systematically and chronically inflict physical hurt or psychological distress on one (1) or more students or employees and that bullying is based upon one (1) or more Protected Classes, that is, characteristics that are protected by Federal civil rights laws. It is defined as any unwanted and repeated written, verbal, or physical behavior, including any threatening, insulting, or dehumanizing gesture, by an adult or student, that is severe or pervasive enough to create an intimidating, hostile, or offensive educational or work environment; cause discomfort or humiliation; or unreasonably interfere with the individual's school or work performance or participation; and may involve:

- A. teasing;
- B. threats;

- C. intimidation;
- D. stalking;
- E. cyberstalking;
- F. cyberbullying;
- G. physical violence;
- H. theft;
- I. sexual, religious, or racial harassment;
- J. public humiliation; or
- K. destruction of property.

**"Harassment"** means any threatening, insulting, or dehumanizing gesture, use of technology, or written, verbal or physical conduct directed against a student or school employee that:

- A. places a student or school employee in reasonable fear of harm to his/her person or damage to his/her property;
- B. has the effect of substantially interfering with a student's educational performance, opportunities, or benefits, or an employee's work performance; or
- C. has the effect of substantially disrupting the orderly operation of a school.

### **Sexual Harassment**

For purposes of this policy and consistent with Title VII of the Civil Rights Act of 1964, "sexual harassment" is defined as:

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature, when:

- A. Submission to such conduct is made either implicitly or explicitly a term or condition of an individual's employment, or status in a class, educational program, or activity.
- B. Submission or rejection of such conduct by an individual is used as the basis for employment or educational decisions affecting such individual.
- C. Such conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working, and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity.

Sexual harassment may involve the behavior of a person of any gender against a person of the same or another gender.

Sexual Harassment covered by Policy 2266 - Nondiscrimination on the Basis of Sex Education Programs or Activities is not included in this policy. Allegations of such conduct shall be addressed solely by Policy 2266.

Prohibited acts that constitute sexual harassment under this policy may take a variety of forms. Examples of the kinds of conduct that may constitute sexual harassment include, but are not limited to:

- A. Unwelcome sexual propositions, invitations, solicitations, and flirtations.
- B. Unwanted physical and/or sexual contact.
- C. Threats or insinuations that a person's employment, wages, academic grade, promotion, classroom work or assignments, academic status, participation in athletics or extra-curricular programs, activities, or events, or other conditions of employment or education may be adversely affected by not submitting to sexual advances.
- D. Unwelcome verbal expressions of a sexual nature, including graphic sexual commentaries about a person's body, dress, appearance, or sexual activities; the unwelcome use of sexually degrading language, profanity, jokes or innuendoes; unwelcome suggestive or insulting sounds or whistles; obscene telephone calls.
- E. Sexually suggestive objects, pictures, graffiti, videos, posters, audio recordings or literature, placed in the work or educational environment, that may reasonably embarrass or offend individuals.
- F. Unwelcome and inappropriate touching, patting, or pinching;
- G. Asking about, or telling about, sexual fantasies, sexual preferences, or sexual activities.
- H. Speculations about a person's sexual activities or sexual history, or remarks about one's own sexual activities or sexual history.
- I. Giving unwelcome personal gifts such as lingerie that suggests the desire for a romantic relationship.
- J. Leering or staring at someone in a sexual way, such as staring at a person's breasts, buttocks, or groin.
- K. A pattern of conduct, which can be subtle in nature, that has sexual overtones and is intended to create or has the effect of creating discomfort and/or humiliation to another.
- L. In the context of employees, consensual sexual relationships where such relationship leads to favoritism of a subordinate employee with whom the superior is sexually involved and where such favoritism adversely affects other employees or otherwise

creates a hostile work environment.

M. Inappropriate boundary invasions by a District employee or other adult member of the School District community into a student's personal space and personal life.

N. Verbal, nonverbal or physical aggression, intimidation, or hostility based on sex or sex-stereotyping that does not involve conduct of a sexual nature.

Not all behavior with sexual connotations constitutes unlawful sexual harassment. Sex-based or gender-based conduct must be sufficiently severe, pervasive, and persistent such that it adversely affects, limits, or denies an individual's employment or education, or such that it creates a hostile or abusive employment or educational environment.

### **Race/Color Harassment**

Prohibited racial harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's race or color and when the conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working, and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person's race or color, such as racial slurs, nicknames implying stereotypes, epithets, and/or negative references relative to racial customs.

### **Religious (Creed) Harassment**

Prohibited religious harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's religion or creed and when the conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person's religious tradition, clothing, or surnames, and/or involves religious slurs.

### **National Origin/Ancestry Harassment**

Prohibited national origin/ancestry harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's national origin or ancestry and when the conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person's national origin or ancestry, such as negative comments regarding customs, manner of speaking, language, surnames, or ethnic slurs.

### **Disability Harassment**

Prohibited disability harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's disability and when the conduct has the purpose or effect of



interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person's disability, such as negative comments about speech patterns, movement, physical impairments or defects/appearances, or the like. Such harassment may further occur where conduct is directed at or pertains to a person's genetic information.

### **Anti-Harassment Compliance Officers**

The following individual(s) shall serve as the District's Anti-Harassment Compliance Officer(s) (hereinafter, "the Compliance Officer(s)"):

Aaron Adair

Human Resource Coordinator

Youngstown City School District

474 Bennington Avenue

Youngstown, Ohio 44505

Phone: (330) 744-8600~ Fax: (330) 744-5295

Email: [Aaron.Adair@youngstown.k12.oh.us](mailto:Aaron.Adair@youngstown.k12.oh.us)

Robert Kearns

Chief of Staff

20 W. Wood St.

Youngstown, Ohio 44503

330-744-6941

Youngstown, Ohio 44505

[Rob.Kearns@youngstown.k12.oh.us](mailto:Rob.Kearns@youngstown.k12.oh.us)

The names, titles, and contact information of these individuals will be published annually on the District's website and in the parent and staff handbooks.

The Compliance Officer(s) are responsible for coordinating the District's efforts to comply with applicable Federal and State laws and regulations, including the District's duty to address in a prompt and equitable manner any inquiries or complaints regarding harassment.

The Compliance Officer(s) will be available during regular school/work hours to discuss concerns related to unlawful harassment, to assist students, other members of the District

community, and third parties who seek support or advice when informing another individual about "unwelcome" conduct, or to intercede informally on behalf of the individual in those instances where concerns have not resulted in the filing of a formal complaint and where all parties are in agreement to participate in an informal process.

Compliance Officers shall accept reports of unlawful harassment directly from any member of the School District community or a Third Party or receive reports that are initially filed with an administrator, supervisor, or other District-level official. Upon receipt of a report of alleged harassment, the Compliance Officer(s) will contact the Complainant and begin either an informal or formal complaint process (depending on the request of the Complainant or the nature of the alleged harassment), or the Compliance Officer(s) will designate a specific individual to conduct such a process. The Compliance Officer(s) will provide a copy of this policy to the Complainant and Respondent. In the case of a formal complaint, the Compliance Officer(s) will prepare recommendations for the Superintendent or will oversee the preparation of such recommendations by a designee. All Board employees must report incidents of harassment that are reported to them to the Compliance Officer within two (2) days of learning of the incident.

Any Board employee who directly observes unlawful harassment is obligated, in accordance with this policy, to report such observations to the Compliance Officer(s) within two (2) days. Additionally, any Board employee who observes an act of unlawful harassment is expected to intervene to stop the harassment, unless circumstances make such an intervention dangerous, in which case the staff member should immediately notify other Board employees and/or local law enforcement officials, as necessary, to stop the harassment. Thereafter, the Compliance Officer(s) or designee must contact the Complainant, if age eighteen (18) or older, or Complainant's parents/guardians if the Complainant is under the age eighteen (18), within two (2) days to advise of the Board's intent to investigate the alleged wrongdoing.

### **Reports and Complaints of Harassing Conduct**

Members of the School District community along with Third Parties are encouraged to promptly report incidents of harassing conduct to an administrator, supervisor or other School District official so that the Board may address the conduct before it becomes severe, pervasive, or persistent. Any administrator, supervisor, or other District official who receives such a report shall file it with the Compliance Officer within two (2) days of receiving the report of harassment.

Members of the School District community and Third Parties who believe they have been unlawfully harassed by another member of the School District community or a Third Party are entitled to utilize the Board's complaint process that is set forth below. Initiating a complaint, whether formally or informally, will not adversely affect the Complainant's employment or participation in educational or extra-curricular programs. While there are no time limits for initiating complaints of harassment under this policy, individuals should make every effort to file a complaint as soon as possible after the conduct occurs while the facts are known and potential witnesses are available.

If, during an investigation of alleged bullying, aggressive behavior and/or harassment in accordance with Policy 5517.01 - Bullying and Other Forms of Aggressive Behavior, the Principal believes that the reported misconduct may have created a hostile work environment and may have constituted unlawful discriminatory harassment based on a Protected Class, the

Principal shall report the act of bullying, aggressive behavior and/or harassment to the Compliance Officers who shall investigate the allegation in accordance with this policy. If the alleged harassment involves Sexual Harassment as defined by Policy 2266, the matter will be handled in accordance with the grievance process and procedures outlined in Policy 2266. While the Compliance Officer investigates the allegation, or the matter is being addressed pursuant to Policy 2266, the Principal shall suspend the Policy 5517.01 investigation to await the Compliance Officer's written report or the determination of responsibility pursuant to Policy 2266. The Compliance Officer shall keep the Principal informed of the status of the Policy 1662 investigation and provide the Principal with a copy of the resulting written report. Likewise, the Title IX Coordinator will provide the Principal with the determination of responsibility that results from the Policy 2266 grievance process.

### **Investigation and Complaint Procedure**

Except for Sexual Harassment that is covered by Policy 2266 - Nondiscrimination on the Basis of Sex in Education Programs or Activities, any employee or other member of the School District community or Third Party (e.g., visitor to the District) who believes that they have been subjected to unlawful harassment or retaliation may seek resolution of the complaint through the procedures described below. The formal complaint process involves an investigation of the Complainant's claims of harassment or retaliation and a process for rendering a decision regarding whether the charges are substantiated.

Due to the sensitivity surrounding complaints of unlawful harassment or retaliation, timelines are flexible for initiating the complaint process; however, individuals should make every effort to file a complaint within thirty (30) days after the conduct occurs while the facts are known and potential witnesses are available. 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 any individual to pursue a complaint of unlawful harassment or retaliation with the United States Department of Education Office for Civil Rights, the Ohio Civil Rights Commission ("OCRC") and/or Equal Employment Opportunity Commission ("EEOC").

### **Informal Complaint Procedure**

The goal of the informal complaint procedure is promptly to stop inappropriate behavior and to facilitate resolution through informal means, if possible. The informal complaint procedure is provided as a less formal option for a student, other member of the School District community, or Third Party who alleges unlawful harassment or retaliation. 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 Complainant and the Respondent mutually agree to participate in it.

The Complainant 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, any other adult member of the School District community, or a Third Party and a student will be formally investigated.

As an initial course of action, if a Complainant feels comfortable and safe in doing so, the individual should tell or otherwise inform the Respondent that the allegedly harassing conduct is inappropriate and must stop. The Complainant should address the allegedly harassing conduct as soon after it occurs as possible. The Compliance Officers are available to support and counsel individuals when taking this initial step or to intervene on behalf of the Complainant if requested to do so. A Complainant who is uncomfortable or unwilling to directly approach the Respondent about the alleged inappropriate conduct may file an informal or a formal complaint. In addition, with regard to certain types of unlawful harassment, such as sexual harassment, the Compliance Officer may advise against the use of the informal complaint process.

A Complainant may make an informal complaint, either orally or in writing: 1) to a teacher, other employee, or building administrator; 2) directly to one of the Compliance Officers; and/or 3) to the Superintendent or other District-level employee.

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

The Board's informal complaint procedure is designed to provide employees, other members of the School District community, or third parties who believe they are being unlawfully harassed with a range of options designed to bring about a resolution of their concerns. Depending upon the nature of the complaint and the wishes of the Complainant, informal resolution may involve, but not be limited to, one or more of the following:

- A. Advising the Complainant about how to communicate the unwelcome nature of the behavior to the Respondent.
- B. Distributing a copy of this policy as a reminder to the individuals in the school building or office where the Respondent works or attends.
- C. If both parties agree, the Compliance Officer may arrange and facilitate a meeting or mediation between the Complainant and the Respondent to work out a mutual resolution.

While there are no set time limits within which an informal complaint must be resolved, the Compliance Officer/designee is directed to attempt to resolve all informal complaints within fifteen (15) business days of receiving the informal complaint. If the Complainant is dissatisfied with the informal complaint process, the Complainant may proceed to file a formal complaint and, as stated above, either party may request that the informal process be terminated at any time to move to the formal complaint process.

### **Formal Complaint Procedure**

If a complaint is not resolved through the informal complaint process, if one of the parties has requested that the informal complaint process be terminated to move to the formal complaint process, or the Complainant, from the outset, elects to file a formal complaint, or the CO determines the allegations are not appropriate for resolution through the informal process, the formal complaint process shall be implemented.

The Complainant may file a formal complaint, either orally or in writing, with a teacher, Principal, the Compliance Officer, Superintendent, or other District official. Due to the sensitivity surrounding complaints of unlawful harassment and retaliation, timelines are flexible for initiating the complaint process; however, individuals should make every effort to file a formal complaint within thirty (30) days after the conduct occurs while the facts are known and potential witnesses are available. If a Complainant informs a teacher, Principal, Superintendent, or other District official, either orally or in writing, about any complaint of harassment or retaliation, that employee must report such information to the Compliance Officer within two (2) business days.

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

All formal complaints must include the following information to the extent known: the identity of the Respondent; a detailed description of the facts upon which the complaint is based (i.e., when, where, and what occurred); 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 Compliance Officer shall ask for such details in an oral interview. Thereafter, the Compliance Officer 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 Compliance Officer will consider whether any action should be taken in the investigatory phase to protect the Complainant from further harassment or retaliation, including, but not limited to, a change of work assignment or schedule for the Complainant and/or the Respondent. In making such a determination, the Compliance Officer should consult the Complainant to assess whether the individual agrees with the proposed action. If the Complainant is unwilling to consent to the proposed change, the Compliance Officer may still take whatever actions deemed appropriate in consultation with the Superintendent.

Within two (2) business days of receiving the complaint, the Compliance Officer/designee will initiate a formal investigation to determine whether the Complainant has been subjected to offensive conduct/harassment/retaliation. The Principal will not conduct an investigation unless directed to do so by the Compliance Officer.

Simultaneously, the Compliance Officer will inform the Respondent that a formal 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 the Board's Anti-Harassment Policy. 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 Compliance Officer/designee will attempt to complete an investigation into the allegations of harassment/retaliation within fifteen (15) business days of receiving the formal complaint. The investigation will include:

- A. interviews with the Complainant;
- B. interviews with the Respondent;
- C. interviews with any other witnesses who may reasonably be expected to have any information relevant to the allegations;
- D. consideration of any documentation or other information presented by the Complainant, Respondent, or any other witness that is reasonably believed to be relevant to the allegations.

At the conclusion of the investigation, the Compliance Officer or the 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 harassment as provided in Board policy and State and Federal law as to whether the Complainant has been subjected to unlawful harassment. The Compliance Officer's recommendations must be based upon the totality of the circumstances. In determining if discriminatory harassment or retaliation occurred, a preponderance of evidence standard will be used. The Compliance Officer 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 Compliance Officer/designee, the Superintendent must either issue a written decision regarding whether the complaint of harassment has been substantiated or request further investigation. A copy of the Superintendent's final decision will be delivered to both the Complainant and the Respondent.

The Complainant and Respondent will receive simultaneous notification, in writing, that provides the result of the disciplinary proceeding, appeal procedures, information about changes to the result, and notification of when results will become final.

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) business days. At the conclusion of the additional investigation, the Superintendent must issue a written decision as described above.

The decision of the Superintendent shall be final.

The Board reserves the right to investigate and resolve a complaint or report of unlawful harassment/retaliation regardless of whether the member of the School District community or Third Party alleging the unlawful harassment/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 parties may be represented, at their 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, the filing of charges with local law enforcement, or the filing of a civil action in court. Use of this internal complaint process is not a prerequisite to the pursuit of other remedies.

### **Privacy/Confidentiality**

The District will employ all reasonable efforts to protect the rights of the Complainant, the Respondent, and the witnesses as much as possible, consistent with the Board's legal obligations to investigate, to take appropriate action, and to conform with any discovery or disclosure obligations. All records generated under the terms of this policy and related administrative guidelines shall be maintained as confidential to the extent permitted by law. Confidentiality, however, cannot be guaranteed. Additionally, the Respondent must be provided the Complainant's identity.

During the course of a formal investigation, the Compliance Officer/designee will instruct all members of the School District community and Third Parties who are interviewed about the importance of maintaining confidentiality. Any individual who is interviewed as part of a harassment investigation is expected not to disclose any information that is learned or provided during the course of the investigation.

### **Sanctions and Monitoring**

The Board shall vigorously enforce its prohibitions against unlawful harassment/retaliation by taking appropriate action reasonably calculated to stop the harassment and prevent further such harassment. 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 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. In those cases where unlawful harassment 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 recurrence, and remedy its effects.

### **Retaliation**

Retaliation against a person who makes a report or files a complaint alleging unlawful harassment/retaliation or participates as a witness in an investigation is prohibited. Neither the Board nor any other person may intimidate, threaten, coerce 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 report, formal complaint testified, assisted or participated or refused to participate in any manner in an investigation, proceeding, or hearing under those laws and/or this policy, 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 and/or this policy.

Retaliation against a person for making a report of discrimination, filing a formal complaint, or participating in an investigation or meeting is a serious violation of this policy that can result in imposition of disciplinary sanction/consequences and/or other appropriate remedies.

Formal complaints alleging retaliation may be filed according to the internal complaint process 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.

### **Allegations Constituting Criminal Conduct: Child Abuse/Sexual Misconduct**

State law requires any school teacher or school employee who knows or suspects that a child with a disability under the age of twenty-one (21) or that a child under the age of eighteen (18) has suffered or faces a threat of suffering a physical or mental wound, disability or condition of a nature that reasonably indicates abuse or neglect of a child to immediately report that knowledge or suspicion to the county children's services agency. If, during the course of a harassment investigation, the Compliance Officer or a designee has reason to believe or suspect that the alleged conduct reasonably indicates abuse or neglect of the Complainant, a report of such knowledge must be made in accordance with State law and Board Policy.

State law defines certain contact between a teacher and a student as "sexual battery." If the Compliance Officer or a designee has reason to believe that the Complainant has been the victim of criminal conduct as defined in Ohio's Criminal Code, such knowledge should be immediately reported to local law enforcement.

Any reports made to a county children's services agency or to local law enforcement shall not terminate the Compliance Officer or a designee's obligation and responsibility to continue to investigate a complaint of harassment. While the Compliance Officer or a designee may work cooperatively with outside agencies to conduct concurrent investigations, in no event shall the harassment investigation be inhibited by the involvement of outside agencies without good cause after consultation with the Superintendent.

### **Allegations Involving Conduct Unbecoming the Teaching Profession/Suspension**

The Superintendent will report to the Ohio Department of Education, on forms provided for that purpose, matters of misconduct on the part of licensed professional staff members convicted of sexual battery, and will, in accordance with Policy 8141, suspend such employee from all duties that concern or involve the care, custody, or control of a child during the pendency of any criminal action for which that person has been arrested, summoned and/or indicted in that regard.

### **Education and Training**

In support of this Anti-Harassment Policy, the Board promotes preventative educational measures to create greater awareness of unlawful discriminatory practices. The Superintendent



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 harassment in general, will be age and content appropriate.

Annual training is provided to all persons that will participate in investigations and/or proceedings. This training is led by the superintendent with assistance and guidance from the district attorney(s) and the local law enforcement agency.

### **Retention of Investigatory Records and Materials**

The Compliance Officer(s) is responsible for overseeing retention of all records that must be maintained pursuant to this policy. All individuals charged with conducting investigations under this policy shall retain all documents, electronically stored information ("ESI"), and electronic media (as defined in Policy 8315) created and/or received as part of an investigation, which may include but not be limited to:

- A. all written reports/allegations/complaints/grievances/statements/responses pertaining to an alleged violation of this policy;
- B. any narratives that memorialize oral reports/allegations/complaints/grievances/statements/responses pertaining to an alleged violation of this policy;
- C. any documentation that memorializes the actions taken by District personnel or individuals contracted or appointed by the Board to fulfill its responsibilities related to the investigation and/or the District's response to the alleged violation of this policy;
- D. written witness statements;
- E. narratives, notes from, or audio, video, or digital recordings of witness interviews/statements;
- F. e-mails, texts, or social media posts that directly relate to or constitute evidence pertaining to an alleged violation of this policy (i.e., not after-the-fact commentary about or media coverage of the incident);
- G. notes or summaries prepared contemporaneously by the investigator in whatever form made (e.g., handwritten, keyed into a computer or tablet, etc.), but not including transitory notes whose content is otherwise memorialized in other documents;
- H. written disciplinary sanctions issued to students or employees and other documentation that memorializes oral disciplinary sanctions issued to students or employees for violations of this policy;
- I. dated written determinations/reports (including summaries of relevant exculpatory and inculpatory evidence) and other documentation that memorializes oral notifications to the parties concerning the outcome of the investigation, including any consequences imposed

as a result of a violation of this policy;

- J. documentation of any supportive measures offered and/or provided to the Complainant and/or the Respondent, including no contact orders issued to both parties, the dates the no contact orders were issued, and the dates the parties acknowledged receipt of the no contact orders;
- K. documentation of all actions taken, both individual and systemic, to stop the discrimination or harassment, prevent its recurrence, eliminate any hostile environment, and remedy its discriminatory effects;
- L. copies of the Board policy and/or procedures/guidelines used by the District to conduct the investigation, and any documents used by the District at the time of the alleged violation to communicate the Board's expectations to students and staff with respect to the subject of this policy (e.g., Student Code of Conduct and/or Employee Handbooks);
- M. copies of any documentation that memorializes any formal or informal resolutions to the alleged discrimination or harassment;
- N. documentation of any training provided to District personnel related to this policy, including but not limited to, notification of the prohibitions and expectations of staff set forth in this policy and the role and responsibility of all District personnel involved in enforcing this policy, including their duty to report alleged violations of this policy and/or conducting an investigation of an alleged violation of this policy.

The documents, ESI, and electronic media (as defined in Policy 8315) retained may include public records and records exempt from disclosure under Federal (e.g., FERPA, ADA) and/or State law (e.g., R.C. 3319.321) – e.g., student records and confidential medical records.

The documents, ESI, and electronic media (as defined in Policy 8315) created or received as part of an investigation shall be retained in accordance with Policy 8310, Policy 8315, Policy 8320, and Policy 8330 for not less than three (3) years, but longer if required by the District's records retention schedule.

### **Available Counseling for Mental Health**

Attending adult education classes can be one of the best times in a person's life. It is often a time of meeting new friends, having new experiences and discovering a new sense of freedom. For many though, this time is also met with a variety of new stresses and problems. Choffin CTC provides on- site career counseling but may make referrals to outside agencies for professional counseling for any student who needs help understanding the problems they are facing. Students work with a counselor to learn new ways to cope or make positive life changes. Students who take the time to speak with a professional counselor are often able to resolve their personal problems and feel better faster than if dealing with the problems by themselves.

Common Problems that Students often bring to a Counselor include:

- Feeling of being overwhelmed

- Adjusting to new responsibilities
- Managing time and/or procrastinating
- Lacking motivation
- Making decisions
- Relating with family, friends and/or significant others
- Test taking anxiety
- Feelings of sadness, loneliness or depression
- Eating, drinking or drug use behaviors that are of concern
- Coping with an illness
- Expressing anger appropriately

Students in crisis or who need immediate assistance can call 2-1-1 Help Hotline for counseling and crime victim assistance.

## **Definitions Crime Awareness**

### **Criminal Offences and Hate Crimes**

**Larceny-Theft** is the unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another.

**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.

**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.

**Destruction/Damage/Vandalism of Property:** to willfully or maliciously destroy, damage, deface, or otherwise injure real or personal property without the consent of the owner or the person having custody or control of it

**Murder and Non-negligent Manslaughter:** the willful (non-negligent) killing of one human being by another.

**Manslaughter by Negligence:** the killing of another person through gross negligence. (Does not include traffic fatalities.)

**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.

**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.

**Burglary:** the unlawful entry of a structure to commit a felony or a theft.

**Motor Vehicle Theft:** the theft or attempted theft of a motor vehicle.

**Arson:** any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, personal property of another, etc.

**Consent to Sexual Activity:** Means actual agreement rather than merely submitting as a result of force or threat of force.

**Sexual Assault:** Means an offense classified as forcible or non-forcible sex offense under the uniform crimereporting system of the Federal Bureau of investigation. Asexual assault is any form of non-consensual sexual activity, including all unwanted sexual acts from intimidation to touching various forms of penetration and rape.

**Rape:** Penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.

**Sexual Harassment:** Sexual harassment includes unwelcome sexual advances, requests for sexual favors, and other physical or verbal conduct of a sexual nature when it meets any of the following: submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or academic status; submission to or rejection of such conduct by an individual is used as basis for employment or academic decisions affecting such individual; such conduct has the purpose or effect of unreasonably interfering with an individual's work or academic performance creating an intimidating, hostile, offensive environment for working or learning.

# CRIME AWARENESS REPORT

The following information is provided and updated annually as required by the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act and the Higher Education Opportunity Act.

Criminal Offenses	On Campus			Public Property		
	2020	2021	2022	2020	2021	2022
Murder/Non-negligent manslaughter	0	0	0	0	0	0
Manslaughter by Negligence	0	0	0	0	0	0
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
<b>Hate Crimes</b>	<b>2020</b>	<b>2021</b>	<b>2022</b>	<b>2020</b>	<b>2021</b>	<b>2022</b>
Murder/Non-negligent manslaughter	0	0	0	0	0	0
Manslaughter by Negligence	0	0	0	0	0	0
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
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
<b>VAWA Offences</b>	2020	2021	2022	2020	2021	2022
<b>Domestic violence</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
Dating violence	0	0	0	0	0	0
Stalking	0	0	0	0	0	0
<b>Arrests</b>	2020	2021	2022	2020	2021	2022
<b>Weapons - carrying, possessing, etc...</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
Drug abuse violations	0	0	0	0	0	0
Liquor law violations	0	0	0	0	0	0
<b>Disciplinary Actions</b>	2020	2021	2022	2020	2021	2022
<b>Weapons - carrying, possessing, etc...</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
Drug abuse violations	0	0	0	0	0	0
Liquor law violations	0	0	0	0	0	0
<b>Unfounded Crimes</b>	2020		2021		2022	

## Hate Crimes by Category of Bias

Hate Crimes	On Campus									Public Property									
	2020									2020									
	Total	Race	Religion	Sexual Orientation	Gender	Gender Identity	Disability	Ethnicity	National Origin	Total	Race	Religion	Sexual Orientation	Gender	Gender Identity	Disability	Ethnicity	National Origin	
Murder/Non-negligent manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Manslaughter by Negligence	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Statutory rape	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Aggravated assault	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Motor vehicle theft	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Simple assault	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Larceny-theft	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Intimidation	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Destruction/damage/vandalism of property	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Hate Crimes	On Campus									Public Property									
	2021									2021									
	Total	Race	Religion	Sexual Orientation	Gender	Gender Identity	Disability	Ethnicity	National Origin	Total	Race	Religion	Sexual Orientation	Gender	Gender Identity	Disability	Ethnicity	National Origin	

Murder/Non-negligent manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Manslaughter by Negligence	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Statutory rape	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Aggravated assault	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Motor vehicle theft	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Simple assault	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Larceny-theft	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Intimidation	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Destruction/damage/vandalism of property	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
<b>Hate Crimes</b>	<b>On Campus</b>									<b>Public Property</b>								
	<b>2022</b>									<b>2022</b>								
	<b>Total</b>	<b>Race</b>	<b>Religion</b>	<b>Sexual Orientation</b>	<b>Gender</b>	<b>Gender Identity</b>	<b>Disability</b>	<b>Ethnicity</b>	<b>National Origin</b>	<b>Total</b>	<b>Race</b>	<b>Religion</b>	<b>Sexual Orientation</b>	<b>Gender</b>	<b>Gender Identity</b>	<b>Disability</b>	<b>Ethnicity</b>	<b>National Origin</b>
Murder/Non-negligent manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Manslaughter by Negligence	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0



<b>Statutory rape</b>	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
<b>Robbery</b>	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
<b>Aggravated assault</b>	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
<b>Burglary</b>	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
<b>Motor vehicle theft</b>	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
<b>Arson</b>	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
<b>Simple assault</b>	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
<b>Larceny-theft</b>	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
<b>Intimidation</b>	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
<b>Destruction/damage/vandalism of property</b>	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

## Clery Act Crime Log Report

[Clery Act Crime Log Report](#)

<b>Nature of Crime</b>	<b>Case#</b>	<b>Reported Date</b>	<b>Occurred Date</b>	<b>Location at Choffin CTC</b>	<b>Status</b>	<b>Clery Geography</b>
No data to report						